

**Caution: This consultation draft is intended to facilitate dialogue concerning its contents. Should the decision be made to proceed with the proposal, the comments received during consultation will be considered during the final preparation of the regulation. The content, structure, form and wording of the consultation draft is subject to change as a result of the consultation process and as a result of review, editing and correction by the Office of Legislative Counsel.**

## ***Rowan's Law (Concussion Safety), 2018***

# **Regulatory Registry Consultation Draft Feedback Form**

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### **Purpose of this Consultation**

On March 7, 2018, Ontario enacted *Rowan's Law (Concussion Safety), 2018*<sup>1</sup> (hereafter referred to as *Rowan's Law*), as well as amendments to the *Education Act*. The intent of these provisions is to protect amateur athletes, including students, by improving concussion safety on the field and at school.

The requirements set out in *Rowan's Law* were informed by a report from an expert Advisory Committee that was tasked with providing recommendations about measures to increase awareness and improve prevention, detection and management of concussions in amateur sport. The *Rowan's Law* Advisory Committee was created in the name of Rowan Stringer, a 17-year-old high school student who died as a result of concussions she suffered while playing rugby. The Committee's report *Creating Rowan's Law: Report of the Rowan's Law Advisory Committee* was tabled in the Ontario Legislature in September, 2017.

The Ontario government is now seeking your feedback through this consultation draft, on the proposed draft regulation under *Rowan's Law*. The proposed draft regulation is intended to provide details and provide clarity about the requirements set out in the legislation.

Amendments to the *Education Act* give the Minister of Education authority to require school boards to comply with policies and guidelines about concussions involving students. The Ministry of Education already has a policy that expects all school boards, school authorities and provincial and demonstration schools to have concussion policies

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<sup>1</sup> Only Section 5 of the Act has been proclaimed into force.

in place: Policy and Program Memorandum (PPM 158). The passage of amendments to the *Education Act* means that PPM 158 will be updated to ensure consistency with the requirements in *Rowan's Law (Concussion Safety), 2018*. The revised PPM 158 will then be re-issued by the Minister of Education as a mandatory requirement for school boards, school authorities and provincial and demonstration schools.

Because PPM 158 will be updated and re-issued to ensure consistency with *Rowan's Law*, this consultation draft is also intended to seek feedback from school boards, school authorities and provincial and demonstration schools on the *Rowan's Law* regulation proposal.

## Your Feedback is Important

All input is welcomed and appreciated. The feedback will be used to confirm the direction set out in the proposed regulation. This may involve disclosing some or all comments or materials, or summaries to other interested parties during and after the consultation. Personal details such as your name and contact information will not be disclosed by the ministry without your consent, unless required by law. The collection, use, and disclosure of information is subject to the *Freedom of Information and Protection of Privacy Act*.

If for any reason you feel your feedback should not be shared with other parties, or if you have any questions about this consultation, please email the Ministry of Tourism, Culture, and Sport at [Sport@Ontario.ca](mailto:Sport@Ontario.ca)

### **You can review the proposed contents of the draft regulation in several ways:**

1. You can review this Consultation Draft which provides a plain language overview of the contents of the proposed draft regulation. The information contained in this Consultation Draft is presented in a "question and answer" format and does not necessarily follow the chronology of the draft regulation; and/or
2. You can review the proposed wording of the proposed draft regulation which can be accessed separately, through the regulatory registry website.

For either method, to obtain a complete picture of how the *Rowan's Law (Concussion Safety), 2018* legislative requirements intersect with the proposed draft regulation, you are encouraged to refer to the legislation throughout your review of the proposed draft regulation. The *Rowan's Law* legislation, can be accessed through the regulatory registry website.

**You can provide input in several ways:**

1. Provide comments on the Consultation Draft and/or proposed draft regulation at the bottom of the regulatory registry page by clicking the link titled “Comment on this proposal via email”.
2. Email your comment(s) on the Consultation Draft and/or proposed draft regulation by completing the respective feedback section(s) of the Consultation Draft and submitting it to [sport@ontario.ca](mailto:sport@ontario.ca) with “Consultation under Rowan’s Law” as the subject line.
3. Mail your comment(s) on the Consultation Draft and/or proposed draft regulation by completing the respective feedback section(s) of the Consultation Draft, printing it, and submitting it to:

ATTN:

*Rowan’s Law* Consultation

Sport, Recreation and Community Programs Division

Ministry of Tourism, Culture and Sport

777 Bay Street, 18<sup>th</sup> Floor

Toronto, ON, M7A 1S5

Note: This Consultation Draft provides a plain language overview of the contents of the proposed draft regulation. The information contained within it is presented in a “question and answer” format and does not necessarily follow the chronology of the proposed draft regulation.

**We look forward to receiving your input no later than April 18, 2019**

## Overview of the Act

*Rowan's Law* includes an annual concussion awareness day (*Rowan's Law Day*), and establishes mandatory requirements for amateur competitive sport organizations to ensure:

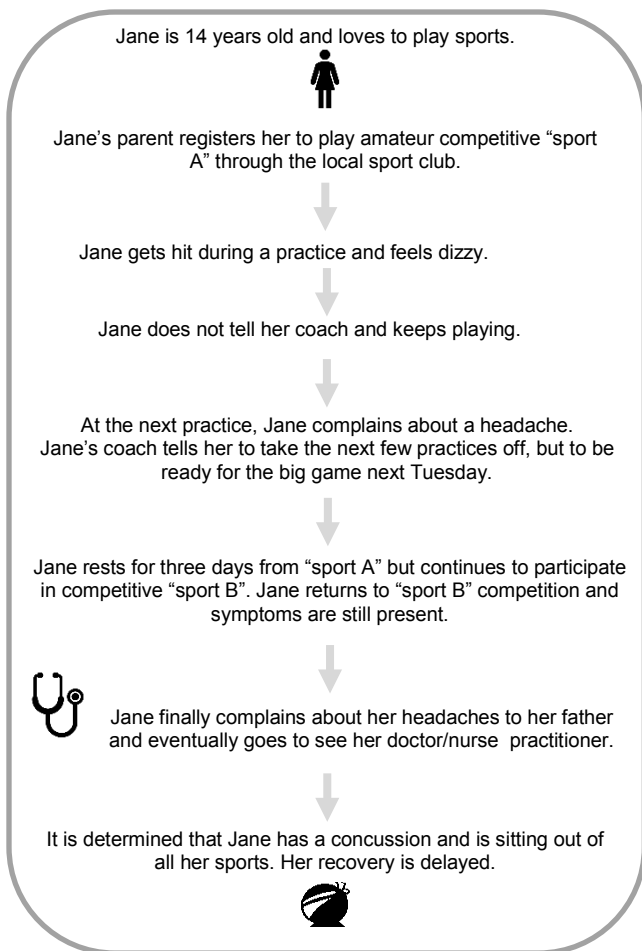
- Annual review of concussion awareness resources by athletes, coaches, and parents/guardians of athletes under 18 years of age;
- Establishment of removal-from-sport and return-to-sport protocols, so that athletes are immediately removed from sport if they are suspected of having sustained a concussion; and
- Establishment of concussion codes of conduct that will set out rules of behavior to minimize concussions while playing sport.

Amendments to the *Education Act* give the Minister of Education authority to require school boards to comply with policies and guidelines consistent with *Rowan's Law* requirements about concussions involving students.

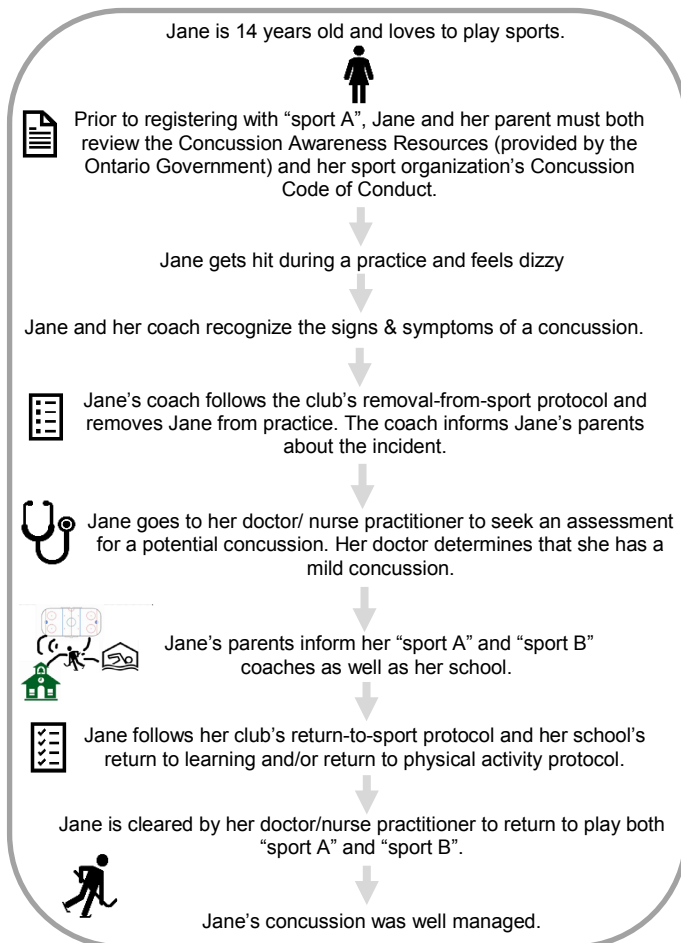
The goal of *Rowan's Law*, and amendments to the *Education Act*, is to increase awareness on the field, at school, in communities and in our homes and minimize the risk of concussion, so that all children and youth can participate safely in amateur sport.

The diagrams below are intended to demonstrate a typical scenario within a sport organization before and after *Rowan's Law* and proposed regulation under *Rowan's Law* take effect.

### Current state:



### After Rowan's Law Comes into Effect:



# Your Feedback on the Proposed Draft Regulation under Rowan's Law

## About You or Your Organization

*(please check the appropriate box)*

I am responding in my primary role as a/or on behalf of:

- Not-for-Profit Sport Organization
- For-Profit Sport Organization
- Athlete
- Coach
- Official
- Parent/guardian of an Athlete
- Postsecondary Institution
- Municipal staff or municipal association representative
- Health Care Provider
- Provincially funded school board, school authority, provincial and demonstration school
- Other \_\_\_\_\_

## SECTION A: Consultation Draft - A Plain Language Overview

### Overview

1. Scope
2. Concussion Awareness Resources
3. Concussion Code of Conduct
4. Removal-from-Sport & Return to Sport Protocols
5. Manner of Implementation of Regulation

### 1. Scope

There are several sections in the draft regulation that clarify the scope of sport organizations that would be required to comply with the Act based on the type of amateur competitive sports and activities the organization delivers, as well as ages of athletes registered. This means that a sport organization under the Act could include for-profit or not-for-profit entities, municipalities, Universities, Colleges of Applied Arts and Technology or other Post-Secondary Institutions if they meet the specific criteria outlined in the regulation. Questions 1-7 describe the intent of those sections of the regulation.

#### Q.1 What types of coaches would be required to comply with the Act?

Any reference to "coach" in the Act would apply to any type of sport organization coach, including a head coach or an assistant coach.

#### Q. 2 Would a sport organization be subject to the provisions of the Act for all of the sport programs it offers?

The proposed regulation would clarify that sport organizations would only be required to comply with the obligations under the Act for activities that meet ALL of the criteria outlined in Qs 3, 4 and 5 for (i.e., types of sports, nature of sport activities and ages of athletes) and are not excluded activities.

**Q. 3 What specific types of amateur competitive sports would be subject to the provisions of the Act?**

The proposed regulation includes a list of 63 higher-risk sports (including parasport equivalents, if applicable) that would be considered amateur competitive sports under the Act (“amateur competitive sport(s)”). The 63 sports are listed in Table 1- Amateur Competitive Sports List. Sport organizations that offer programs involving these sports would be required to comply with the Act in relation to activities that are covered by the Act.

Table 1 - Amateur Competitive Sports List

1. Alpine Skiing	23. Goalball	45. Ski Jumping
2. Artistic Swimming	24. Grappling	46. Snowboarding
3. Track & Field	25. Gymnastics	47. Soccer
4. Ball Hockey	26. Handball	48. Softball
5. Baseball	27. Ice Hockey	49. Special Olympic
6. Basketball	28. Jiu-Jitsu	Floor Hockey
7. Biathlon	29. Judo	50. Speedskating
8. BMX Freestyle	30. Karate	51. Sport Climbing
9. Bobsleigh	31. Kickboxing	52. Squash
10. Boxing	32. Lacrosse	53. Surfing
11. Broomball	33. Luge	54. Swimming
12. Canoe & Kayak	34. Marathon Swimming	55. Taekwondo
13. Cricket	35. Modern Pentathlon	56. Triathlon
14. Cross Country	36. Muaythai	57. Volleyball
Skiing	37. Pankration	58. Water Polo
15. Curling	38. Racquetball	59. Water Ski &
16. Cycling	39. Ringette	Wakeboarding
17. Diving	40. Rowing	60. Wheelchair
18. Equestrian	41. Rugby	Basketball
19. Field Hockey	42. Sailing	61. Wheelchair Rugby
20. Figure Skating	43. Skateboarding	62. Wrestling
21. Football	44. Skeleton	63. Wushu
22. Freestyle Skiing		

**Q. 4 What types of activities would be subject to the provisions of the Act, and which would be exempted?**

The proposed regulation clarifies that sport organizations would be subject to the Act when carrying out the following activities:

- training athletes; and/or
- conducting practices among athletes; and/or
- organizing or holding one or more tournaments, contests or other competitions among athletes.

The intent is to exclude activities that focus on fundamental movement or sport skills, as well as sport activities that are more informal in nature. As such, the proposed regulation clarifies that a sport organization would not be subject to the Act for any of the following activities:

- those which focus primarily on the development of fundamental movement or sport skills and that are not focused on competition; or
- those which satisfy all the following criteria:
  - athletes of various skill, or experience or ages ordinarily play/practice together;
  - do not involve coaches/officials;
  - composition of members may change between games; and
  - do not involve keeping track of individual or team standings between games or practices.

#### **Q. 5 What ages of athletes would be impacted by the Act?**

The proposed regulation clarifies that a sport organization with at least one amateur athlete under 26 years of age would be required to comply with *Rowan's Law*. The proposed regulation further clarifies that:

- sport organizations must register athletes under 26 years of age unless the athlete and their parent/guardian (if the athlete is under 18 years of age) have confirmed that they reviewed the government issued concussion awareness resources and their sport organization's concussion code of conduct within 12 months before the registration;
- sport organizations would not be required to receive confirmation of review of concussion awareness resources and the concussion code of conduct from athletes who are 26 years of age or older, when they are registered in the same activities as those athletes under 26 years of age;
- sport organizations must meet removal and return-to-sport protocol requirements when they have registered at least one athlete under 26 years of age in an amateur competitive sport and activity covered by the Act. Protocols would then apply to all athletes (irrespective of age) registered in that activity.

Note: A University, College of Applied Arts and Technology or other Post-Secondary Institution would be exempt from this age provision, and must comply with the provisions of the Act for any age of amateur athletes in respect of amateur competitive sport and activities that are subject to the Act.

#### **Q. 6 How would the proposed regulation address the following scenario: A sport organization is not required to comply with the requirements under the Act because all of its registered athletes are 26 years of age or older. Subsequently, an athlete under the age of 26 initiates registration with that organization.**

The proposed regulation describes a special rule for this circumstance. The rule would require the sport organization to comply with the Act when they initiate registration of the athlete under the age of 26. This includes, at the time of registration, that the sport organization would be required to ensure that the athlete under the age of 26 satisfies the requirements for registration (confirmation of review

of both the concussion awareness resource and the sport organization's concussion code of conduct), and the sport organization would be required to have removal and return-to-sport protocols in place for all athletes. The sport organization would not be required to ensure that athletes 26 years of age or older satisfy the concussion awareness resource or concussion code of conduct requirements.

**Q. 7 Does the draft regulation include any special rules for athletes, parents/guardians, coaches and officials who are not ordinarily residents in Ontario and participate in a sport competition organized by an Ontario sport organization? Does the draft regulation include any special rules for an out of province sport organization that organizes a competition in Ontario?**

The proposed regulation clarifies that:

- a. athletes (and parents/guardians of athletes under 18 years of age) who are not ordinarily residents in Ontario would not have to confirm review of concussion awareness resources or codes of conduct when they register for an Ontario amateur competitive sport competition;
- b. coaches not ordinarily residents in Ontario would not have to confirm review of concussion awareness resources or codes of conduct when they serve in that capacity with a sport organization holding an Ontario amateur competitive sport competition;
- c. officials not ordinarily residents in Ontario would not have to confirm review of concussion awareness resources when they serve in that capacity with a sport organization holding an Ontario amateur competitive sport competition.

However, the removal and return-to-sport protocols for the Ontario amateur competitive sport competition would apply in the context of competition and therefore would apply to all participants including the individuals referenced in bullets a-c.

The proposed regulation clarifies that an out of province sport organization (i.e., a corporation that is not incorporated in Ontario), that holds a competition in Ontario does not have to comply with concussion awareness and code of conduct requirements under the Act. However, the out of province sport organization would be required to establish and comply with the requirements for the removal and return-to-sport protocols under the Act.

**Q. 8 Does the draft regulation define elementary/secondary schools and private schools as sport organizations subject to *Rowan's Law*?**

The proposed regulation provides that a school and a private school within the meaning under the *Education Act* is not a sport organization.

**Do you have any comments about the intent of the sections of the proposed regulation that clarify the scope of *Rowan's Law* (Questions 1-8)?**

*(insert comments)*

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## 2. Concussion Awareness Resources

There are several sections in the draft regulation that clarify the requirements in the Act related to the review of concussion awareness resources (which will be made available by the government). Questions 8-14 summarize the intent of these sections.

**Q. 9 Aside from athletes, parents/guardians and coaches, would any other individuals be required to review concussion awareness resources on an annual basis?**

The proposed regulation would specify that individuals identified as “designate(s)” under a sport organization’s removal/return-to-sport protocol, as well as officials, such as umpires, referees or judges, who preside over the field of play, would be required to review concussion awareness resources.

**Q. 10 How would the proposed regulation address the following scenario: A sport organization requires only initial registration by an individual and does not require subsequent re-registration for a sport activity in order for the individual to continue to participate in the activity. In this instance, would the sport organization have obligations to confirm review of the concussion awareness resources on an annual basis?**

The proposed regulation would require sport organizations that do not require re-registration for a sport activity to receive confirmation of review of concussion awareness resources from the individual in every subsequent year on or before the anniversary of the date of the individual’s most recent registration.

**Q. 11 When must coaches and officials confirm to their sport organization that they have reviewed the concussion awareness resources?**

The proposed regulation specifies that sport organizations may permit a coach or official to serve in that position in a calendar year only if they confirm, in the same calendar year, but before the first time they serve as coach or official, that they have reviewed concussion awareness resources within the last 12 months.

**Q.12 Does the proposed regulation include any transitional provisions (for the first year only) that would allow coaches and officials to continue to serve with a sport organization for a limited period of time, without having to review concussion awareness resources?**

The proposed regulation provides a grace period of up to two months for coaches and officials to confirm their review of concussion awareness resources after the law comes into effect.

**Q.13 Would a coach or official be required to review the concussion awareness resources if he/she serves a sport organization who undertakes amateur competitive sport and activities covered under the Act, but whose athletes are 26 years of age or older?**

The proposed regulation clarifies that coaches and officials working exclusively with individuals 26 years of age or older are not required to review concussion awareness resources.

**Q. 14 How would individuals confirm review of concussion awareness resources with their sport organization?**

The proposed regulation specifies that individuals (athletes, parents/guardians of athletes under age 18, coaches, designate(s) and officials), may confirm their review of the concussion awareness resources with their sport organization either in writing or electronically.

**Do you have any comments about the intent of the sections of the proposed regulation that relate to concussion awareness resources (Questions 9-14)?**

*(insert comments)*

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**3. Concussion Code of Conduct**

Some of the sections of the draft regulation serve to clarify requirements in the Act related to Concussion Codes of Conduct. The government will make a sample Concussion Code of Conduct template available for adaptation by sport organizations to support implementation. Questions 15-22 summarize the intent of these sections.

**Q. 15 What are the minimum content requirements for a Concussion Code of Conduct?**

Table 2 – Minimum Requirements for a Concussion Code of Conduct, sets out the minimum requirements for a concussion code of conduct as proposed in the draft regulation. The proposed regulation also clarifies that a sport organization must ensure that every individual listed in Column 3 – “Individuals Required to Make the Commitment or Give the Acknowledgement”, is required to make a commitment or give acknowledgement about the items listed in Column 2 – “Description of Commitment or Acknowledgement”.

Table 2 – Minimum Requirements for a Concussion Code of Conduct

Column 1 - Item	Column 2 - Description of Commitment or Acknowledgement	Column 3 - Individuals Required to make the Commitment or Give the Acknowledgement
1.	Commitment to fair play and respect for all	Athletes, parents and guardians of athletes who are under 18 years of age, and coaches
2.	Commitment to concussion recognition and reporting, including self-reporting of possible concussion and reporting to a designated person when an individual suspects that another individual may have sustained a concussion	Athletes, parents and guardians of athletes who are under 18 years of age, and coaches
3.	Commitment to supporting the return-to-sport process	Athletes, parents and guardians of athletes who are under 18 years of age, and coaches
4.	Commitment to sharing any pertinent information regarding incidents of a removal from sport with the athlete’s school and any other sport organization with which the athlete has registered	Athletes, parents and guardians of athletes who are under 18 years of age
5.	Commitment to providing opportunities before and after each training, practice and competition to enable athletes to discuss potential issues related to concussions	Coaches
6.	Commitment to zero-tolerance for prohibited play that is considered high-risk for causing concussions	Athletes, parents and guardians of athletes who are under 18 years of age, and coaches
7.	Acknowledgement of mandatory expulsion from competition for violating zero-tolerance for prohibited play that is considered high-risk for causing concussions	Athletes, parents and guardians of athletes who are under 18 years of age, and coaches

8.	Acknowledgement of escalating consequences for those who repeatedly violate the concussion code of conduct	Athletes, parents and guardians of athletes who are under 18 years of age, and coaches
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**Q. 16 Are there circumstances set out in the draft regulation that would allow a sport organization to be exempted from any of the requirements set out in the table in Q. 15?**

The draft regulation specifies that sport organizations that have not already adopted a rule on the following matters, would not be required to include the respective provision(s) in their Concussion Code of Conduct:

- zero-tolerance for prohibited play (Table 2, “Description of Commitment or Acknowledgment”, item 6); and/or
- acknowledgement of mandatory expulsion from competition (Table 2, “Description of Commitment or Acknowledgment”, item 7); and/or
- acknowledgement of escalating consequences (Table 2, “Description of Commitment or Acknowledgment”, item 8).

**Q. 17 Does the draft regulation specify requirements for sport organizations to review and update their Concussion Codes of Conduct?**

The proposed regulation specifies that sport organizations would be required to review their concussion codes of conduct at least annually and update them as soon as reasonably possible to ensure they continue to meet the minimum content requirements outlined in the regulation.

**Q. 18 How would the proposed regulation address the following scenario: A sport organization requires only initial registration by an individual and does not require subsequent re-registration for a sport activity in order for the individual to continue to participate in the activity. In this instance, would a sport organization have obligations to confirm review of the concussion code of conduct on an annual basis?**

The proposed regulation would require sport organizations that do not require re-registration for a sport activity to receive confirmation of review of the concussion code of conduct from the individual in every subsequent year on or before the anniversary of the date of the individual’s most recent registration.

**Q. 19 When must coaches confirm to their sport organization that they have reviewed their concussion code of conduct?**

The proposed regulation specifies that sport organizations may permit a coach to serve in that position in a calendar year only if they confirm, in the same calendar year, but before the first time they serve as coach, that they have reviewed the sport organization’s concussion code of conduct within the last 12 months.

**Q. 20 Does the proposed regulation include any transitional provisions (for the first year only) that would allow coaches to continue to serve with a sport organization for a limited period of time, without reviewing the concussion code of conduct?**

The proposed regulation provides a grace period of up to two months for coaches to confirm their review of concussion code of conduct after the law comes into effect.

**Q. 21 Would a coach be required to review the concussion code of conduct if he/she serves a sport organization whose athletes are all 26 years of age or older?**

The proposed regulation clarifies that coaches working exclusively with individuals 26 years of age or older are not required to review the sport organization's concussion code of conduct

**Q. 22 How will individuals confirm their review of Concussion Codes of Conduct with their sport organization?**

The proposed regulation specifies that individuals (athletes, parents/guardians of athletes under age 18 and coaches), may confirm their review of a Concussion Code of Conduct with their sport organization either in writing or electronically.

**Q. 23 Which Concussion Code of Conduct would apply in circumstances where sport organizations competing in a sport competition have different codes of conduct?**

The proposed regulation clarifies that when an athlete or coach attends a competition held by another sport organization, the concussion code of conduct of the sport organization organizing/holding the competition would apply.

**Do you have any comments about the intent of the sections of the proposed regulation that relate to concussion codes of conduct (Questions 15-23)?**

*(insert comments)*

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**4. Removal-from-Sport & Return-to-Sport Protocols**

There are several sections in the draft regulation that clarify the requirements in the Act related to Removal-from-Sport and Return-to-Sport protocols. The government will make sample Removal-from-Sport and Return-to-Sport protocol templates available for adaptation by sport organizations to support implementation. Questions 24-29 summarize the intent of these sections.

**Q. 24 What are the minimum content components required in a Removal-from-Sport Protocol?**

The following are the minimum requirements for a removal-from-sport protocol proposed in the draft regulation:

- Designate(s) must remove an athlete from further training, practice or competition if the sport organization becomes aware that the athlete has sustained, or is suspected of sustaining a concussion, whether or not the concussion was sustained or suspected of having been sustained during an activity with the sport organization;
- If an athlete is suspected of having sustained a concussion, designate(s) must immediately call 9-1-1, if in their opinion, doing so is necessary;
- Sport organization must document incidents of removal from sport;
- Designate(s) must advise the athlete, or the parent/guardian of an athlete

under 18 years of age, that the athlete is required to undergo a medical assessment by a physician or Registered Nurse in the Extended Class (nurse practitioner) before the athlete will be permitted to return to training, practice or competition as per the return-to-sport protocol; and

- Designate(s) must provide a copy of the sport organization's removal-from-sport and return-to-sport protocols to the athlete or the parent/guardian of an athlete under 18 years of age, when the athlete has been removed-from-sport.

**Q. 25 What are the minimum content components required in a Return-to-Sport Protocol?**

The following are the minimum requirements for a return-to-sport protocol proposed in the draft regulation:

- An athlete may return to training, practice or competition if the athlete provides confirmation to the designated person(s) that they have:
  - undergone an assessment by a physician or Registered Nurse in the Extended Class (nurse practitioner), and
  - have not been diagnosed as having a concussion, and
  - have been cleared to return to training, practice or competition by the physician or Registered Nurse in the Extended Class (nurse practitioner);
- Athletes with diagnosed concussions must follow the graduated return-to-sport steps that are set out in the protocol;
- The graduated return-to-sport steps may set out activities specific to the sport as well as the intended outcomes of the activities that the athlete must successfully complete before moving on to the next step;
- Athletes who have been removed from sport must not be permitted to participate in unrestricted practice or training, or competition unless they provide confirmation of medical clearance by a physician or Registered Nurse in the Extended Class (nurse practitioner) to designated person(s);
- Athletes who have been removed from sport may not return to graduated stepwise training, practice or competition unless the athlete, or the athlete's parent/guardian (for athletes under 18 years of age), has shared the assessment or recommendations they have received from the physician or Registered Nurse in the Extended Class (nurse practitioner), if any, with the designate(s);
- Designate(s) must inform athletes or the athlete's parent/guardian (for athletes under 18 years of age) of the importance of disclosing the concussion diagnosis to any other sport organization with which the athlete is registered, or the school that the athlete attends; and
- Requirement for sport organization to document an athlete's progression through return-to-sport until confirmation of medical clearance has been received by the designate.

**Q. 26 Does the proposed regulation clarify if a designate may rely on the information received from athletes or parents/guardians of athletes, in carrying out their responsibilities under the return-to-sport protocol?**

The proposed regulation clarifies that a designated person may rely on the information received from an athlete, or an athlete's parent/guardian (if athlete is under 18 years of age), in carrying out the designated person's responsibilities under their sport organization's return-to-sport protocol.

**Q. 27 Are there specific rules for sport organizations to follow related to personal information collected in carrying out a removal-from-sport protocol and a return-to-sport protocol?**

The proposed regulation specifies the following rules for sport organizations:

- Limit the collection, use and disclosure of personal information to that which is reasonably necessary for the purposes of the protocols;
- Limit access to the personal information to only those individuals who require it for the purpose of fulfilling their duties under the Act;
- Retain, disclose and dispose of personal information in a secure manner; and
- Create a retention policy for personal information.

**Q. 28 Does the draft regulation require sport organizations to provide their removal and return-to-sport protocols to specific types of individuals?**

The proposed regulation would require sport organizations to make the protocols available to designate(s) and athletes removed from training, practice or competition or the athlete's parent/guardian (if athlete is under 18 years of age).

**Q. 29 Which Removal-from-Sport/Return-to-Sport protocols would apply in circumstances where the sport organizations competing in a sport competition have different protocols?**

The proposed regulation clarifies that where an athlete attends a competition held by another sport organization, the protocols of the sport organization organizing/holding the competition would apply.

**Do you have any comments about the intent of the proposed regulation related to Removal-from-Sport and Return-to-Sport protocols?**

*(insert comments)*

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**If you are a health care practitioner or from the health care sector, do you have any comments (as well as evidence) about any of the role(s) presented within the removal and return-to-sport protocols as proposed in the draft regulation?**

*(insert comments)*

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## 5. Manner of Implementation of Regulation

The government is planning a phased implementation of the Act<sup>2</sup> and regulation. It is proposed that the parts of the Act and associated sections of the regulation related to Concussion Awareness Resources and Concussion Codes of Conduct would come into effect in Spring/Summer 2019. It is proposed that the parts of the Act and associated sections of the regulation related to the Removal-from-Sport and Return-to-Sport Protocols would come into effect in Spring/Summer 2020.

Phasing the Act and regulation would provide sport organizations with additional time to fully comply with the full requirements of the Act and regulation. This phased approach would not preclude sport organizations from implementing all of the provisions of the Act and regulation in Spring/Summer 2019.

Similarly, sections related to Concussion Awareness Resources and Concussion Codes of Conduct in the updated PPM 158 for school boards, school authorities and provincial and demonstration schools are intended to come into effect in Winter 2020 and sections related to the Removal-from-Physical Activity and Return-to-Learning/Physical Activity Protocols are intended to come into effect in Fall 2020. The intention would be to re-issue the fully updated PPM 158 in Fall 2019. This proposed phased approach for the provincially funded elementary and secondary sector would not preclude school boards, school authorities and provincial and demonstration schools from implementing all of the updated sections of PPM158 prior to Fall 2020.

**Do you have any comments about this phased approach?**

*(insert comments)*

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## SECTION B: Proposed Draft Regulation

**Do you have any comments about the proposed draft regulation?**

*(insert comments)*

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<sup>2</sup> Only Section 5 of the Act has been proclaimed into force.