

WeirFoulds Partner Glenn Ackerley comments on holdback amendments to *Construction Act* in *Daily Commercial News*

January 27, 2025

Partner Glenn Ackerley, Chair of WeirFoulds' Construction Practice Group, was quoted in [an article](#) written by Dan Procter for *Daily Commercial News* on January 13th, 2025.

The article addresses recent changes that were made to Ontario's *Construction Act*, principally focusing on the 10 per cent holdback that will be required to be released annually. Glenn was pivotal in reforming the Construction Act through the submission of over 80 recommendations for improvements to the Act, which were made on behalf of the Council of Ontario Construction Association (COCA) and the Construction and Design Alliance of Ontario (CDAO), making him uniquely qualified to comment on these changes.

Regarding the holdback changes, Glenn noted that it will be a "really significant change for contractors, a major milestone, because it has never, in all these years, until now been the case that the owner has had to pay it without exception or qualification." Prior to these changes to the Construction Act, holdbacks were only released at the end of a project if a lien or claim had not been filed.

Unlike the other changes to the Act, the new holdback system will be phased in for existing contracts over a minimum one-year period, based on the contract's anniversary date. Glenn believes that the changes will mean that contractors and subcontractors now "won't have to wait until the end of a multi-year project to get their holdback money."

A construction lawyer with 35 years of experience, Glenn is regularly consulted about negotiating and preparing construction and consultant contracts, procurement and tendering issues, and risk avoidance strategies, and was a member of the Expert Panel's Advisory Group on the original changes to Ontario's *Construction Lien Act* in 2016. Glenn sits on one of the National Advisory Councils of the Canadian Construction Association and is a Past Chairman of the Board of the Toronto Construction Association.

To learn more about Glenn Ackerley, please visit his profile page.

To learn more about WeirFoulds' Construction Practice Group, [click here](#).



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