

**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 are 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.*

**CONSULTATION DRAFT**

**ONTARIO REGULATION**

to be made under the

**COMMUNITY SAFETY AND POLICING ACT, 2019**

**DUTY TO PROVIDE NOTICE TO COMPLAINTS DIRECTOR**

**Duty to provide notice to Complaints Director**

1. For the purposes of subsections 197 (1), (2) and (3) of the Act, notice of conduct that constitutes misconduct must be provided to the Complaints Director in the following circumstances:

1. The conduct was found by a court or tribunal to have infringed or denied an individual's rights or freedoms under the *Canadian Charter of Rights and Freedoms*.
2. The conduct was found by a court or tribunal to have contravened the *Human Rights Code*.
3. The person who is required to provide notice to the Complaints Director reasonably suspects that the conduct constitutes misconduct and was committed in relation to a member of the public who would be authorized to make a complaint to the Complaints Director in respect of the conduct under section 154 of the Act.
4. The person who is required to provide notice to the Complaints Director reasonably suspects that the conduct constitutes misconduct and was seen or heard, or created effects that were seen or heard, by a person who,
  - i. would be authorized to make a complaint to the Complaints Director in respect of the conduct under section 154 of the Act, and

- ii. was physically present at the time and place where the conduct or its effects occurred.

**Commencement**

**2. [Commencement]**