

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
PROVINCIAL OFFENCES ACT
SERVICE OF SUMMONS

Additional methods of service

1. In addition to service in accordance with clause 26 (2) (a) of the Act, a provincial offences officer may serve a summons in a manner specified in this Regulation.

Registered mail

2. (1) A summons may be served by sending it by registered mail to the last known or usual place of residence of the person to whom it is directed.

(2) A summons served by registered mail in accordance with subsection (1) is deemed to have been duly served seven days after the day of mailing.

Courier

3. (1) A summons may be served by sending it by courier to the last known or usual place of residence of the person to whom it is directed.

(2) A summons served by courier in accordance with subsection (1) is deemed to have been duly served seven days after the day the courier received it.

Email

4. (1) Subject to subsection (2), a summons may be served by sending it by email to an email address that the person to whom the summons is directed has provided for the purpose of receiving electronic documents or at which the person is known to receive email communications.

(2) Service by email under subsection (1) is effective only if the person provides a written response to the email, unless the response indicates that the person cannot access the summons.

(3) A summons served by email in accordance with subsections (1) and (2) is deemed to have been duly served on the day the person provides the written response.

To a representative

5. (1) Subject to subsection (2), a summons may be served by providing it to the representative of the person to whom it is directed,

- (a) by delivering it personally to the representative or leaving it with a person at the representative's place of business;
- (b) by registered mail or courier to the representative's place of business; or
- (c) by email to the representative's email address for business.

(2) Service in accordance with subsection (1) is effective only if the representative,

- (a) is a licensee under the *Law Society Act*;
- (b) has given prior written or oral consent to receiving the summons on the person's behalf; and
- (c) in the case of service by email, provides a written response to the email, unless the response indicates that the representative cannot access the summons.

(3) A summons served in accordance with clause (1) (b) or (c) and subsection (2) is deemed to have been duly served,

- (a) in the case of registered mail, seven days after the day of mailing;
- (b) in the case of courier, seven days after the day the courier received it; and
- (c) in the case of email, on the day the representative provides the written response.

Commencement

6. [Commencement]