

**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**

**CODE OF CONDUCT FOR ADVISORY COUNCIL**

APPLICATION AND INTERPRETATION

1. This Regulation sets out the code of conduct with which every member of the Advisory Council must comply.

2. In this Regulation,

“conflict of interest” means a situation in which a member of the Advisory Council’s private interests or personal relationships place, or may reasonably be perceived to place, the member in conflict with their duties as a member of the Advisory Council; (“conflit d’intérêts”)

“personal relationship” includes, but is not limited to, a relationship with any of the following persons:

1. A current or former spouse or common-law partner of the Advisory Council member.
2. A current or former intimate partner of the Advisory Council member.

3. The Advisory Council member's children, including biological, adoptive and stepchildren.
4. The legal dependants of the Advisory Council member.
5. A child in the Advisory Council member's care.
6. The Advisory Council member's grandparents, parents or siblings, including grandparents-in-law, parents-in-law and siblings-in-law. ("rappports personnels")

#### CONDUCT BECOMING OF AN ADVISORY COUNCIL MEMBER

3. A member of the Advisory Council shall not conduct themselves in a manner that undermines or is likely to undermine the public's trust in the Advisory Council or the Ontario Provincial Police.
4. A member of the Advisory Council shall comply with the Act and the regulations made under it.
5. A member of the Advisory Council shall not, by act or omission, conduct themselves in a manner that is likely to cause the Advisory Council to fail to comply with the Act or the regulations made under it.
6. A member of the Advisory Council shall comply with the rules and procedures of the Advisory Council, if any.
7. A member of the Advisory Council shall not substantially interfere with the conduct of Advisory Council meetings.
8. A member of the Advisory Council contravenes this code of conduct if they are found guilty of an offence under the *Criminal Code* (Canada) or the *Controlled Drugs and Substances Act* (Canada) that was committed after they were appointed as a member of the Advisory Council.

**9.** A member of the Advisory Council shall not, in the course of their duties, treat any person in a manner that would contravene the *Human Rights Code*.

**10.** A member of the Advisory Council shall conduct themselves in a professional and respectful manner in the course of their duties including, without limitation, not using abusive or insulting language in the course of their duties.

#### STATEMENTS AND ATTENDANCE

**11.** A member of the Advisory Council shall not knowingly make false statements pertaining to the duties of a member of the Advisory Council.

**12.** A member of the Advisory Council shall not purport to speak on behalf of the Advisory Council unless authorized by the Advisory Council to do so.

**13.** A member of the Advisory Council shall clearly indicate when they are expressing a personal opinion when commenting on any matter related to their duties as a member of the Advisory Council.

**14.** A member of the Advisory Council shall not access, collect, use, alter, retain, destroy or disclose to any person information that has been obtained by or made available to the member in the course of their duties if doing so would be contrary to law.

**15. (1)** A member of the Advisory Council shall not disclose to the public information obtained or made available in the course of the member's duties except as authorized by the Advisory Council or as required by law.

(2) Subsection (1) does not apply to information that was already made available to the public by a person who was authorized to do so prior to the member's disclosure.

**16.** A member of the Advisory Council shall attend all Advisory Council meetings unless able to provide a reasonable excuse for the absence.

## MISCONDUCT AND CONFLICTS OF INTEREST

**17.** A member of the Advisory Council shall disclose any conduct of another member of the Advisory Council that the member reasonably believes constitutes misconduct to the Inspector General.

**18.** (1) A member of the Advisory Council shall disclose any charges laid against them under the *Criminal Code* (Canada) or the *Controlled Drugs and Substances Act* (Canada) and any finding of guilt made in relation to those charges.

(2) Subsection (1) only applies to charges or findings that were made after the member's appointment to the Advisory Council.

(3) The disclosure required by subsection (1) must be made to the Solicitor General.

**19.** A member of the Advisory Council shall vacate their seat if they become ineligible to be a member of the Advisory Council.

**20.** A member of the Advisory Council shall not apply for employment with the Ontario Provincial Police unless they resign from the Advisory Council before applying.

**21.** A member of the Advisory Council shall disclose any conflict of interest to the Inspector General.

**22.** A member of the Advisory Council shall not use their position as an Advisory Council member to,

- (a) benefit themselves;
- (b) benefit one or more persons with whom they have a personal relationship; or
- (c) interfere with the administration of justice.

**23.** A member of the Advisory Council shall not participate in discussion of or voting with respect to matters at Advisory Council meetings if the member has a conflict of interest in the matter.

**Commencement**

**24. [Commencement]**