

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

ONTARIO POLICE ARBITRATION AND ADJUDICATION COMMISSION

Composition

1. (1) The Ontario Police Arbitration and Adjudication Commission shall consist of,
 - (a) the Commission Chair; and
 - (b) the members of the committees referred to in subsection 147 (5) of the Act.
- (2) The Commission Chair shall be appointed by the Lieutenant Governor in Council.
- (3) All other members of the Commission shall be appointed by the Minister.

Arbitration committee

2. (1) The committee referred to in clause 147 (5) (a) of the Act shall consist of the following members:

1. Two or three members appointed by the Minister on the recommendation of a police association or an organization representing police associations.
2. An equal number of members as appointed under paragraph 1, appointed by the Minister on the recommendation of a police service board or an organization representing police service boards.
3. If at least one First Nation board has been constituted under section 32 of the Act,
 - i. one member appointed by the Minister on the recommendation of a police association representing the members of a police service maintained by a First Nation board or an organization representing such police associations, and
 - ii. one member appointed by the Minister on the recommendation of a First Nation board.
4. The Commission Chair.

(2) The Commission Chair shall act as the chair of the committee.

(3) The committee shall select members of, and maintain, one or more registers of arbitrators who are available for appointment to conduct an arbitration under Part XIII of the Act.

Adjudication committee

3. (1) The committee referred to in clause 147 (5) (b) of the Act shall consist of the following members:

1. Two or three members appointed by the Minister on the recommendation of a police association or an organization representing police associations.
2. An equal number of members as appointed under paragraph 1, appointed by the Minister on the recommendation of a chief of police or an organization representing chiefs of police.

3. If at least one First Nation board has been constituted under section 32 of the Act,
 - i. one member appointed by the Minister on the recommendation of a police association representing the members of a police service maintained by a First Nation board or an organization representing such police associations, and
 - ii. one member appointed by the Minister on the recommendation of a chief of police of a police service maintained by a First Nation board or an organization representing such chiefs of police.
4. The Commission Chair.

(2) The Commission Chair shall act as the chair of the committee.

(3) The committee shall consider the following factors in selecting members of and maintaining, a roster of adjudicators who are available for appointment to hold hearings under the Act:

1. A prospective member's legal education and experience.
2. A prospective member's understanding of policing in Ontario.
3. A prospective member's experience and training as an adjudicator in any field.
4. The need for the roster of adjudicators as a whole to reflect the diverse, multiracial and multicultural character of Ontario.

Commencement

4. [Commencement]