

1981

## c 43 Metropolitan Police Force Complaints Project Act, 1981

Ontario

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## CHAPTER 43

**An Act for the establishment and conduct of a Project in The Municipality of Metropolitan Toronto to improve methods of processing Complaints by members of the Public against Police Officers on the Metropolitan Police Force**

*Assented to November 19th, 1981*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1. In this Act,**

Interpre-  
tation

- (a) "Board" means the Police Complaints Board;
- (b) "Bureau" means the Public Complaints Investigation Bureau;
- (c) "chief of police" means the chief of police of the Metropolitan Police Force;
- (d) "complaint" means a complaint by a member of the public, made orally or in writing, respecting the conduct of a police officer;
- (e) "police officer" means a police officer on the Metropolitan Police Force;
- (f) "prescribed" means prescribed by the regulations;
- (g) "regulations" means the regulations made under this Act.

**2. This Act applies only to complaints made by members of the public respecting the conduct of police officers on the Metropolitan Police Force and hearings under this Act and disciplinary proceedings under the *Police Act* and the regulations thereunder arising out of such complaints.**

Application  
of Act

R.S.O. 1980,  
c. 381

Appointment  
of Public  
Complaints  
Commissioner

3.—(1) The Lieutenant Governor in Council shall appoint a Public Complaints Commissioner to exercise the powers and perform the duties assigned to him by this Act and the regulations.

Officers,  
etc.

(2) Such officers and employees as are considered necessary from time to time for the purposes of the Public Complaints Commissioner may be appointed under the *Public Service Act*.

R.S.O. 1980,  
c. 418

Annual  
report

(3) The Public Complaints Commissioner shall report annually upon the affairs of his office to the Solicitor General who shall submit the report to the Lieutenant Governor in Council and shall then lay the report before the Assembly if it is in session or, if not, at the next ensuing session.

Audit

(4) The accounts of the Public Complaints Commissioner shall be audited annually by the Provincial Auditor.

Board  
established

4.—(1) A board to be known as the Police Complaints Board is hereby established.

Chairman

(2) The Public Complaints Commissioner shall be the chairman of the Board.

Composition  
and  
appointment

(3) The Board shall be composed of the chairman and as many other members as the Lieutenant Governor in Council considers proper and such members shall be appointed by the Lieutenant Governor in Council.

Qualifi-  
cations

(4) One-third of the members of the Board shall be persons who have had training in law.

Recom-  
mendation  
for  
appointment

(5) The Metropolitan Board of Commissioners of Police and the Metropolitan Toronto Police Association shall jointly recommend to the Solicitor General for appointment to the Board such number of persons, other than police officers, as will constitute one-third of the membership of the Board.

Idem

(6) The council of The Municipality of Metropolitan Toronto shall recommend to the Solicitor General for appointment to the Board such number of persons as will constitute one-third of the membership of the Board.

Idem

(7) Recommendations under subsections (5) and (6) shall be made to the Solicitor General within such time as he may specify.

Remuner-  
ation

(8) The members of the Board shall receive such salaries or remuneration and expenses as may be fixed by the Lieutenant Governor in Council.

(9) The chairman shall have general supervision and direction over the conduct of the affairs of the Board and shall arrange the sittings of the Board and assign members to conduct hearings as circumstances require.

Duties of  
chairman

(10) The Board shall prepare and publish periodically a summary of its decisions and the reasons therefor and shall report annually on its affairs to the Solicitor General who shall submit the report to the Lieutenant Governor in Council and shall then lay the report before the Assembly if it is in session or, if not, at the next ensuing session.

Summaries  
and  
report

(11) The accounts of the Board shall be audited annually by the Provincial Auditor.

Audit

(12) Such officers and employees as are considered necessary from time to time for the purposes of the Board may be appointed under the *Public Service Act*.

Officers,  
etc.

R.S.O. 1980,  
c. 418

5.—(1) The chief of police shall establish and maintain for the purposes of this Act a branch of the Metropolitan Police Force to be known as the Public Complaints Investigation Bureau.

Bureau to be  
established

(2) The chief of police shall ensure that the Bureau is supplied with sufficient staff to effectively receive, record and investigate complaints.

Staff

6.—(1) A member of the public may make a complaint at the Bureau, at any police station in Metropolitan Toronto or at the office of the Public Complaints Commissioner.

Where com-  
plaints may  
be made

(2) The person who receives a complaint shall record the complaint in the prescribed form and shall furnish the person making the complaint with a prescribed statement that sets out the procedures that will be followed respecting the complaint and the rights under this Act of the person making the complaint.

Information

(3) Where a complaint is recorded at a police station, the person recording the complaint shall forward forthwith to the Bureau and to the Public Complaints Commissioner a copy of the complaint.

Copy of  
complaint

(4) Where a complaint is recorded at the Bureau, the person recording the complaint shall forward forthwith to the Public Complaints Commissioner a copy of the complaint.

Idem

(5) Where a complaint is recorded at the office of the Public Complaints Commissioner, the person recording the complaint shall forward forthwith to the Bureau a copy of the complaint.

Idem

7. Upon receipt of a complaint, the person in charge of the Bureau shall inform forthwith the police officer concerned of the

Police officer  
to be informed

substance of the complaint, unless, in the opinion of such person, to do so might adversely affect any investigation of the complaint.

Informal  
resolution

8.—(1) The person in charge of the Bureau shall consider whether a complaint can be resolved informally and, with the consent of the person making the complaint and the police officer concerned, may attempt to so resolve the complaint.

Record of  
informal  
resolution

(2) Where a complaint is resolved informally, a record shall be made of the manner in which the complaint was resolved and the person making the complaint and the police officer concerned shall each signify in writing his agreement to such resolution.

Copy of  
record to be  
furnished

(3) A copy of a record made under subsection (2) shall be furnished forthwith to the Public Complaints Commissioner, the person making the complaint and the police officer concerned.

Informal  
resolution

(4) A complaint may be resolved informally by the person in charge of the Bureau in accordance with the procedures in this section at any time during the course of or after an investigation under section 9.

Idem

(5) A complaint may be resolved informally by the Public Complaints Commissioner in accordance with the procedures in this section at any time during the course of or after a review under section 15.

No reference  
in personal  
record of  
police officer

(6) No reference shall be made in the personal record of a police officer to a complaint resolved under this section, except where misconduct has been admitted by the police officer.

Investigation

9.—(1) Where a complaint is not resolved informally, the person in charge of the Bureau shall cause an investigation to be made forthwith into the complaint in accordance with prescribed procedures.

Interim  
reports

(2) The person in charge of the Bureau shall forward to the Public Complaints Commissioner, the person who made the complaint and the police officer concerned an interim report in the prescribed form providing a summary of the investigation to date not later than thirty days after receipt of the complaint and shall forward further interim reports to the same persons on a monthly basis during the course of the investigation.

Exception

(3) Notwithstanding subsection (2), the person in charge of the Bureau may decide not to make a report to the person who made the complaint and the police officer concerned where, in his opinion, to do so might adversely affect the investigation of the complaint or where there are no new matters to report, in which

case the person in charge of the Bureau shall forthwith notify the Public Complaints Commissioner of the reasons for his decision.

(4) Where an investigation has been completed, the person in charge of the Bureau shall cause a final investigation report to be prepared and shall forward a copy thereof to the Public Complaints Commissioner, the chief of police, the person who made the complaint and the police officer concerned. Final report

(5) A final investigation report prepared under subsection (4) shall, Idem

- (a) contain a summary of the complaint and a description of the alleged misconduct by the police officer;
- (b) contain a summary of the investigation and of information obtained from the person who made the complaint, the police officer concerned and witnesses, if any; and
- (c) contain a description and analysis of any physical evidence obtained.

**10.—**(1) The chief of police shall review a final investigation report and he may order such further investigation as he considers advisable and may, unless he decides that no action is warranted, Powers and duties of chief of police

- (a) cause an information alleging the commission of an offence by the police officer concerned to be laid and refer the matter to the Crown attorney for prosecution;
- (b) refer the matter to the Board for a hearing by the Board;
- (c) cause disciplinary proceedings to be taken under the *Police Act* and the regulations thereunder; and R.S.O. 1980, c. 381
- (d) after giving the police officer concerned an opportunity to reply to the complaint, either orally or in writing, counsel or caution the police officer regarding his conduct,

but where the chief of police takes action under clause (b), (c) or (d), he shall not take action under any other of those clauses.

(2) Where the chief of police causes an information to be laid under clause (1) (a), such action shall not stay any hearing by the chief of police or by the Board unless the chief of police or the Board, as the case may be, is of the opinion that the hearing should be stayed until the court proceedings have been concluded. Hearing not stayed

Notice of  
action taken

(3) The chief of police shall give forthwith written notice of any action taken by him under subsection (1) or of his decision that no action is warranted to the Public Complaints Commissioner, the person who made the complaint and the police officer concerned and, where his decision is that no action is warranted or he has taken action under clause (1) (d), the chief of police shall give his reasons therefor.

Designation  
by chief  
of police

(4) The chief of police may designate any police officer to exercise any of his powers and perform any of his duties under this Act and the police officer so designated has the powers and duties set out in the designation and where any power is conditional on the opinion of the chief of police, the requisite opinion shall be that of the designated officer.

Application  
of s. 19  
R.S.O. 1980,  
c. 381

**11.**—(1) Where the chief of police has caused disciplinary proceedings to be taken under the *Police Act* and the regulations thereunder, subsections 19 (4), (6), (10), (11) and (12) of this Act apply with necessary modifications to a hearing held in connection with such proceedings.

Notice of  
decision

(2) The chief of police or, if he is not the person who holds a hearing referred to in subsection (1), the person who holds the hearing shall give forthwith written notice of his decision together with his reasons therefor to the Public Complaints Commissioner, the person who made the complaint and the police officer concerned.

Police officer  
may appeal

**12.** Where a hearing referred to in subsection 11 (1) has been held and a penalty has been imposed upon a police officer, the police officer may appeal to the Board under section 13 of this Act and not as provided in the *Police Act* and the regulations thereunder.

Notice of  
appeal

**13.**—(1) A notice of appeal shall be served on the Board within fifteen days after the police officer receives notice of the penalty imposed.

Extension  
of time

(2) Notwithstanding subsection (1), where the chairman of the Board is satisfied that there are *prima facie* grounds for granting relief and that there are reasonable grounds for granting an extension, he may extend the time for giving the notice either before or after the expiration of the fifteen day period referred to in subsection (1) and may give such directions as he considers proper consequent upon such extension.

Powers and  
duties of  
Public  
Complaints  
Commissioner

**14.**—(1) The Public Complaints Commissioner,

(a) shall maintain copies of all records, reports and other material received by him under this Act;

- (b) shall monitor the handling of complaints by the Bureau and the chief of police;
- (c) shall review the record of the informal resolution of a complaint by the person in charge of the Bureau and may request that the person in charge of the Bureau cause an investigation or further investigation, as the case may be, to be made into the complaint;
- (d) may, upon receipt of a copy of the final investigation report from the person in charge of the Bureau, request that the chief of police cause further investigation to be made into the complaint;
- (e) shall receive a request for a review under section 15; and
- (f) shall evaluate the effectiveness of the system for handling complaints.

(2) Where the person in charge of the Bureau or the chief of police causes an investigation to be made under clause (1) (c) or (d), as the case may be, he shall forward the results of his investigation to the Public Complaints Commissioner.

Results  
to be  
forwarded

(3) Notwithstanding any other provision of this Act, the Public Complaints Commissioner may inquire into and investigate the allegations in the complaint,

Public  
Complaints  
Commissioner  
may inquire  
and investigate

- (a) at any time after he receives the first interim report under subsection 9 (2) or the thirty-day period mentioned therein has expired;
- (b) upon the request of the chief of police; or
- (c) where there are reasonable grounds to believe that there has been undue delay or other exceptional circumstances in the conduct of an investigation under section 9.

(4) A decision to take action under clause (3) (c) shall be deemed to be made in the exercise of a statutory power within the meaning of the *Judicial Review Procedure Act*.

Review of  
decision  
R.S.O. 1980,  
c. 224

(5) The Public Complaints Commissioner shall forthwith notify the chief of police in writing of his intention to conduct an inquiry and investigation under clause (3) (a) or (c) and shall give his reasons therefor in writing and, after he completes any inquiry and investigation under subsection (3), he shall forward the results thereof to the chief of police, and the chief of police shall consider such results in his review of the final investigation report under subsection 10 (1).

Notice  
to chief  
of police



Request  
for review

**15.**—(1) Where a person who has made a complaint is dissatisfied with the decision made on a disciplinary proceeding arising out of his complaint that is not a decision of the Board or with action taken by the chief of police under clause 10 (1) (d) or with a decision of the chief of police that no action is warranted, he may request the Public Complaints Commissioner to review the matter.

Hearing may  
be ordered

(2) Where the Public Complaints Commissioner receives a request under subsection (1), he shall review the matter and may, after such review, order a hearing by the Board if he believes that, in the public interest, such a hearing is required or he may decide to take no further action.

Notice

(3) The Public Complaints Commissioner shall give forthwith written notice to the chief of police, the person who made the complaint and the police officer concerned of his decision under subsection (2) and, where his decision is to take no further action, shall give his reasons therefor.

Where hear-  
ing not to  
be ordered

(4) The Public Complaints Commissioner shall not order a hearing under subsection (2) where a police officer has appealed to the Board under section 13.

Powers on  
investigation

**16.**—(1) For the purposes of a review under section 15, the Public Complaints Commissioner may inquire into and investigate the allegations in the complaint and, for such purposes, he may, after informing the chief of police, enter a police station and examine therein books, papers, documents and things related to the complaint.

Powers on  
inquiry

(2) For the purposes of an inquiry, the Public Complaints Commissioner has the powers of a commission under Part II of the *Public Inquiries Act*, which Part applies to such inquiry as if it were an inquiry under that Act.

R.S.O. 1980,  
c. 411

Appointment  
of person  
to make  
inquiry and  
investigation

(3) The Public Complaints Commissioner may, in writing, appoint a person to make any inquiry and any investigation he is authorized to make and the person so appointed has all the powers and duties of the Public Complaints Commissioner relating to the inquiry and the investigation.

Report

(4) The person appointed to make an inquiry or investigation shall report the results of his inquiry or investigation to the Public Complaints Commissioner.

Obstruction

(5) No person shall obstruct the Public Complaints Commissioner or a person appointed by him to make an investigation or withhold from him or conceal or destroy any books, papers, documents or things related to the investigation.

(6) Where a justice of the peace is satisfied upon an *ex parte* application by the Public Complaints Commissioner that there is reasonable ground for believing there are in any building, dwelling, receptacle or place any books, papers, documents or things relating to an investigation, the justice of the peace may issue an order authorizing the Public Complaints Commissioner, together with such persons as he calls upon to assist him, to enter and search, if necessary by force, such building, dwelling, receptacle or place for such books, papers, documents or things and to examine them, but every such entry and search shall be made between 6 a.m. and 9 p.m., standard time, unless the justice of the peace, by the order, otherwise authorizes.

Search  
warrant

(7) The Public Complaints Commissioner may, upon giving a receipt therefor, remove any books, papers, documents or things examined under subsection (1) or (6) relating to the investigation and shall with reasonable dispatch make copies of such books, papers or documents and return them promptly thereafter to the person from whom they were removed.

Removal of  
books, etc.

(8) Any copy made as provided in subsection (7) and certified to be a true copy by the Public Complaints Commissioner is admissible in evidence in any action, proceeding or prosecution as *prima facie* proof of the original book, paper or document and its contents.

Admissibility  
of copies

(9) The Public Complaints Commissioner may appoint an expert to examine books, papers, documents or things examined under subsection (1) or (6).

Appointment  
of experts

(10) This section applies with necessary modifications to an inquiry and investigation by the Public Complaints Commissioner under subsection 14 (3).

Application

**17.** Where, after making a review, the Public Complaints Commissioner is of the opinion that a police practice or procedure should be altered, he shall report his opinion and recommendations to the Solicitor General, the Ontario Police Commission, the Metropolitan Board of Commissioners of Police and the chief of police.

Report

**18.—(1)** Where,

Conduct of  
hearing

- (a) the chief of police has referred a matter to the Board under clause 10 (1) (b);
- (b) a police officer has appealed to the Board under section 13; or
- (c) the Public Complaints Commissioner has, under subsection 15 (2), ordered a hearing,

the Board shall hold a hearing and the Public Complaints Commissioner shall assign in accordance with this section a member or members of the Board to conduct the hearing.

Idem

(2) Where, in the opinion of the Public Complaints Commissioner, the complaint alleges misconduct by the police officer that is of a minor nature, he shall assign a member of the Board who has had training in law to sit alone to conduct the hearing.

Idem

(3) Where, in the opinion of the Public Complaints Commissioner, the complaint alleges misconduct by a police officer that is of a serious nature, he shall assign three members of the Board who shall constitute a panel to conduct the hearing.

Who shall  
be on  
panel

(4) The chairman of the panel constituted under subsection (3) shall be a member of the Board who has had training in law and, where possible, one member of the panel shall be a person appointed to the Board on the joint recommendation of the Metropolitan Board of Commissioners of Police and the Metropolitan Toronto Police Association and one member shall be a person appointed to the Board on the recommendation of the council of The Municipality of Metropolitan Toronto.

Eligibility

(5) Where the chief of police has referred a matter to the Board or a police officer has appealed to the Board, the Public Complaints Commissioner is eligible to sit alone to conduct the hearing under subsection (2) and to be chairman of a panel constituted under subsection (3).

Idem

(6) Where the Public Complaints Commissioner has ordered a hearing by the Board, he is not eligible to sit alone to conduct the hearing under subsection (2) or to be a member of a panel constituted under subsection (3).

Public  
Complaints  
Commissioner  
required  
to sit

(7) Where a police officer has appealed to the Board and the Public Complaints Commissioner is of the opinion that the complaint alleges misconduct that is of a minor nature, he shall so advise the police officer who may by written notice given within seven days require that the Public Complaints Commissioner be the member who sits alone to conduct the hearing.

Decisions

(8) A decision of a member of the Board sitting alone and a decision of a majority of a panel is a decision of the Board and, for all purposes of a hearing, the member sitting alone or the panel, as the case may be, shall be deemed to be the Board.

Hearing

**19.—**(1) The Board shall appoint a time for a hearing and shall conduct a hearing *de novo*.

(2) The Board shall give to the chief of police, the person who made the complaint and the police officer concerned written notice of the hearing and of the time appointed therefor.

Notice of  
hearing

(3) The person who made the complaint may attend at the hearing and be represented by counsel or an agent and shall be given an opportunity to be heard and to examine before the hearing the written or documentary evidence or report referred to in subsection (4).

Opportunity  
to be  
heard

(4) The police officer concerned shall be afforded an opportunity to examine before the hearing any written or documentary evidence that will be produced or any report the contents of which will be given in evidence at the hearing.

Opportunity  
to examine  
evidence

(5) The member or members of the Board conducting a hearing shall not communicate directly or indirectly in relation to the subject-matter of the hearing with any person or with any party or his representative except upon notice to and opportunity for all parties to participate, but the Board may seek legal advice from an adviser independent from the parties and in such case the nature of the advice should be made known to the parties in order that they may make submissions as to the law.

Member  
holding  
hearing not  
to com-  
municate  
with party

(6) The oral evidence given at the hearing shall be recorded and, if so required, copies or a transcript thereof shall be furnished upon the same terms as in the Supreme Court.

Oral  
evidence

(7) The Board may appoint counsel to assist the Board at the hearing.

Counsel

(8) No member of the Board shall participate in a decision following the hearing unless he was present throughout the hearing and heard the evidence and argument of the parties and, except with the consent of the parties, no decision shall be given unless all members so present participate in the decision.

Only  
members at  
hearing to  
participate  
in decision

(9) Documents and things put in evidence at the hearing shall, upon the request of the person who produced them, be released to him within a reasonable time after the matter in issue has been finally determined.

Release of  
documents

(10) Notwithstanding section 12 of the *Statutory Powers Procedure Act*, the police officer concerned shall not be required to give evidence at the hearing nor shall any statement or answer required to be given by him in respect of the complaint made against him be admitted in evidence at the hearing, except with his consent.

Police  
officer not  
required to  
give  
evidence  
R.S.O. 1980,  
c. 484

(11) Where the person in charge of the Bureau attempts to resolve a complaint informally and the complaint is not so resolved, any statement or admission made during such attempt by the

Statement  
or  
admission  
not  
admissible  
in evidence

police officer concerned or by the person who made the complaint shall not be admitted in evidence at the hearing, except with the consent of the police officer or the person who made the complaint, as the case may be.

Proof of  
misconduct

(12) No finding of misconduct by the police officer shall be made unless the misconduct is proved beyond a reasonable doubt.

Imposition  
of penalty

(13) Where a member of the Board sitting alone finds the police officer guilty of misconduct, he may,

- (a) direct that days off not exceeding five days be forfeited;
- (b) direct that pay not exceeding three days pay be forfeited;  
or
- (c) reprimand the police officer.

Idem

(14) Where a panel of the Board finds the police officer guilty of misconduct, it may,

- (a) dismiss the police officer from the Metropolitan Police Force;
- (b) direct that the police officer resign from the Metropolitan Police Force and, in default of resigning within seven days, be summarily dismissed;
- (c) reduce the police officer in rank or gradation of rank and in pay in accordance with the rank to which he is reduced;
- (d) suspend the police officer from duty without pay for a period not exceeding thirty days;
- (e) direct that days off not exceeding twenty days be forfeited;
- (f) direct that pay not exceeding five days pay be forfeited;  
or
- (g) reprimand the police officer, which reprimand may be in lieu of or in addition to any other penalty imposed.

Notice of  
decision

(15) The Board shall give forthwith written notice of its decision and the reasons therefor to the chief of police, the person who made the complaint and the police officer concerned.

(16) No reference to a hearing conducted by the Board shall be made in the personal record of the police officer concerned unless the Board has made a finding of misconduct by the police officer. No reference to hearing

(17) The Metropolitan Board of Commissioners of Police may, in such cases and to such extent as it thinks fit, pay any legal costs incurred by a police officer in respect of a hearing conducted by the Board and an appeal under section 20. Costs may be paid

**20.**—(1) A party to a hearing by the Board may appeal from the decision of the Board to the Divisional Court in accordance with the rules of court. Appeal

(2) The Solicitor General is entitled to be heard, by counsel or otherwise, upon the argument of an appeal under this section. Solicitor General entitled to be heard

(3) An appeal under this section may be made on a question that is not a question of fact alone or from a penalty imposed under subsection 19 (14), or on both the question and the penalty. What may be appealed

**21.** Any notice, report or other material required to be given, furnished, forwarded or otherwise served under this Act is sufficiently served if delivered personally or sent by prepaid first class mail addressed to the person on whom service is required to be made at his last known or usual place of abode. How notice, etc., may be served

**22.**—(1) Every person engaged in the administration of this Act and the regulations, including a member of the Metropolitan Police Force, shall preserve secrecy in respect of all matters that come to his knowledge in the course of his duties and shall not communicate any such matter to any other person except, Matters confidential

(a) as may be required in connection with the administration of this Act and the regulations or the *Police Act* and the regulations thereunder; R.S.O. 1980, c. 381

(b) as may be required for the due enforcement of the law;

(c) to his counsel; or

(d) with the consent of the person to whom the matter relates.

(2) No person to whom subsection (1) applies shall be required to give testimony in any civil suit or proceeding with regard to information obtained by him in the course of his duties, except at a hearing under this Act or in a disciplinary proceeding under the *Police Act* and the regulations thereunder. Testimony

What is  
inadmissible  
in evidence

(3) No record, report, writing or document arising out of a complaint is admissible or may be used in evidence in any civil suit or proceeding, except at a hearing under this Act or in a disciplinary proceeding under the *Police Act* and the regulations thereunder.

R.S.O. 1980,  
c. 381

Idem

(4) No oral statement, answer or admission referred to in subsections 19 (10) and (11) is admissible or may be used in evidence in any civil suit or proceeding, except at a hearing under this Act or in a disciplinary proceeding under the *Police Act* and the regulations thereunder.

R.S.O. 1980,  
c. 325  
does not  
apply

**23.** The *Ombudsman Act* does not apply to the Public Complaints Commissioner or the Board.

Moneys

**24.**—(1) The moneys required for the purposes of the Public Complaints Commissioner and the Board shall, until the 31st day of March, 1982, be paid out of the Consolidated Revenue Fund and thereafter shall be paid out of the moneys appropriated therefor by the Legislature.

Idem

(2) The Solicitor General, with the approval of the Lieutenant Governor in Council, and The Municipality of Metropolitan Toronto may enter into an agreement to provide for the payment by the municipality to the Treasurer of Ontario on such terms and conditions as may be agreed upon of contributions in respect of the moneys required for the purposes of the Public Complaints Commissioner and the Board.

Offence

**25.** Any person who contravenes subsection 16 (5) or subsection 22 (1) is guilty of an offence and on conviction is liable to a fine of not more than \$2,000.

Regulations

**26.** The Lieutenant Governor in Council may make regulations,

- (a) prescribing what shall be taken into account in determining whether misconduct is of a minor or serious nature;
- (b) defining conduct that may be the subject of a complaint;
- (c) respecting the reporting and publication of decisions of the Board;
- (d) assigning duties to the Public Complaints Commissioner;
- (e) prescribing criteria to be used by the Public Complaints Commissioner in evaluating the effectiveness of the system for handling complaints;

(f) prescribing forms and providing for their use; and

(g) prescribing any matter that by this Act is required to be or is referred to as prescribed.

**27.**—(1) This Act is repealed on a day that is three years after <sup>Repeal</sup> it comes into force or on such day thereafter as is named by proclamation of the Lieutenant Governor.

(2) The Public Complaints Commissioner shall prepare a <sup>Report</sup> report evaluating the effectiveness of the system for handling complaints during the three years of operation of the project and shall forward copies of the report to the Solicitor General and the council of The Municipality of Metropolitan Toronto.

(3) The Solicitor General shall submit the report to the <sup>Idem</sup> Lieutenant Governor in Council and shall then lay the report before the Assembly if it is in session or, if not, at the next ensuing session.

**28.** This Act comes into force on a day to be named by proclamation of the Lieutenant Governor. <sup>Commence-  
ment</sup>

**29.** The short title of this Act is the *Metropolitan Police* <sup>Short title</sup> *Force Complaints Project Act, 1981.*



