

1937

c 245 Private Detectives Act

Ontario

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CHAPTER 245.

The Private Detectives Act.

1. No person shall engage in the business of a private detective, industrial service agency or an investigator, for hire or reward, or advertise or indicate in any letter, document or paper that he is engaged in any such business without having first obtained from the Attorney-General for Ontario a license so to do as hereinafter provided. R.S.O. 1927, c. 214, s. 1; 1930, c. 36, s. 2. License required.

2. No person shall engage in the business of furnishing or supplying for hire or reward, information as to the personal character of any person or as to the character or kind of business or occupation of any person or own or conduct or maintain a bureau or agency for any of the above mentioned purposes without first having obtained from the Attorney-General for Ontario as hereinafter provided a license so to do for each bureau or agency and for each and every sub-agency, office and branch office, owned, conducted or maintained by such person for the conduct of such business. R.S.O. 1927, c. 214, s. 2; 1930, c. 36, s. 2. License to information bureau or agency.

3. Nothing in section 1 or 2 shall apply to or affect any person carrying on a business or agency for the purpose of supplying information to subscribers as to the financial rating of persons or firms. R.S.O. 1927, c. 214, s. 3. Exception as to mercantile agencies.

4. Any person desiring the license in sections 1 and 2 mentioned shall apply in writing (Form 1) to the Attorney-General for Ontario and shall enter into a bond, approved by the Attorney-General, with two sufficient sureties or executed by a guarantee company, in the sum of \$3,000 for the faithful, honest and lawful conduct of such business by such applicant. R.S.O. 1927, c. 214, s. 4; 1930, c. 36, s. 2. Application. Security.

5. The Attorney-General for Ontario upon such application and upon such further inquiry and investigation as he may deem proper of the character and competency of the applicant and upon approving the bond in section 4 mentioned and upon receiving from the applicant the fee of \$300 may issue and deliver to such applicant a license (Form 2) to conduct such business for the term of one year from the date thereof, and Issue of license.

such license may be renewed annually on a further payment of \$300 per annum, but shall be revocable at any time by the Attorney-General for cause. R.S.O. 1927, c. 214, s. 5; 1930, c. 36, s. 2.

License to be posted up in office.

6. Immediately upon the receipt of the license the licensee named therein shall cause such license to be posted up and at all times displayed in a conspicuous place in the bureau, agency, sub-agency, office or branch for which it is issued. R.S.O. 1927, c. 214, s. 6.

Notice of removal of office, etc.

7. In case of removal of the bureau, agency, sub-agency, office or branch of a licensee to a place other than that described in the license, he shall, within twenty-four hours immediately following such removal, give written notice of such removal to the Attorney-General for Ontario, which notice shall describe the premises to which removal is made. R.S.O. 1927, c. 214, s. 7; 1930, c. 36, s. 2.

Returns to be made by licensees.

8. Every corporation licensed under this Act shall make and file with the Provincial Secretary annually on or before the 8th day of February in each year, a summary statement containing the like particulars and information and verified in the like manner as required in the case of a corporation to which section 3 of *The Companies Information Act* applies, and in default shall incur the same penalties provided in cases of default in compliance with the said section and no renewal license shall be issued until the statement has been filed. R.S.O. 1927, c. 214, s. 8.

Rev. Stat. c. 253.

Saving as to employees of detectives.

9. A license shall not be required by an employee of a duly licensed private detective but every licensed private detective shall be responsible for the conduct of his employees. R.S.O. 1927, c. 214, s. 9.

Records as to employees of licensee.

10. Every licensee shall keep a record of all operatives employed by him which record shall be open for inspection at all times by the Commissioner of Police for Ontario. R.S.O. 1927, c. 214, s. 10.

Provincial or county constables not to act as detectives.

11. A person while holding the position of a provincial or county constable shall not do any of the things for which a license is required by sections 1 and 2. R.S.O. 1927, c. 214, s. 11.

Saving as to legal profession.

12. This Act shall not apply to barristers, solicitors or their employees in the regular practice of their profession. R.S.O. 1927, c. 214, s. 12.

13. A person who is or has been a licensee under this Act or the employee of a licensee shall not divulge to anyone other than his employer or as his employer may direct, except as he may be required by law, any information acquired by him during such employment in respect of any of the work to which he shall have been assigned by his employer. R.S.O. 1927, c. 214, s. 13.

Information
acquired to
be con-
fidential.

14. A licensee under this Act shall not act as a collector of accounts, or undertake, or hold himself, or advertise as undertaking to collect accounts for any person either with or without remuneration. R.S.O. 1927, c. 214, s. 14.

Licensees
not to be
collectors.

15. Any person doing anything in contravention of this Act shall upon summary conviction thereof incur a penalty of not less than \$200 nor more than \$500 recoverable under *The Summary Convictions Act*. R.S.O. 1927, c. 214, s. 15.

Penalty.

Rev. Stat.
c. 136.

FORM 1.
(Section 4.)

FORM OF APPLICATION FOR LICENSE.

AN ACT RESPECTING PRIVATE DETECTIVES.

I, _____ of the _____
of _____ in the County of _____,
apply for a license under the said Act to engage in the business of a private
detective and furnishing information as provided in the said Act. I propose
to carry on business at the City of _____ in premises
known as No. _____ Street.

I am of the full age of _____ years. My present occupation
is _____. My former
occupations were _____. The following
persons and no others are associated with me in the proposed detective
business:—

For reference I submit the names of three parties as follows:—

Dated the _____ day of _____, 19 ____.

To the Honourable

The Attorney-General for Ontario.

R.S.O. 1927, c. 214, Form 1; 1930, c. 36, s. 2.

FORM 2.
(Section 5.)

AN ACT RESPECTING PRIVATE DETECTIVES.

Pursuant to the provisions of this Act, I hereby grant permission to
of the _____ of _____ in the County of _____
to carry on the business of a private detective and furnishing
information under the provisions of the said Act.

This license is to be in force for one year from this date.

Dated this _____ day of _____, 19 ____.

Attorney-General for Ontario.

R.S.O. 1927, c. 214, Form 2; 1930, c. 36, s. 2.