

## Police Services Act

### ONTARIO REGULATION 421/97

#### MEMBERS OF POLICE SERVICES BOARDS — CODE OF CONDUCT

**Consolidation Period:** From March 12, 2018 to the [e-Laws currency date](#).

Last amendment: 100/18.

Legislative History: 83/00, 277/00, 298/05, 100/18.

*This is the English version of a bilingual regulation.*

1. Board members shall attend and actively participate in all board meetings. O. Reg. 421/97, s. 1.
2. Board members shall not interfere with the police force's operational decisions and responsibilities or with the day-to-day operation of the police force, including the recruitment and promotion of police officers. O. Reg. 421/97, s. 2.
3. Board members shall undergo any training that may be provided or required for them by the Minister of Community Safety and Correctional Services. O. Reg. 421/97, s. 3; O. Reg. 100/18, s. 1.
4. Board members shall keep confidential any information disclosed or discussed at a meeting of the board, or part of a meeting of the board, that was closed to the public. O. Reg. 421/97, s. 4.
5. No board member shall purport to speak on behalf of the board unless he or she is authorized by the board to do so. O. Reg. 421/97, s. 5.
6. A board member who expresses disagreement with a decision of the board shall make it clear that he or she is expressing a personal opinion. O. Reg. 421/97, s. 6.
7. Board members shall discharge their duties loyally, faithfully, impartially and according to the Act, any other Act and any regulation, rule or by-law, as provided in their oath or affirmation of office. O. Reg. 421/97, s. 7.
8. Board members shall uphold the letter and spirit of the Code of Conduct set out in this Regulation and shall discharge their duties in a manner that will inspire public confidence in the abilities and integrity of the board. O. Reg. 421/97, s. 8.
9. Board members shall discharge their duties in a manner that respects the dignity of individuals and in accordance with the *Human Rights Code* and the Canadian Charter of Rights and Freedoms. O. Reg. 421/97, s. 9; O. Reg. 100/18, s. 2.
10. Board members shall not use their office to advance their interests or the interests of any person or organization with whom or with which they are associated. O. Reg. 421/97, s. 10.
11. (1) Board members shall not use their office to obtain employment with the board or the police force for themselves or their family member. O. Reg. 298/05, s. 1.  
(2) For the purpose of subsection (1),  
“family member” means the parent, spouse or child of the person, as those terms are defined in section 1 of the *Municipal Conflict of Interest Act*. O. Reg. 421/97, s. 11 (2).
12. A board member who applies for employment with the police force, including employment on contract or on fee for service, shall immediately resign from the board. O. Reg. 421/97, s. 12.
13. Board members shall refrain from engaging in conduct that would discredit or compromise the integrity of the board or the police force. O. Reg. 421/97, s. 13.
14. (1) A board member whose conduct or performance is being investigated or inquired into by the Commission under section 25 of the Act or is the subject of a hearing before the Commission under that section shall decline to exercise his or her duties as a member of the board for the duration of the investigation or inquiry and hearing. O. Reg. 277/00, s. 1.  
(2) If the application of subsection (1) results in a board not having enough members able to exercise their duties in order to constitute a quorum during an investigation, inquiry or hearing under section 25 of the Act, the chair of the Commission may appoint that number of persons necessary to constitute a quorum, who shall act in the place of the members who are unable to exercise their duties. O. Reg. 277/00, s. 1.  
(3) The chair of the Commission,
  - (a) shall specify in an appointment made under subsection (2) that the appointee may only exercise such duties as are necessary for the effective operation of the board during the investigation, inquiry or hearing and, for such purpose, may specify the duties the appointee may or may not exercise; and

- (b) shall cancel an appointment made under subsection (2) as soon as a member of the board who declined to exercise his or her duties under subsection (1) resumes exercising his or her duties or is replaced under subsection 25 (8) of the Act. O. Reg. 277/00, s. 1.

**15.** If the board determines that a board member has breached the Code of Conduct set out in this Regulation, the board shall record that determination in its minutes and may,

- (a) require the member to appear before the board and be reprimanded;
- (b) request that the Ministry of Community Safety and Correctional Services conduct an investigation into the member's conduct; or
- (c) request that the Commission conduct an investigation into the member's conduct under section 25 of the Act. O. Reg. 421/97, s. 15; O. Reg. 100/18, s. 3.

Français

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