



BY-LAW NO. 451-2024

**A BY-LAW TO ESTABLISH POLICY
FOR COMPLIANCE WITH THE INTERPROVINCIAL POLICING ACT**

1. PREAMBLE

- 1.1 WHEREAS subsection 37 (1) of the *Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, ("CSPA")* provides that a Board shall provide adequate and effective policing in the area for which it has policing responsibility as required by Section 10 of the CSPA;
- 1.2 AND WHEREAS subsection 38 (2) of the CSPA provides that a Police Service Board may establish policies respecting matters related to the Police Service or the provision of policing;
- 1.3 AND WHEREAS the Board deems it expedient to pass a By-law to designate an appointing official for the purposes of the *Interprovincial Policing Act, 2009* and to establish guidelines relating to oversight of the extra-provincial police officers operating within the Board's jurisdiction.

NOW THEREFORE THE REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICE BOARD ENACTS AS FOLLOWS:

2. DEFINITIONS

- 2.1 "Act" or "CSPA" means the *Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1*, and amendments thereto;
- 2.2 "Appointing Official" means a Chief of Police or Deputy Chief of Police who has been designated Appointing Official under the *Interprovincial Policing Act* for the purposes of granting police officer status to a police officer from another Canadian province or territory who is required to enter Ontario to perform policing duties;
- 2.3 "Board" means the Regional Municipality of Niagara Police Service Board;
- 2.4 "Chief" means the Chief of Police of the Niagara Regional Police Service;
- 2.5 "Extra-provincial Police Officer" means a police officer appointed or employed under the law of another province or territory, but does not include a Member of the Royal Canadian Mounted Police;
- 2.6 "IPA" means the *Interprovincial Policing Act, 2009 S.O. 2009, c. 30*, as amended;
- 2.7 "Ministry" means the Ministry of the Solicitor General;

2.8 "Service" means the Niagara Regional Police Service.

3. BOARD POLICY

3.1 The Board recognizes the purpose of the IPA to be a mechanism whereby a Ministry designated Appointing Official can grant police officer status to a police officer from another Canadian province or territory that is required to enter Ontario to perform policing duties, and also provides for oversight of extra-provincial police officers operating in Ontario. The Board is committed to compliance with the IPA and therefore, it is the policy of the Board that designation of an Appointing Official be dealt with in accordance with the procedure set out by the Chief as established and directed in this By-law and in compliance with the IPA.

4. DIRECTION TO THE CHIEF

4.1 The Chief shall develop and implement written procedures to ensure compliance with the requirements of the CSPA, Interprovincial Policing Act, and Ontario Regulation 273/10.

5. REPORT TO THE BOARD

5.1 The Chief shall make annual confidential written reports to the Board on extra-provincial police officer appointments, such report to be provided to the Board before March of each year covering the preceding calendar year.

5.2 The annual report shall include the following information in respect of extra-provincial police officer appointments:

- (a) the number of appointments made or terminated that primarily affect the Board's jurisdiction;
- (b) the name of the province the extra-provincial police officer is from; and
- (c) the duration of extra-provincial police officer appointments.

6. IMPLEMENTATION

6.1 By-law No. 317-2012, as amended, and all other By-laws, sections of By-laws and procedural policies of the Board inconsistent with the provisions of this By-law are hereby repealed effective March 31, 2024.

6.2 This By-law shall come into force on April 1, 2024.

ENACTED AND PASSED this 28th day of March, 2024.

THE REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICE BOARD



Jen Lawson, Chair



Deb Reid, Executive Director