



BY-LAW NO. 531-2025

A BY-LAW TO ESTABLISH POLICY RELATING TO DISCLOSURE OF PERSONAL INFORMATION

1. PREAMBLE

- 1.1 WHEREAS subsection 37 (1)(a) of the *Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, as amended* ("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 (1)(c) of the CSPA provides that the Board shall establish policies respecting the disclosure by the Chief of Police of personal information about individuals;
- 1.3 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;
- 1.4 AND WHEREAS Ontario Regulation 412/23 - Disclosure of Personal Information, as amended, (O. Reg. 412/23) establishes to whom and in what circumstances personal information may be disclosed by a Chief of Police or a designate for the purposes of subsection 80 (1) of the CSPA;
- 1.5 AND WHEREAS the Board deems it expedient to enact this By-law to establish a policy relating to the disclosure by the Chief of Police of personal information about individuals.

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 "*Board*" means the Regional Municipality of Niagara Police Service Board;
- 2.3 "*Chief*" means the Chief of the Niagara Regional Police Service;
- 2.4 "*Member*" means a member of the Niagara Regional Police Service; and
- 2.5 "*Service*" means the Niagara Regional Police Service.

3 BOARD POLICY

- 3.1 The Board recognizes that when making decisions regarding the release of personal information, a number of considerations must be weighed within the applicable legislative parameters that aim to balance the privacy and the public interest. This policy intends to promote accountability and consistency by establishing clear criteria and conditions for the disclosure of personal information.

4. DIRECTIONS TO CHIEF

4.1 PROCEDURES

- 4.1.1 The Chief or a designate will develop procedures and processes consistent with Section 80 of the CSPA, along with the relevant regulation, O. Reg. 412/23: Disclosure of Personal Information.

4.2 PURPOSE OF DISCLOSURE

- 4.2.1 The Chief or a designate will ensure that any disclosure of personal information will be for one or more of the purposes set out in subsection 80 (2) of the CSPA.

4.3 CONSIDERATIONS

- 4.3.1 The Chief or a designate will consider, in deciding whether or not to disclose personal information, based on the factors set out in Section 4 of O. Reg. 412/23.

5. DISCLOSURE OF PERSONAL INFORMATION

- 5.1 The Chief or a designate may disclose any personal information about any person as follows:

- (i) Personal information described in Section 6 of O. Reg. 412/23 regarding individuals charged under a Federal or Provincial statute in the circumstances described in Section 3 of O. Reg. 412/23;
- (ii) Personal information described in Section 6 of O. Reg. 412/23 regarding individuals convicted or found guilty of an offence under a Federal or Provincial statute in the circumstances described in Section 5 of O. Reg. 412/23; and
- (iii) Personal information described in Section 6 of O. Reg. 412/23 and information set out in subsection 7 (1) of O. Reg. 412/23 which the Chief or designate reasonably believes is necessary to protect and keep victims of crime informed.

- 5.2 The Chief or a designate may disclose personal information about an individual who is under investigation for having committed an offence under any Federal or Provincial Act, or is charged with, convicted of, or found guilty of such an offence, to any agency described in subsection 8 (1) of O. Reg. 412/23, provided such disclosure is consistent with subsections 8 (2) and 8 (3) of O. Reg. 412/23.

6. REPORTING TO THE BOARD

- 6.1 The Chief will report to the Board any matters of significant public interest as they relate to this By-law as the need arises.

6.2 The Chief shall make a written report to the Board each year in respect of disclosures of personal information. The report shall include:

- (i) a summary of the procedures regarding disclosures of personal information;
- (ii) confirmation that the said procedures comply with the CSPA and O. Reg. 412/23; and
- (iii) the status of Service compliance with the said procedures.


7 IMPLEMENTATION

7.1 Any By-laws, sections of by-laws and policies of the Board inconsistent with the provisions of this By-law are hereby repealed.

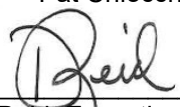
7.2 This By-law shall come into force on the date of its passage.

ENACTED AND PASSED this 24th day of July, 2025.

THE REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICE BOARD



Pat Chiocchio, Chair



Deb Reid, Executive Director