



North Bay Police Service Board

By-Law #1

North Bay Police Service Board – Appointment of Board Members, Member Oath of Office and Training

Legislative Reference / Authority

Community Safety and Policing Act (CSPA) and Regulation 416/23

Preamble

1. As prescribed in the *Community Safety and Policing Act* and through Regulation(s) the North Bay Police Service Board shall establish policy(ies) consistent with the *Act*, Regulation(s) and any other applicable legislation.
2. **Appointment of Board Members**
 - a. In appointing or reappointing a member of a Police Service Board, the appointing person or body shall consider:
 - i. The need to ensure that the Police Service Board is representative of the area it serves, having regard for the diversity of the population in the area;
 - ii. The need for the Police Service Board to have members with the prescribed competencies, if any; and
 - iii. Any applicable diversity plan.
3. **Police record check**
 - a. The appointing person or body must consider the results of a potential appointee's police record check that was prepared within the past 12 months before appointing him or her as a member of a Police Service Board.
4. **Revocation of appointments**
 - a. For greater certainty, the power to appoint a member of a Police Service Board includes the power to revoke the appointment and to appoint a replacement.
5. **Other Ineligible Persons**
 - a. The following persons are not eligible to be members of a Police Service Board:
 - i. A judge or justice of the peace;
 - ii. A member of a police service, a Special Constable or a First Nation Officer;
 - iii. Any person who practises criminal law as a defence counsel or as a prosecutor;
 - iv. A director, officer or employee of a prescribed policing provider;
 - v. A former member of a police service is not eligible to be a member of a Police Service Board unless:



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- (a) The Police Service Board does not maintain a police service that the person was a member of; and
- (b) At least one year has passed since the person ceased to be a member of any police service.

6. Seat Vacated by Ineligibility

- a. A member of a Police Service Board shall vacate his or her seat if he or she becomes ineligible to be on the board; and
- b. If a seat becomes vacant, the Police Service Board shall notify the person or body responsible for appointing a replacement.

7. Members Appointed by the Municipality

- a. Term of office
 - i. The term of office for a member of a municipal board appointed by resolution of a municipality shall be set out by the municipality in his or her appointment, but shall not exceed the term of office of the municipal council that appointed the member; and
 - ii. A member of a municipal board appointed by resolution of a municipality may continue to sit until the earlier of:
 - (a) Six months after the expiry of his or her term of office; or
 - (b) The day the member's successor is appointed by the municipality.

8. Vacancy

- a. If the position of a member of a municipal board who is appointed by resolution of a municipality or who holds office by virtue of being the head of a municipality becomes vacant, the board shall notify the municipality and the municipality shall appoint a replacement.

9. Remuneration

- a. The members of the municipal board who are appointed by the Lieutenant Governor in Council or by the Minister and the citizen appointed by Council shall be remunerated in accordance with the regulations made by the Minister.

10. Oath or Affirmation

- a. All members of the North Bay Police Service Board shall at the time of their appointment, take an oath or affirmation of office in the form prescribed by the Minister (below):
 - i. I solemnly swear (*affirm*) that I will uphold the Constitution of Canada, which recognizes and affirms Aboriginal and treaty rights of Indigenous peoples, and that I will, to the best of my ability, discharge my duties as a member of the (*North Bay Police Service Board*) faithfully, impartially and according to



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the *Community Safety and Policing Act, 2019*, any other *Act*, and any regulation, rule or by-law.

So help me God. (*Omit this line in an affirmation.*)

11. **Training**

- a. Subsection 35(2) of the *Community Safety & Policing Act* provides that a member of a Police Service Board shall successfully complete the following training:
 - i. The training approved by the Minister with respect to the role of a Police Service Board and the responsibilities of members of a board or committee;
 - ii. The training approved by the Minister with respect to human rights and systemic racism; and
 - iii. The training approved by the Minister that promotes recognition of and respect for the diverse, multiracial and multicultural character of Ontario society; and the rights and cultures of First Nation, Inuit and Métis Peoples.
- b. Any other training prescribed by the Minister.

12. **Training Not Completed**

- a. A member of a Police Service Board or committee shall not exercise the powers or perform the duties of a board or committee member until the member has successfully completed the training described in Section 3 (above).
- b. With the release of the CSPA and its Regulations Board Members have until September 2024 to complete the training while new members will have to have it completed within 6 months of their appointment.

Read the first time this 26 day of March, 2024

Read the second time this 26 day of March, 2024

Read the third time this 26 day of March, 2024

R. Stivrins

Board Chair