

Ministry of the Attorney General

Court Services Division
Program Management Branch

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August 5, 2020

Municipal Chief Administrative Officers

Please Distribute to Municipal Enforcement Officers

On July 21, 2020, Bill 197, the *COVID-19 Economic Recovery Act, 2020* received Royal Assent. Schedule 18 of the Bill amends the *Provincial Offences Act* (POA) to remove barriers to electronic delivery of documents and remote appearances in POA proceedings.

As a result of these amendments:

- Provincial offences officers can now seek search warrants remotely in all cases, not only where it is impracticable to do so in person; and
- Any court participant, including a witness, can attend any POA proceeding by electronic method (audio or video) made available by the municipal court office, unless a judicial official orders otherwise.

These amendments are effective **July 21, 2020**. Further details about all the POA amendments can be found here: <https://www.ontario.ca/laws/statute/90p33#top>.

In order to implement the amendments, municipal POA courts will need to temporarily supplement the information on the back of the provincial offence notice, also known as a ticket, to advise defendants of new options for responding to a ticket (e.g., by mail, email, or other electronic method established by the municipal court). This supplemental information will only be necessary until such time as appropriate amendments to the regulated offence notice can be made and new ticket books can be printed and distributed to enforcement agencies.

The Ministry of the Attorney General will be working to update regulated forms, including forms that are included in ticket books, as quickly as possible and no later than July 21, 2021.

The Ministry of the Attorney General's website has been updated to notify members of the public of these important changes that will minimize the need to attend court in person and help keep people safe as courts gradually return to normal operations. However, we need the assistance of municipal enforcement officers to ensure that every defendant knows they do not need to attend court in person to request a trial or early resolution meeting and are aware of any remote appearance options available to them.

Municipal POA courts have been asked to provide provincial offences officers with this supplemental information in the form of a flyer. Please ask municipal enforcement officers for their assistance in giving these flyers to defendants when serving an offence notice.

The Ministry of the Attorney General will provide regular updates with respect to the anticipated timeframe for discontinuing this interim measure.

As Ontario charts a path to recovery, the health and well-being of everyone who enters a courtroom in this province is a top priority. Your support in implementing these amendments to the POA is an important step as we work together to transform the justice system and support a safe return to court operations.

If you have any questions, or if you would like more information about this initiative, please contact Wendy Chen, Acting Manager of the Ministry of the Attorney General's POA Unit, by email at JUS.G.MAG.POASupport@ontario.ca.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jlee'.

Jaimie Lee
A/Director, Program Management Branch
Court Services Division
Ministry of the Attorney General