

Police Services Act

ONTARIO REGULATION 265/98

Amended to O. Reg. 81/00

DISCLOSURE OF PERSONAL INFORMATION

This is the English version of a bilingual regulation.

1. In this Regulation, an individual shall be deemed to be charged with an offence if he or she,

(a) is arrested and released in accordance with Part XVI of the *Criminal Code* (Canada); or

(b) is served with a summons under Part III of the *Provincial Offences Act* in relation to an offence for which an individual may be arrested, even if an information has not been laid at the time the summons is served.
O. Reg. 265/98, s. 1.

2. (1) A chief of police or his or her designate may disclose personal information about an individual to any person if,

(a) the individual has been convicted or found guilty of an offence under the *Criminal Code* (Canada), the *Controlled Drugs and Substances Act* (Canada) or any other federal or provincial Act;

(b) the chief of police or his or her designate who would disclose the personal information reasonably believes that the individual poses a significant risk of harm to other persons or property; and

(c) the chief of police or his or her designate who would disclose the personal information reasonably believes that the disclosure will reduce that risk.

(2) If subsection (1) applies, the chief of police or his or her designate may disclose any personal information about the individual that the chief of police or his or her designate reasonably believes will reduce the risk posed by the individual. O. Reg. 265/98, s. 2.

3. (1) A chief of police or his or her designate may disclose personal information, as described in subsection (2), about an individual to any person if the individual has been charged with, convicted or found guilty of an offence under the *Criminal Code* (Canada), the *Controlled Drugs and Substances Act* (Canada) or any other federal or provincial Act.

(2) If subsection (1) applies, the following information may be disclosed:

1. The individual's name, date of birth and address.
2. The offence described in subsection (1) with which he or she has been charged or of which he or she has been convicted or found guilty and the sentence, if any, imposed for that offence.
3. The outcome of all significant judicial proceedings relevant to the offence described in subsection (1).
4. The procedural stage of the criminal justice process to which the prosecution of the offence described in subsection (1) has progressed and the physical status of the individual in that process (for example, whether the individual is in custody, or the terms, if any, upon which he or she has been released from custody).
5. The date of the release or impending release of the individual from custody for the offence described in subsection (1), including any release on parole or temporary absence. O. Reg. 265/98, s. 3.