

Backgrounder Document d'information



Ministry of Community Safety
and Correctional Services

Ministère de la Sécurité communautaire
et des Services correctionnels

REQUEST FOR A HEARING GUIDELINES

Under section 16 of the Private Security and Investigative Services Act, 2005, the Registrar will serve written notice to an applicant or licensee to propose to refuse to issue or renew a licence, suspend or revoke a licence with the reasons for the Registrar's proposed action.

The information below describes the procedures to request a hearing before the Registrar to show cause why the Registrar should not take the proposed action.

Completing and Filing the Notice of a Request for a Hearing Form

- The applicant or licensee must complete, sign, date and submit the Notice of a Request for a Hearing Form within 21 days of receipt of the Registrar's written notice with the reasons for the action.
- The completed form can be mailed or faxed to:
The Registrar, Private Security and Investigative Services Branch
Ministry of Community Safety and Correctional Services
777 Bay Street, 3rd Floor, Toronto ON M7A 2J6
Fax: 416-212-1603
- A copy of the Registrar's written notice of the proposed action must be attached to the completed application.
- The Notice of a Request for a Hearing form is (will be) located on the ministry's website at <http://www.ontario.ca/private-security> (click on Forms and Appendices).
- On receipt of the Notice of a Request for a Hearing, the ministry will review the form for completeness and timeliness.
- If the Registrar determines that the form is incomplete or not filed on time, it would be returned to the applicant or licensee.

Setting a Hearing Date

- The hearing date will be set by the ministry **within 90 days** after the Registrar's proposed action was served, or at a later date if the applicant or licensee consents.
- A letter would be sent prior to the hearing advising the applicant or licensee of the date and location of the hearing.
- If an adjournment is required, a request should be made to the Registrar as soon as possible and no later than at least 10 days before the hearing date or its continuation, unless the Registrar, in his discretion, permits otherwise.

Holding a Hearing

- A hearing before the Registrar or Deputy Registrar would usually be held at 777 Bay Street, 3rd Floor, Toronto.
- If the applicant or licensee does not live near Toronto, a hearing would be held at an Ontario Provincial Police detachment near the applicant or licensee's area.
- The Deputy Registrar may act as Registrar during the Registrar's absence or inability to act.
- At the hearing, the applicant or licensee may be represented by counsel or an agent.
- The applicant or licensee will be provided with the opportunity to present cause or reasons why he or she should be eligible for the licence (i.e. reference letters, character witnesses, training certificates, volunteer awards, etc.)
- Where the Registrar inclines to refuse to renew, or inclines to suspend or revoke a licence, the licensee must take their licence/identification card issued by the ministry to the hearing.

The Registrar's Decision

- The Registrar will inform the applicant or licensee in writing if the Registrar decides that an applicant or licensee has not shown why the Registrar should not take the proposed action.
- The Registrar will provide written reasons for the decision **within 14 days** of being requested this information by the applicant or licensee.
- If the applicant or licensee fails to attend the hearing, the hearing may go ahead without them and a decision would be made in their absence.

The Private Security and Investigative Services Branch

777 Bay Street, 3rd Floor

Toronto, ON M7A 2J6

Local Phone: 416-212-1650

Toll-free: 1-866-767-7454

<http://www.ontario.ca/private-security>

To view the Private Security and Investigative Services Act and/or its regulations in their entirety, please visit:

http://www.e-laws.gov.on.ca/DBLaws/Statutes/English/05p34_e.htm