



# MISSISSAUGA

## THE CORPORATION OF THE CITY OF MISSISSAUGA

### Transportation Network Company Licensing By-law 0109-2019

(Amended by By-law 0251-2021)

**WHEREAS** section 11 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended (the "*Municipal Act, 2001*"), provides that a lower-tier municipality may pass by-laws respecting the health, safety and well-being of persons and respecting the protection of persons and property including consumer protection;

**AND WHEREAS** section 151 of the *Municipal Act, 2001*, provides that without limiting sections 9, 10 and 11 of the Act, a municipality may provide for a system of licences with respect to a business;

**AND WHEREAS** subsection 391(1) of the *Municipal Act, 2001*, provides that a municipality may impose fees and charges on persons;

**AND WHEREAS** section 434.1 of the *Municipal Act, 2001* provides that a municipality may require a person, subject to such conditions as the municipality considers appropriate, to pay an administrative penalty if the municipality is satisfied that the person has failed to comply with any part of a system of business licenses established by the municipality;

**AND WHEREAS** section 436 of the *Municipal Act, 2001*, as amended, provides that a municipality may pass a by-law providing that the municipality may enter on lands at any reasonable time for the purpose of carrying out an inspection to determine whether a by-law of the municipality has been complied with;

**AND WHEREAS** section 444 of the *Municipal Act, 2001*, provides that the municipality may make an order requiring the person who contravened the by-law or who caused or permitted the contravention or the owner or occupier of the land on which the contravention occurred to discontinue the contravening activity;

**AND WHEREAS** on June 21, 2017, the Council of the Corporation of the City of Mississauga (the "Council") enacted and passed a by-law to introduce an eighteen month pilot project to regulate transportation network companies for the purpose of protecting the health, safety and well-being of persons and to maintain consumer protection through a system of business licences (the "Transportation Network Company Pilot Project Licensing By-law");

**AND WHEREAS** the Transportation Network Company Pilot Project Licensing By-law is set to be repealed on July 1, 2019;

**AND WHEREAS** on June 5, 2019, the Council passed Resolution 0134-2019 to provide for the ongoing regulation of TNCs following the completion of the pilot project;

**NOW THEREFORE** the Council of The Corporation of the City of Mississauga hereby  
**ENACTS:**

## **DEFINITIONS**

1. For the purpose of this By-law:

**“Administrative Penalty”** means a monetary penalty as set out in the City’s Licensing Administrative Penalty By-law for a contravention of a designated By-law;

**“Applicant”** means a Person applying for a new Licence or the renewal of a Licence under this By-law;

**“Affiliation Date”** means the date an Applicant applies for a new Licence or the renewal of a Licence;

**“City”** means the municipal boundaries for the City of Mississauga OR the Corporation of the City of Mississauga (depending on the context);

**“Clerk”** means the Clerk of the City of Mississauga or his/her designate;

**“Council”** means the council of the City;

**“Criminal Record Check”** means a criminal record check issued by an Ontario police service as approved by the Licence Manager;

**“Driver’s Abstract”** means a driver’s abstract issued by the Province of Ontario;

**“Licence”** means the certificate issued by the Licence Manager as proof of licensing under this By-law;

**“Licensee”** means any Person licensed under this By-law;

**“Licence Manager”** means the Manager of Mobile Licensing Enforcement Unit of the City’s Enforcement Division and includes his/her designate;

**“Licensing Administrative Penalty By-law”** means the City’s Licensing Administrative Penalty By-law 0135-2014, as amended (or its successor), being a by-law to establish a system of administrative penalties respecting those who have failed to comply with any part of a system of business licences established by the City;

**“Officer”** means a person appointed by Council, or under this By-law, to administer or enforce this By-law and includes a person employed by the City whose duties are to enforce this By-law, and also includes, for the purposes of exercising any power entry under this By-law, a police officer;

**“Penalty Notice”** means a notice given to a Person pursuant to the Licensing Administrative Penalty By-law;

**“Person”** includes an individual, a corporation and its directors and officers, or partnership and their heirs, executors, assignees and administrators;

**“Safety Standard Certificate”** means a certificate that confirms that a motor vehicle complies with the equipment and performance standards prescribed by the *Highway Traffic Act R.S.O.*

**“Transportation Network Company”** or **“TNC”** means any Person who receives, relays, authorizes, facilitates, enables or communicates a request for transportation services from a passenger to a TNC Driver for compensation through a TNC App or any other comparable technology but does not include a Broker as defined according to the Public Vehicle Licensing By-law 420-04, as amended (or its successor);

**“TNC App”** means a mobile application that can be downloaded onto or accessed on a mobile phone, tablet or other digital electronic device used to connect passengers with TNC Drivers;

**“TNC Driver”** means the driver of a TNC Vehicle who is affiliated with a TNC and who has access to a TNC App to transport passengers for compensation;

**“TNC Vehicle”** means a private motor vehicle that provides transportation services for compensation but does not include a Taxicab as defined according to the Public Vehicle Licensing By-law 420-04, as amended (or its successor);

**“Trip”** means each journey in a TNC Vehicle commencing when a passenger enters a TNC Vehicle having made a request for transportation using a TNC App and ending when that same passenger exits the TNC Vehicle.

#### **ADMINISTRATION OF THIS BY-LAW**

2. The administration of this By-law is assigned to the Licence Manager who shall perform all of the administrative functions conferred upon him or her by this By-law.
3. The Licence Manager may delegate any responsibilities conferred to the Licence Manager under this By-law.

#### **GENERAL PROHIBITIONS**

4. No Person shall:
  - (1) own or operate a TNC unless the Person is licensed under this By-law;
  - (2) represent to the public that the Person is licensed under this By-law if the Person is not so licensed;
  - (3) contravene or fail to comply with a term or condition of his, her or its Licence imposed under this By-law;
  - (4) operate a TNC while their Licence issued under this By-law is under suspension;  
or
  - (5) transfer a Licence issued under this By-law.

#### **LICENSING EXEMPTION**

5. For greater clarity, the following Persons will be exempt from requiring a Licence to operate a TNC:

- (1) a TNC who only facilitates “carpooling” as defined according to the *Public Vehicles Act*; and/or
- (2) a Person that has a valid Broker’s licence according to the Public Vehicle Licensing By-law, 420-04 (or its successor) who in addition to operating as a Broker also operates using an App to provide said service.

### **APPLICATION FOR A NEW LICENCE OR A RENEWAL LICENCE**

6. An application for a new Licence or a renewal Licence shall be made to the Licence Manager using the forms provided by the Licence Manager and accompanied by the requirements prescribed by Schedule “A” of this By-law and any other information that the Licensing Manager may from time to time request.

### **REVIEW OF APPLICATION FOR A LICENCE BY THE LICENCE MANAGER**

7. The Licence Manager shall receive, process and review all applications for all new Licences and renewals of Licences under this By-law.
8. The Licence Manager shall maintain complete records showing all applications received and Licences issued.
9. The Licence Manager shall have the power and authority to:
  - (1) issue a new Licence;
  - (2) renew a Licence;
  - (3) deny the issuance of a Licence;
  - (4) revoke a Licence;
  - (5) suspend a Licence; and/or
  - (6) impose terms or conditions on a Licence.

### **ISSUANCE OF A LICENCE**

10. When an application for a new Licence or renewal of a Licence is made in accordance with section 6 of this By-law and the Applicant meets all the requirements of this By-law, the Licence Manager shall issue a Licence.
11. A Licence issued according to this By-law shall be valid for one year from the date of issue.

### **CONDITIONS ON A LICENCE**

12. Notwithstanding any other provisions of this By-law, the Licence Manager may impose terms and conditions on any Licence at issuance, renewal or any time during the Licence period including but not limited to any conditions that are necessary to give effect to this By-law.

13. (1) Notwithstanding any other provisions of this By-law, the Licence Manager may impose additional fees on a Licensee, by way of a notice of additional fees at any time during the term of a Licence for costs incurred by the City attributable to the activities of the Licensee.
- (2) The notice of additional fees shall be sent to the Licensee by registered mail and shall provide the Licensee with sixty (60) days to pay the outstanding amount from the date of such notice.

#### **RETURN OF THE LICENCE**

14. When a Licence has been revoked, deemed unrenovable or suspended according to section 16 of this By-law, the holder of the Licence shall return the Licence to the Licence Manager within twenty four (24) hours of service of written notice of the decision of the Licence Manager.
15. Notwithstanding section 14, the Licence Manager or Officer may enter upon the premises of the Licensee for the purpose of receiving or removing the Licence, when a Licensee has his/her Licence revoked, deemed unrenovable or suspended under this By-law.

#### **GROUND FOR REFUSAL TO ISSUE/RENEW, REVOKE OR SUSPEND A LICENCE**

16. A Licence Manager may refuse to issue/renew, revoke, or suspend a Licence where there are reasonable grounds to believe that:
  - (1) an application or other document provided to the Licence Manager by or on behalf of the Applicant contains a false statement or false information;
  - (2) the Applicant or Licensee has failed to pay any fine imposed by a court as a sentence arising from convictions for breach of a by-law enacted by the City;
  - (3) any additional fee imposed on a Licensee as set out in section 13 remain unpaid after the due date as indicated in the notice of additional fees sent to the Licensee;
  - (4) the Applicant or Licensee does not meet all the requirements of:
    - a. this By-law or any other City by-law, as amended; or
    - b. any other federal and provincial laws and municipal by-laws;
  - (5) the financial position of the Applicant or Licensee affords reasonable grounds to believe that the Applicant or Licensee would not operate the TNC in a financially responsible manner;
  - (6) the past or present conduct of the Applicant or Licensee, or any partner, in the case of an Applicant or Licensee which is a partnership, or of any director or officer of the corporation, if the Applicant or Licensee is a corporation, affords reasonable grounds for the belief that the Applicant or Licensee will not carry on the activity for which they are to be licensed or to continue to be licensed in

accordance with any applicable law and with integrity and honesty; or

- (7) the Applicant or Licensee has failed to pay an Administrative Penalty imposed by the City arising from a contravention of this By-law.
17. After a decision is made by the Licence Manager to refuse to issue/renew, revoke, or suspend a Licence, written notice of that decision shall be given to the Applicant or Licensee advising the Applicant or Licensee of the Licence Manager's decision with respect to the application or Licence.
18. The written notice to be given under section 17 shall:
  - (1) set out the grounds for the decision;
  - (2) give reasonable particulars of the grounds; and
  - (3) be signed by the Licence Manager.

### **GENERAL REQUIREMENTS**

19. Every Licence is owned by and is the property of the City and is valid only in respect of the Person and for the TNC named therein.
20.
  - (1) When a Licensee changes his or her name or address or any information relating to the Licence, he or she shall notify the Licence Manager within three (3) days of the change of address or any other information relating to his or her Licence and shall return the Licence immediately to the Licence Manager for amendment.
  - (2) When the Licensee is a corporation, and there is any change in the following information given on the application, namely: the names and addresses of officers and directors, the location of the corporate head office, the Licensee shall report the change to the Licensing Section within three (3) days of the change, and if necessary, the Licence shall be returned immediately to the Licence Manager for amendment.

### **GENERAL POWERS OF OFFICERS**

21. An Officer may at any reasonable time, enter upon and inspect the premises of any Licensee or a TNC Vehicle operated by a TNC Driver to ensure that the provisions of this By-law are complied with.
22. Upon an inspection, every Person shall produce all relevant Licences and permits, invoices, vouchers or like documents and all documents required to be kept and maintained under this By-law which may be removed for the purpose of photocopying and shall be returned to the Licensee or TNC Driver within forty-eight (48) hours of removal.
23. No Person shall obstruct an Officer inspecting the premises/TNC Vehicle or withhold, destroy, conceal or refuse to furnish any information or thing required by an Officer for the purpose of the inspection.

24. Where a Person contravenes any provision of this By-law, an Officer may:
- (1) serve a written notice on the Person, advising of the contravention and directing compliance;
  - (2) direct in a written order that a thing or matter is required to be done, and in default of such matter or thing being done, the matter or thing will be done at the Person's expense by the City and the City will recover the expense by action or in like manner as municipal taxes; or
  - (3) issue a Penalty Notice.

### **NOTICE**

25. Any notice or order required to be given or served under this By-law is sufficiently given or served, if delivered personally or sent by registered mail, addressed to the Person to whom delivery or service is required to be made at the last address for service appearing on the records of the Licence Manager.

### **PENALTY**

26. Every Person who contravenes any provision of this By-law, when given a Penalty Notice, is liable to pay to the City an Administrative Penalty in the amount specified in the City's Licensing Administrative Penalty By-law, and shall follow the procedures for payment or review/appeal as outlined in the City's Licensing Administrative Penalty By-law.
27. Notwithstanding section 26, every Person who contravenes any provision of this By-law, and every director or officer of a corporation who concurs in such contravention by the corporation, is guilty of an offence and is liable to a fine, and such other penalties, as provided for in the *Provincial Offences Act*, R.S.O. 1990, c. P. 33, and the *Municipal Act, 2001*, as both may be amended from time to time.
28. Where any Person contravenes any provision of this By-law, such person shall be responsible for all costs incurred by the City related to the contravention.

### **MISCELLANEOUS**

29. Any section of this By-law, or any part thereof, that is found by a court of competent jurisdiction to be invalid shall be severable, and the remainder of the By-law shall continue to be valid.
30. All schedules attached to this By-law shall form part of this By-law.
31. In this By-law, unless the context otherwise requires, words imparting the singular number shall include the plural, and words imparting the masculine gender shall include the feminine and further, the converse of the foregoing also applies where the context so requires.

**RETROACTIVE**

32. This By-law is deemed to come into force and effect on July 1, 2019 and shall be in full force and effect immediately following the repeal of the Transportation Network Company Pilot Project Licensing By-law 93-17.

**SHORT TITLE**

33. This By-law may be referred to as the Transportation Network Company Licensing By-law.

ENACTED AND PASSED this 3<sup>rd</sup> day of July, 2019.

Signed by Bonnie Crombie, Mayor and Diana Rusnov, City Clerk



## SCHEDULE "A"

### TNC APPLICATION REQUIREMENTS – NEW LICENCES AND RENEWALS

#### GENERAL REQUIREMENTS

1. A Person wishing to carry on the business of a TNC in the City shall apply for a new Licence or a renewal Licence by providing the Licence Manager with the following:
  - (1) a completed application in the form required by the Licence Manager;
  - (2) the name, telephone, and email contact information for the Person authorized to receive and respond on behalf of the TNC to any and all communications from the City relating to the TNC's Licence or the TNC's conduct of the business;
  - (3) payment of the applicable licensing fee as set out in the applicable City User Fees and Charges By-law; (0251-2021)
  - (4) a list of all TNC Drivers affiliated with the TNC, which list shall include the following information:
    - a. the full name of the TNC Driver; and
    - b. the year, make, model and Ontario licence plate number of the TNC Vehicle operated by the TNC Driver.
  - (5) a sworn declaration from the TNC confirming that all TNC Drivers affiliated with the TNC have provided the following to the TNC, which comply with the standards set out in this By-law:
    - a. a Criminal Record Check issued within one year of the Affiliation Date;
    - b. a Safety Standard Certificate issued within one year of the Affiliation Date for the TNC Vehicle operated by the TNC Driver;
    - c. a Driver's Abstract issued within one year of the Affiliation Date;
    - d. proof of valid ride sharing automobile liability insurance which shall include:
      - i. at least \$2,000,000 for third party liability coverage per incident;
      - ii. at least \$2,000,000 of uninsured automobile coverage; and
      - iii. statutory Ontario accident benefits.and
    - e. proof of a valid driver's licence.

- (6) an insurance certificate demonstrating commercial general liability business insurance for the operations of the TNC against claims filed against the TNC with respect to bodily injury, including personal injury and death, and property damage with a per occurrence limit of at least \$5,000,000. The City must be included as an additional insured under this policy but only with respect to the operations of the TNC;
- (7) an indemnity in favour of the City from and against claims, demands, losses, costs, damages, actions, suits or proceedings that arise out of, or are attributable to, the TNC's business and services, which shall be in a form satisfactory to the Licence Manager;
- (8) a sworn declaration from the TNC confirming to the satisfaction of the Licence Manager that:
  - a. the TNC will have the ability to maintain and deliver data in the form and manner, and with the frequency, required by this By-law;
  - b. the TNC has data security measures in place to protect the personal data collected by the TNC relating to passengers and drivers; and
  - c. the TNC will ensure that every affiliated TNC Driver maintains the requirements of Schedule "B" of this By-law.

and
- (9) upon request a report from an independent third party auditor confirming that the TNC is accurately collecting the information as required by this By-law.

### **REQUIREMENTS FOR CORPORATIONS**

- 2. In addition to Section 1 of this Schedule "A", if an Applicant is a corporation, it must provide the following to the Licence Manager when applying for a Licence:
  - (1) articles of incorporation or other incorporating documents, duly certified by the proper government official or department of the Province of Ontario or the Government of Canada; and
  - (2) a list of the legal relationship including legal names between any Persons that, acting together, carry on the business of a TNC.

### **REQUIREMENTS FOR PARTNERSHIPS**

- 3. In addition to Section 1 of this Schedule "A", if an Applicant is a partnership, it must provide the following to the Licence Manager when applying for a Licence:
  - (1) the names and addresses of each member of the partnership as well as the name under which the partnership intends to carry on business; and
  - (2) the address and contact information of the TNC's registered business address

in the Province of Ontario.

**LICENCE RENEWALS**

4. For greater clarity, a Person wishing to renew a Licence shall comply with the application requirements in this Schedule "A".

## SCHEDULE "B"

### TNC AND TNC DRIVER REQUIREMENTS

#### TNC DRIVER REQUIREMENTS

1. A TNC shall not permit a TNC Driver to have access to the TNC App to pick up passengers in the City if the TNC Driver:
  - (1) has received a criminal conviction:
    - a. within five (5) years of the Affiliation Date or at any point subsequent to his/her Affiliation Date; or
    - b. for any of the offences listed in Schedule "D" of this By-law.
  - (2) has a Driver's Abstract which contains:
    - a. more than eight (8) demerit points according to the *Highway Traffic Act*, or its equivalent from outside the Province of Ontario; or
    - b. an individual *Highway Traffic Act* conviction which resulted in at least four (4) demerit points, or its equivalent from outside the Province of Ontario.
  - (3) is operating a TNC Vehicle that has not obtained a Safety Standard Certificate in compliance with this By-law; or
  - (4) operates a TNC Vehicle that does not meet the automobile insurance standards as set out in section 3 of this Schedule "B".
2. TNC Drivers shall:
  - (1) only accept a request for transportation services using the TNC App; and
  - (2) not be permitted to accept any hail requests for transportation services.

#### INSURANCE REQUIREMENTS

3. For greater clarity, insurance standards acceptable according to this By-law shall:
  - (1) be applicable from the moment a request for transportation services is accepted up until the moment of the passenger drop-off;
  - (2) have commercial general liability coverage for the TNC of at least \$5,000,000 inclusive per occurrence for bodily injury, personal injury including death and damage to property;
  - (3) have automobile liability insurance in the form of a ride sharing automobile liability policy as approved by the Financial Services Commission of Ontario for use by a TNC Driver that complies with Schedule "A" of this By-law; and

- (4) both insurance required according to 3(2) and 3(3) of this section must be obtained and maintained by the TNC Driver, the affiliated TNC or any combination of the two.
4. The TNC shall give the Licence Manager at least 10 days notice in writing of any cancellation or alteration to the:
  - (1) automobile liability insurance for an affiliated TNC Driver; and/or
  - (2) commercial general liability insurance for the TNC.

#### **TNC GENERAL REQUIREMENTS**

5. A TNC shall:
  - (1) ensure that driver training is available for all affiliated TNC Drivers on the use of the TNC App;
  - (2) ensure that prior to the collection of any personal information, a TNC shall obtain consent from any affiliated TNC Driver for such collection and future disclosure to the Licence Manager for the purposes of investigating complaints and potential breaches of this By-law;
  - (3) upon request confirm by way of an independent third party auditor that the information provided according to Schedule "A" of this By-law is accurate and true;
  - (4) ensure there is a dispute resolution process for dealing with any complaints regarding fees, customer service or any other issues arising from the TNC operations; and
  - (5) where service requested is a type which would require an accessible vehicle and the TNC is not able to provide such service, direct the person requesting such service to a Person who can provide such service.

#### **TNC PROHIBITIONS**

6. A TNC shall not:
  - (1) obstruct the Licence Manager in the use of either passenger or driver accounts associated with the TNC App for use by the Licence Manager to ensure compliance with this By-law; or
  - (2) permit, encourage or condone the acceptance of hails or the solicitation of passengers by TNC Drivers.

#### **TNC APP REQUIREMENTS**

7. A TNC shall set fares to be charged to passengers transported by affiliated TNC Drivers via the TNC App subject to the following conditions:

- (1) the fare for a Trip shall be communicated to a potential passenger clearly and transparently prior to the start of the Trip;
  - (2) the TNC Driver shall not commence the Trip until the passenger has provided electronic acceptance of the fare communicated in accordance with (1) above;
  - (3) the TNC Driver shall charge the passenger the communicated and accepted fare in accordance with (1) and (2) above; and
  - (4) a TNC shall ensure that a record is maintained of the passenger's acceptance of the fare provided.
8. A TNC shall ensure that its TNC App is based on functioning GPS technology as used by its affiliated TNC Drivers.
9. A TNC shall provide passengers with the following information via the TNC App prior to the start of a Trip:
  - (1) the TNC Vehicle make and model;
  - (2) TNC Driver's first name;
  - (3) Ontario licence plate number of the TNC Vehicle; and
  - (4) photograph of the TNC Driver.
10. A TNC shall at the conclusion of every Trip via the TNC App provide the passenger with an electronic receipt containing the following information:
  - (1) the fare charged;
  - (2) the date and end time of the Trip;
  - (3) the start and end locations of the Trip; and
  - (4) the TNC Driver's first name and Ontario licence plate number of the TNC Vehicle.

### **RECORD KEEPING**

11. A TNC shall maintain a list of every affiliated TNC Driver in a readily accessible electronic format approved by the Licence Manager which shall include:
  - (1) the full name, date of birth, address and phone number of the TNC Driver; and
  - (2) the year, make, model and Ontario licence plate number of the vehicle affiliated with the TNC to be operated by the Driver as a TNC Vehicle.
12. A TNC shall maintain information for all Trips completed by affiliated TNC Drivers which shall include:

- (1) the name of the TNC Driver;
  - (2) pick up location and the destination;
  - (3) date and time the Trip started and terminated;
  - (4) length of time elapsed between the passenger's service request and the start of the Trip; and
  - (5) the fare paid for the Trip.
13. A TNC shall maintain information for all Trips that cannot be completed by an affiliated TNC Driver including for Trips where an accessible vehicle is required.
  14. The records a TNC is required to maintain under the provisions of this By-law shall be maintained for a minimum of three years.
  15. The TNC shall provide the Licence Manager with any information maintained by the TNC according to this Schedule "B" and shall provide said information:
    - (1) within thirty (30) days of said request; and
    - (2) notwithstanding 15(1) of this Schedule "B", within seven (7) days where the information is required by the Licence Manager for enforcement purposes.

#### **REMOVAL OF TNC DRIVER FROM TNC APP**

16. A TNC shall ensure that a TNC Driver is removed from and/or denied access to a TNC App in the event that:
  - (1) the TNC has reasonable belief that an affiliated TNC Driver does not meet the TNC Driver requirements as set out in this By-law; or
  - (2) the Licence Manager has requested that a TNC Driver be removed from the TNC App based on an investigation completed by the Licence Manager whereby the Licence Manager has determined that the TNC Driver is not compliant with this By-law.
17. A TNC Driver that has been removed and/or denied access to a TNC App according to section 16(2) of this Schedule "B" shall not be re-granted access until the Licence Manager is satisfied that the TNC Driver is in compliance with this By-law.

## **TNC VEHICLE REQUIREMENTS**

18. A TNC shall not permit a TNC Driver to operate using a TNC Vehicle unless the TNC Vehicle:
  - (1) is seven (7) years old or less;
  - (2) has four doors and a maximum seating capacity of seven (7) passengers excluding the TNC Driver;
  - (3) has received a Safety Standard Certificate in accordance with section 19 of this Schedule "B";
  - (4) is clean and in good repair as to its exterior and interior; and
  - (5) is equipped with
    - a. snow tires or all weather tires from December 1 to April 30;
    - b. fully functioning air-conditioning and heating system; and
    - c. seat belts plainly visible and accessible to passengers.
  
19. A TNC shall ensure that all TNC Vehicles operated by affiliated TNC Drivers are inspected and that a Safety Standard Certificate is received following said inspection on an annual basis.



**SCHEDULE "C"**  
**LICENSING FEES**

(Amended by By-law 0251-2021)

This Schedule has been deleted by By-law 0251-2021.

## SCHEDULE "D"

### CRIMINAL OFFENCES

<b><u>Criminal Code Offences</u></b>	<b><u>Description</u></b>
Explosives	Using explosives; possession.
Terrorism	Providing or collecting property for certain activities; providing or making available property or services for terrorist purposes; using or possessing property for terrorist purposes; participation in activity of terrorist group; facilitating terrorist activity; instructing to carry out activity for terrorist group; instructing to carry out terrorist activity.
Firearms and weapons	Using firearms (including imitation) in commission of offence; careless use of firearm; pointing a firearm; possession of weapon for dangerous purposes; carrying weapon while attending public meeting; carrying concealed weapon; unauthorized possession of firearm; possession of firearm knowing its possession is unauthorized; possession at unauthorized place; unauthorized possession in motor vehicle; possession of prohibited or restricted firearm with ammunition; possession of weapon obtained by commission of offence; breaking and entering to steal firearm; robbery to steal firearm; weapons trafficking; possession for purpose of weapons trafficking; transfer without authority; making automatic firearm; discharging firearm with intent; causing bodily harm with intent — air gun or pistol.
Sexual offences against Minors	Sexual interference; invitation to sexual touching; sexual exploitation; sexual exploitation of person with disability; incest; making child pornography; parent or guardian procuring sexual activity; householder permitting sexual activity; corrupting children; luring a child; prostitution of person under eighteen.
Sexual offences against persons other than minors	Sexual exploitation of person with disability; incest; indecent acts; sexual assault.
Criminal Negligence	Causing death by criminal negligence; causing bodily harm by criminal negligence.
Murder	Murder; manslaughter; infanticide; attempt to commit murder; accessory to murder.
Operation of vehicles, vessels, or aircraft	Dangerous operation of motor vehicles, vessels and aircraft; flight; causing death by criminal negligence (street racing); causing bodily harm by criminal negligence (street racing); dangerous operation of motor vehicle while street racing; failure to stop at scene of accident; operation while impaired; operation while disqualified.

Harassment and threats	Criminal harassment; uttering threats; intimidation.
Assault	Assault; assaulting a peace officer.
Confinement	Kidnapping; Trafficking in persons; Hostage taking; Abduction of person under sixteen; Abduction of person under fourteen; Abduction in contravention of custody order; Abduction.
Theft over, forgery and fraud	Theft over; destroying documents of title; fraudulent concealment; theft and forgery of credit card; theft from mail; forgery; uttering forged document; drawing document without authority; fraud; using mails to defraud; arson for fraudulent purpose.
Robbery and extortion	Robbery; extortion.
Breaking and entering	Breaking and entering.
Possession of property obtained by crime	Possession of property obtained by crime; possession of property obtained by excise offences.
Arson	Arson.
Counterfeit money	Making counterfeit money.
Participation in criminal organization	Participation in criminal organization; Commission of offence for criminal organization; instructing commission of offence for criminal organization.
Trafficking	Trafficking in a controlled substance <ul style="list-style-type: none"> <li>- Schedule I or II</li> <li>- Schedule III</li> <li>- Schedule IV</li> </ul>
Importing and exporting	Importing and exporting of a controlled substance <ul style="list-style-type: none"> <li>- Schedule I or II</li> <li>- Schedule III</li> <li>- Schedule IV</li> </ul>
Production	Production of a controlled substance <ul style="list-style-type: none"> <li>- Schedule I or II (except marihuana)</li> <li>- Schedule III</li> <li>- Schedule IV</li> </ul>