Court of Appeal File No.: **C66534**
Superior Court File No.: 749/13

COURT OF APPEAL FOR ONTARIO

BETWEEN:

THE ATTORNEY GENERAL OF ONTARIO

Respondent
(Appellant in Appeal)

and

JEFFREY BOGAERTS

Applicant
(Respondent in Appeal)

FACTUM OF THE INTERVENOR THE ATTORNEY GENERAL OF CANADA

July 31, 2019

ATTORNEY GENERAL OF CANADA.
Department of Justice
Ontario Regional Office
120 Adelaide Street West Suite 400
Toronto, Ontario M5H 1T1

Per: Shain Widdifield (LSO# 54469N)
Tel: 647-256-0574
Fax: 416-973-0809
File: 10584469

Lawyers for the Intervenor, the Attorney General of Canada

TO: The Administrator
Court of Appeal for Ontario
Osgoode Hall
130 Queen Street West
Toronto, Ontario M5H 2N5

AND TO: **MINISTRY OF THE ATTORNEY GENERAL**
Civil Law Division - Constitutional Law Branch
720 Bay Street, 4th Floor
Toronto, Ontario M7A 2S9
Daniel Huffaker (LSO# 56804F)
Tel.: 416-326-4470
Fax: 416-326-4015
Email: daniel.huffaker@ontario.ca

Lawyer for the Appellant in Appeal

AND TO: **KURTIS R. ANDREWS** (LSO# 57974K)
P.O Box 12032 Main P.O.
Ottawa, Ontario K1S 3M1
Tel: 613-565-3276
Fax: 613-565-7192
Email: kurtis@kurtisandrews.ca

Lawyer for the Respondent in Appeal

AND TO: **INFORMATION AND PRIVACY COMMISSIONER OF ONTARIO**
Suite 1400, 2 Bloor Street East
Toronto, Ontario M4W 1A8
Stephen McCammon (LSO# 37502R)
Tel.: 416-326-1920
Fax: 416-325-9186
Email: stephen.mccammon@ipc.on.ca

Lawyer for the Intervenor,
Information and Privacy Commissioner of Ontario

AND TO: **ARVAY FINLAY LLP**
1710-401 West Georgia Street
Vancouver, BC V6B 5A1

Arden Beddoes (LSO# 62108W)
Tel: 604-696-9828
Fax: 888-575-3281
Email: abeddoes@arvayfinlay.ca

AND TO: **GALL LEGGE GRANT ZWACK LLP**

1000-1199 West Hastings Street
Vancouver, BC V6E 3T5
Benjamin Oliphant (LSO# 66956K)
Tel.: 604-891-1181
Fax: 604-669-5101
Email: boliphant@glgzlaw.com

Lawyers for the Intervenor, Animal Justice Canada

AND TO: **BORDEN LADNER GERVAIS LLP**

Bay Adelaide Centre, East Tower
22 Adelaide Street West
Toronto, Ontario M5H 4E3
Ewa Krajewska (LSO# 57704D)
Tel.: 416-367-6244
Fax: 416-367-6749
Email: ekrajewska@blg.com
Graeme A. Hamilton (LSO# 56790A)
Tel.: 416-367-6746
Email: ghamilton@blg.com
Alannah Fotheringham (LSO# 70822F)
Tel. 416-367-6394
Email: afotheringham@blg.com

Lawyers for the Intervenor, Canadian Civil Liberties Association

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FACTUM OF THE INTERVENOR ATTORNEY GENERAL OF CANADA

PART I – OVERVIEW

1. The Attorney General of Canada ("AGC") intervenes in this appeal and cross appeal solely in relation to the constitutional questions raised.

2. The Applications Judge erred in considering the constitutionality of the impugned sections of the *Ontario Society for the Prevention of Cruelty to Animals Act ("OSPCA Act")* under section 7 of the *Charter*. Where the alleged *Charter* violation is in

relation to search and seizure, the jurisprudence is clear that the analysis should proceed under section 8 alone. Concerns regarding transparency and accountability are properly considered under section 8.

3. While transparency and accountability inform the analysis under s. 7 of the *Charter,* they are not principles of fundamental justice.

4. There is also no basis in law and no record in this appeal supporting the recognition of a principle of fundamental justice that law enforcement be publicly funded, or funded in a manner to avoid actual or perceived conflicts of interest or apprehension of bias.

PART II – FACTS

5. The AGC accepts as correct the facts set out in the factum of the Attorney General of Ontario ("AGO").[1] However, there are some legislative facts that require updating from the AGO factum and the Information and Privacy Commissioner of Ontario ("IPC") factum.

6. The status of the OSPCA has changed since the filing of the AGO's factum with the enactment of the *Ontario Society for the Prevention of Cruelty to Animals Amendment Act (Interim Period), 2019,* S.O. 2019, c. 11, which followed OSPCA's refusal to continue enforcement under the *OSCPA Act.* Enforcement of the *OSPCA Act* is no

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[1] Factum of the Attorney General of Ontario, dated March 13, 2019 at paras. 14-23.

longer limited to the OSPCA, as the amendments allow for the appointment of a chief inspector and for that chief inspector to appoint "any person as an inspector" under the *Act*.[2]

7. In addition, contrary to the assertion in the IPC's factum, the Information Commissioner of Canada no longer operates under a "report and recommend" model.[3] On June 21, 2019, amendments were made to the *Access to Information Act*, R.S.C., 1985, c. A-1. The Information Commissioner of Canada now has the power to include orders in reports. Institutions may apply to the Federal Court of Canada for review of any matter that is the subject of an order set out in such reports.[4]

PART III – ISSUES

8. These submissions will focus on areas where the AGC may helpfully differ or expand upon the submissions of the AGO. In particular, the AGC will address the following:

(a) The nature of the *Charter* challenge being raised here is in relation to section 8, not section 7 of the *Charter*;

(b) In any event, the transparency and accountability found by the application judge to be required by section 7 of the *Charter* do not constitute principles of fundamental justice;

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[2] S.O. 2019, c. 11 at s. 21.1.
[3] Factum of the Intervenor, Information and Privacy Commissioner of Ontario, at para 23. In fairness, the IPC's factum was served on June 19, two days before the amendment was made.
[4] R.S.C., 1985, c. A-1, s. 36.1.

(c) There is no principle of fundamental justice that law enforcement be publicly funded, or funded in a manner to avoid actual or perceived conflicts of interest or apprehension of bias.

PART IV – SUBMISSIONS

A. NATURE OF THE *CHARTER* CHALLENGE: SECTION 8 NOT SECTION 7

9. While the Respondent in this appeal has referred to the granting of "police powers" to a private entity, the Application before the Superior Court was directed solely at the constitutionality of legislative provisions granting search and seizure powers to a private entity. Such legislative provisions fall squarely under section 8 and should be analyzed accordingly.

10. The Supreme Court of Canada has repeatedly found that where a particular constitutional claim fits squarely within a specific right or guarantee under the *Charter*, the analytical framework of that right or guarantee should be brought to bear, notwithstanding that a more general protection also exists under a different *Charter* right.

11. For example, in the context of considering whether the *Charter* applied to court martial proceedings under the *National Defence Act*, the Supreme Court held:

> *The appellant places reliance upon both s. 11 (d) and s. 7 of the Charter. However, the s. 7 submission can be dealt with very briefly. In Re B.C. Motor Vehicle Act, [1985] 2 S.C.R. 486, this Court decided that ss. 8 to 14 of the Charter, the "legal rights", are specific instances of the basic tenets of fairness upon which our legal system is based, and which are now entrenched as a constitutional minimum standard by s. 7. Consequently, in the context of the appellant's challenge to the independence of the General Court Martial before which he was tried, s. 7 does not offer greater protection than the highly specific guarantee under s. 11 (d). I do not wish to be understood to suggest by this that the rights guaranteed by ss. 8 to 14 of the Charter are exhaustive of the content of s. 7 , or that there will*

> *not be circumstances where s. 7 provides a more compendious protection than these sections combined. However, in this case, the appellant has complained of a specific infringement which falls squarely within s. 11 (d), and consequently his argument is not strengthened by pleading the more open language of s. 7.*[5]

12. As the AGO has argued, courts have been clear that where the constitutionality of search and seizure powers is being questioned, one is to proceed under section 8 of the *Charter*, not section 7.[6]

13. No constitutional protections are ignored in proceeding under section 8 rather than section 7. As the Supreme Court of Canada stated in *Mills*, a reasonable search and seizure will accord with the principles of fundamental justice:

> *Given that s. 8 protects a person's privacy by prohibiting unreasonable searches or seizures, and given that s. 8 addresses a particular application of the principles of fundamental justice, we can infer that a reasonable search or seizure is consistent with the principles of fundamental justice. Moreover, as we have already discussed, the principles of fundamental justice include the right to make full answer and defence. Therefore, a reasonable search and seizure will be one that accommodates both the accused's ability to make full answer and defence and the complainant's privacy right.*[7]

14. Indeed, assessing the reasonableness of lawful authority under section 8 necessarily entails consideration of accountability and transparency.

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[5] *R. v. Pearson*, [1992] 3 S.C.R. 665 at 687, 1992 CarswellQue 120, at para. 42 following *R. v. Généreux*, [1992] 1 S.C.R. 259 at 310, 1992 CarswellNat 668, at para. 102.
[6] *R. v. Mills*, [1999] 3 S.C.R. 668 at 726, 1999 CarswellAlta 1055, at para. 88; *R. v. Rodgers*, 2006 SCC 15 at para. 23, [2006] 1 S.C.R. 554 at 574; and *Wakeling v. United States of America*, 2014 SCC 72.
[7] *R. v. Mills*, [1999] 3 S.C.R. 668 at 726, 1999 CarswellAlta 1055, at para. 88 (emphasis added).

15. A search or seizure will be reasonable where it is: (1) authorized by a law (2) that is itself reasonable and (3) carried out in a reasonable manner.[8] The assessment of a law's reasonableness is a contextual one that will, in broad terms, turn on the degree to which the law strikes an appropriate balance between legitimate state interests and privacy.

16. The Supreme Court has a long line of authority holding that transparency and accountability are integral aspects of the section 8 analysis.[9] The Supreme Court's decision in *Goodwin* considered whether a provincial law authorizing the use of breath samples taken pursuant to *Criminal Code* powers to screen drivers for alcohol constitutes a distinct search for *Charter* purposes. In doing so, the Court set out considerations for the reasonableness analysis:

> *This Court has generally declined to set out a "hard and fast" test of reasonableness: see Thomson Newspapers Ltd. v. Canada (Director of Investigation and Research, Restrictive Trade Practices Commission), [1990] 1 S.C.R. 425, at p. 495. In my view, this flexible approach remains compelling. This Court has nonetheless identified certain considerations that may be helpful in the reasonableness analysis, including "the nature and the purpose of the legislative scheme . . . , the mechanism . . . employed and the degree of its potential intrusiveness[,] and the availability of judicial supervision": Del Zotto v. Canada, [1997] 3 F.C. 40 (C.A.), per Strayer J.A., in dissenting reasons adopted by this Court in [1999] 1 S.C.R. 3.*[10]

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[8] *R. v. Collins*, [1987] 1 S.C.R. 265, 1987 CarswellBC 94.
[9] *R. v. Tse*, 2012 SCC 16 at paras. 83-89; *R. v. Chehil*, 2013 SCC 49, at para. 58; and *R. v. Fearon*, 2014 SCC 77, at para. 82.
[10] *Goodwin v. British Columbia (Superintendent of Motor Vehicles)*, 2015 SCC 46, at para 57.

17. The reasonableness analysis conducted under section 8 of the *Charter* considers factors like, the mechanism of the search and/or seizure employed, its degree of intrusiveness, and availability of judicial supervision. Consideration of these factors requires an assessment of the relevant safeguards, including accountability and transparency measures for a particular search or seizure. The precise scope of the accountability and transparency measures required for a particular search and seizure may vary given the factual circumstances – in keeping with the balancing of legitimate state interest and privacy. Although the only powers at issue were search and seizure powers, the Applications Judge did not proceed with a full section 8 analysis and failed to apply the *Goodwin* factors to the *OSPCA Act* provisions, but instead, incorrectly turned to section 7.

18. The decision in *Wakeling v. United States of America* confirms that when considering search and seizure powers, accountability and transparency are to be considered within the section 8 analysis:

> *[48] Mr. Wakeling and the BCCLA raise a host of Charter arguments challenging the constitutionality of s. 193(2)(e). For the sake of clarity, these arguments can be broken down into three distinct (though somewhat overlapping) categories: (1) s. 193(2)(e) is unconstitutionally overbroad; (2) s. 193(2)(e) is unconstitutionally vague; and (3) s. 193(2)(e) is unconstitutional because it lacks accountability mechanisms. Viewed individually and collectively, these arguments challenge the reasonableness of the law authorizing the Impugned Disclosure. As such, they are properly considered under the second step of the s. 8 framework.*
>
> ...
>
> *[52] Mr. Wakeling's accountability argument goes somewhat further than that of the BCCLA. He claims that accountability — and the related value of transparency — are principles of fundamental justice under s. 7. I find it unnecessary to finally decide that issue. The accountability concerns identified by Mr. Wakeling and the BCCLA are best dealt with under s. 8.*

> *As this Court's decision in R. v. Tse, 2012 SCC 16, [2012] 1 S.C.R. 531, notes, accountability forms part of the reasonableness analysis under s. 8.*[11]

19. Regrettably, The Applications Judge erred in not considering accountability and transparency under section 8 of the *Charter* in evaluating the reasonableness of the OSPCA's search authorities as set out by the Supreme Court of Canada. There is no basis in the record or in the law to support an analysis under section 7.

B. NO PRINCIPLES OF FUNDAMENTAL JUSTICE ENGAGED

20. In the event that this Court is of the view that the principles of fundamental justice under section 7 of the *Charter* should be considered in this appeal, the AGC submits as follows.

1) Accountability & Transparency

21. While the concepts of openness, transparency, and accountability animate different aspects of the *Charter*, the type of transparency and accountability for all forms of law enforcement found by the Applications Judge and argued by the Respondent on appeal are not principles of fundamental justice within the meaning of s. 7. In *Malmo-Levine*, the Supreme Court made it clear that a principle of fundamental justice must be a generally applicable legal principle fundamental to every aspect of the legal system, which can be identified with sufficient precision.[12] The principles that the Applications

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[11] *Wakeling v. United States of America*, 2014 SCC 72, at paras. 48, 52; see also paras. 63-77.
[12] *R. v. Malmo-Levine*, 2003 SCC 74, at para. 113.

Judge identified, and that the Respondent is arguing for here, cannot be regarded as principles of fundamental justice pursuant to the test set forth by the Supreme Court. The concepts of transparency and accountability, themselves, are far too amorphous to assume the form of principles of fundamental justice.

22. The IPC's factum overstates the holdings of the Supreme Court in *Criminal Lawyers' Association*.[13] In that case, the Supreme Court recognised a person's right of access to information for the purposes of commenting meaningfully on matters of public importance as being derived from the right of freedom of speech under s. 2(b) of the *Charter*. This right, however, is subject to significant and broad limitations, including for whole categories of records.[14] To the degree there is a recognition of a constitutional right of access to information, that right is narrowly articulated and requires careful navigation through numerous possible countervailing considerations which may apply to the specific context of the information sought.

23. There is no basis to conclude that the Supreme Court has affirmed a societal consensus on a general principle of transparency. The Court's jurisprudence is rather to the effect that transparency informs, but does not conclude, evaluations about access, records, information. The evaluation is contextual and belies attempts to affirm an acontextual consensus. The Supreme Court's decision under section 2(b) in *Criminal*

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[13] Factum of the Intervenor, Information and Privacy Commissioner of Ontario, at para. 35.

[14] *Ontario (Public Safety and Security) v. Criminal Lawyers' Association*, 2010 SCC 23, [2010] 1 S.C.R. 815, at paras. 31-40.

Lawyers' Association does not demonstrate the required societal consensus needed to establish a principle of fundamental justice. Rather, it demonstrates a concern with ensuring that *Charter* rights are contextualized and duly tailored to ensure balance with competing rights and practical workability within the justice system.

24. Great care must be exercised in determining the scope of section 7 of the *Charter* at all stages of the analysis. The expansion of the definition of "liberty" under section 7 to encompass the fundamental freedoms set out in section 2 of the *Charter* was specifically rejected by Lamer C.J. in *Children's Aid Society*. To do so, the Chief Justice observed, would be to bring all manner of public policy considerations impermissibly into the hands of the judiciary:

> *It must also be clearly understood that this approach would inevitably lead to a situation where we would have government by judges. This is not the case at present, but I would emphasize that it must not become the case.*[15]

25. This is not to say, of course, that transparency and accountability may not in any circumstance be raised as an aspect of section 7 of the *Charter*. The disclosure requirements established by *Stinchcombe* are a clear example of their specific application in a very particular context.[16] To the extent that it may be argued that additional specific principles of this nature should be recognized under section 7, a full record appropriate to that section of the *Charter* is necessary. Such a record has not been provided in this case.

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[15] *B. (R.) v. Children's Aid Society of Metropolitan Toronto*, [1995] 1 S.C.R. 315 at 348, 1995 CarswellOnt 105, at para. 36.
[16] *R. v. Stinchcombe*, [1991] 3 S.C.R. 326.

2) Public Funding for Law Enforcement

26. The Notice of Cross Appeal seeks the recognition of a principle of fundamental justice that law enforcement be publicly funded.[17] This position appears to have been modified by the Appellant in the cross appeal's factum which seeks, instead, the recognition of a principle that "law enforcement bodies must be funded in such a manner to avoid actual or perceived conflicts of interest or apprehension of bias".[18] There is simply no record before this Court which properly raises this question under section 7 or supports such a conclusion. Even if the particular funding structure of the OSPCA were to be found to be somehow constitutionally unacceptable, that does not lead to the conclusion that it is either a principle of fundamental justice that all forms of law enforcement must be publicly funded (in whole or in part) or to the recognition of the newly-framed proposed principle.

27. Public funding for law enforcement is not a principle but, rather, one of the available means to structure independent enforcement of the law. While public funding may be an appropriate safeguard for law enforcement in many cases, there is no consensus that the degree of public funding for law enforcement bodies is vital or fundamental to our societal notion of justice. Funding structures are policy issues which may need to be revisited by governments from time to time. How much public funding would be enough? Would this change with shifting priorities or circumstances? Would funding be insufficient if every case was not able to be investigated? The proposed

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[17] Notice of Cross-Appeal, Appeal Book and Compendium, pp. 9, 11, 12.
[18] Factum of the Appellant in Cross-Appeal (Applicant, Respondent in Appeal) at para. 4.

funding-related concept is too open-ended and too contextually contingent to satisfy the test for a new principle of fundamental justice.

28. The factum in support of the cross appeal concedes that funding of law enforcement by user fees for those in a given area of regulation does not lead to the conclusion of conflict of interest or apprehension of bias.[19] The same is true of industry funding for law enforcement related to the protection of critical infrastructure.[20]

29. Various funding structures are possible which do not undermine the ability of law enforcement to operate in a manner which respects the constitution. The proposed principle relating to law enforcement funding does not provide a manageable standard against which to measure deprivation of life, liberty or security of the person. The lack of a proper record related to a section 7 violation makes it impossible to properly assess how such a standard would even function.

30. While it may raise important policy considerations, public funding for law enforcement fails every aspect of the test in *Malmo-Levine* and cannot be considered a principle of fundamental justice.

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[19] Factum of the Appellant in Cross-Appeal (Applicant, Respondent in Appeal) at para. 28, fn 2.

[20] For example: *Railway Safety Act*, R.S.C., 1985, c. 32, ss. 44, 44.1; *Canadian Nuclear Safety Commission Cost Recovery Fees Regulations*, SOR/2003-212, ss. 3, 16.

PART V – ORDER SOUGHT

31. The AGC requests permission to present oral argument at the hearing of this appeal. The AGC further asks that this appeal be decided in accordance with the submissions set out above.

ALL OF WHICH IS RESPECTFULLY SUBMITTED

Dated at Toronto this July 31, 2019.

Shain Widdifield

Of Counsel for the Intervenor
Attorney General of Canada

TO: **MINISTRY OF THE ATTORNEY GENERAL**
Civil Law Division - Constitutional Law Branch
720 Bay Street, 4th Floor
Toronto, Ontario M7A 2S9
Daniel Huffaker (LSO# 56804F)
Tel.: 416-326-4470
Fax: 416-326-4015
Email: daniel.huffaker@ontario.ca

Lawyer for the Appellant in Appeal

AND TO: **KURTIS R. ANDREWS** (LSO# 57974K)
P.O Box 12032 Main P.O.
Ottawa, Ontario K1S 3M1
Tel: 613-565-3276
Fax: 613-565-7192
Email: kurtis@kurtisandrews.ca

Lawyer for the Respondent in Appeal

AND TO: **INFORMATION AND PRIVACY COMMISSIONER OF ONTARIO**
Suite 1400, 2 Bloor Street East
Toronto, Ontario M4W 1A8
Stephen McCammon (LSO# 37502R)
Tel.: 416-326-1920
Fax: 416-325-9186
Email: stephen.mccammon@ipc.on.ca

Lawyer for the Intervenor,
Information and Privacy Commissioner of Ontario

AND TO: **ARVAY FINLAY LLP**
1710-401 West Georgia Street
Vancouver, BC V6B 5A1
Arden Beddoes (LSO# 62108W)
Tel: 604-696-9828
Fax: 888-575-3281
Email: abeddoes@arvayfinlay.ca

GALL LEGGE GRANT ZWACK LLP
1000-1199 West Hastings Street

Vancouver, BC V6E 3T5
Benjamin Oliphant (LSO# 66956K)
Tel.: 604-891-1181
Fax: 604-669-5101
Email: boliphant@glgzlaw.com

Lawyers for the Intervenor, Animal Justice Canada

AND TO: **BORDEN LADNER GERVAIS LLP**
Bay Adelaide Centre, East Tower
22 Adelaide Street West
Toronto, Ontario M5H 4E3
Ewa Krajewska (LSO# 57704D)
Tel.: 416-367-6244
Fax: 416-367-6749
Email: ekrajewska@blg.com
Graeme A. Hamilton (LSO# 56790A)
Tel.: 416-367-6746
Email: ghamilton@blg.com
Alannah Fotheringham (LSO# 70822F)
Tel. 416-367-6394
Email: afotheringham@blg.com

Lawyers for the Intervenor, Canadian Civil Liberties Association

SCHEDULE A: LIST OF AUTHORITIES

1. *B. (R.) v. Children's Aid Society of Metropolitan Toronto*, [1995] 1 S.C.R. 315.
2. *Goodwin v. British Columbia (Superintendent of Motor Vehicles)*, [2015] 3 S.C.R. 250.
3. *Ontario (Public Safety and Security) v. Criminal Lawyers' Association*, 2010 SCC 23.
4. *R. v. Chehil*, 2013 SCC 49.
5. *R. v. Collins*, [1987] 1 S.C.R. 265.
6. *R. v. Fearon*, 2014 SCC 77.
7. *R. v. Généreux*, [1992] 1 S.C.R. 259.
8. *R. v. Malmo-Levine*, 2003 SCC 74.
9. *R. v. Mills*, [1999] 3 S.C.R. 668.
10. *R. v. Pearson*, [1992] 3 S.C.R. 665.
11. *R. v. Rodgers*, 2006 SCC 15.
12. *R. v. Stinchcombe*, [1991] 3 S.C.R. 326.
13. *R. v. Tse*, 2012 SCC 16.
14. *Wakeling v. United States of America,* 2014 SCC 72.

SCHEDULE B: STATUTES AND REGULATIONS

ACCESS TO INFORMATION ACT, RSC, 1985, C A-1, SS 36(1), 37(5)

Powers of Information Commissioner in carrying out investigations

36 (1) The Information Commissioner has, in relation to the carrying out of the investigation of any complaint under this Act, power

(a) to summon and enforce the appearance of persons before the Information Commissioner and compel them to give oral or written evidence on oath and to produce such documents and things as the Commissioner deems requisite to the full investigation and consideration of the complaint, in the same manner and to the same extent as a superior court of record;

(b) to administer oaths;

(c) to receive and accept such evidence and other information, whether on oath or by affidavit or otherwise, as the Information Commissioner sees fit, whether or not the evidence or information is or would be admissible in a court of law;

(d) to enter any premises occupied by any government institution on satisfying any security requirements of the institution relating to the premises;

(e) to converse in private with any person in any premises entered pursuant to paragraph (d) and otherwise carry out therein such inquiries within the authority of the Information Commissioner under this Act as the Commissioner sees fit; and

(f) to examine or obtain copies of or extracts from books or other records found in any premises entered pursuant to paragraph (d) containing any matter relevant to the investigation.

Right of review

37 (5) Where, following the investigation of a complaint relating to a refusal to give access to a record requested under this Act or a part thereof, the head of a government institution does not give notice to the Information Commissioner that access to the record will be given, the Information Commissioner shall inform the complainant that the complainant has the right to apply to the Court for a review of the matter investigated.

CANADIAN NUCLEAR SAFETY COMMISSION COST RECOVERY FEES REGULATIONS, SOR/2003-212, SS. 3, 16

Application

3 This Part applies to applicants and licensees in respect of

(a) Class I nuclear facilities;

(b) mines and mills; and

(c) waste nuclear substance activities.

Payment of Fees

16 (1) On an initial application for a licence in respect of an activity or a facility listed in Part 1 of Schedule 1, the applicant shall pay to the Commission the assessment fee and the annual fee in accordance with subsections (2) and (3).

(2) The assessment fee payable for a licence in respect of an activity or a facility listed in column 1 of Part 1 of Schedule 1 shall be calculated using the applicable fee formula set out in Part 2 of that Schedule, which is determined by the applicable formula number set out in column 2 of Part 1 of that Schedule.

(3) The annual fee payable for a licence in respect of an activity or a facility listed in column 1 of Part 1 of Schedule 1 shall be calculated using the applicable fee formula set out in Part 2 of that Schedule, which is determined by the applicable formula number set out in column 3 of Part 1 of that Schedule.

(4) On an initial application for a licence for an activity or a facility that is not listed in Part 1 of Schedule 1, the applicant shall pay the deposit and fees in accordance with Part 5.

(5) If an initial application is withdrawn by the applicant before the assessment of the application by the Commission has begun, the assessment fee and annual fee paid shall be refunded to the applicant.

(6) If an initial application is withdrawn by the applicant or rejected by the Commission after the assessment of the application by the Commission has begun, the assessment fee paid shall not be refunded and the annual fee paid shall be refunded to the applicant.

(7) A re-application after withdrawal by the applicant or rejection by the Commission shall be treated as a new initial application.

ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS AMENDMENT ACT (INTERIM PERIOD), 2019, S.O. 2019, C. 11 - BILL 117, S 21.1

Special provisions during the interim period
Appointment of Chief Inspector

21.1 (1) The Solicitor General may appoint any person as the Chief Inspector for the interim period. 2019, c. 11, s. 1.

Appointment of inspectors
(2) The Chief Inspector appointed under this section may appoint any person as an inspector for the interim period. 2019, c. 11, s. 1.

Application of s. 6.1 (2)
(3) Subsection 6.1 (2) applies with necessary modifications to the Chief Inspector appointed under this section with respect to the inspectors appointed under this section. 2019, c. 11, s. 1.

Inspectors
(4) During the interim period, this Act applies with respect to an inspector appointed under this section as though the inspector were an inspector of the Society. 2019, c. 11, s. 1.

Prescribed classes
(5) A member of a prescribed class of persons may exercise the same powers as an inspector of the Society during the interim period. 2019, c. 11, s. 1.

Regulations
(6) The Solicitor General may make regulations for the purpose of carrying out this section, including prescribing classes of persons for the purpose of subsection (5) and deeming references to the Society in sections 11.4 to 18.3 to be references to persons or entities specified in the regulations. 2019, c. 11, s. 1.

Definition
(7) In this section,
"interim period" means the period beginning on the day the *Ontario Society for the Prevention of Cruelty to Animals Amendment Act (Interim Period), 2019* receives Royal Assent and ending on January 1, 2020 or such other date as may be prescribed. 2019, c. 11, s. 1.

RAILWAY SAFETY ACT, R.S.C., 1985, C. 32, S 44, 44.1

Appointment

44 (1) A judge of a superior court may appoint a person as a police constable for the enforcement of Part III of the *Canada Transportation Act* and for the enforcement of the laws of Canada or a province in so far as their enforcement relates to the protection of property owned, possessed or administered by a railway company and the protection of persons and property on that property.

Limitation

(2) The appointment may only be made on the application of a railway company that owns, possesses or administers property located within the judge's jurisdiction.

Jurisdiction

(3) The police constable has jurisdiction on property under the administration of the railway company and in any place within 500 m of property that the railway company owns, possesses or administers.

Power to take persons before a court

(4) The police constable may take a person charged with an offence under Part III of the *Canada Transportation Act*, or any law referred to in subsection (1), before a court that has jurisdiction in such cases over any area where property owned, possessed or administered by the railway company is located, whether or not the person was arrested, or the offence occurred or is alleged to have occurred, within that area.

Court's jurisdiction

(5) The court must deal with the person as though the person had been arrested, and the offence had occurred, within the area of the court's jurisdiction, but the court may not deal with the person if the offence is alleged to have occurred outside the province in which the court is sitting.

Dismissal or discharge of police constable

(6) A superior court judge referred to in subsection (1) or the railway company may dismiss or discharge the police constable and the dismissal or discharge terminates the powers, duties and privileges conferred on the constable by this section.

Procedures for dealing with complaints

44.1 (1) If one or more police constables are appointed with respect to a railway company, the railway company must

(a) establish procedures for dealing with complaints concerning police constables;

(b) designate one or more persons to be responsible for implementing the procedures; and

(c) designate one or more persons to receive and deal with the complaints.

Procedures to be filed with Minister

(2) The railway company must file with the Minister a copy of its procedures for dealing with complaints and must implement any recommendations made by the Minister, including recommendations concerning how the procedures are to be made public.

FORM 4C – BACKSHEET - Rules of Civil Procedure, Rule 4.02(3)

Court of Appeal File No.: **C66542**
Superior Court File No.: 749/13

ATTORNEY GENERAL OF ONTARIO
Respondent (Appellant in Appeal)

AND

JEFFREY BOGAERTS
Applicant (Respondent in Appeal)

COURT OF APPEAL FOR ONTARIO

Proceeding Commenced at Perth

FACTUM OF THE INTERVENOR ATTORNEY GENERAL OF CANADA

ATTORNEY GENERAL OF CANADA

Department of Justice
Ontario Regional Office
120 Adelaide Street West
Suite 400
Toronto, Ontario
M5H 1T1

Per: Shain Widdifield (LSO# 54469N)
Tel: 647-256-0574
Fax: 416-973-4328
Email: Shain.Widdifield@justice.gc.ca

Lawyer for the Intervenor
Attorney General of Canada
Our File: 10584469