

TICKETING FOR CERTAIN OFFENCES UNDER CEPA, 1999

CEPA offences to be ticketable under the Contraventions Regulations

Certain offences under CEPA 1999 are being designated as contraventions in the Contraventions Regulations under the *Contraventions Act*. This means that enforcement officers can issue tickets for these offenses. Tickets are an alternative form of prosecution. However, where, in the view of an enforcement officer, the circumstances of a violation require a court hearing, Environment Canada still has the option to lay charges and prosecute these offenses through the courts.

To read which CEPA offences will become “contraventions”, please consult the proposed regulation.

What happens when a person gets a ticket

The person receiving a ticket for a CEPA offence designated as a contravention has the option to plead guilty, pay the fine of \$500 stated on the ticket and avoid a court hearing. The person also has the right to plead not guilty and have the matter heard in court, or request a court hearing in order to secure more time to pay the imposed fine.

The use of tickets is likely familiar to most Canadians who are aware of tickets for traffic offences and for other offences such as littering or building a fire in a provincial or national park without a permit.

In the case of CEPA contraventions, every day that the offence continues is a separate violation. This means that, if an offence continues for 10 days, a CEPA enforcement officer could issue a ticket for each of the 10 days that the violation continues. Tickets for certain violations of CEPA, 1999 are a new tool for enforcement officers. They are a simplified process of dealing with violations involving matters such as reports not filed or filed after their due date, incomplete reports or absence of required signatures on reports or other documents. For the time being, only CEPA enforcement officers in Prince Edward Island, Nova Scotia, New Brunswick, Quebec, Ontario and Manitoba will be able to issue tickets. Officers in the three territories and remaining provinces will be able to do so, once Justice Canada has completed the necessary arrangements with the territories and the other provinces.

You may wish to refer to the Compliance and Enforcement Policy for CEPA, 1999, to read how enforcement officers will use ticketing. To read the policy, please click on the heading “Policies” on the lefthand side of the CEPA Environmental Registry. Then proceed down the page and click on the title of the policy.

Comments on CEPA ticketable offences

Interested parties may provide comments during the 60-day consultation period beginning on May 5, 2001 and ending on July 3, 2001. Please send such comments and recommendations to :

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