

*The  
Municipal Police  
Discipline  
Regulations, 1991*

*being*

Chapter P-15.01 Reg 4 (effective January 1, 1992) as amended by Saskatchewan Regulations [76/97](#), [89/2001](#) and [4/2006](#).

**NOTE:**

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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## CHAPTER P-15.01 REG 4

### *The Police Act, 1990*

#### PART I

#### **Title, Interpretation and Application**

##### **Title**

**1** These regulations may be cited as *The Municipal Police Discipline Regulations, 1991*.

##### **Interpretations**

**2(1)** In these regulations:

- (a) “**Act**” means *The Police Act, 1990*;
- (b) “**charge**” means the details of an offence against discipline set out in Part III;
- (c) “**code**” means the list of disciplinary offences set out in Part III;
- (d) “**counsel**” means a barrister and solicitor entitled to practice law in Saskatchewan;
- (e) “**hearing officer**” means a hearing officer appointed pursuant to *The Police Act, 1990*;
- (f) “**service record of discipline**” means that section of a member’s personnel file containing details of remedial orders and disciplinary punishments.

(2) In these regulations, a reference to a form is a reference to that form as it appears in the Appendix to these regulations.

8 Nov 91 cP-15.01 Reg 4 s2.

##### **Application**

**3** These regulations apply to police services and personnel and supersede any regulation or order governing a police service and its personnel that is inconsistent with them.

8 Nov 91 cP-15.01 Reg 4 s3.

##### **Advice as to future conduct**

**4** If the chief or the chief’s delegate considers that a member should be advised respecting his or her future conduct without resort to formal disciplinary action, he or she may refer the matter to the member’s supervisor to advise the member respecting his or her future conduct.

8 Nov 91 cP-15.01 Reg 4 s4.

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**Advise not offence**

**5** Where a member has been advised respecting his or her future conduct that fact shall not be referred to as a disciplinary offence for discipline purposes and it shall not be entered on the member's service or personnel record.

8 Nov 91 cP-15.01 Reg 4 s5.

**Applications for waiver of notice of hearing**

**5.1** For the purposes of subsection 37.1(2) of the Act, an application for a waiver of notice must:

- (a) be in writing and addressed to the chairperson of the commission; and
- (b) set out the reasons why the request for a waiver of notice should be granted.

14 Dec 2001 SR 89/2001 s3.

**Remedial action**

**6(1)** Pursuant to clause 48(1)(a) or subclause 54.1(2)(b)(i) of *The Police Act, 1990*, a chief may:

- (a) order a period of probation or close supervision for a member;
- (b) order a member to undergo counselling, treatment or training;
- (c) by order reprimand a member;
- (d) do any combination of things mentioned in clauses (a), (b) and (c); or
- (e) make any other order that he or she considers appropriate.

**(2)** Pursuant to clause 52(1)(a) or subclause 55.1(2)(b)(i) of *The Police Act, 1990*, a board may:

- (a) order a period of probation or close supervision for a chief;
- (b) order the chief to undergo counselling, treatment or training;
- (c) by order reprimand the chief;
- (d) do any combination of things mentioned in clauses (a), (b) and (c); or
- (e) make any other order that it considers appropriate.

**(3)** A remedial order pursuant to subsection (1) or (2) shall be entered on the service record of discipline of the member or chief being disciplined.

**(4)** Where a remedial order is made pursuant to subsection (1) or (2), the chief or board, as the case may be, shall cause a copy of that remedial order to be forwarded to the Saskatchewan Police Commission as soon as possible after the remedial order is made.

8 Nov 91 cP-15.01 Reg 4 s6; 14 Dec 2001  
SR 89/2001 s4; 10 Feb 2006 SR 4/2006 s3.

**Discipline charge**

7(1) If the chief, the member designated by the chief or the individual designated by the PCC to conduct a prosecution on its behalf considers that a discipline charge should be laid against a member he or she will cause a notice to be prepared in Form A setting out the offence alleged to have been committed and advising the member that the hearing officer will notify the member of the date, time and place of the first hearing of the alleged offence.

(2) Subject to subsection (3), the notice mentioned in subsection (1) is to be served on the member alleged to have committed the offence not less than 10 days before the day of the first hearing, and is to be accompanied by:

- (a) copies of the statements made by witnesses;
- (b) a copy of the statement, if any, made by the member; and
- (c) a list of the names of those witnesses who will be called.

(3) Where the member to be served with the notice is absent without leave or, in the opinion of the chief, is avoiding being served with the notice, the hearing of the alleged offence may take place without the notice being served.

8 Nov 91 cP-15.01 Reg 4 s7; 10 Feb 2006 SR 4/2006 s4.

**Privileged documents**

8 Neither the member charged nor the persons hearing the charge are entitled to a copy of the report or recommendations of the individual or member who conducted the investigation.

8 Nov 91 cP-15.01 Reg 4 s8; 10 Feb 2006 SR 4/2006 s5.

**Attendance at hearings**

9(1) The hearing officer may command the attendance of a witness by a notice in Form B served on the person who is to attend.

(2) A member who is required to attend a hearing is to attend in duty dress unless the chief or his or her delegate directs otherwise.

(3) The member is entitled to remuneration in the same manner as any relevant collective agreement provides in respect of attendance of the member in court.

8 Nov 91 cP-15.01 Reg 4 s9; 14 Dec 2001 SR 89/2001 s5.

**Commencement of hearing**

10 At the commencement of a hearing the person prosecuting the charge is to present the details of the charge in Form A to the hearing officer.

8 Nov 91 cP-15.01 Reg 4 s10.

**P-15.01 REG 4** MUNICIPAL POLICE DISCIPLINE, 1991**Commencement of hearing of confined member**

**11** Where a member who is charged is confined pursuant to the decision of a court or other lawful authority, or is absent without leave or is otherwise avoiding the proceedings, the hearing officer may:

- (a) proceed in the absence of the member by the entry of a formal denial to any charges which must thereafter be strictly proved before a finding of guilt may be entered; or
- (b) adjourn the matter for a period no longer than 30 days to allow for the attendance of the member.

8 Nov 91 cP-15.01 Reg 4 s11.

**Plea of charged member**

**12(1)** Subject to section 11, the hearing officer shall read the charge to the member charged and shall ask the member whether the charge is admitted or denied.

(2) The reply of the member obtained pursuant to subsection (1) shall be entered on a record of proceedings in Form C.

8 Nov 91 cP-15.01 Reg 4 s12.

**Procedure where charge admitted**

**13(1)** Where the charged member admits a charge, the prosecutor shall present the facts relating to it to the hearing officer, and the charged member or his or her counsel or agent may make representations on the charged member's behalf.

(2) After hearing the facts and representation, if any, on behalf of the charged member, the hearing officer may determine the matter pursuant to section 58 of the Act.

8 Nov 91 cP-15.01 Reg 4 s13.

**Procedure where charge denied**

**14** Where the charged member denies a charge or the circumstances are such that the hearing officer orders a formal denial, the hearing officer is to set a date for the hearing.

8 Nov 91 cP-15.01 Reg 4 s14.

**Admission of facts**

**15(1)** The prosecutor and the charged member or his or her counsel or agent may agree to admit certain of the facts in the case as evidence by agreement without proof of those facts, and the hearing officer may enquire as to the existence of any such agreements before any evidence is called.

(2) Subject to subsection (3), a party to a proceeding may submit to the Hearing Officer a statement as to facts for the purposes of that proceeding.

(3) Before submitting a statement as to facts, the party to the proceeding shall serve a copy of that statement as to facts on any other parties to the proceeding.

(4) A party to a proceeding may dispute the statement as to facts submitted pursuant to subsection (2) by filing a written response with the Hearing Officer and serving a copy of that written response on any other parties to the proceeding.

(5) Where a copy of a document or record has been certified by the chief of police, that document or record is admissible in evidence in a proceeding before the Hearing Officer without proof of the signature or official position of the chief of police

8 Nov 91 cP-15.01 Reg 4 s15; 14 Dec 2001  
SR 89/2001 s6.

#### **Applications and appeals - relief of duty**

**15.1** For the purposes of an application pursuant to subsection 53(13) of the Act:

(a) sections 8, 9 and 15 of these regulations apply, with any necessary modifications, with respect to an application for a review of an order made pursuant to subsection 53(3) or (4) of the Act;

(b) Part II of these regulations applies, with any necessary modifications, with respect to an application for a review of an order made pursuant to subsection 53(9) of the Act.

14 Dec 2001 SR 89/2001 s7.

#### **Dismissal of charge**

**16** If, at the conclusion of the evidence for the prosecution, the hearing officer determines a *prima facie* case has not been made out, he or she shall dismiss the charge.

8 Nov 91 cP-15.01 Reg 4 s16.

#### **Evidence in defence**

**17** If, at the conclusion of the evidence for the prosecution, the hearing officer determines that a *prima facie* case has been made out, the hearing officer is to provide the charged member with an opportunity to call evidence in answer to the charge.

8 Nov 91 cP-15.01 Reg 4 s17.

#### **Submissions to hearing officer**

**18** After presentation of all the evidence, the prosecutor, followed by the charged member or counsel or agent on the member's behalf, has the right to make submissions to the hearing officer.

8 Nov 91 cP-15.01 Reg 4 s18.

#### **Determination of guilt**

**19** After presentation of all the evidence and submissions, the hearing officer, subject to section 21, is to find the charged member guilty or not guilty in respect of each charge and to provide written reasons for the decision.

8 Nov 91 cP-15.01 Reg 4 s19.

**P-15.01 REG 4** MUNICIPAL POLICE DISCIPLINE, 1991**Procedure on determination of guilt**

**20(1)** The hearing officer shall dismiss a charge on which the hearing officer finds the member not guilty and, in respect of a charge on which he or she finds the member guilty, is to impose one of the penalties prescribed in the Act.

(2) No record of charges which have been dismissed shall appear on a member's service record of discipline or any service or personnel file.

(3) A finding of guilt and a punishment imposed on a member are to be entered as disciplinary offences on the member's service record of discipline when:

- (a) the appeal period expires and there is no appeal; or
- (b) on the disposition of any final appeal.

8 Nov 91 cP-15.01 Reg 4 s20.

**Adjournment of hearings**

**21(1)** The hearing officer may adjourn the hearing from time to time including at the close of submissions and before a verdict or punishment.

(2) No adjournment between a finding of guilt and the imposition of a punishment may be for more than eight days unless otherwise agreed by all parties to the hearing.

(3) Subject to subsection (4), an adjournment is to be to a stated date.

(4) Where criminal proceedings arise out of the incident for which the hearing is being conducted, an adjournment of disciplinary proceedings may be for an indefinite period.

8 Nov 91 cP-15.01 Reg 4 s21.

**Fine imposed, payment**

**22(1)** Subject to subsection (3), where the hearing officer imposes a fine on a member, the member shall pay the fine immediately.

(2) Where a member fails to pay a fine immediately, the amount of the fine may be deducted from the member's salary.

(3) A hearing officer may by order require a member on whom a fine was imposed to make specified periodic or other payments or may order the amount of the fine to be deducted from the member's salary.

8 Nov 91 cP-15.01 Reg 4 s22.

**Limitation of time for proceedings**

**23(1)** Subject to subsections (1.1), (2) and (3), no proceedings to prosecute a charge shall be commenced after the expiry of six months from the day on which the alleged charge should have been discovered.

(1.1) On application by the chief or a member designated by the chief, the chairperson may extend the time mentioned in subsection (1) for commencing proceedings to prosecute a charge, where the chairperson is satisfied that:

- (a) the circumstances warrant it; and
- (b) it is in the public interest to extend the time.

(2) Where the minister orders a special inquiry pursuant to section 88 of the Act, proceedings for a charge may be commenced within three months after the report and recommendations of the inquiry have been received by the board.

(3) Where a matter has been referred to the minister or the Attorney General of Canada pursuant to section 47 or 51 or clause 54.1(2)(a) or 55.1(2)(a) of the Act, proceedings to prosecute a charge may be commenced within three months after the completion of the investigation by the minister or the Attorney General of Canada.

8 Nov 91 cP-15.01 Reg 4 s23; 1 Aug 97  
SR 76/97 s3; 14 Dec 2001 SR 89/2001 s8; 10  
Feb 2006 SR 4/2006 s6.

**Commencement of proceedings**

**24** For the purposes of these regulations, proceedings to prosecute a charge are commenced when a notice in Form A is served on a member charged or, in the case of a member who is absent without leave, or is avoiding service of the notice, when the notice is signed by the chief or his or her delegate.

8 Nov 91 cP-15.01 Reg 4 s24.

**Suspended member, not to exercise powers, etc.**

**25** Where a member is suspended from duty or is relieved from duty, the member is not to exercise his or her powers as a peace officer and is not to wear the uniform or use the equipment of the police service of which he or she is a member.

8 Nov 91 cP-15.01 Reg 4 s25; 14 Dec 2001  
SR 89/2001 s9.

**Pay re relief from duty**

**26** The hearing officer at a hearing:

- (a) if he or she finds a member guilty of a charge which was involved in the decision to relieve the member from duty, may make any orders as to full or partial pay for any unpaid period of relief that he or she considers proper; and
- (b) pursuant to section 53(9) of the Act, if he or she finds a member not guilty of all charges involved in the decision to relieve the member from duty, is to order that the member receive all of the pay, remuneration, pension benefits and seniority to which the member would have been entitled during the period of relief from duty.

14 Dec 2001 SR 89/2001 s10.

**P-15.01 REG 4** MUNICIPAL POLICE DISCIPLINE, 1991**Service record of discipline**

**27(1)** Subject to subsection (2), a chief is to maintain a service record of discipline in respect of each member.

(2) A chief is to order that:

(a) all entries regarding a minor offence be expunged from the service record of discipline of a member where:

(i) two years have expired from the date of any last recorded punishment; and

(ii) there have been no further entries on the service record of discipline since the date of punishment;

(b) all entries regarding major offences be expunged from the service record of discipline of a member where:

(i) five years have expired from the date of the last recorded punishment; and

(ii) there have been no further entries on the service record of discipline since the date of punishment.

(3) For the purposes of these regulations:

(a) the date of punishment of a member is:

(i) the date the punishment was imposed, if there was no appeal of the finding for which the punishment was imposed;

(ii) the date when the punishment was imposed or affirmed by the appropriate appellate body where there was an appeal of the finding;

(b) a previous disciplinary offence is any valid unexpunged entry made pursuant to these regulations on a member's service record of discipline.

(4) A member, on written notice to the chief or his or her delegate, has the right to inspect his or her service record of discipline to ensure that only valid unexpunged entries are contained in it.

(5) Clause 2(a) applies for expunging remedial orders entries on a member's service record of discipline.

8 Nov 91 cP-15.01 Reg 4 s27.

**Statistical report of disciplinary offences**

**28** The chief is to supply:

(a) statistics on disciplinary offences, within the meaning of this Part, in Form D; and

(b) immediately at the end of each month;

to the commission.

8 Nov 91 cP-15.01 Reg 4 s28.

**Procedure when chief charged**

**29** These regulations establishing the procedure in the hearing of charges against members apply with any necessary modification to proceedings before a hearing officer where a charge is laid against a chief.

8 Nov 91 cP-15.01 Reg 4 s29.

**PART II****Appeals to The Saskatchewan Police Commission****Notice of appeal**

**30** A notice of application to appeal shall be in Form E and shall set forth the nature of the proceedings or conviction, the punishment imposed and the grounds on which the appeal is based.

8 Nov 91 cP-15.01 Reg 4 s30.

**Service of notice of appeal**

**31** A person who desires to appeal is to serve a notice of application to appeal on:

- (a) the hearing officer; and
- (b) an employee or a member of the commission;

not later than 30 days after the person desiring to appeal receives notice of the decision from which the appeal is intended.

8 Nov 91 cP-15.01 Reg 4 s31.

**Time for service of notice of appeal**

**32** The commission, before or after the expiration of the time for service of an application to appeal, may extend the time for service of the application for a period not exceeding 30 days.

8 Nov 91 cP-15.01 Reg 4 s32.

**Record, etc., to commission**

**33** When a notice of application to appeal is served on the hearing officer, the hearing officer shall immediately forward to the commission:

- (a) the original proceedings or the original charge sheet with particulars of the proceedings, decision and the punishment imposed;
- (b) the record of the hearing of the charge including all documents, evidence and exhibits.

8 Nov 91 cP-15.01 Reg 4 s33.

**Notice of hearing**

**34** The commission shall notify all parties of the time and place for the hearing of the appeal.

8 Nov 91 cP-15.01 Reg 4 s34.

**Right of representation**

**35** At the hearing of an appeal, the appellant, chief and board are entitled to appear and to be represented by counsel or an agent.

8 Nov 91 cP-15.01 Reg 4 s35.

**PART III  
Discipline Code**

**Major offence against discipline**

**36** A member of a police service commits a major offence against discipline if he or she is guilty of:

- (a) discreditable conduct, that is if he or she:
  - (i) withholds or suppresses a complaint or report against a member of the police service or a member of the public;
  - (ii) wilfully makes a false, misleading or inaccurate oral or written statement or entry in any official document or record;
  - (iii) without lawful excuse destroys, mutilates or conceals any official document or record, or alters, erases or adds to any entry in it;
  - (iv) fails to properly account for, properly safeguard or secure, or make a prompt return of any money or property received by him or her in the course of his or her duty; or
  - (v) acts in a manner that is unbecoming or dishonourable to the member or to the police service;
- (b) insubordination, that is if he or she, without lawful excuse, disobeys or omits or neglects to carry out any lawful order;
- (c) neglect of duty, that is if he or she, without lawful excuse, neglects or omits promptly and diligently to perform a duty as a member of the police service;
- (d) improper disclosure of information, that is if he or she, without proper authority, communicates to any person any information which he or she has acquired as a member of a police service;
- (e) corrupt practice, that is if he or she:
  - (i) accepts a bribe;
  - (ii) in his or her capacity as a member of the police service and without the consent of the board of police commissioners or municipal council, directly or indirectly solicits or receives any gratuity, present, subscription or testimonial;

- (iii) places himself or herself under a pecuniary or other obligation to any other person in a manner that might affect the proper performance of his or her duties as a member of the police service; or
- (iv) improperly uses his or her position as a member of the police service for private advantage;
- (f) abuse of authority, that is if he or she:
  - (i) without good and sufficient cause, makes an arrest; or
  - (ii) uses any unnecessary violence to any prisoner or other person with whom he or she may be brought into contact in the execution of his or her duty;
- (g) improper use of firearms, that is if he or she:
  - (i) without proper authorization and when on duty carries or discharges any firearm other than one issued to him or her by the police service;
  - (ii) having discharged a firearm when on duty, other than while on a firearm training exercise, fails to report the incident to his or her senior officer as soon as is practicable thereafter;
  - (iii) fails to exercise discretion and restraint in the use and care of firearms;
  - (iv) draws his or her revolver except when he or she reasonably believes it may be necessary for the protection of his or her life or the life of another, or when he or she believes that it is necessary in the apprehension or detention of a person whom he or she believes to be dangerous; or
  - (v) discharges a firearm in the performance of duty except where, on reasonable grounds, he or she believes it necessary:
    - (A) for the defence of his or her life or the life of another;
    - (B) to effect the apprehension, when other means are insufficient, of a person whom he or she, on reasonable or probable grounds, believes to be dangerous;
    - (C) to destroy a potentially dangerous animal or one that is so badly injured that humanity requires its removal from further suffering; or
    - (D) to give an alarm or to call assistance for an important purpose when no other means can be used;
- (h) damage to police property, that is if he or she wilfully causes any waste or loss of or damage to any police property or other property entrusted to his or her care in the course of his or her duty;

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- (i) misuse of intoxicating liquor or drugs in a manner prejudicial to duty, that is if he or she:
  - (i) when reporting for or while on duty is unfit for duty as a result of the use of intoxicating liquor or the non-medical use of a drug;
  - (ii) without proper authority, makes any use of, or receives from any other person, any intoxicating liquor or a drug other than one prescribed by a medical practitioner when on duty;
- (j) criminal conduct, that is if he or she is found guilty of an indictable offence or any offence punishable on summary conviction pursuant to any statute of Canada or any province or territory in Canada.

8 Nov 91 cP-15.01 Reg 4 s36; 1 Aug 97 SR 76/  
97 s4.

**Minor offence against discipline**

**37** A member of a police service commits a minor offence against discipline if he or she is guilty of:

- (a) discreditable conduct, that is if he or she:
  - (i) acts in a disorderly manner or in a manner prejudicial to discipline or reasonably likely to bring discredit on the reputation of the police service;
  - (ii) negligently makes a false, misleading or inaccurate oral or written statement or entry in any official document or record;
  - (iii) is oppressive or abusive in conduct or language towards any other member of a police service;
  - (iv) contravenes the provisions of *The Police Act, 1990*, or a regulation made or enacted in accordance with it;
- (b) insubordination, that is if he or she is insubordinate by word or action;
- (c) neglect of duty, that is if he or she:
  - (i) fails to work in accordance with orders or leaves an area, detail or other place of duty without authorization or sufficient cause or, having left his or her place of duty with authorization or sufficient cause, fails to return without undue delay; or
  - (ii) is absent from, or is late for, duty without reasonable excuse;
- (d) improper disclosure of information, that is if he or she:
  - (i) makes an anonymous communication to any police authority or any member of a police service; or
  - (ii) signs or circulates a petition or statement in respect of any matter concerning the police service other than:
    - (A) through the grievance procedure; or
    - (B) in the bona fide performance of his or her duties as a representative of a certified police union, association or federation;

- (e) abuse of authority, that is if he or she:
  - (i) is discourteous or uncivil to any member of the public; or
  - (ii) undertakes without the permission or instruction of a senior officer any service or execution of documents involved in a civil process;
- (f) damage to police property, that is if he or she:
  - (i) by negligence causes any waste or loss of or damage to any police property or other property entrusted to his or her care in the course of the member's duty; or
  - (ii) knowingly fails to report any loss of or damage to any property mentioned in subclause (i) entrusted to his or her care in the course of the member's duty, however caused;
- (g) improper wearing of uniform and improper personal appearance, that is if he or she:
  - (i) is improperly dressed while on duty or wearing a uniform at any time in a public place;
  - (ii) is unkempt or unclean in person, uniform clothing or equipment while on duty;
  - (iii) while on duty and not in uniform, appears in any dress or affects any mannerism likely to bring ridicule on the police service;
  - (iv) appears in public dressed partly in identifiable uniform and partly in civilian attire;
  - (v) while in uniform on the street in public view, uses chewing gum or tobacco in any form; or
  - (vi) while on leave wears a police service uniform without authorization of the chief of police.

8 Nov 91 cP-15.01 Reg 4 s37.

**Major offence treated as minor offence**

**38(1)** A chief or a board may elect to prosecute a major offence as a minor offence.

(2) Where a major offence is prosecuted as a minor offence, it shall be deemed to be a minor offence for all purposes under the Act or these regulations.

8 Nov 91 cP-15.01 Reg 4 s38.

**Attempts constitute offence**

**39(1)** It is a major offence against discipline to attempt to commit a major offence against discipline.

(2) It is a minor offence against discipline to attempt to commit a minor offence against discipline.

8 Nov 91 cP-15.01 Reg 4 s39.

**P-15.01 REG 4** MUNICIPAL POLICE DISCIPLINE, 1991**Parties to offences**

**40** A member of a police service commits an offence against discipline who:

- (a) actually commits it;
- (b) does, or omits to do, anything for the purpose of aiding another person to commit it;
- (c) abets any person committing it; or
- (d) counsels or procures another member to commit it.

8 Nov 91 cP-15.01 Reg 4 s40.

**Charges divisible**

**41** A charge pursuant to *The Police Act, 1990* is divisible and where the offence charged, as described in this regulation or as described in the charge, includes another offence, whether that offence is a major offence or minor offence, the charged member may be convicted:

- (a) of the included offence that is proved notwithstanding that the whole offence that is charged is not proved; or
- (b) of an attempt to commit the included offence.

8 Nov 91 cP-15.01 Reg 4 s41.

## PART IV Complaints

**Record of public complaint**

**42** A public complaint received pursuant to section 38 of the Act shall be recorded on a complaint form in Form F.

8 Nov 91 cP-15.01 Reg 4 s42.

**Report of resolution of public complaint**

**43** The report of the PCC to the commission regarding the resolution of a public complaint pursuant to subsection 39(10) of the Act shall be made in or on Form G.

8 Nov 91 cP-15.01 Reg 4 s43; 10 Feb 2006 SR 4/2006 s7.

## PART V Repeal and Coming Into Force

**Repeal**

**44** Saskatchewan Regulations 92/81 are repealed.

8 Nov 91 cP-15.01 Reg 4 s44.

**Appendix**

Form A  
*The Police Act, 1990*  
 (Section 7)

## NOTICE OF FORMAL DISCIPLINE PROCEEDINGS

Police Service \_\_\_\_\_ Date \_\_\_\_\_  
 (1)

To: \_\_\_\_\_

Pursuant to *The Police Act, 1990* and *The Municipal Police Discipline Regulations, 1991*, you are alleged to have committed a discipline offence, namely: (2)

Be advised that you will be notified by a hearing officer designated by the minister responsible for *The Police Act, 1990* of the time, place and purpose of a hearing to answer this matter

Signed \_\_\_\_\_  
 (3) Chief of Police,  
 Chairperson of the Board or  
 Chairperson of the PCC

Witness for the prosecution (4)

I acknowledge service of this form

Date \_\_\_\_\_ Signed \_\_\_\_\_  
 (Charged Member)

1. Insert here the full name, rank and service number of the charged member.
2. Insert the appropriate heading from the Discipline Code, the date, time and place of the alleged discipline offence, and sufficient particulars to identify the nature of the allegation, followed by the appropriate section of the Discipline Code. If there is more than one charge, each is to appear as a separately numbered paragraph on a new form.
3. Should the chief of police be charged, the chairperson of the board is to sign the Notice.
4. List the full names of witnesses appearing for the prosecution.

Form B  
THE POLICE ACT, 1990  
(Section 9)

NOTICE REQUIRING THE ATTENDANCE OF A WITNESS

To: \_\_\_\_\_  
(Name of Witness) (Address)

Whereas \_\_\_\_\_ has been charged with a discipline  
(name accused)

offence under the Discipline Code, in that he/she did (described offence)

and it has been made to appear that you are likely to give material evidence for the  
\_\_\_\_\_, under authority granted by section 17 of  
(Prosecution or Defence)

*The Police Act, 1990* you are hereby required to appear before me on \_\_\_\_\_,  
the \_\_\_\_\_ day of \_\_\_\_\_ A.D. 2 \_\_\_\_\_ at \_\_\_\_\_ o'clock at \_\_\_\_\_  
to give evidence concerning the said charge, and to bring with you any book, papers or  
other documents in your possession or under your control that relate to the said charge,  
and, more particularly, the following:

Dated this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 2 \_\_\_\_\_ at \_\_\_\_\_, Saskatchewan.

\_\_\_\_\_  
(Hearing Officer)

I acknowledge receipt of this notice.

Date \_\_\_\_\_ Signed \_\_\_\_\_  
Witness

Form C  
THE POLICE ACT, 1990  
(Section 12)

Police Service \_\_\_\_\_

Charged Member (1) \_\_\_\_\_

Details of alleged discipline offence (2)

Reply to allegations: Admit:

Deny:

HEARING

Date(s) of hearing	Disposition	Reason (e.g. for adjournment)

Finding:

Punishment:

Date \_\_\_\_\_ Signed \_\_\_\_\_  
Hearing Officer

Appeal to Saskatchewan Police Commission

Date(s) of hearing	Disposition	Reason

Date \_\_\_\_\_ Signed \_\_\_\_\_  
Chairman, Saskatchewan Police Commission

1. Enter the full name, rank and service number of the accused Member.
2. This section shall contain the charge(s) as drafted on Form A.

Form D  
*THE POLICE ACT, 1990*  
 (Section 28)

Statistical Information – Internal Discipline

To: Saskatchewan Police Commission

Police Service \_\_\_\_\_ Year ending December 31, \_\_\_\_\_

1. Discipline		Number		
(a) Discipline offences – charges laid		_____		
(b) Discipline offences – convictions		_____		
(c) Discipline offences – dismissed		_____		
(d) Discipline offences – pending		_____		
2. Discipline Offences – Convictions and Penalties	Number	Major	Minor	Penalties or Remedial Action
(a) Discreditable conduct	_____	_____	_____	_____
(b) Neglect of duty	_____	_____	_____	_____
(c) Insubordination	_____	_____	_____	_____
(d) Improper disclosure of information	_____	_____	_____	_____
(e) Corrupt practice	_____	_____	_____	_____
(f) Abuse of authority	_____	_____	_____	_____
(g) Improper use of firearms	_____	_____	_____	_____
(h) Damage to police property	_____	_____	_____	_____
(i) Improper wearing of uniform and improper personal appearance	_____	_____	_____	_____
(j) Misuse of liquor or drugs	_____	_____	_____	_____
(k) Criminal Conduct	_____	_____	_____	_____
(l) Others	_____	_____	_____	_____
3. Appeals to Saskatchewan Police Commission result	Number	Major	Minor	Penalties or Remedial Action
(a) Disciplinary offence proved	_____	_____	_____	_____
(b) Case dismissed	_____	_____	_____	_____
(c) New hearing	_____	_____	_____	_____
(d) Punishment sustained	_____	_____	_____	_____
(e) Punishment altered	_____	_____	_____	_____
(f) Pending	_____	_____	_____	_____

Date \_\_\_\_\_ Signed \_\_\_\_\_

Chief of Police



DATE	TIME	A.M. P.M.	LOCATION	POLICE SERVICE
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**SPECIFIC ALLEGATIONS OF MISCONDUCT:**

- 1.
- 2.
- 3.
- 4.
- 5.

(Continue over)

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**SUMMARY OF INCIDENT:**


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 Complainant's Signature

Date

(Continue over)

NOTE: – An intentionally false complaint under *The Police Act, 1990* may result in criminal charges for public mischief or obstructing a Peace Officer.

– You will receive a written report at the conclusion of the investigation into your complaint. Where the investigation is not completed within 45 days, you will receive an interim report on the status of your complaint with a further report every 30 days until the matter is concluded.

– Where a complaint results in a discipline hearing being ordered, you will be advised of the time, date and place of the hearing. You have the right to attend that hearing and to be represented by counsel.

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**DETAILS OF INJURIES SUSTAINED FROM COMPLAINT INCIDENT**

ATTENDING PHYSICIAN	ADDRESS	TELEPHONE	DATE ATTENDED
		( )	

HOSPITAL ATTENDED	ATTENDING PHYSICIAN	TELEPHONE	DATE ATTENDED
		( )	

MEMBERS INVOLVED	POLICE SERVICE
1.	
2.	
3.	

WITNESS	NAME	ADDRESS	TELEPHONE
1.			( )
2.			( )
3.			( )
4.			( )

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**COMPLAINT RECEIVED BY:**

LOCATION

DATE

Form G  
 THE POLICE ACT, 1990  
 (Section 43)

Statistical Information – Complaints

TO: SASKATCHEWAN POLICE COMMISSION

RE: POLICE SERVICE \_\_\_\_\_

1. Complaints (No.)	_____		
2. Decision Following Investigation			
(a) Informal Resolution	_____		
(b) Discipline – Charged	_____		
– Remedial Action Ordered	_____		
(c) Advice	_____		
(d) No Action	_____		
3. Type of Complaint/Charge		Major	Minor
(a) Discreditable conduct	_____	_____	_____
(b) Neglect of Duty	_____	_____	_____
(c) Insubordination	_____	_____	_____
(d) Improper Disclosure of Information	_____	_____	_____
(e) Corrupt Practice	_____	_____	_____
(f) Abuse of Authority	_____	_____	_____
(g) Improper Use of Firearms	_____	_____	_____
(h) Damage to Police Property	_____	_____	_____
(i) Improper Wearing of Uniform and Improper Personal Appearance	_____	_____	_____
(j) Misuse of Liquor/Drugs	_____	_____	_____
(k) Criminal Conduct	_____	_____	_____
(l) Others	_____	_____	_____
3. Nature of Duty of member Involved	_____		
(a) Uniform Patrol	_____		
(b) Detective (Plain Clothes)	_____		
(c) Traffic Duty	_____		
(d) Others	_____		

DATE \_\_\_\_\_

SIGNED \_\_\_\_\_

Chairperson of the PCC

