



Peterborough Police Services Board

Legal Indemnification Policy for Board Members

WHEREAS Section 29 and 30 of the *Police Services Act* makes reference to a Board's protection from personal liability;

AND whereas Section 37 of the *Police Services Act* provides that a Police Services Board shall establish its own rules and procedures in performing its duties under the *Act*.

THEREFORE the Peterborough Police Services Board enacts as follows:

1.0 Definitions

- 1.1 "Board" means the Peterborough Police Services Board:
- 1.2 "Board Member" means a member of the Peterborough Police Services Board.

2.0 Policy:

- 2.1 In the event that a board member incurs any legal expenses as a result of any action, suit or other proceeding that is brought, except a proceeding brought under the *Municipal Conflict of Interest Act*, arising out of acts or omissions done or made where a member appears to have been acting in good faith by that board member in his or her capacity as a board member, including while acting in the performance of any statutory duty, the board shall pay on behalf of or reimburse the board member for any such legal expenses, provided that the board has determined that the acts or omissions were done or made in what appears to be good faith.

- 2.2 In the event that a board member incurs any legal expenses as a result of any action, suit or proceeding brought under the *Municipal Conflict of Interest Act*, arising out of acts or omissions done or made where a member appears to have been acting in good faith by that board member in his or her capacity as a board member, including while acting in the performance of any statutory duty, and in the event that the board member is found not to have contravened section 5 of that *Act*, the board shall pay on behalf of or reimburse the board member for any such legal expenses, provided that the board has determined that the acts or omissions were done or made in what appears to be good faith.
- 2.3 This policy applies to all current board members, and further, applies to any person who was a board member at the time the cause of action, suit or proceeding arose, but who, prior to judgement or other settlement of the action or proceeding has ceased to be a board member.
- 2.4 Prior to paying the legal expenses referred to in section 2, the board may require that the account of the solicitor acting for the board member be assessed by the Assessment Office of the Superior Court of Justice pursuant to the provisions of the *Solicitors Act*, R.S.O. 1990, ch.s. 15 for the Province of Ontario.

3.0 Administration

- 3.1 This policy is hereby enacted by the Peterborough Police Services Board on the 20th day of October 2014. This policy shall come into force on January 1st 2015.
- 3.2 That distribution of this policy be unrestricted.

Bob Hall, Chair

Adopted by the Peterborough Police Services Board on October 20th 2014.

Additional References:

Evaluation Dates:

Original Issue Date: June 11th, 2013

Revision Date: