

ONTARIO REGULATION 492/24

made under the

COMMUNITY SAFETY AND POLICING ACT, 2019

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AMENDING O. REG. 391/23

(USE OF FORCE AND WEAPONS)

1. Table 2 to Ontario Regulation 391/23 is revoked and the following substituted:

TABLE 2

ADDITIONAL REQUIREMENTS FOR AND RESTRICTIONS ON USE OF WEAPONS

Item	Column 1 Type of weapon	Column 2 Additional requirements	Column 3 Restrictions on use of weapon
1.	Conducted energy weapon	A conducted energy weapon may only be one of the following models of conducted energy weapon: <ol style="list-style-type: none">1. TASER X26P.2. TASER X2.3. TASER 7.4. TASER 10.	A member of a police service, or special constable employed by the Niagara Parks Commission, shall not use a conducted energy weapon on a person unless the member reasonably believes that,

1. the person is,
i. without the consent of another person, applying force intentionally to that person, directly or indirectly, or
ii. attempting or threatening, by an act or a gesture, to apply force to another person, if the person has, or causes that other person to believe on reasonable grounds that the person has, present ability to effect this purpose, or
2. taking into account the totality of the circumstances, there is an imminent need for control of the person in order to,
i. arrest the person,
ii. apprehend the person,

			<ul style="list-style-type: none"> iii. prevent self-harm, or iv. prevent the commission of an offence.
2.	Baton	<p>A baton, other than a baton used by members of a public order unit, tactical unit or hostage rescue team, must meet the following requirements:</p> <ol style="list-style-type: none"> 1. The baton must be of fixed length or expandable. 2. The baton must be straight or handled. 3. The baton must be rigid at all times, including when expanded. 4. The baton must have a minimum length (when expanded, in the case of an expandable baton) of 16 inches. <p>For greater certainty, a member of a public order unit, tactical unit or hostage rescue team may use a baton that does not meet the above requirements.</p>	None.
3.	Tear gas	<p>Only tear gas consisting of 2-Chlorobenzylidenemalononitrile (CS) may be used.</p> <p>For greater certainty, tear gas consisting of chloroacetophenone (CN) may not be used.</p>	<p>Tear gas may only be used by a member of a tactical unit, hostage rescue team or public order unit.</p> <p>Tear gas may not</p>

			be applied intentionally in concentrated form directly to a person.
4.	Aerosol weapons	<p>The active ingredient of an aerosol weapon may only be oleoresin capsicum (OC).</p> <p>A member of a police service, other than a member of a public order unit, tactical unit, hostage rescue team or containment team, may not use an aerosol weapon unless the weapon meets the following requirements:</p> <ol style="list-style-type: none"> 1. The weapon must be a hand-held canister. 2. The weapon may dispense a foam, gel or spray. 3. The active ingredient is subject to a maximum Major Capsaicinoid (MC) percentage of 1.33 as measured by a High Performance Liquid Chromatograph (HPLC) test. 4. There must be a legible serial number and expiry date on the weapon. 5. The weapon must be able to be continuously deployed from any angle or orientation. 6. The weapon must be equipped with a safety device to prevent unintentional discharge. 7. The propellant must be high 	None.

		<p>pressure, non-flammable, non-ozone-depleting, chemically inert and toxicologically safe.</p> <p>8. The contents must not contain any carcinogenic ingredients or probable carcinogens.</p> <p>9. The weapon must be CEW-compatible (i.e., the contents will not be ignited by a CEW deployment).</p> <p>10. The contents must not be blended with tear gas (CS or CN). For greater certainty, a member of a public order unit, tactical unit, hostage rescue team or containment team may use an aerosol weapon that does not meet the above requirements.</p>	
5.	PepperBall system, including projectiles containing PAVA	None.	A PepperBall system may only be carried or used by a member of a tactical unit, hostage rescue team or public order team, and only if the member is authorized to carry or use the system by the chief of police.

Commencement

2. This Regulation comes into force on the day it is filed.