

## Results at a glance

### Evaluation of the *Contraventions Act* Program

The *Contraventions Act* Program consists of a range of coordinated responsibilities undertaken by Justice Canada for the implementation and administration of the contraventions regime. These responsibilities include the provision of legal services in matters related to ticketing procedures, designation of federal offences as contraventions, and the required amendments to applicable regulations.

The primary purpose of the *Contraventions Act* Program is to establish a prosecution regime that reflects the nature of regulatory offences (as opposed to criminal offences).

This prosecution regime rests on two pillars:

1. **The *Contraventions Act*** (the Act), which allows the federal government to designate federal regulatory offences as contraventions, which may be enforced by means of tickets, instead of being systematically prosecuted under the summary conviction process established in the *Criminal Code*.
2. **The *Contraventions Act* Fund**, which supports the implementation of measures that aim to ensure that provincial or municipal governments have the capacity to deliver services related to federal contraventions in a manner consistent with applicable language rights found in the *Criminal Code* (judicial services) and the *Official Languages Act* (extrajudicial services).

#### WHAT WAS FOUND

- By supporting the enforcement of a wide range of federal regulatory offences, the contraventions regime meets the needs of federal departments and agencies enacting regulatory provisions, as well as of authorities responsible for enforcing them. The *Contraventions Act* also benefits courts by removing a portion of the prosecution process outside the judiciary system, and benefits Canadians by altering or abolishing the legal consequence of being convicted of a contravention.
- Municipal, provincial and federal governments are increasingly using Administrative Monetary Penalty (AMP) regimes. While AMPs are complementary to the contraventions regime, their decentralized nature may lead to inconsistencies and duplication of efforts. The replacement of contraventions by AMP regimes in some municipalities and provinces may also limit the capacity to process tickets under the *Contraventions Act*.
- A significant challenge to the *Contraventions Act* Program is the fact that the regime is not operational in Saskatchewan, Alberta, and in the territories, which limits the consistent enforcement of federal

regulatory offences across Canada.

- Performance information collected during the evaluation period is incomplete, which limits the ability to monitor, manage and evaluate the activities of the *Contraventions Act* Program.
- The *Contraventions Act* Fund ensures that prosecutions of designated contraventions respect all applicable language rights. The range of activities it supports meets the needs of participating provinces and municipalities, and has contributed to the overall capacity of the judicial system to operate in both official languages.
- The *Contraventions Act* Fund should not be tied to the cyclical federal action plans on official languages, as its objectives are not aligned with those of the action plans. Integrating the Fund into these plans also creates management challenges by subjecting it to an accountability and renewal process that does not reflect its purpose.

#### RECOMMENDATIONS

**Recommendation 1:** The Programs Branch should develop options to support a federal coordinated approach to the enforcement of federal regulatory offences that considers both the contraventions and the Administrative Monetary Penalty regimes, and the need to achieve a consistent enforcement approach throughout Canada, including Alberta, Saskatchewan, and the territories.

**Recommendation 2:** The Programs Branch should make efforts to obtain the removal of the *Contraventions Act* Fund from the federal action plans on official languages.

**Recommendation 3:** The Programs Branch should work with participating provinces and municipalities to identify and address issues related to the reporting of the required performance data identified in the *Contraventions Act* administration and enforcement agreements.

**ABOUT THE EVALUATION:** The Evaluation of the *Contraventions Act* Program was conducted by the Department of Justice Canada's Evaluation Branch and covered fiscal years 2020-21 to 2024-25. It examined the relevance, effectiveness, and efficiency of the contraventions regime, in accordance with the Treasury Board's *Policy on Results* (2016).

