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# Private Security and Investigative Services Act, 2005

## [ONTARIO REGULATION 37/08](#)

### ELIGIBILITY TO HOLD A LICENCE — CLEAN CRIMINAL RECORD

#### CURRENT

Consolidation period: March 16, 2010 - e-Laws currency date (December 31, 2024 )

Last amendment: [71/10](#).

**This is the English version of a bilingual regulation.**

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#### Legislative History

## Prescribed offences

1. For the purpose of section 10 of the Act, a person does not possess a clean criminal record if he or she has been convicted of, and not been granted a pardon for, any of the offences set out in Table 1 or 2.

TABLE 1  
OFFENCES UNDER THE *CRIMINAL CODE* (CANADA)

Item	Provision	Description
1.	Subsection 57 (1)	Forgery of or uttering forged passport
2.	Section 83.02	Providing or collecting property for certain activities
3.	Section 83.03	Providing, making available, etc., property or services for terrorist purposes
4.	Section 83.04	Using or possessing property for terrorist purposes
5.	Section 83.18	Participation in activity of terrorist group
6.	Section 83.19	Facilitating terrorist activity
7.	Section 83.21	Instructing to carry out activity for terrorist group
8.	Section 83.22	Instructing to carry out terrorist activity
9.	Section 83.23	Harbouring or concealing terrorists
10.	Section 83.231	Hoax regarding terrorist activity
11.	Subsection 121 (1)	Frauds on the government
12.	Section 129	Offences related to public or peace officer

13.	Section 130	Personating peace officer
14.	Section 151	Sexual interference
15.	Section 152	Invitation to sexual touching
16.	Section 153	Sexual exploitation
17.	Section 153.1	Sexual exploitation of person with disability
18.	Section 163.1	Child pornography — making, distributing, etc.
19.	Section 170	Parent or guardian procuring sexual activity
20.	Section 172.1	Luring a child
21.	Section 220	Causing death by criminal negligence
22.	Section 235	Murder — first or second degree
23.	Section 239	Attempt to commit murder
24.	Section 244	Causing bodily harm with intent — firearm
25.	Section 245	Administering noxious thing
26.	Section 264	Criminal harassment
27.	Section 267	Assault with a weapon or causing bodily harm
28.	Section 268	Aggravated assault
29.	Section 269.1	Torture
30.	Paragraph 270 (1) (a)	Assaulting a peace officer
31.	Section 270.1	Disarming a peace officer
32.	Section 272	Sexual assault with a weapon, threats to a third party or causing bodily harm

33.	Section 273	Aggravated sexual assault
34.	Subsection 279 (1)	Kidnapping
35.	Section 279.1	Hostage taking
36.	Section 280	Abduction of person under sixteen
37.	Section 281	Abduction of person under fourteen
38.	Section 282	Abduction in contravention of custody order
39.	Section 283	Abduction
40.	Section 318	Advocating genocide
41.	Section 319	Public incitement of hatred, wilful promotion of hatred
42.	Section 324	Theft by bailee of things under seizure
43.	Section 326	Theft of telecommunication service
44.	Paragraph 334 (a)	Theft over \$5,000
45.	Subsection 342 (1)	Theft, forgery, etc. of credit card
46.	Section 344	Robbery
47.	Section 345	Stopping mail with intent
48.	Section 346	Extortion
49.	Section 348	Breaking and entering with intent, committing offence or breaking out
50.	Section 356	Theft from mail
51.	REVOKED: O. Reg. 71/10, s. 1.	

52.	Section 362	False pretence or false statement
53.	Section 363	Obtaining execution of valuable security by fraud
54.	Section 367	Forgery
55.	Section 368	Uttering forged document
56.	Section 374	Drawing document without authority, etc.
57.	Section 375	Obtaining, etc., by instrument based on forged document
58.	Paragraph 380 (1) (a)	Fraud over \$5,000
59.	Section 382	Fraudulent manipulation of stock exchange transactions
60.	Section 385	Fraudulent concealment of title documents
61.	Section 386	Fraudulent registration of title
62.	Section 387	Fraudulent sale of real property
63.	Section 388	Misleading receipt
64.	Section 389	Fraudulent disposal of goods on which money advanced
65.	Section 390	Fraudulent receipts under <i>Bank Act</i>
66.	Section 392	Disposal of property to defraud creditors
67.	Subsection 393 (1)	Fraud in relation to fares, etc.
68.	Section 394	Fraud in relation to valuable minerals

69.	Section 394.1	Possession of stolen or fraudulently obtained valuable minerals
70.	Section 396	Offences related to mines
71.	Section 407	Forging trade-mark
72.	Section 423	Intimidation
73.	Section 423.1	Intimidation of a justice system participant
74.	Subsection 430 (4.1)	Mischief relating to religious property
75.	Section 433	Arson/disregard for human life
76.	Section 434	Arson/damage to property
77.	Section 434.1	Arson/own property
78.	Section 435	Arson for fraudulent purpose
79.	Section 436	Arson by negligence
80.	Section 462.31	Laundering proceeds of crime
81.	Section 467.11	Participation in activities of criminal organization

TABLE 2  
OFFENCES UNDER THE *CONTROLLED DRUGS AND SUBSTANCES ACT* (CANADA)

Item	Provision	Description
1.	Subsection 5 (1)	Trafficking in substance
2.	Subsection 6 (1)	Importing and exporting

O. Reg. 37/08, s. 1; O. Reg. 71/10, s. 1.

**2.** OMITTED (REVOKES OTHER REGULATIONS). O. Reg. 37/08, s. 2.

**3.** OMITTED (PROVIDES FOR COMING INTO FORCE OF PROVISIONS OF THIS REGULATION). O. Reg. 37/08, s. 3.