



**City of Kingston
Report to Council
Report Number 21-236**

To: Mayor and Members of Council
From: Lanie Hurdle, Chief Administrative Officer
Resource Staff: Alan McLeod, Deputy City Solicitor
Date of Meeting: September 21, 2021
Subject: Conversion Therapy Information Program and By-Law

Council Strategic Plan Alignment:

Theme: Council requests

Goal: See above

Executive Summary:

The purpose of this report is to advise on the steps which have been taken in response to a motion passed by Council on January 12, 2021 requesting the creation of a municipal program to address unregulated conversion therapy practices within the City of Kingston.

Representatives of the Housing and Social Services Department along with Legal Services have worked with local related health agencies and identified medical resources as well as supportive faith-based organizations within the community which provide professional medical therapies related to sexual orientation, gender expression and gender identity in accordance with the *Regulated Health Professions Act, 1991*. As a result of that work, an information package entitled, "Kingston and Area Resources for the 2SLGBTQ+ Community" has been prepared which outlines identified community resources and which shall be further expanded as the program is developed and further resources are identified.

Also attached to this report is a proposed "Regulated Health Services By-Law" that provides for the business licensing of those professionals offering these medical services while establishing a range of prohibitions and penalties for those who provide informal and unregulated therapies related to sexual orientation, gender expression and gender identity outside of the scope and exceptions provided for under the *Regulated Health Professions Act, 1991*. Additional

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amendments are required to [By-Law Number 2020-69](#), the Administrative Penalty Process By-Law, to add administrative monetary penalties to various provisions of the draft Regulated Health Services By-Law. Administrative amendments are also required to [By-Law Number 2005-10](#), the Fees and Charges By-law, and [By-Law Number 2015-159](#), the Appeals Committee Procedural By-Law, to update the appeals section of the by-law for licences related to professionals providing medical therapies related to sexual orientation, gender expression and gender identity.

Recommendation:

That Council direct staff to continue to work with identified local health agencies and faith-based organizations to create programming including a public communications plan related to available local medical resources regarding sexual orientation, gender expression and/or gender identity in accordance with the Guide attached as Exhibit A to Report Number 21-236; and

That Council approve the By-Law, being “A By-Law to Create a Business Licence for Certain Health Services Authorized under the *Regulated Health Professions Act* in the City of Kingston” as per Exhibit B to Report Number 21-236; and

That By-Law Number 2005-10, “A By-Law to Establish Fees and Charges to be Collected by the Corporation of the City of Kingston,” as amended, be further amended as per Exhibit C to Report Number 21-236; and

That By-Law Number 2010-205, “A By-Law to Define the Mandate and Meeting Procedures for Committees Established by the Corporation of the City of Kingston”, as amended, be further amended as per Exhibit D to Report Number 21-236; and

That By-Law Number 2015-159, “A By-Law to Establish Procedures for the Appeals Committee to Conduct Appeals to Property Standards Orders in accordance with the Building Code Act, and Appeals to License and Permit Decisions in Accordance with the City of Kingston Licensing By-Laws”, as amended, be further amended as per Exhibit E to Report Number 21-236; and

That By-Law Number 2020-69, “A By-Law to Establish a Process for Administrative Penalties”, as amended, be further amended as per Exhibit F to Report Number 21-236; and

That Council approve the Short Form Wording and Set Fine Schedule attached as Exhibit G to this Report Number 21-236; and

That Council direct staff to submit the required application for Short Form Wording and Set Fines to the Ministry of the Attorney General for approval.

That the By-Laws attached as Exhibits B, C, D, E, and F to Report Number 21-236 be given all three readings.

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Authorizing Signatures:

ORIGINAL SIGNED BY CHIEF
ADMINISTRATIVE OFFICER

**Lanie Hurdle, Chief
Administrative Officer**

Consultation with the following Members of the Corporate Management Team:

Paige Agnew, Commissioner, Community Services

Peter Huigenbos, Commissioner, Business, Environment & Projects Not required

Brad Joyce, Commissioner, Corporate Services

Jim Keech, President & CEO, Utilities Kingston Not required

Desirée Kennedy, Chief Financial Officer & City Treasurer Not required

Sheila Kidd, Commissioner, Transportation & Public Works Not required

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Options/Discussion:**a. Background**

The purpose of this report is to provide Council with a response to the request of Council for a municipal program to address unregulated conversion therapy practices within the City of Kingston. On January 12, 2021, Council of the City of Kingston passed the following motion:

Whereas Conversion Therapy, also known as Reparative Therapy, Reintegrative Therapy, or Sexual Orientation and Gender Identity Change Efforts is any form of treatment, including individual talk therapy, behavioural or aversion therapy, group therapy treatments, spiritual prayer, exorcism, and/or medical or drug induced treatments, which attempt to actively change someone's sexual orientation, gender identity, or gender expression; and

Whereas Conversion Therapy has been widely denounced as a harmful and unethical practice by major medical and human rights organizations including Canadian Psychological Association, Canadian Psychiatric Association, and Canadian Association of Social Workers; and Whereas Bill C-6, An Act to Amend the Criminal Code (Conversion Therapy), passed 2nd reading by a margin of 305 to 7 and was presented to the House of Commons on December 11, 2020; and

Whereas Bill C-6 proposes five conversion therapy-related offences, including: a) causing a person to undergo conversion therapy against the person's will; b) causing a child to undergo conversion therapy; c) doing anything for the purpose of removing a child from Canada with the intention that the child undergo conversion therapy outside Canada; d) advertising an offer to provide conversion therapy; and e) receiving a financial or other material benefit from the provision of conversion therapy.

Whereas any municipal prohibition on or regulation of conversion therapy may face legislative and jurisdictional challenges, and as conversion therapy is often practiced in secret outside of formal business settings, any such municipal prohibition or regulation would be difficult for municipalities to regulate and enforce; and

Whereas it is deemed that regulation of this practice is better addressed at the federal level where it can be criminalized;

Therefore Be It Resolved That City Council formally denounce the practice of conversion therapy as a dangerous and harmful practice that perpetuates myths and stereotypes about sexual orientation and gender identity; and

That the Mayor be requested by Council to send a letter to the Prime Minister of Canada, the Minister of Justice and the Attorney General, the Minister of Diversity and Inclusion and Youth, and MP Mark Gerretsen to express support for Bill C-6, An Act to Amend the Criminal Code (Conversion Therapy); and

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That Council direct staff to work with health agencies including Kingston Community Health Centre (KCHC) and KFL&A Addiction and Mental Health Services (AMHS) to develop a Kingston support system that any member of the LGBTQ2S+ community can access; and present this to council no later than September 30, 2021, Q3; and

That Council direct staff to draft the necessary By-Laws to prohibit the practice of conversion therapy, across all age groups, including a fine for those offering conversion therapy services within Kingston and return them to council no later than Q3, 2021.

In response to this motion and through working with a group of local health agency representatives, staff from the Housing & Social Services, Building & Enforcement and Legal Services Departments, this project has resulted in two related documents which are attached to this report as exhibits:

- a community information package describing legitimate providers of sexual orientation, gender expression and gender identity counselling and support, entitled “Kingston and Area Resources for the 2SLGBTQ+ Community” and attached hereto as Exhibit A; and
- a business licensing by-law which addresses the need for public identification of legitimate medical professional counselling for those seeking support and counselling related to sexual orientation, gender expression and gender identity, attached hereto as Exhibit B.

Since the date of the motion of Council, staff from the departments named above have worked with a group of local health agencies and affected individuals as well as the public interest organization No Conversion Canada to create a program based on these two main elements which responds to the request of Council. These elements of the program are described in the following sections of this report.

b. Community Information Package

The following groups have been identified as providing counselling and support resources in relation to sexual orientation, gender identity and gender expression support services.

- Addictions and Mental Health Services KFLA (AMHS-KFLA): AMHS-KFLA Coordinated Access offers a single point of entry for services across KFLA. Coordinated Access staff meet with the individual to assess their needs and preferences. Next, they help individuals to connect with the mental health and addiction services that best fit their situation. They can provide access to AMHS-KFLA programs and connect individuals to other services available in KFLA communities;
- HIV/AIDS Regional Services (HARS): HARS provides comprehensive services including education, prevention, and support for people living with, at risk of, or affected by HIV/AIDS and other sexually transmitted bloodborne infections (STBBIs), in addition to advocating for broader social change to reduce stigma and discrimination;

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- Maltby Centre: The Maltby Centre provides mental health and autism services to children and youth in KFLA. Maltby has 2SLGBTQ+ affirming services;
- Resolve Counselling and Community Services: Resolve provides affordable counselling for individuals, families, and couples;
- Street Health Centre (SHC): SHC is open 365 days a year to deliver health services through a wrap-around care model for people who face barriers accessing mainstream health services. SHC is a multi-service model providing health, disease prevention, primary care, and treatment services; and
- Transgender Health Program which is a collaboration between KCHC and Kingston Health Sciences Centre (KHSC) Gender Clinic and the Queen's Family Health Team (QFHT).

As the nature of the services offered by organizations may change from time to time, the resource guide will be updated as required. Residents requiring support will also be directed to connect with 2-1-1 Ontario by phone or online to obtain the most current information on these and other local community services. It is also important to note that there may be a fee related to some services but that options can be discussed when contacting the agency.

Staff propose that the Housing & Social Services and Equity, Diversity & Inclusion departments, with support from Legal Services as required, continue to work with these participating local health agencies and faith-based organizations to develop a public awareness program including a harmonized communications plan which will alert residents to the availability of appropriate resources in a manner which best ensures that residents with these particular needs receive appropriate medical care and support.

c. Business Licensing By-Law

In addition to resource identification and a proposed public awareness program, and in response to the motion of Council, the Legal Services department also undertook a review of available municipal powers to create a by-law to address the requirements of Council within the available scope of municipal authority. As noted in the preamble to the motion, broad national prohibitions related to conversion therapy are generally part of the criminal law which is administered under the exclusive jurisdiction of the Federal level of government. Ensuring that the scope of any proposed by-law avoids improperly entering into the Federal jurisdiction is important given any form of municipal prohibition on conversion therapy may face interjurisdictional response and even legal challenges before the courts.

The Federal, Provincial and Municipal levels of government, however, often play complementary roles in creating related and harmonized approaches to regulating emerging societal issues. In addition to regulating activity through the Criminal Code at the Federal level, the courts have held that municipalities in Ontario are authorized to license professions where the licensing by-

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law does not interfere with the regulation of professional practice. The regulation of the health profession is administered at the Provincial level. As with Federal jurisdiction, any municipal response must avoid interfering with the Province's statutory standards.

As part of Ontario's regulation of health care, in 2015 the *Affirming Sexual Orientation and Gender Identity Act, 2015* (Bill 77) was passed. It amended the *Regulated Health Professions Act, 1991* to add restrictions on professional therapies related to sexual orientation, gender expression and gender identity. The provision of these therapies was designated by the statute to registered health professionals providing psychotherapy treatment, sex-reassignment procedures and other related services subject only to statutory exceptions. The provision of other therapies was also prohibited by section 29.1(1) of that statute which mandated that no person shall, in the course of providing health care services, provide any treatment that seeks to change the sexual orientation or gender identity of a person under 18 years of age and above that age only in accordance with the statute.

The goal of the proposed by-law is to complement these upper-level government provisions locally. A key function of any municipal business licence program is that it serves to identify those occupations which offer appropriate services within the community. Like the guide "Kingston and Area Resources for the 2SLGBTQ+ Community" described above, the licensing process will effectively create a roster of legitimate resources available in Kingston which operate according to the requirements of *Regulated Health Professions Act, 1991* as amended in 2015. This will ensure that the public is informed and can have confidence in identifying the appropriate counselling and support resources within the community.

A second goal of the proposed by-law is to ensure there is no administrative burden placed on health professions. Through the consultation process with community health agencies, an uncomplicated and inexpensive application process has been discussed under which regulated health professionals may qualify for a municipal business licence simply by identifying their status under the *Regulated Health Professions Act, 1991*.

It is important to note that the proposed use of licensing powers is subject to a number of restrictions based on the scope of municipal jurisdiction:

- The licensing process is limited to businesses, trades and occupations. Personal actions outside of that scope are not affected;
- There are also exemptions set out in the *Regulated Health Professions Act, 1991* which have to be mirrored in any harmonized municipal by-law program. Under section 29(1) of that statute exceptions apply generally to the prohibitions on unregulated medical procedures when rendering first aid or assistance in an emergency, fulfilling the requirements to become a member of a health profession, treating a person by prayer or spiritual means in accordance with the tenets of the religion of the person giving the treatment; or treating a member of the person's household or assisting a person with his or her routine activities of living; and

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- The licensing program may need to be modified to address future changes which may arise at the Federal or Provincial level.

As a result, the proposed by-law is drafted to include parallel exceptions but, as they are exceptions, it is up to those facing a complaint and relying on an exception to prove that it applies. For example, any person claiming acts constituted treatment of a person by prayer or spiritual means would have to prove they were acting in accordance with the tenets of the religion. This is framed in the Provincial statute as an objective test and not one focused on personal belief. The Supreme Court of Canada has ruled upon a religious dispute describing *tenets* as aspects of religious belief or conduct that are objectively recognized by religious experts as being obligatory precepts of a particular religion. Any challenge to a charge of the proposed by-law based on this exception would have to be founded on a similar concept. Also, this exception does not apply to actions outside a religious context so would not cover circumstances arising from other forms of informal counselling or even fraudulent practices undertaken as part of an occupation, including by professionals.

As with other business licensing processes currently in place, the process for evaluating any violations of by-law requirements is complaints based. Complaints would be investigated through the services of the Licensing and Enforcement division of the Building & Enforcement department. Staff of that division will require a period to train and prepare applicable resources necessary for the administration of the by-law. Accordingly, the by-law will not come into force until January 1, 2022 with a deadline for licence application set for April 1, 2022.

The proposed by-law and associated amendments to other existing by-laws provide the City with a wide range of responses to complaints which may be received related to violations. Although education and communication will initially be the primary tools used to ensure compliance with the proposed by-law, staff are also recommending that this by-law be enforced through a number of mechanisms, including Administrative Monetary Penalties (AMPs) and Part I tickets.

The implementation of AMPs will allow staff to address potential non-compliance with the administrative requirements of the by-law. As set out in Exhibit F, A By-Law to Amend By-Law Number 2020-69, "A By-Law to Establish a Process for Administrative Penalties", a variety of AMPs are recommended to address a number of minor violations of the by-law which relate primarily to the licence application process and obstruction of an officer.

Additionally, as another enforcement option to the Administrative Monetary Penalty system, staff recommend that Council direct staff to apply for set fines for contraventions of the proposed by-law. This relates to the requirement to obtain the approval of the Chief Justice of the Ontario Court of Justice before any tickets can be issued under Part I of the *Provincial Offences Act*. Set fines have been established by the municipality for contraventions of other by-laws, including the Animal Control By-Law, the Sign By-Law, the Noise By-Law, the Nuisance Parties By-Law, and the Open Air Fires By-Law. This will provide the City with an additional mid-range set of tools to regulate this activity in an efficient manner, without requiring a court appearance. Staff recommend set fines ranging from \$250 to \$750 (plus court costs and Victim Fine Surcharge),

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as set out in Exhibit F attached to this report, and subject to the approval by the Ministry of the Attorney General. These fines are seen as necessary to achieving general deterrence, as those who are aware of the financial consequences of violating the by-law are more likely to be dissuaded from doing so. For those who do violate the by-law, fines are intended to act as a specific deterrent. Repeat offenders can be prosecuted in court where the opportunity exists to seek a substantially higher fine.

Finally, beyond AMPs and Part I tickets described above, the by-law provides for a further mechanism to enforce non-compliance through a summons to court. While this can be a time-consuming and lengthy process, it is generally appropriate for repeat offenders or more serious offences. Any person or corporation found guilty of an offence under this by-law after being summonsed to court faces: for a first offence, a maximum of not more than Five Thousand Dollars (\$5,000); for a second offence, a maximum of not more than Twenty Thousand Dollars (\$20,000); and for a third or subsequent offence, a maximum of not more than One Hundred Thousand Dollars (\$100,000). These fine amounts are within the standard levels of penalty already authorized by the *Municipal Act*.

d. Conclusion

Through this report and the attached exhibits, staff are recommending an integrated approach to responding to the issue of conversion therapy within the municipality. This approach includes a number of resources ranging from public education to enforcement through a court process. The recommended processes are within the jurisdiction of a municipality in Ontario and harmonize with Federal and Provincial jurisdiction while not conflicting with them.

Existing Policy/By-Law:

None

Notice Provisions:

None

Accessibility Considerations:

None

Financial Considerations:

None

Contacts:

Alan McLeod, Deputy City Solicitor, 613-546-4291 extension 1237

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Other City of Kingston Staff Consulted:

Sarah Gareau, Senior Legal Counsel and Municipal Prosecutor

Cheryl Hitchens, Social Policy & Strategic Community Development Manager, Housing and Social Services (retired)

Muhammad Ashan, Manager, Equity, Diversity & Inclusion

Exhibits Attached:

Exhibit A - Information Package: "Kingston and Area Resources for the 2SLGBTQ+ Community"

Exhibit B - By-Law Number 2021-XX, A By-Law to Create a Business Licence for Certain Health Services Authorized under the Regulated Health Professions Act in the City of Kingston"

Exhibit C - By-Law Number 2021-XX, A By-Law to Amend By-Law Number 2005-10 "A By-Law To Establish Fees And Charges To Be Collected By The Corporation Of The City Of Kingston"

Exhibit D - By-Law Number 2021-XX, A By-Law to Amend By-Law Number 2010-205, "A By-Law to Define the Mandate and Meeting Procedures for Committees Established by the Corporation of the City of Kingston"

Exhibit E - By-Law Number 2021-XX, A By-Law to Amend By-Law Number 2015-159, "A By-Law to Establish Procedures for the Appeals Committee to Conduct Appeals to Property Standards Orders in accordance with the Building Code Act, and Appeals to License and Permit Decisions in Accordance with the City of Kingston Licensing By-Laws"

Exhibit F - By-Law Number 2021-XX , A By-Law to Amend By-Law Number 2020-69, "A By-Law to Establish a Process for Administrative Penalties"

Exhibit G - Short Form Wording and Set Fine Schedule

Kingston and Area Resources for the LGBTQ+ Community

The following is a list of agencies and support services available in the Kingston area for those that identify as lesbian, gay, bisexual, transgender, questioning, queer, intersex, pansexual, two spirit (2S), androgeous and asexual. Please note that these services may change with time and therefore connecting with **2-1-1 Ontario** by phone or online can provide the most current information on these and other local community services. There may be a fee for some services, but options can be discussed when contacting the agency.

If you are in crisis, please call 24/7 crisis line: 613-544-4229/1-866-616-6005

Community Agencies

Addictions and Mental Health Services KFLA (AMHS-KFLA)

AMHS-KFLA Coordinated Access offers a single point of entry for services across KFLA. Coordinated Access staff meet with the individual to assess their needs and preferences. Next, they help individual to connect with the mental health and addiction services that best fit your situation. They can provide access to AMHS-KFLA programs and connect you to other services available in KFLA communities

552 Princess Street Phone: (613) 544-1356

Web: <https://www.amhs-kfla.ca/>

HIV/AIDS Regional Services (HARS)

HARS provides comprehensive services including education, prevention, and support for people living with, at risk of, or affected by HIV/AIDS and other sexually transmitted bloodborne infections (STBBIs), in addition to advocating for broader social change to reduce stigma and discrimination.

844a Princess Street Phone: (613) 545-3698

Web: <http://www.hars.ca/>

Maltby Centre

The Maltby Centre provides mental health and autism services to children and youth in Kingston Frontenac Lennox and Addington. Maltby has LGBTQ2S+ affirming services.

31 Hyperion Court Suite 100 Phone: (613) 546-8535 or 1-844-855-8340

Web: <https://www.maltbycentre.ca/>

Resolve Counselling and Community Services

Resolve provides affordable counselling for individuals, families, and couples.

417 Bagot Street Phone: (613) 549-7850

Web: <http://resolvecounselling.org>

Street Health Centre (SHC)

The Street Health Centre (SHC) is open 365 days a year to deliver health services through a wrap-around care model for people who face barriers accessing mainstream

health services. SHC is a multi-service model providing health, disease prevention, primary care, and treatment services.

115 Barrack Street Phone: (613) 549-1440

Web: <https://kchc.ca/barrack-street/street-health-centre/>

Transgender Health Program – KCHC, KHSC and QFHT

Transgender Health Care program is a collaboration between KCHC and Kingston Health Sciences Centre (KHSC) Gender Clinic and the Queen's Family Health Team (QFHT). The program centralizes the referral process and coordination of care for patients with transgender health issues. Services include therapeutic management, hormone therapy, surgical planning visits, community resource navigation, social transitions support and counselling. Self-referrals are welcome.

Phone: (613) 542-2949 Extension 4

Informal Support Networks

CFB Kingston Agora

The CFB Kingston Agora offers a positive environment, opportunities for discuss and presentations and advocacy on behalf of its members when needed. Participants include CFB Kingston civilian and military members of the LGBTQ2+ community and LGBTQ2+ allies.

Contact: Samuel.Meinhardt@rmc.ca

C.T. Survivors Connect

C.T. Survivors Connect is a first of its kind, in Canada, support group and service development project for Survivors of conversion "therapy" and change practices.

Contact: c.t.survivorsconnect@gmail.com

Twitter: <https://twitter.com/SurvivorsCt?s=09>

Facebook: <https://www.facebook.com/groups/1648968095491569/?ref=share>

FUSE

LGBTQQIP2SAA Group in Kingston. "We hang out, talk about important issues and develop life skills, learn from community members, watch movies, make art and have fun!"

Web: <https://www.facebook.com/FUSE-Youth-Group-195460157149842/>

Kingston Enbaes

A Facebook group for Non-Binary or questioning folks in the Kingston community. This group also has a support group called 'Beyond the Binary' which runs on Tuesday evenings bi-weekly. Beyond the Binary is co-facilitated by KCHC and HARS.

Facebook: <https://www.facebook.com/groups/2708613622711681>

Kingston Pride Inc.

Organizes and coordinates events to celebrate lesbian, gay, bisexual and transsexual people and allies in the Kingston area including the annual Kingston Pride festival and events.

Web: <https://facebook.com/PrideKingston>

Kingston Queer Women & Gender Diverse Group

This is a social group for all Queer/LGBT+ identified women, non-binary individuals and their partners within the Kingston area. Group events are open to all current members of the group and other Queer Identified Women currently in Kingston. You may also suggest and plan for private events.

Facebook: <https://www.facebook.com/groups/973351622872611>

Positive Space – Queen’s University

The purpose of the Positive Space Program is to identify and encourage the development of positive spaces within the Queen's Community, and to empower members of the Queen’s Community to be agents of positive change. The program exists to help facilitate the celebration of sexual and gender diversity at Queen’s in all its manifestations, such that all members of the Queen’s community are affirmed and supported.

Web: <https://www.queensu.ca/positivespace/> Email: posspace@queensu.ca

RMC-CMR Agora

RMC’s support and social group for Lesbian, Gay, Bisexual, Transgender, Queer community, and their allies. Meeting since 2017. Meetings occur bi-weekly, and include guest speakers, social events and discussions. All members of the LGBTQ+ community and their allies welcome.

Facebook: <https://www.facebook.com/groups/2009366989122004>

Email: Samuel.meinhardt@rmc.ca

St. Lawrence College Alliance Club

The goal for ‘The Alliance’ club is to form an alliance and positive relationships between gay and straight students to fight homophobia, isolation, marginalization, violence, and exclusion in the community. The Alliance promotes acceptance, respect, and tolerance of all individuals regardless of racial background, socio-economic status, gender, religion, or sexual orientation. Join us to help raise awareness and promote education about homophobia and other forms of sexual oppression.

Web: <https://www.stlawrencecollege.ca/about/belonging-equity-diversity-and-inclusion-at-slc/pride/resources-for-lgbtq-students>

Email: sacomm@sl.on.ca

TransFamily Kingston

Network of trans people that meets regularly to share stories and experiences, provide peer support, and assist each other in navigating the various barriers faced by trans people and their supporters.

Contact: transfamilykingston@gmail.com

Web: <https://www.facebook.com/groups/tfamilyyqk>

Affirming Pastoral Resources

A number of congregations in the Kingston area [provide support to LGBTQIA+ members and congregants including:

Kingston Unitarian Fellowship

The mission of the Kingston Unitarian Fellowship is for all those in the Kingston area who support Unitarian Universalist principles to join together in a caring community for the development of spiritual and personal growth, in a welcoming environment where all are respected and diversity is celebrated, as we strive to make our world a better place through our actions.

206 Concession Street

Phone: 613-544-8777

Web: <https://www.securewebexchange.com/kuf.ca/about/>

Email: info@kuf.ca

Sydenham Street United Church – (member of Affirm United)

Affirm United/S'affirmer Ensemble works for the full inclusion of people of all gender identities and sexual orientations in the United Church of Canada and in society. We're a voice and a support for people of all sexualities and gender identities and expressions, and we help ministries become truly welcoming safer sacred spaces through our Affirming ministries program. Sydenham Street United Church has been an affirming ministry for over 21 years.

82 Sydenham Street

Phone: (613) 542-9616

Web: www.sydenhamstreet.ca

St. Mark's Lutheran Church

St. Mark's Lutheran Church is a congregation "who loves and advocates for LGBTQIA+ siblings"

Contact: Seth Perry, Affirming Pastor

263 Victoria Street

Phone: (613) 542-7134

E-mail: stmarkslutherankingstonon@gmail.com

Other Resources

No Conversion Canada

A national, nonprofit, grassroots coalition dedicated to ending conversion therapy in Canada.

Location: Ottawa, Ontario

Web: <https://www.noconversioncanada.com/>

Community-Based Research Centre (CBRC)

CBRC promotes the health of gay, bi, trans, Two-Spirit, and queer men (GBT2Q) through research and intervention development.

Location: Vancouver, British Columbia

Web: www.cbrc.net

By-Law Number 2021-XX

A By-Law to Create a Business Licence For Certain Health Services Authorized under the *Regulated Health Professions Act* in the City of Kingston

Passed: [Meeting Date]

Whereas Subsection 10(2) of the *Municipal Act, 2001*, S.O. 2001, c. 25, provides that a municipality may pass by-laws respecting: health, safety and well-being of persons; protection of persons and property, including consumer protection; and business licensing; and

Whereas Subsection 151(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, provides that, without limiting Sections 9, 10 and 11 of the *Act*, a municipality may provide for a system of licences with respect to a business, including a trade or occupation, and may:

- a. prohibit the carrying on or engaging in the business, trade or occupation without a licence;
- b. refuse to grant a licence, or revoke or suspend a licence;
- c. impose conditions as a requirement of obtaining, continuing to hold, or renewing a licence;
- d. impose special conditions on a business, trade or occupation in a class that have not been imposed on all of the businesses, trades or occupations in that class in order to obtain, continue to hold, or renew a licence;
- e. impose conditions, including special conditions, as a requirement of continuing to hold a licence at any time during the term of the licence; and
- f. license, regulate or govern real and personal property used for the business trade or occupation and the persons carrying it on or engaged in it;

Whereas in 2015, the Province of Ontario passed the *Affirming Sexual Orientation and Gender Identity Act, 2015*, S.O. 2015, c. 18 - Bill 77, which amended the *Regulated Health Professions Act, 1991*, S.O. 1991, c. 18, to regulate professional therapies related to sexual orientation or gender identity and restrict the provision of such therapies to registered health professionals providing psychotherapy treatment, sex-reassignment procedures and other related services, subject only to statutory exceptions; and

Whereas Subsection 429(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, provides that a municipality may establish a system of fines for offences under a by-law of the municipality passed under the *Act*; and

Whereas the Council of the City of Kingston considers it necessary and desirable to control the proper provision of regulated health profession services locally by licensing

services provided under certain provisions of the *Regulated Health Professions Act, 1991* and prohibiting any business, trade or occupation undertaking Unregulated Therapy Services;

Therefore be it resolved that the Council of The Corporation of the City of Kingston enacts as follows:

1 Definitions

1.1 For the purposes of this By-Law:

“Advertise” means to market, offer, promote, canvass, solicit, advertise, or facilitate an Unregulated Therapy Service and includes placing, posting or erecting advertisements, either physically or online and **“Advertising”** has the corresponding meaning;

“Appeals Committee” means a committee duly appointed by by-law to conduct hearings under this By-Law;

“Authorized” means permitted under the *Regulated Health Professions Act* to provide practices, treatments or services related to Gender Expression, Gender Identity or Sexual Orientation;

“Building and Enforcement Services Division” and **“Division”** means the Building and Enforcement Services Division for the City of Kingston or, in the event of organizational changes, another division or department designated to carry out the Division’s responsibilities for the administration and enforcement of this By-Law;

“City of Kingston” means The Corporation of the City of Kingston;

“Council” means the Council of the City of Kingston;

“Director” means the Director of the Building and Enforcement Services Division, or their designate, or, in the event of organizational changes, the director of the appropriately titled division or department;

“Fees and Charges By-Law” means City of Kingston By-Law Number 2005-10, “A By-Law to Establish Fees and Charges to be Collected by The Corporation of the City of Kingston”;

Exhibit B to Report Number 21-236

“Gender Identity” refers to the personal process of determining the internal sense of being a man or a woman or an alternative gender or no gender. For clarity, woman, man, and transgender are some terms used to refer to Gender Identity;

“Gender Expression” refers to the personal process of externally representing or expressing their gender identity through behavior, clothing, hairstyle, voice, physical or other characteristics. For clarity, femininity, masculinity and androgynous are some terms used to refer to Gender Expression;

“Licence” means a licence issued under this By-Law;

“Licensee” means any Person to whom a Licence has been issued in accordance with this By-Law;

“Municipal Act” means the *Municipal Act, 2001*, S.O. 2001, c. 25;

“Municipality” means the land within the geographic limits of Kingston, Ontario;

“Officer” means any person who has been assigned the responsibility of administering and enforcing this By-Law and includes a Provincial Offences Officer, a Municipal Law Enforcement Officer, and an Officer of the Kingston Police or other police force assisting the Kingston Police;

“Order” means an order issued pursuant to this By-Law;

“Person” means an individual, a corporation, a partnership, a trustee or trustees, a sole proprietorship or an unincorporated association;

“Regulated Health Professions Act” means the *Regulated Health Professions Act, 1991*, S.O. 1991, c. 18;

“Regulated Therapies” mean medical therapies provided within the authority of the *Regulated Health Professions Act* related to Sexual Orientation, Gender Expression or Gender Identity;

“Sexual Orientation” refers to the personal experience of identifying who a person is attracted to sexually. For clarity, lesbian, gay, bisexual, heterosexual, queer, pansexual and asexual are some terms used to refer to Sexual Orientation; and

“Unregulated Therapy Services” means the occupation of providing unregulated techniques, practices, treatments or services outside of the authority of the

Regulated Health Professions Act and undertaken with the aim of changing a person's Sexual Orientation or to change a person's Gender Identity or Gender Expression.

2 Licence Administration

- 2.1 The City of Kingston's Building and Enforcement Services Division is responsible for the administration and enforcement of this By-Law.
- 2.2 This By-Law applies to every Person who Advertises or provides or intends to Advertise or provide Regulated Therapies and to every Person who Advertises or provides or intends to Advertise or provide Unregulated Therapy Services within the Municipality.
- 2.3 Every Person Authorized to provide Regulated Therapies shall apply for a Licence prior to providing Regulated Therapies.
- 2.4 Notwithstanding Section 2.3 of this By-Law, separate Licences are not required:
 - a. for each individual who Advertises or provides Regulated Therapies under the authority or direction or referral of a Licensee; or
 - b. for the professionals, administrative assistants and others who support the provision of Regulated Therapies through referrals or support services to Licensees.
- 2.5 A Licence under this By-Law is valid for the year the Licence was issued and may be renewed for each calendar year thereafter by paying the applicable annual Licence fee.
- 2.6 A Licence issued under this By-Law shall expire at the end of the calendar year if it is not renewed prior to that date.
- 2.7 Every application for a new Licence or a renewal of an existing Licence shall be submitted to the Division in the form as prescribed by the Director and shall be accompanied by such information and such additional documentation as may be required by the Director to establish that the Person making the application is Authorized to provide Regulated Therapies. Failure to provide such information and documentation shall result in the application being deemed incomplete.
- 2.8 Every application for a new Licence or a renewal of an existing Licence shall be accompanied by the full Licence fee, as set out in the Fees and Charges By-Law. Failure to provide the full Licence fee shall result in the application being deemed

incomplete.

- 2.9 The Director shall issue or renew a Licence to any Person who meets the requirements of this By-Law except where the past conduct of the Person affords the Director reasonable grounds to believe that the Person has carried out or intends to carry out Unregulated Therapy Services.
- 2.10 The Director may, when issuing or renewing a Licence, or at any time the Director deems appropriate, impose such terms or conditions on the Licence as the Director considers appropriate for the purposes of prohibiting and restricting the provision of Unregulated Therapy Services, including but not limited to:
 - a. a requirement to provide the names of each Person employed in the practice of providing Regulated Therapies; and
 - b. a condition that the Licensee assumes full responsibility for ensuring that the Person employed in the practice of providing Regulated Therapies complies with the requirements of this By-Law.
- 2.11 Should the Director refuse to issue or renew a Licence under this By-Law or, should the Director impose terms or conditions on a Licence, the Director shall provide written reasons therefor.
- 2.12 Each Person issued a Licence under this By-Law shall:
 - a. comply with all the terms and conditions of the Licence and this By-Law;
 - b. notify the Director, in writing, within fourteen (14) days of any change to the information or documentation submitted with the application for a Licence; and
 - c. provide such updated information or documentation as may be required by the Director in accordance with the reasonable timeline required by the Director,and failing to do so may result in the revocation or suspension of the Licence and/or the exercise of any other remedies as provided by this By-Law.
- 2.13 A Person whose application for a new Licence or a renewal of an existing Licence has been refused, a Person who disagrees with any of the terms or conditions imposed on a Licence, or a Person whose Licence has been suspended or revoked, may, within fifteen (15) days of being notified of the refusal, imposition of terms or conditions, suspension or revocation, as the case may be, submit an application to appeal to the Appeals Committee for a review of the decision.
- 2.14 An application to appeal shall be submitted in writing in the form prescribed by the

Director to the City Clerk's office and shall be accompanied by the full appeal fee as set out in the Fees and Charges By-Law.

2.15 On appeal, the Appeals Committee may affirm the decision of the Division to refuse, suspend or revoke the Licence, add or alter any or all of the terms or conditions imposed upon a Licence, or direct the Division to issue, renew or reinstate the Licence, with or without terms or conditions.

2.16 Decisions of the Appeals Committee are final.

3 Prohibitions

3.1 No Person shall provide Unregulated Therapy Services or shall cause or permit the provision of Unregulated Therapy Services.

3.2 No Person shall operate or permit to be operated a business, trade or occupation that includes the Advertising or providing of Unregulated Therapy Services.

3.3 No Person shall Advertise or permit the Advertising of a business, trade or occupation that includes the provision of Unregulated Therapy Services.

3.4 No Person who holds a valid Licence shall fail to comply with any of the terms and conditions of any such Licence.

3.5 No Person shall make a referral to a Person offering or providing Unregulated Therapy Services outside of the jurisdiction of this By-law.

3.6 No Person shall cause or permit the Advertising or provision of Unregulated Therapy Services upon any lands or buildings owned or otherwise controlled by that Person.

3.7 No Person shall knowingly submit an application for a Licence that contains false or misleading information.

4 Exemptions

4.1 The requirements of this By-Law do not apply to acts which constitute the *bona fide* exercise of the following applicable exceptions, including those set out in the *Regulated Health Professions Act*, provided that the exercise of any such exception is conducted in the absence of any breach of trust or fiduciary interest or in the context of a vulnerability affecting capacity:

- a. fulfilling the requirements to become a member of a health profession and the act is within the scope of practice of the profession and is done under the supervision or direction of a member of the profession;

- b. treating a person by prayer or spiritual means in accordance with the tenets of the religion of the person giving the treatment;
- c. treating a member of the person's household and the act is a controlled act set out in paragraph 1, 5 or 6 of subsection 27(2) of the *Regulated Health Professions Act*, or
- d. communications made in the course of counselling about emotional, social, educational or spiritual matters as long as it is not a communication that the *Regulated Health Professions Act* or other applicable law only authorizes a qualified Person to make.

5 Enforcement

- 5.1 The provisions of this By-Law may be enforced by an Officer, or other authorized employee or agent of the City of Kingston.
- 5.2 No Person shall obstruct or hinder or attempt to obstruct or hinder an Officer or other authorized employee or agent of the City of Kingston in the exercise of a power or the performance of a duty under this By-Law.
- 5.3 Subject to Section 5.6 below, every Officer shall have the right to enter lands to conduct an inspection to determine whether the provisions of this By-Law are being complied with in accordance with the provisions of Sections 435 and 436 of the *Municipal Act*.
- 5.4 Where an Officer has reasonable grounds to believe that an offence under this By-Law has been committed by a Person, the Officer may require the name, address, and proof of identity of that Person.
- 5.5 Failure to provide proof of identification satisfactory to an Officer when requested to do so pursuant to Section 5.4 of this By-Law shall constitute obstruction of an Officer under Section 5.2 of this By-Law.
- 5.6 No Person exercising a power of entry on behalf of the City of Kingston shall enter or remain in any room or place actually being used as a dwelling unit unless:
 - a. the consent of the occupier is obtained, the occupier first having been informed that the right of entry may be refused and, if refused, may only be made under the authority of an order issued under Section 438 of the *Municipal Act*, a warrant issued under Section 439 of the *Municipal Act* or a warrant under Section 386.3 of the *Municipal Act*;
 - b. an order issued under Section 438 of the *Municipal Act* is obtained;

- c. a warrant issued under Section 439 of the *Municipal Act* is obtained;
 - d. a warrant issued under Section 386.3 of the *Municipal Act* is obtained;
 - e. the delay necessary to obtain an order under Section 438 of the *Municipal Act*, to obtain a warrant under Section 439 of the *Municipal Act*, or to obtain the consent of the occupier would result in an immediate danger to the health or safety of any Person; or
 - f. the City of Kingston has given notice of its intention to enter to the occupier of the land as required under Subsection 435(2) of the *Municipal Act* and the entry is authorized under Sections 79, 80 or 446 of the *Municipal Act*.
- 5.7 A refusal of consent to enter or to remain in a room or place actually used as a dwelling unit does not constitute hindering or obstruction within the meaning of Section 5.2 of this By-Law unless the City of Kingston is acting under an order under Section 438 of the *Municipal Act* or a warrant under Section 439 of the *Municipal Act* or in the circumstances described in clause 437 (d) or (e) of the *Municipal Act*.

6 Orders

- 6.1 If the Director and/or an Officer determines that a Person has contravened a provision of this By-Law, the Director and/or an Officer may issue an Order requiring the Person who contravened the By-Law or who caused or permitted the contravention, to discontinue the contravening activity and take any reasonable steps to correct the contravention.
- 6.2 No Person shall fail to comply with an Order issued pursuant to Section 6.1 of this By-Law.
- 6.3 An Order issued pursuant to Section 6.1 of this By-Law shall set out:
- a. reasonable particulars of the contravention adequate to identify the contravention; and
 - b. the steps that must be taken to correct the contravention and the date by which there must be compliance with the Order.

7 Offence and Penalty Provisions

- 7.1 Every Person who contravenes any provision of this By-Law shall, upon issuance of a penalty notice in accordance with City of Kingston By-Law Number 2020-069, be liable to pay to the City of Kingston an administrative monetary penalty for each day on which the contravention occurs, and City of Kingston By-Law Number 2020-069 applies to each administrative monetary penalty issued pursuant to this

By-Law.

- 7.2. Notwithstanding Section 7.1 of this By-Law, every Person who contravenes any provision of this By-Law is guilty of an offence as provided for in the *Provincial Offences Act*, R.S.O. 1990, c. p. 33.
- 7.3 Upon conviction, every Person who contravenes any provision of this By-Law is liable to a fine of:
- a. for a first offence, a maximum of not more than Five Thousand Dollars (\$5,000);
 - b. for a second offence, a maximum of not more than Twenty Thousand Dollars (\$20,000); and
 - c. for a third or subsequent offence, a maximum of not more than One Hundred Thousand Dollars (\$100,000);
- 7.4 As provided for in Section 431 of the *Municipal Act*, if a Person has been convicted of an offence under this By-Law, the Ontario Court of Justice or any Court of competent jurisdiction may, in addition to any penalty imposed on the Person convicted, issue an order:
- a. prohibiting the continuation or repetition of the offence by the Person convicted; or
 - b. requiring the Person convicted to correct the contravention in the manner and within the period that the Court considers appropriate.
- 7.5 If a Person is required to pay an administrative penalty under Section 7.1 in respect of a contravention of this By-Law, the Person shall not be charged with an offence in respect of the same contravention.

8 Other Remedies

- 8.1 In accordance with Sections 398(2) and 441 of the *Municipal Act*, the Treasurer of the City of Kingston may add unpaid fees, charges and fines under this By-Law to the tax roll and collect them in the same manner as property taxes.
- 8.1 In addition to any other process set out herein, the City of Kingston may establish and use any other available dispute resolution mechanisms and enforcement measures if an amount assessed for outstanding tax, penalties or interest remains unpaid after it is due, including measures such as garnishment or the seizure and sale of property.
- 8.2 The City of Kingston may seek any other remedy under law or equity that may be available and the City of Kingston deems appropriate in support of prohibiting and

restricting the provisions of Unregulated Therapy Services, including but not limited to:

- a. advising the applicable authorities with the Ministry of Health and Long-Term Care of potential violations of the *Regulated Health Professions Act*, which may constitute an offence under section 40 to 42 of that Act;
- b. bringing an application under subsection 34(5) of the *Human Rights Code*, R.S.O. 1990, c.H.19 to the Human Rights Tribunal of Ontario on behalf of another person for an order under section 45.2, if the other person is entitled to bring an application and consents to the application; and
- c. advising any applicable professional bodies of any violation of this By-Law.

9 Interpretation

9.1 This By-Law shall not be interpreted as exempting any Person from the requirement to comply with any other City by-law or federal or provincial legislation.

9.2 Any reference herein to any by-law or Act of any government shall be construed as a reference thereto as amended or re-enacted from time to time or as a reference to any successor thereto then in force.

10 Validity

10.1 If a Court of competent jurisdiction declares any provision, or any part of a provision, of this By-Law to be invalid, or to be of no force and effect, it is the intention of Council in enacting this By-Law that each and every provision of this By-Law authorized by law, be applied and enforced in accordance with its terms to the extent possible according to law.

11 Short Title of By-Law

11.1 This By-Law may be referred to as the “Regulated Health Services By-Law”.

12 Commencement

12.1 This By-Law shall come into force and take effect on January 1, 2022.

12.2 Any Authorized Person who, as of the date of the coming into force of this By-Law, is Advertising or providing Regulated Therapies, may continue to Advertise or provide Regulated Therapies, provided that the Person applies for a Licence by April 1, 2022.

Given All Three Readings and Passed: [Meeting Date]

John Bolognone
City Clerk

Bryan Paterson
Mayor

By-Law Number 2021-XX

A By-Law to Amend By-Law Number 2005-10 “A By-Law To Establish Fees And Charges To Be Collected By The Corporation Of The City Of Kingston”

Passed: [Meeting Date]

Whereas the Council of The Corporation of the City of Kingston deems it advisable to amend By-Law Number 2005-10 “A By-Law To Establish Fees And Charges To Be Collected By The Corporation Of The City Of Kingston”, as amended;

Therefore Be it Resolved That the Council of the Corporation of the City of Kingston hereby enacts as follows:

1. By-Law Number 2005-10 “A By-Law To Establish Fees And Charges To Be Collected By The Corporation Of The City Of Kingston”, as amended, is hereby further amended to add as follows:

1.1. Schedule A, Building & Licensing, Business Licenses is amended by adding

Business License	Flat Fee	HST
Medical therapies related to sexual orientation, gender expression and gender identity provided pursuant to the <i>Regulated Health Professions Act</i>	\$10.00	No

2. This By-Law shall come into force and take effect on January 1, 2022.

Given All Three Readings and Passed: [Meeting Date]

John Bolognone, City Clerk

Bryan Paterson, Mayor

By-Law Number 2021-XX

A By-Law to Amend By-Law Number 2010-205, "A By-Law to Define the Mandate and Meeting Procedures for Committees Established by the Corporation of the City of Kingston"

Passed: [Meeting Date]

Whereas the Council of The Corporation of the City of Kingston deems it advisable to amend By-Law Number 2010-215, "A By-Law to Define the Mandate and Meeting Procedures for Committees Established by the Corporation of the City of Kingston", as amended;

Therefore Be it Resolved That the Council of the Corporation of the City of Kingston hereby enacts as follows:

1. By-Law Number 2010-205 of the Corporation of the City of Kingston entitled "A By-Law to Define the Mandate and Meeting Procedures for Committees Established by the Corporation of the City of Kingston", as amended, is hereby further amended as follows:

1.1. Schedule C-1, Legislated Committees, Mandate/Terms of Reference is amended by adding a new bullet after the seventh bullet, as follows: "Section 2.13 of By-Law Number 2021-____, to license, regulate and govern licenses issued in relation to certain medical therapies provided pursuant to the *Regulated Health Professions Act.*"

2. This By-Law shall come into force and take effect on January 1, 2022.

Given All Three Readings and Passed: [Meeting Date]

John Bolognone, City Clerk

Bryan Paterson, Mayor

By-Law Number 2021-XX

A By-Law to Amend By-Law Number 2015-159, “A By-Law to Establish Procedures for the Appeals Committee to Conduct Appeals to Property Standards Orders in accordance with the Building Code Act, and Appeals to License and Permit Decisions in Accordance with the City of Kingston Licensing By-Laws”

Passed: [Meeting Date]

Whereas the Council of The Corporation of the City of Kingston deems it advisable to amend By-Law Number 2015-159, “A By-Law to Establish Procedures for the Appeals Committee to Conduct Appeals to Property Standards Orders in accordance with the Building Code Act, and Appeals to License and Permit Decisions in Accordance with the City of Kingston Licensing By-Laws”, as amended;

Therefore Be it Resolved That the Council of the Corporation of the City of Kingston hereby enacts as follows:

1. By-Law Number 2015-159 of The Corporation of the City of Kingston entitled “A By-Law to Establish Procedures for the Appeals Committee to Conduct Appeals to Property Standards Orders in accordance with the Building Code Act, and Appeals to License and Permit Decisions in Accordance with the City of Kingston Licensing By-Laws”, as amended, is hereby further amended as follows:

1.1. Section 3 is amended to include clause h) which reads as follows: “Section 2.13 of By-Law Number 2021-____, to license, regulate and govern licenses issued in relation to certain medical therapies provided pursuant to the *Regulated Health Professions Act*.”

2. This By-Law shall come into force and take effect on January 1, 2022.

Given All Three Readings and Passed: [Meeting Date]

John Bolognone, City Clerk

Bryan Paterson, Mayor

By-Law Number 2021-XX

A By-Law to Amend By-Law Number 2020-69, “A By-Law to Establish a Process for Administrative Penalties”,

Passed: [Meeting Date]

Whereas the Council of The Corporation of the City of Kingston deems it advisable to amend By-Law Number 2020-69, “A By-Law to Establish a Process for Administrative Penalties”, as amended;

Therefore Be it Resolved That the Council of the Corporation of the City of Kingston hereby enacts as follows:

1. By-Law Number 2020-69, “A By-Law to Establish a Process for Administrative Penalties”, as amended, is hereby further amended to add as follows:

1.1. Schedule A, Designated By-Laws, is amended to include the following:

9. By-Law Number 2021-XX, “A By-Law to Create a Business License for Certain Health Services Authorized under the Regulated Health Professions Act in the City of Kingston”; and

1.2. Schedule B, Administrative Monetary Penalties, is amended to include the following:

By-Law Number 2021-XX

A By-Law to Create a Business License for Certain Health Services Authorized under the Regulated Health Professions Act in the City of Kingston

By-Law section	Short wording	Penalty amount
2.3	Provide Regulated Therapies prior to applying for a Licence	\$100
3.4	Fail to comply with the terms or conditions of a Licence	\$100
3.6	Owner - cause or permit Advertising of Unregulated Therapy Services	\$200

Exhibit F to Report Number 21-236

By-Law section	Short wording	Penalty amount
3.6	Owner – cause or permit the provision of Unregulated Therapy Services	\$200
3.7	Submit an application containing false or misleading information	\$200
5.2	Obstruct an Officer	\$500
6.2	Fail to comply with an Order	\$200

2. This By-Law shall come into force and take effect on January 1, 2022.

Given All Three Readings and Passed: [Meeting Date]

John Bolognone, City Clerk

Bryan Paterson, Mayor

Exhibit G to Report Number 21-236

Set Fine Schedule

Column 1 Offence	Column 2 Section	Column 3 Set Fine	Column 4 Total Payable (including court costs)
Provide Regulated Therapies prior to applying for a Licence	2.3	\$250	\$305
Provide Unregulated Therapy Services	3.1	\$750	\$880
Cause or permit the provision of Unregulated Therapy Services	3.1	\$750	\$880
Operate or permit the operation of a business, trade or occupation that Advertises Unregulated Therapy Services	3.2	\$750	\$880
Operate or permit the operation of a business, trade or occupation that provides Unregulated Therapy Services	3.2	\$750	\$880
Advertise or permit the Advertising of a business, trade or occupation that provides Unregulated Therapy Services	3.3	\$500	\$615
Fail to comply with the terms and conditions of a Licence	3.4	\$500	\$615
Make a referral to a Person offering or providing Unregulated Therapy Services	3.5	\$750	\$880
Cause or permit Advertising of Unregulated Therapy Services upon lands or buildings	3.6	\$250	\$305
Cause or permit provision of Unregulated Therapy Services upon lands or buildings	3.6	\$250	\$305
Submit an application containing false or misleading information	3.7	\$500	\$615
Obstruct or hinder or attempt to obstruct or hinder an Officer	5.2	\$500	\$615
Fail to comply with an Order	6.2	\$500	\$615