**File No.**\_\_\_\_\_\_\_\_\_\_

**NOTICE OF CONSTITUTIONAL QUESTION**

COURTS OF JUSTICE ACT

BEFORE THE PAY EQUITY HEARINGS TRIBUNAL

**Between:**

**Applicant,**

‑ and ‑

**Responding Party.**

1. The \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ intends to question the constitutional validity (or applicability) of (*identify the legislative provision or common law rule)*

or to claim a remedy under subsection 24(1) of the *Canadian Charter of Rights and Freedoms* in relation to an act or omission of the Government of Ontario (or Canada)

If known, *date* and *place of hearing*:

2. The following are the material facts giving rise to the constitutional question: (*Set out concisely the material facts that relate to the constitutional question. Where appropriate, attach pleadings or reasons for decision.)*

3. The following is the legal basis for the constitutional question: *(Set out concisely the legal basis for each question, identifying the nature of the constitutional principles to be argued.)*

4. Attached documents: (*Provide a list of the documents you are filing together with this form. Name your documents/attachments so that they are easily identifiable)*

**DATED** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Signature for the Party giving Notice**

*(*This notice must be served as soon as the circumstances requiring it become known and, in any event, at least 15 days before the question is to be argued, unless the Tribunal orders otherwise. *See Rule 48 of the Rules of Practice of the Pay Equity Hearings Tribunal.)*

**CERTIFICATE OF DELIVERY**

1. I certify that a completed copy of the Notice of Constitutional Question was delivered to [ ] the Attorney General of Ontario, [   ] the Attorney General of Canada, and [ ] any other affected party named in the application or in a response filed by another party, as follows:

The Attorney General of Ontario

Constitutional Law Branch

4th Floor

720 Bay Street

Toronto, Ontario M5G 2K1

Fax: (416) 326–4015

Attorney-General of Canada or Justice Building

120 Adelaide Street West 284 Wellington Street

Suite #400 Ottawa, Ontario K1A 0H8

Toronto, Ontario M5H 1T1 Fax: (613) 954-0811

Fax: (416) 973-3004

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Name of Organization and name Address or facsimile number and title of person to whom to which documents were

documents were delivered delivered

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Name of Organization and name Address or facsimile number and title of person to whom to which documents were

documents were delivered delivered

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Name of Organization and name Address or facsimile number and title of person to whom to which documents were

documents were delivered delivered

**[Complete either section 2 or section 3** **below.]**

2. The documents were delivered by [   ] facsimile transmission or [   ]

hand delivery on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ at \_\_\_\_\_\_\_\_\_\_ a.m./p.m.

(Date)

3. The documents were given to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ on

(Name of Courier)

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, and I was advised that they would be delivered

(Date)

not later than \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, at \_\_\_\_\_\_\_\_\_\_ a.m. /p.m. (Date)

NAME: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

TITLE:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

SIGNATURE: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**IMPORTANT NOTES**

The Tribunal’s forms, Notices, Information Bulletins, Rules of Practice and Filing Guide may be obtained from its website http://www.peht.gov.on.ca or by calling 416-326-7500 or toll-free at 1-877-339-3335.

**FRENCH OR ENGLISH**

Vous avez le droit de communiquer et recevoir des services en français et en anglais. Le Tribunal n’offre pas de services d’interprétation dans les langues autres que le français et l’anglais.

You have the right to communicate and receive services in either English or French. The Tribunal does not provide translation services in languages other than English or French.

**CHANGE OF CONTACT INFORMATION**

Notify the Tribunal immediately of any change in your contact information. If you fail to do so, correspondence sent to your last known address (including email) may be deemed to be reasonable notice to you and the case may proceed in your absence.

**ACCESSIBILITY AND ACCOMMODATION**

The Tribunal is committed to providing an inclusive and accessible environment in which all members of the public have equitable access to our services. We will aim to meet our obligations under the *Accessibility for Ontarians with Disabilities Act* in a timely manner. Please advise the Tribunal if you require any accommodation to meet your individual needs. The Tribunal’s Accessibility Policy can be found on its website.

**COLLECTION AND DISCLOSURE OF INFORMATION AND DOCUMENTS**

Any relevant information that you provide to the PEHT must in the normal course be provided to the other parties to the proceeding. Personal information collected on this form and in written or oral submissions may be used and disclosed for the proper administration of the PEHT’s governing legislation and case processing. In addition, the *Tribunal Adjudicative Records Act, 2019* requires that the PEHT make adjudicative records (which include applications filed and a listing of such applications) available to the public. The PEHT has the power to make part or all of an adjudicative record confidential. The *Freedom of Information and Protection of Privacy Act* may also address the treatment of personal information. More information is available on the PEHT’s website www.peht.gov.on.ca. If you have any questions concerning the collection of information or disclosure of adjudicative records, contact the Solicitors’ Office at the number listed above or in writing to the PEHT, 505 University Ave., 2nd floor, Toronto, ON M5G 2P1.

**E-FILING AND E-MAIL**

The Rules of Practice and Filing Guide set out the permitted methods of filing. Forms and submissions may be filed with the Tribunal by a variety of methods including the Tribunal’s e-filing system, but not by e-mail. Note that the efiling system is not encrypted and e-filing is optional. Contact the Client Services Coordinator at the numbers listed above if you have questions regarding e-filing or other filing methods. If you provide an e-mail address with your contact information, the Tribunal will in most cases communicate with you by e-mail from an out-going only generic account. Incoming emails are not permitted.

**HEARINGS AND DECISIONS**

Hearings are open to the public unless the Tribunal decides that matters involving public security may be disclosed or if it believes that disclosure of financial or personal matters would be damaging to any of the parties. Hearings are not recorded and no transcripts are produced. The Tribunal issues written decisions, which may include the name and personal information about persons appearing before it. Decisions are available to the public from a variety of sources including the Ontario Workplace Tribunals Library and www.canlii.org. Some summaries and decisions may be found on the Tribunal’s website.