HAMILTON POLICE SERVICES BOARD

- INFORMATION -

DATE:	2019 February 14
REPORT TO:	Chair and Members Hamilton Police Services Board
FROM:	Eric Girt Chief of Police
SUBJECT:	***Year-End Report: Hamilton Police Service Auction Account - 2018 PSB 19-005***

BACKGROUND:

The Hamilton Police Service is one of several municipal police organizations that utilizes the services of Police Auctions Canada, an internet based company that holds public auctions online to sell property that is acquired by police services in compliance with the *Police Services Act*.

Part IX (Regulations and Miscellaneous) of the *Police Services Act* authorizes the sale of property in the possession of a police service. Sections 132(1) and 132(2) of the Act provides as follows:

> *132. (1) This section applies to personal property of all kinds, except firearms and money, that comes into the possession of a police force under either of the following circumstances:*
>
> 1. *The property was stolen from its owner or was found abandoned in a public place, and the chief of police is unable to determine who owns it.*
>
> 2. *The property was seized by a member of the police force in the lawful execution of his or her duties, all legal proceedings in respect of the property have been completed, there is no court order for its disposition and there is no legal requirement, apart from this section, that it be retained or disposed of.*
>
> *132. (2) The chief of police may cause the property to be sold, and the Board may use the proceeds for any purpose that it considers in the public interest.*

These provisions authorize the Chief to sell property that comes into the possession of the Police Service and permits the Board to use the proceeds for any purpose that it considers in the "public interest". The term "public interest" is not defined in the *Act* and connotes a very broad discretion for the Board to deal with these funds.

Auction Account dispositions include the purchase of tickets to attend various community and charitable related events and in support of community organizations through sponsorship requests. All dispositions of funds from the Auction Account are approved by the Board.

Reports are presented to the Board quarterly on all dispositions from the Auction account for Board approval. In addition, a year-end report summarizing all proceeds and dispositions (cash basis) for the previous year is presented to the Board.

The following table summarizes the cash flow in the Auction Account (proceeds and dispositions - cash basis);

Beginning Bank Balance – January 1, 2018		**$ 7,306.13**
Total Proceeds from Sale of Property	$ 31,195.24	
Total Dispositions of Funds Approved by the HPSB	($22,654.72)	
Net Increase (Decrease) to Bank Balance	$ 8,540.52	**$ 8,540.52**
Bank Charges		($ 45.00)
Ending Bank Balance - December 31, 2018		**$ 15,801.65**

CONCLUSION

As per the December 31, 2018 bank statement, the Auction Account Balance was $15,801.65.



Eric Girt
Chief of Police

EG/fm

cc: Staff Sergeant Frank Miscione – Executive Officer to Chief of Police