

# Fire Safety Act Administrative Penalty Policy and Procedures



Office of the  
Fire Commissioner



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# Introduction

## Purpose

This document sets out the Office of the Fire Commissioner (OFC) policy and procedures for imposing an administrative penalty under the [Fire Safety Act](#). The Fire Safety Act Administrative Penalty Policy and Procedures are intended to assist the OFC in maintaining a fair and consistent process for considering and imposing administrative penalties, which meets the requirements of the Fire Safety Act and the principles of administrative justice.

## Legislative framework for administrative penalties

Administrative penalties are governed by Part 8, Division 2, sections 33 to 35 of the Fire Safety Act.

In addition, section 4 of the [Fire Safety Regulation 248/2024](#) establishes the authority of the fire commissioner to impose an administrative penalty for each day of a continuing contravention.

## Authority to impose an administrative penalty

The standard of proof necessary to impose an administrative penalty on a person is based on a 'balance of probabilities'. This means that the fire commissioner, or their delegate, must be satisfied that it is more likely than not that a person failed to comply with certain orders or contravened certain provisions of the Fire Safety Act or the regulations (BC Fire Code) for an administrative penalty to be imposed.

Section 33(1) of the Fire Safety Act authorizes the fire commissioner or their delegate to impose an administrative penalty on a person if satisfied, on a balance of probabilities, that a person has done one of the following things:

- ▶ They have failed to comply with a fire inspector order under section 11 of the Fire Safety Act.
- ▶ They have failed to comply with a preventive evacuation order under section 14 of the Fire Safety Act.
- ▶ They have contravened the Fire Safety Act by failing to produce a record or information about a premises that was requested by a fire inspector under section 10(6) or by a fire investigator under section 26(5).

## Who may impose an administrative penalty

Section 33 of the Fire Safety Act authorizes the fire commissioner to impose administrative penalties. However, section 5(1) of the Fire Safety Act enables the fire commissioner to delegate one or more of the fire commissioner's powers or duties, including the authority to impose administrative penalties.

## Local authorities may not impose an administrative penalty

Section 33(7) of the Fire Safety Act confirms that a local authority may not impose administrative penalties using any of their local government statutes.

## Penalty for failure to comply with an order

### Maximum amount

Section 33(2) of the Fire Safety Act establishes the maximum amount of an administrative penalty that may be imposed when a person has failed to comply with a fire inspector order or a preventive evacuation order. The maximum amount is:

- ▶ \$25,000 if the person is an individual, and
- ▶ \$50,000 if the person is a corporation.

### Factors that must be considered when deciding the amount of an administrative penalty

When deciding on the amount of an administrative penalty for a person who failed to comply with any order made under section 11 or section 14 of the Fire Safety Act, section 33(3) of the Fire Safety Act requires that the fire commissioner must consider the following:

- ▶ previous enforcement actions taken against the person under the Fire Safety Act,
- ▶ the gravity and magnitude of the contravention in relation to which the order was made or the failure to comply with the order,
- ▶ whether the contravention in relation to which the order was made or the failure to comply was repeated or continuous,
- ▶ whether the contravention in relation to which the order was made or the failure to comply was deliberate,

- ▶ any economic benefit the person may have gained from the contravention in relation to which the order was made or the failure to comply with the order, and
- ▶ the person's efforts to correct the contravention in relation to which the order was made or the failure to comply with the order.

## Penalty for failure to comply with a request for records or information

### Maximum penalty

Under section 33(4) of the Fire Safety Act, the maximum administrative penalty for failing to produce a record or information about a premises requested by a fire inspector or fire investigator (section 33(1)(b)) is established by regulation. Section 3 of the [Fire Safety Regulation 248/2024](#) establishes:

- ▶ \$25,000 if the person is an individual, and
- ▶ \$50,000 if the person is a corporation.

### Factors that must be considered when deciding the amount of an administrative penalty

When deciding on the amount of an administrative penalty for a person who failed to produce a record or information, section 33(5) requires the fire commissioner must consider the following:

- ▶ previous enforcement actions taken against the person under the Fire Safety Act,
- ▶ the gravity and the magnitude of the contravention,
- ▶ whether the contravention was repeated or continuous,
- ▶ whether the contravention was deliberate,

- ▶ any economic benefit the person may have gained from the contravention, and
- ▶ the person's efforts to correct the contravention.

This list is similar to the considerations for non-compliance with an order.

However, since no order is issued for these contraventions, these factors apply to the contravention itself.

## Serving a notice of administrative penalty

Under section 33(6) of the Fire Safety Act, an administrative penalty may be imposed by serving the person with an administrative notice. The notice must be in the form approved by the fire commissioner and includes:

- ▶ the name of the person who is subject to the administrative penalty,
- ▶ a copy of the order the person failed to comply with, if applicable,
- ▶ when the person has contravened a request for information, a copy of the request,
- ▶ the amount of the administrative penalty,
- ▶ the date by which the administrative penalty must be paid, and
- ▶ the person's right to request a review of the decision to impose an administrative penalty under section 43 of the Fire Safety Act.

## Roles and responsibilities

This section sets out the roles and responsibilities of those involved in requesting, considering, and serving administrative penalties under the Fire Safety Act.

### Fire commissioner

The fire commissioner is responsible for:

- ▶ overseeing all aspects of the administrative penalty process, and approving the policy and procedures for imposing administrative penalties including any related forms, and
- ▶ delegating the authority to issue administrative penalties.

### Deputy fire commissioner

The deputy fire commissioner is responsible for:

- ▶ exercising the delegated authority of the fire commissioner, as required,
- ▶ ensuring the local authority and its designated fire inspectors and fire investigators have exhausted all authorities and processes available within their local government bylaws to achieve compliance from the owner of the premises before accepting a request for the fire commissioner to impose an administrative penalty,
- ▶ evaluating administrative penalty requests, deciding whether or not to impose a penalty and confirms the penalty amount,
- ▶ preparing written reasons for administrative penalty decisions and issuing the notice of administrative penalty,
- ▶ developing the recommended administrative penalty amounts to the fire commissioner or delegate,

- ▶ collecting and considering information from the local authority representative who is requesting the administrative penalty and the assigned OFC fire service advisor.

## Fire service advisor

An OFC fire service advisor is responsible for:

- ▶ advising local authorities (including its fire inspectors and fire investigators) on the Fire Safety Act and regulations, encouraging the use of local government bylaws and other available processes to achieve voluntary compliance with fire safety legislation and regulations, and providing advice on the appropriate use of administrative penalties,
- ▶ assisting local authorities (including its local fire inspectors and fire investigators) with drafting requests for administrative penalties, and,
- ▶ when the fire service advisor is using the delegated authority from the fire commissioner as a fire inspector or fire investigator, completing, and sending requests for administrative penalties to the fire commissioner or delegate when fire inspector orders or requests for information are not complied with.

## Office of the Fire Commissioner administrative officer

The OFC administrative officer is responsible for:

- ▶ maintaining and updating the OFC administrative penalty file and summary record of the administrative penalty process,
- ▶ tracking the due date and payment status for administrative penalties,
- ▶ corresponding, as required, with each person who has been imposed with and owes an administrative penalty, and

- ▶ coordinating with the Ministry of Public Safety and Solicitor General (PSSG), Corporate Management Services Branch Finance staff to track payments and debts for administrative penalties.

## Local authority

A local authority, through its designated fire inspectors and fire investigators, is responsible for:

- ▶ considering the application of local bylaws to resolve the issue,
- ▶ liaising with an OFC fire service advisor regarding the appropriate use of preventive evacuation orders,
- ▶ resolving, after consultation with an OFC fire service advisor, when it is appropriate to request additional enforcement to address non-compliance with a preventive evacuation order,
- ▶ completing a request for administrative penalty with the assistance of an OFC fire service advisor and submitting the request to the OFC,
- ▶ providing a copy of the request for administrative penalty to the person on whom the penalty may be imposed and informing the OFC when the document has been delivered, and
- ▶ providing any additional information or documentation required by the fire commissioner or delegate to make the decision about imposing an administrative penalty.

## Local authority designated fire inspector

A fire inspector is responsible for:

- ▶ enforcing the Fire Safety Act and regulations via fire safety inspections and orders as needed,

- ▶ liaising with an OFC fire service advisor regarding non-compliance issues and working to achieve voluntary compliance with local fire bylaws or the Fire Safety Act and regulations,
- ▶ consulting with an OFC fire service advisor, as needed, on issuing a fire inspector order under section 11 of the Fire Safety Act,
- ▶ determining, in consultation with an OFC fire service advisor, whether requesting an administrative penalty under section 33(1) of the Fire Safety Act is appropriate,
- ▶ completing a request for administrative penalty, with the assistance of an OFC fire service advisor, and submitting the completed request to the OFC,
- ▶ providing a copy of the request for administrative penalty to the person on whom the penalty may be imposed, and informing the OFC when the request has been delivered, and
- ▶ providing any additional information or documentation required by the fire commissioner or their delegate to make the decision about imposing an administrative penalty.

## Local authority designated fire investigator

A fire investigator is responsible for:

- ▶ performing the functions and fulfilling the obligations set out in sections 24 to 27 of the Fire Safety Act, with respect to investigations of fire incidents,
- ▶ liaising with an OFC fire service advisor regarding any failures to provide records or information when requested with respect to fire investigations,
- ▶ resolving, in consultation with an OFC fire service advisor, whether requesting an administrative penalty to address any failure to provide information or records for an investigation is appropriate,

- ▶ completing the request for administrative penalty with the assistance of an OFC fire service advisor, and submitting the request to the OFC,
- ▶ providing a copy of the request for administrative penalty to the person on whom the penalty may be imposed, and informing the OFC when the request has been delivered, and
- ▶ providing any additional information or documentation required by the fire commissioner or delegate to make the decision about imposing an administrative penalty.

# Policy

## Goals of the OFC administrative penalty process

The goals of the OFC administrative penalty process policies are:

- ▶ To deter contraventions of, and encourage voluntary compliance with, the Fire Safety Act and regulations (BC Fire Code).
- ▶ To provide more effective and efficient response to situations of non-compliance with or contraventions of the Fire Safety Act.
- ▶ To establish effective administrative penalties that are consistently applied.
- ▶ To provide fair and just decision-making.

## Requests for administrative penalties

A request for an administrative penalty can be submitted by:

- (a) a local authority's designated fire inspector, or a person delegated by the fire commissioner, who:
  - (i) has issued a fire inspector order under section 11(1) of the Fire Safety Act that has not been complied with, or
  - (ii) has requested records or information under section 10(6) of the Fire Safety Act in relation to a fire safety inspection which have not been provided,
- (b) a local authority's designated fire investigator, or a person delegated by the fire commissioner, who has requested records or information under section 26(5) of the Fire Safety Act which have not been provided, and

(c) a local authority, the fire commissioner or a person delegated by the fire commissioner, who has issued a preventive evacuation order under section 14 of the Fire Safety Act that has not been complied with.

A request for administrative penalty must be made in writing and submitted using the form approved by the fire commissioner (see Request for Administrative Penalty form posted on the BC government website [here](#)).

Before making a request for an administrative penalty, a local authority or person designated by the local authority must exhaust all reasonably available powers within their jurisdictional and legislative authority to achieve voluntary compliance with the Fire Safety Act and its regulations.

## Notification of request and opportunity to make submissions

### Notifying the person on whom a penalty may be imposed

#### Notification of intent

A person (the local authority representative, or a designated fire inspector or designated fire investigator) who intends to request an administrative penalty must inform the person on whom the penalty may be imposed of the intention to do so. Notification of this intent must occur before the request for administrative penalty form is sent to the OFC.

#### Notification of request

A person who requests an administrative penalty must provide a complete copy of the request to the person on whom the penalty may be imposed before the

request is sent to the OFC. The originator of the request will advise the OFC of when this action was completed.

## Providing opportunity to make submissions

A person on whom an administrative penalty may be imposed must be given the opportunity to make written submissions to the OFC regarding the administrative penalty request. These submissions must be sent to the OFC within 10 days of the person being provided, or deemed to have been provided, with a copy of the request for an administrative penalty.

The 10-day time limit for making written submissions is calculated as follows:

- (a) The 10 days will be counted beginning on the day after the copy of the request for administrative penalty:
  - (i) is known to have been received by the person on whom the penalty may be imposed, or,
  - (ii) where the date of receipt is unknown or uncertain, the request for administrative penalty will be deemed to have been served as described in section 45(2) of the Fire Safety Act.
- (b) No more than 10 days can pass between the date that the person on whom the penalty may be imposed is provided a copy of the request for an administrative penalty and the date that person sends their written submissions to the OFC.
- (c) If the last day of the 10-day time limit falls on a weekend or statutory holiday, the last day becomes the next business day.

If no submissions responding to the request for administrative penalty are received within five days after the end of the 10-day limit defined above, the fire

commissioner or delegate may proceed with evaluating the request for an administrative penalty in the absence of submissions.

Written submissions sent after the 10-day time limit may be accepted when the fire commissioner or delegate believes:

- (a) there is no indication that the person on whom the penalty may be imposed is indifferent or acting in bad faith, and
- (b) that accepting the submissions is consistent with the goals of the administrative penalty process policy.

## Submission requirement accommodation

Unless otherwise specified, all submissions related to administrative penalties, including requests for review, supporting documentation, must be provided in writing.

Recognizing that some individuals may face accessibility barriers that limit their ability to submit materials in written form, accommodations will be made to accept verbal submissions in such cases. Individuals requiring this accommodation must notify the Office of the Fire Commissioner immediately, and reasonable efforts will be made to ensure their submission is received and documented appropriately.

# General policy on how administrative penalty decisions are made

## Guiding principles for determining a penalty amount

The purpose of an administrative penalty framework is to deter contravention of the Fire Safety Act and incentivize compliance with the Fire Safety Act and the regulations.

In general, contraventions that result in increased risk to life safety or to public health will result in higher penalties than contraventions that only result in increased risk of damage to buildings or facilities.

To encourage voluntary compliance, the amount of a penalty should be proportionate to the contravention.

## Who may make administrative penalty decisions

The fire commissioner is able to delegate the authority to issue an administrative penalty, and this will typically be to the deputy fire commissioner.

If the deputy fire commissioner is unavailable or has been directly involved in the circumstances leading to a request for administrative penalty, the decision regarding an administrative penalty will be made by the fire commissioner or by another person delegated by the fire commissioner.

## Timeframe for decision

In general, a decision with respect to imposing an administrative penalty, the penalty amount, and the reasons for it will be:

- (a) after the period for submissions from the person on whom a penalty may be imposed has passed (10 days plus a five-day mailing delay) with no submissions received, and
- (b) within 30 days of the receipt of the completed request for administrative penalty.

## Decision-making process

When evaluating a request for an administrative penalty, the fire commissioner or delegate will take the following steps:

- (a) They will decide on a balance of probabilities whether the person subject to the request for an administrative penalty;
  - (i) failed to comply with an order made under section 11 or under section 14 of the Fire Safety Act, or
  - (ii) has contravened the Fire Safety Act by failing to provide records or information requested under section 10(6) or section 26(5) of the Fire Safety Act.
- (b) They will consider the information provided in the request for administrative penalty and in any submissions made by the person on whom the penalty may be imposed before a final decision is made.

The fire commissioner or delegate may request and consider additional information where necessary to make an administrative penalty decision. If that

occurs, it will provide an opportunity for the person requesting the penalty and the person on whom the penalty may be imposed to respond to any additional information requested and will be considered in the decision.

## Preparing reasons

The fire commissioner or delegate will prepare written reasons for the administrative penalty decision that include the following information:

- (a) the statutory authority for deciding whether to impose a penalty and for deciding the amount of the penalty,
- (b) a brief statement of the decision that includes the following elements:
  - (i) whether the person failed to comply with an order made under section 11 or section 14 of the Fire Safety Act or contravened a request for records or information made under section 10(6) or section 26(5) of the Fire Safety Act,
  - (ii) how imposing a penalty meets the intent of the Fire Safety Act, and
  - (iii) the amount of the penalty.
- (c) a statement of the reasons for each decision element, including the facts and evidence supporting the decision, as well as any submissions made by the person on whom the penalty may be imposed, and
- (d) when a penalty is to be imposed, a statement regarding the application of each of the factors that must be considered under section 33(3) or section 33(5) of the Fire Safety Act and any other factors considered when determining the amount of the penalty.

## Imposing a daily penalty for continuing contravention

Where a contravention continues to be unaddressed, the authority in section 4 of the [Fire Safety Regulation 248/2024](#), allows for a further administrative penalty to be imposed for each day the contravention continues, with each administrative penalty subject to the established limits set out in section 33(2) and section 33(4) of the Fire Safety Act:

- (a) This approach is intended to incentivize a person to come into compliance quickly. By coming into compliance sooner, a person can avoid the imposition of additional administrative penalties.
- (b) There may be circumstances where a daily penalty is not appropriate despite the continuing contravention. In such cases, the fire commissioner or delegate may choose not to impose a daily penalty.

If a contravention continues for more than one day after an initial notice of administrative penalty is served, an additional request for an administrative penalty may be made for each day the contravention continues. The number of days is calculated from the day after the initial administrative penalty was served to the owner, plus one day.

**Table 1. Illustration of applying daily administrative penalty for continuing contravention**

<b>Initial penalty</b>			
<b>Day 1</b>	<b>Days 3 and beyond</b>		
Date that administrative penalty notice was served	Non-compliance or contravention continues	Request for daily administrative penalty sent to OFC	Notice of daily administrative penalty issued for each day that passed until contravention is resolved

Given the novel nature of this progressive administrative penalty, the Office of the Fire Commissioner may develop and implement a separate process to manage these rare and unique situations.

## Collecting administrative penalties

### Calculating when payment of an administrative penalty is due

Payment of an administrative penalty is due 30 days after the latest of the following dates, as applicable:

- (a) The day after the date the notice of administrative penalty is served or deemed to be served, as per section 45(2) of the Fire Safety Act.

- (b) If the person who has been served the notice of administrative penalty requests a review of the decision to impose the administrative penalty under section 43 of the Fire Safety Act, the date on which the review decision is served on the person unless the penalty is cancelled.
- (c) If the last day of the 30-day payment period falls on a weekend or statutory holiday, the next business day becomes the payment due date.

## When a penalty is not paid by the due date

When the OFC does not receive payment of the administrative penalty by the due date specified in the penalty notice, the OFC will send a reminder that payment is now overdue.

When an overdue payment reminder has been sent and the OFC does not receive payment within 30 days of the overdue reminder being sent, the OFC will inform the Ministry of PSSG, Corporate Management Services Branch Finance staff to forward the unpaid debt to the Ministry of Finance for collection. Interest may be charged on the outstanding debt by the Ministry of Finance, as required under section 2 of the Interest on Overdue Accounts Receivable Regulation.<sup>1</sup>

## Record keeping

The OFC will create a file for and record every request for administrative penalty. Records management includes:

- (a) all correspondence, including telephone calls made or received, and
- (b) all documents produced or received regarding the administrative penalty.

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<sup>1</sup> [BC Reg 214/83](#), under the [Financial Administration Act](#).

The OFC will maintain a summary record of all administrative penalty decisions.

The summary record will include:

- (a) the file number for the administrative penalty file,
- (b) a summary of the contravention for which the administrative penalty is requested,
- (c) the date that the request for administrative penalty is received,
- (d) whether an administrative penalty is imposed, and,
  - (i) when an administrative penalty is not imposed, the date that the parties were notified of the decision to not impose an administrative penalty, or,
  - (ii) when an administrative penalty is imposed:
    - A. the date that the notice of administrative penalty is served or deemed to be served,
    - B. the amount of the administrative penalty,
    - C. whether the administrative penalty is being assessed daily for a continuing contravention,
    - D. whether the administrative penalty decision is being reviewed and, if it has been reviewed, the result of the review, and
    - E. the date the administrative penalty is paid or, if the administrative penalty has not been paid, the date the outstanding debt is referred to BC Ministry of Finance for collection.

# Procedures

## Initiating a request for administrative penalty

A person who wishes to request an administrative penalty will:

- (a) firstly, inform the person on whom the penalty may be imposed of the intention to request an administrative penalty, and
- (b) complete the Request for Administrative Penalty form in consultation with an OFC fire service advisor.

When the Request for Administrative Penalty form is complete, the person initiating the request will:

- (a) send to the OFC the completed form with all supporting documents and information, and
- (b) provide to the person on whom the penalty may be imposed a copy of the completed form and all attachments submitted with it.

## Receiving a request for an administrative penalty

As soon as is practicable after a request for administrative penalty is received by the OFC, the OFC administrative officer, in consultation with the fire commissioner or delegate, will:

- (a) review the request for completeness and open an administrative penalty file,
- (b) email the person who sent the request to acknowledge that the OFC received the request,

- (c) calculate the end date of the 10-day time limit for accepting written submissions by the person on whom the penalty may be imposed, and
- (d) note the results of any communication or contact and the end date of the 10-day time limit in the administrative penalty file.

## Receiving written submissions

When written submissions from the person on whom a penalty may be imposed are received, the OFC administrative officer will:

- (a) note in the OFC administrative penalty file whether the written submissions were received within the 10-day limit for sending submissions,
- (b) attach the submissions to the OFC administrative penalty file, and
- (c) acknowledge to the person that the submissions have been received.

If no submissions are received within five days of the end of the 10-day limit for sending submissions, the fire commissioner or delegate will proceed to evaluate the request for administrative penalty.

## Making a penalty decision

The fire commissioner or delegate will evaluate a request for administrative penalty and will prepare written reasons and a notice of administrative penalty (as applicable) within 30 days of receiving a complete request for administrative penalty package, except in extenuating circumstances.

When making an administrative penalty decision, the fire commissioner or delegate will take the following steps:

- (a) They will review the request for administrative penalty information and the submissions provided by the person on whom a penalty may be imposed.

- (b) They will consider whether further information is required.
- (c) They will decide if an administrative penalty may be imposed by determining whether, on a balance of probabilities, the person on whom a penalty may be imposed has:
  - (i) failed to comply with an order under section 11 or section 14 of the Fire Safety Act, or
  - (ii) contravened a request for information under section 10(6) or section 26(5) of the Fire Safety Act.
- (d) When an administrative penalty is to be imposed, they will determine the amount of the administrative penalty.
- (e) They will prepare written reasons for each of the following decisions:
  - (i) whether an administrative penalty will or will not be imposed, and,
  - (ii) if an administrative penalty is imposed, the amount of the penalty.
- (f) Provide the decision documentation to the administrative officer to file accordingly.

If additional correspondence or communication takes place between the fire commissioner or delegate and the parties to the decision during the decision-making process, the fire commissioner or delegate will note the particulars of the correspondence or communication in the OFC administrative penalty file.

## Serving the notice of penalty and reasons

### When a penalty is imposed

When the fire commissioner or delegate decides to impose an administrative penalty, they will prepare a notice of administrative penalty.

The fire commissioner or delegate will:

- (a) have the notice of administrative penalty and the reasons for the administrative penalty decision served to the person,
- (b) have the OFC administrative officer provide a copy of the notice and reasons to the person who requested the administrative penalty,
- (c) add a copy of the notice of administrative penalty to the OFC administrative penalty file, and
- (d) indicate in the file how the notice was served and the date it was deemed to have been served.

### When a penalty is not imposed

When the fire commissioner or delegate decides not to impose an administrative penalty, they will:

- (a) create written reasons for why an administrative penalty is not being imposed,
- (b) have the written reasons for the decision provided to the person who requested the penalty and to the person on whom the administrative penalty would have been imposed,

- (c) record how the reasons for the decision were shared and the date they were delivered, and
- (d) instruct the OFC administrative officer to update the OFC administrative penalty file records and summary record of administrative penalties.

The OFC administrative officer will update the summary record of administrative penalties with the applicable information.

## Collecting administrative penalties

### Establishing when payment of an administrative penalty is due

After the OFC administrative officer is notified that a notice of administrative penalty has been served, the OFC administrative officer will:

- (a) review the information in the administrative penalty file,
- (b) calculate the date when payment of the penalty is due as 30 days after the date of the notice of administrative penalty was served,
- (c) set a follow-up reminder for when the payment is due, and
- (d) provide the Ministry of PSSG, Corporate Management Services Branch Finance staff with a copy of the notice of administrative penalty to record the debt owed to the government with Accounts Receivable.

## Reviewing a notice of administrative penalty

### Request for review

If a review of the notice of administrative penalty is requested, the OFC administrative officer will:

- (a) note the request for review of the administrative penalty in the administrative penalty file, and
- (b) remove the follow-up reminder of when payment of the administrative penalty was originally due.

### Completion of a review

When the review is completed, the person who conducted the review will forward a copy of the review decision, as well as when and how the review decision was served, to the OFC administrative officer.

If the penalty is confirmed or varied as a result of the review, the OFC administrative officer will:

- (a) calculate the new due date for payment of the administrative penalty as 30 days after the confirmed date of service of the review decision,
- (b) set a follow-up reminder for the new date when payment of the administrative penalty is now due, and
- (c) inform the Ministry of PSSG, Corporate Management Services Branch Finance staff of the revised due date to record on the debt to the government.

If the penalty is cancelled on review, the OFC administrative officer will:

- (a) update the administrative penalty file with the review decision, and
- (b) update the summary record of administrative penalties to show the cancellation information.

For more information about reviews, see the OFC's [Fire Safety Act Reviews Policy and Procedures](#).

## Receiving payment of penalty by the due date

When an administrative penalty is paid to the Province on or before the payment due date, the OFC administrative officer will:

- (a) record the payment in the administrative penalty file,
- (b) update the summary record of administrative penalties to show the payment information, and,
- (c) if the OFC receives payment cheque, the OFC administrative officer will forward the payment cheque to the Ministry of PSSG, Corporate Management Services Branch Finance staff for processing.

## Following up on penalties not paid by the due date

When an administrative penalty has not been paid by the due date, the OFC administrative officer will:

- (a) send an overdue penalty reminder to the person who owes the administrative penalty,
- (b) set a follow-up reminder 30 days from the day that the overdue penalty reminder was sent,
- (c) inform the fire commissioner or delegate that the administrative penalty was not paid by the due date and that a reminder has been sent, and
- (d) update the administrative penalty file with information about the overdue penalty and reminder.

## Receiving penalty payments within 30 days of overdue reminder

When an overdue administrative penalty is paid within 30 days of the overdue payment reminder, the OFC administrative officer will:

- (a) record the payment in the OFC administrative penalty file,
- (b) update the summary record of administrative penalties to show the payment information,
- (c) if the OFC receives the overdue payment cheque, the OFC administrative officer will forward the payment cheque to Ministry of PSSG, Corporate Management Services Branch Finance staff for processing, and
- (d) inform the fire commissioner or delegate that the overdue administrative penalty has been paid.

## Addressing overdue penalties not paid within 30 days of overdue reminder

When an overdue administrative penalty is not paid within 30 days of the overdue payment reminder, the OFC administrative officer will:

- (a) inform and confirm with the Ministry of PSSG, Corporate Management Services Branch Finance staff to transfer the debt to the Ministry of Finance Receivables Management Office for collection action,
- (b) record the failure to pay and note the transfer to the Ministry of Finance in:
  - (i) the administrative penalty file, and
  - (ii) the summary record of administrative penalties, and

(c) inform the fire commissioner or delegate that the overdue administrative penalty was not paid and has been transferred to the Ministry of Finance for collection.

The OFC is not required to notify the person on whom the penalty was imposed that the amount due has been referred to the Ministry of Finance for collection and possible legal action.

## Forms and Templates

Persons authorized to submit a request for administrative penalty from the OFC need only one form: '[Request an Administrative Penalty](#)'. This form and other helpful reference materials related to the Fire Safety Act can be found [here](#).