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SECTION: Procedures - Hearings

INDEX NO.: P520-782

TITLE: Notice of Pre-Hearing Conference

APPROVED BY: The Pension Commission of Ontario

PUBLISHED: March 1996 from PCO reception  
Bulletin 6/4 (Fall-Winter 1997)

EFFECTIVE DATE: When Published [Information outdated - Feb. 2000]

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#### **Preparation of Notice of Pre-Hearing Conference**

The purpose of the pre-hearing conference is to shorten the duration of hearings and minimize delays, interruptions and adjournments while ensuring that due regard is given to the rights and interests of all those affected by its proceedings. The purpose of the pre-hearing conference notice is to advise all interested parties that the pre-hearing conference is scheduled and, where known, to set out the matters which will be discussed. Parties have the opportunity to either:

- (1) reach agreement among themselves on matters such as jurisdiction, matters at issue, procedures to follow at hearing and an order of proceedings; or,
- (2) make representations to the panel chair prior to the pre-hearing conference to set out their arguments on the matters to be discussed.

Where documentation is complete and the Commission has no questions, it may choose to decide non-section 89 matters without a hearing. However, all matters that proceed to an oral hearing will be preceded by a pre-hearing conference.

The Chair assigns Commission members to a panel, ensuring that panel members do not have a conflict of interest relating to the matter to be heard. After the panel and a presiding member are identified, the Registrar contacts the presiding member for proposed dates for the pre-hearing conference. The Registrar informs all interested persons of the proposed dates in writing. Parties must confirm their availability with the Registrar. When the dates are agreed upon, the Registrar drafts a notice of pre-hearing conference for review by the presiding member. If the parties cannot agree on a date which the presiding member views as reasonable in the circumstances, the presiding member will set a date for the hearing. The Registrar reserves the hearing room for the pre-hearing conference dates.

The notice of pre-hearing conference includes the following information:

- date, time and location of the pre-hearing conference;
- where known, the issues to be considered; and

- dates for the exchange of documents.

The Registrar sends the notice of pre-hearing conference to all interested parties by fax, first class mail or courier, if a fax is not available, and ensures that copies of all pre-hearing conference documents filed are sent to all interested persons. The Registrar sends copies of all filed pre-hearing conference documents to the presiding member at least 1 week prior to the pre-hearing conference date.