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Versions

There are six versions of the Criminal Code since its inception:

- Criminal Code, 1892, S.C. 1892, c. 29
- Criminal Code, R.S.C. 1906, c. 146
- Criminal Code, R.S.C. 1927, c. 36
- Criminal Code, S.C. 1953-54, c. 51
- Criminal Code, R.S.C. 1970, c. C-34
- Criminal Code, R.S.C. 1985, c. C-46

1970 to 1985

Table of Concordance for the Criminal Code.

R.S.C. 1970 c. C-34	R.S.C. 1985 c. C-46	R.S.C. 1970 c. C-34	R.S.C. 1985 c. C-46	R.S.C. 1970 c. C-34	R.S.C. 1985 c. C-46	R.S.C. 1970 c. C-34	R.S.C. 1985 c. C-46	R.S.C. 1970 c. C-34	R.S.C. 1985 c. C-46
1	1	178.23	196	344	386	453.1	499	607.1	678.1
2	2	Part V	Part VII	345	387	453.2	500	608	679
2.1	3	179	197	346	388	453.3	501	608.1	680
Part I	Part I	180	198	347	389	453.4	502	608.2	681
3(1)	4	181	199	348	390	454	503	609	682
3(2)	4(1)	182-183	-	349	391	455	504	610	683
3(3)	4(2)	184	200	350	392	455.1	505	611	684
3(4)	4(3)	185	201	351	393	455.2	506	612	685
3(5)	4(4)	186	202	352	394	455.3	507	613	686
3(6)	4(5)	187	203	353	395	455.4	508	614	687
3(7)	4(6)	188	204	354	396	455.5	509	615	688
3(8)	4(7)	188.1	205	355	397	455.6	510	616	689
4	5	189	206	356	398	456	511	617	690
5	6	190	207	357	399	456.1	512	618	691
6	7	191	208	358	400	456.2	513	619	-
6(1.1)	7(2)	192	209	359	401	456.3	514	620	692
6(1.2)	7(3)	193	210	360	402	457	515	621	693
6(1.3)	7(3.1)	194	211	361	403	457.1	516	622	694
6(1.4)	7(3.2)	195	212	362	404	457.2	517	622.1	694.1
6(1.5)	7(3.3)	195.1	213	363	405	457.3	518	622.2	694.2
6(1.6)	7(3.4)	Part VI	Part VIII	364	406	457.4	519	623	695
6(1.7)	7(3.5)	196	214	365	407	457.5	520	624	696
6(1.8)	7(3.6)	197	215	366	408	457.6	521	625	697
6(1.9)	7(3.7)	198	216	367	409	457.7	522	626	698
6(1.91)	7(3.71)	199	217	368	410	457.8	523	627	699
6(1.92)	7(3.72)	200	218	369	411	458	524	628	700
6(1.93)	7(3.73)	201	-	370	412	459	525	-	700.1
6(1.94)	7(3.74)	202	219	371	413	459.1	526	629	701
6(1.95)	7(3.75)	203	220	372	414	460	527	-	701.1
6(1.96)	7(3.76)	204	221	373	415	461	528	630	702
6(1.97)	7(3.77)	205	222	374	416	462	529	631	703
6(2)	7(4)	206	223	375	417	Part XIV.1	Part XVII	631.1	703.1
6(3)	7(5)	207	224	376	418	462.1	530	631.2	703.2
6(3.1)	7(5.1)	208	225	377	419	462.11	530.1	632	704
6(4)	7(6)	209	226	378	420	462.2	531	633	705
6(5)	7(7)	210	227	379	421	462.3	532	634	706
6(6)	7(8)	221	228	380	422	462.4	533	635	707
6(7)	7(9)	212	229	381	423	Part XV	Part XVIII	636	708
6(8)	7(10)	213	230	381.1	424	463	535	-	708.1
6(9)	7(11)	214	231	382	425	464	536	637	709
7	8	215	232	383	426	465	537	638	710
7(1)(a)	8(1)(b)	216	233	384	427	466	538	639	711
7(1)(b)	8(1)(a)	217	234	Part IX	Part XI	467	539	640	712
8	9	218	235	385	428	468	540	641	713
9	10	219	236	386	429	469	541	-	713.1
10	11	220	237	387	430	470	542	642	714

11	12	221	238	387.1	431	471	543	-	714.1
12	13	222	239	388	432	471.1	544	-	714.2
13	-	223	240	389	433	472	545	-	714.3
14-45	14-45	224	241	390	434	473	546	-	714.4
Part II	Part II	225	-	391	435	474	547	-	714.5
46-55	46-55	226	242	392	436	474.1	547.1	-	714.6
56	-	227	243	393	437	475	548	-	714.7
57	56	228	244, 244.1	394	438	476	549	-	714.8
58	57	229	245	395	439	477	550	643	715
59	58	230	246	396	440	478	551	643.1	715.1
60	59	231	247	397	441	479	-	-	715.2
61	60	232	248	398	442	480	-	Part XX	Part XXIII
62	61	233	249	399	443	481	-	644	716
63	62	234	250	400	444	Part XVI	Part XIX	645	717
64	63	235	251	401	445	482	552	646	718
65	64	236	252	402	446	483	553	646.1	718.1
66	65	237	253	403	447	484	554	647	719
67	66	238	254	404	-	485	555	648	720
68	67	239	255	405	-	486	556	649	721
69	68	240	256	Part X	Part XII	487	557	650	722
70	69	240.1	257	406	448	488	558	651	723
71	70	241	258	407	449	489	559	652	724
72	71	242	259	408	450	490	560	653	725
73	72	243	260	409	451	491	561	654	726
74	73	243.1	261	410	452	492	562	655	727
75	74	243.2	262	411	453	493	563	656	728
76	75	243.3	263	412	454	494	564	657	729
76.1	76	243.4	264.1	413	455	495	565	658	730
76.2	77	244	265	414	456	496	566	659	731
76.3	78	245	266	415	457	497	567	660	732
77	79	245.1	267	416	458	498	568	660.1	733
78	80	245.2	268	417	459	499	569	661	734
79	81	245.3	269	418	460	500	570	662	735
80	82	245.4	269.1	419	461	501	571	662.1	736
81	83	246	270	420	462	502	572	663	737
Part II.1	Part III	246.1	271	Part X.1	Part XII.1	503	573	664	738
82	84	246.2	272	420.1	462.1	Part XVII	Part XX	665	739
83	85	246.3	273	420.2	462.2	504	574	666	740
84	86	246.4	274	Part X.1	Part XII.2	505	575	667	741
85	87	246.5	275	420.1	462.3	506	576	668	741.1
86	88	246.6	276	420.11	462.31	507	577	-	741.2
87	89	246.7	277	420.12	462.32	507.1	578	669	742
88	90	246.8	278	420.13	462.33	508	579	-	742.1
89	91	247	279	420.14	462.34	-	579.1	670	743
90	92	247.1	279.1	420.15	462.35	509	580	-	743.1
91	93	248	-	420.16	462.36	510	581	671	744
92	94	249	280	420.17	462.37	511	582	-	744.1
93	95	250	281	420.18	462.38	512	583	672	745
94	96	250.1	282	420.19	462.39	513	584	673	746
95	97	250.2	283	420.2	462.4	514	585	674	747
96	98	250.3	284	420.21	462.41	515	586	675 to 681	-
97	99	250.4	285	420.22	462.42	516	587	682	748
98	100	250.5	286	420.23	462.43	517	588	683	549
99	101	251	287	420.24	462.44	518	589	685	750
100	102	252	288	420.25	462.45	519	590	686	751
101	103	253	289	420.26	462.46	520	591	Part XXI	PartXXIV
102	104	254	290	420.27	462.47	521	592	687	752
103	105	255	291	420.28	462.48	522	593	-	752.01
104	106	256	292	420.29	462.49	523	594	-	752.1
105	107	257	293	420.3	462.5	524	595	688	753
106	108	258	294	Part XI	Part XIII	525	596	-	753.1
106.1	109	259	295	421	463	526	597	-	753.2
106.2	110	260	296	422	464	526.1	598	-	753.3
106.3	111	261	297	423	465	527	599	-	753.4
106.4	112	262	298	423(1)(c)	-	528	600	689	754
106.5	113	263	299	423(1)(d)	465(1)(c)	529	601	690	755
106.6	114	264	300	423(1)(e)	465(1)(d)	530	602	691	756
106.7	115	265	301	423(2)	465(2)	531	603	692	757
106.8	116	266	302	423(3)	465(3)	532	604	693	758
106.9	117	267	303	423(4)	465(4)	533	605	694	759
Part III	Part IV	268	304	423(5)	465(5)	533.1	625.1	695	760
107	118	269	305	-	465(6)	534	606	695.1	761
108	119	270	306	423(6)	465(7)	535	607	Part XXII	Part XXV

109	120	271	307	424	466	536	608	696	762
110	121	272	308	425	467	537	609	697	763
111	122	273	309	Part XII	Part XIV	538	610	698	764
112	123	274	310	426	468	539	611	699	765
113	124	275	311	427	469	540	612	700	766
114	125	276	312	428	470	541	613	701	767
115	126	277	313	429	471	542	614	701.1	767.1
116	127	278	314	429.1	472	543	615	702	768
117	128	279	315	430	473	544	616	703	769
118	129	280	316	431	474	545	617	704	770
119	130	281	317	431.1	475	546	618	705	771
120	131	281.1	318	432	476	547	619	706	772
121	132	281.2	319	433	477	548	620	707	773
122	133	281.3	320	-	477.1	549	621	Part XXIII	Part XXVI
122.1	134	Part VII	Part IX	-	477.2	550	622	720	785
123	135	282	321	-	477.3	551	623	721	786
124	136	283	322	-	477.4	552	624	722	787
125	137	284	323	434	478	553	625	723	788
126	138	285	324	435	479	553.1	625.1	724	789
127	139	286	325	436	480	554	626	725	790
128	140	287	326	437	481	555	627	726	791
129	141	287.1	327	438	482	556	-	727	-
130	142	288	328	438(1.1)	482(2)	557	628	728	792
131	143	289	329	438(2)	482(3)	558	629	729	793
132	144	290	330	438(3)	-	559	630	730	794
133	145	291	331	438(4)	482(4)	560	631	731	795
134	146	292	332	438(5)	482(5)	561	632	732	796
135	147	293	333	Part XIII	Part XV	562	633	732.1	797
136	148	294	334	439	483	563	634	733	798
137	149	295	335	440	484	564	635	734	799
Part IV	Part V	296	336	440.1	485	565	636	735	800
138	150	297	337	440.2	485.1	566	637	736	801
139	150.1	298	338	442	486	567	638	737	802
140	151	299	339	442(1)	486(1) to (1.4)	568	639	-	802.1
141	152	300	340	442(2.1)	486(2.1)	569	640	738	803
142 to 145	-	301	341	442(2.2)	486(2.2)	570	641	739	804
146	153	301.1	342	442(3)	486(3)	571	642	740	805
147	154	301.2	342.1	442(3.1)	486(4)	572	643	741	806
148-149	-	302	343	442(4)	486(5)	573	644	742	807
150	155	303	344	442(5)	486(6)	574	645	743	808
151	156	304	345	443	487	575	646	744	809
152	157	305	346	-	487.01	576	647	745	810
153	158	305.1	347	-	487.02	576.1	648	-	810.01
154	159	306	348	-	487.03	576.2	649	-	810.1
155	160	307	349	-	487.04	577	650	-	810.2
156	-	308	350	-	487.05	578	651	746	811
157	161	309	351	-	487.051	579	652	747	812
158	162	310	352	-	487.052	580	653	748	813
159	163	311	353	-	487.053	581	654	749	814
160	164	312	354	-	487.054	582	655	750	815
161	165	313	355	-	487.055	583	656	751	-
162	166	314	356	-	487.056	584	657	752	816
163	167	315	357	-	487.057	584.1	657.1	752.1	817
164	168	316	358	-	487.058	585	658	752.2	818
165	169	317	359	-	487.06	586	659	752.3	819
166	170	318	360	-	487.07	587	660	753	820
167	171	319	361	-	487.071	588	661	754	821
168	172	320	362	-	487.08	589	662	755	822
169	173	321	363	-	487.09	590	663	755.1	823
170	174	322	364	-	487.091	591	664	756	824
171	175	323	365	-	487.092	592	665	757	825
172	176	324	366	-	487.0	593	666	758	826
173	177	325	367	443.1	487.1	594	667	759	827
174	178	326	368	443.2	487.2	595	668	760	828
175	179	327	369	444	488	596	669	761	829
176	180	328	370	444.1	488.1	597	669.1	762	830
177	181	329	371	445	489	597.1	669.2	763	831
178	182	330	372	445.1	489.1	-	669.3	764	832
Part IV.1	Part VI	331	373	446	490	598	670	765	833
178.1	183	332	374	446.1	491	599	671	766	834
178.11	184	333	375	446.2	491.1	600	672	767	835
178.12	185	334	376	446.3	491.2	-	Part XX.1	768	836
178.13	186	335	377	447	492	-	672.1 to 672.95	769	837

178.14	187	336	378	-	492.1	Part XVIII	Part XXI	770	838
178.15	188	Part VIII	Part X	-	492.2	601	673	771	839
187.16	189	337	379	Part XIV	Part XVI	602	674	772	840
178.17	190	338	380	448	493	603	675	Part XXV	Part XXVIII
178.18	191	339	381	449	494	604	-	773	841
178.19	192	340	382	450	495	605	676	Forms 1 and 2	Forms 1 and 2
178.2	193	341	383	451	496	606	677	Forms 3	Forms 3
178.21	194	342	384	452	497	607	678	-	-
178.22	195	343	385	453	498	-	-	-	-

1953 to 1970

1953-54, c. 51	R.S.C. 1970 c. C-34	1953-54, c. 51	R.S.C. 1970 c. C-34	1953-54, c. 51	R.S.C. 1970 c. C-34	1953-54, c. 51	R.S.C. 1970 c. C-34	1953-54, c. 51	R.S.C. 1970 c. C-34
1	same	211	223	346	361	480	498	616	640
2	same	212	224	347	362	481	499	617	641
3	same	213	225	348	363	482	500	618	642
4	same	214	226	349	364	483	501	619	643
5	same	215	227	350	365	484	502	620	644
5A(1)	6(1)	216	228	351	366	485	503	621	645
5A(1a)	6(2)	217	229	352	367	486	504	622	646
5A(2)	6(3)	218	230	353	368	487	505	623(1)	647
5A(2a)	6(4)	219	231	354	369	488	506	623(2)	-
5A(3)	6(5)	220	232	355	370	489	507	623A	648
5A(4)	6(6)	221	233	356	371	490	508	624	649
6	7(1)	222	234	357	372	491	509	625	650
7(1)	7(2)	223	235	358	373	492	510	626	651(*)
7(2)	7(3)	224	236	359	374	492A	511	627	652
8 to 98	same	224A	237	360	375	493	512	628	653
98A	99	225	238	361	376	494	513	629	654
98B	100	226	239	362	377	495	514	630	655
98C	101	226A	240	363	378	496	515	631	656
98D	102	227	241	364	379	497	516	632	657
98E	103	228	242	365	380	498	517	633	658
98F	104	229	243	366	381	499	518	634	659
98G	105	230	244	367	382	500	519	635	660
98H	106	231	245	368	383	501	520	636	661
99	107	232	246	369	384	502	521	637	662
100	108	233	247	370	385	503	522	638	663
101	109	234	248	371	386	504	523	639	664
102	110	235	249	372	387	505	524	640	665
103	111	236	250	373	388	506	525	640A	666
104	112	237	251	374	389	507	526	640B	667
105	113	238	252	375	390	508	527	641	668
106	114	239	253	376	391	509	528	642	669
107	115	240	254	377	392	510	529	642A	670
108	116	241	255	378	393	511	530	643	671
109	117	242	256	379	394	512	531	644	672
110	118	243	257	380	395	513	532	645	673
111	119	244	258	381	396	514	533	646	674
112	120	245	259	382	397	515	534(*)	647	675
113	121	246	260	383	398	516	535	648	676
114	122	247	261	384	399	517	536	649	677
115	123	248	262	385	400	518	537	650	678
116	124	249	263	386	401	519	538(*)	651	679
117	125	250	264	387	402	520	539	652	680
118	126	251	265	388	403	521	540	653	681
119	127	252	266	389	404	522	541	654	682
120	128	253	267	390	405	523	542	655	683
121	129	254	268	391	406	524	543(*)	656	684
122	130	255	269	392	407	525	544	657	685
123	131	256	270	393	408	526	545	658	686
124	132	257	271	394	409	527	546	659	687
125	133	258	272	395	410	527A	547	660	688(*)
126	134	259	273	396	411	528	548	661	689(*)
127	135	260	274	397	412	529	549(*)	662	690
128	136	261	275	398	413	530	550	662A	691
129	137	262	276	399	414	531	551	663	692
130	138	263	277	400	415	532	552	664	-
131	139	264	278	401	416	533	553	665(1)	-
132	140	265	279	402	417	534	554	665(2)	693
133	141	266	280	403	418	535	555	666	694
134	142	267	281	404	419	536	556	667	695(*)
135	143	267A	281.1	405	420	537	557	668	696

136	144	267B	281.2	406	421	538	558	669	697
137	145	267C	281.3	407	422	539	559	670	698
138	146	268	282	408	423	540	560	671	699
139	147	269	283	409	424	541	561	672	700
140	148	270	284	410	425	542	562	673	701
141	149	271	285	411	-	543	563	674	702
142	150	272	286	412	-	544	564	675	703
143	151	273	287	413(1)	426	545	565	676	704
144	152	274	288	413(2)	427	546	566	677	705
145	153	275	289	414	428	547	567	678	706
146	154	276	290	415	429	548	568	679	707
147	155	277	291	416	-	549	569	680	708
148	156	278	292	417	430	550	570	681	709
149	157	279	293	418	431	551	571	682	710
149A	158	280	294	419	432	552	572	683	711
150	159	281	295	420	433	553	573	684	712
150A	160	282	296	421	434	554	574	685	713
150B	161	283	297	421A	435	555	575	686	714
151	162	284	298	422	436	556	576	687	715
152	163	285	299	423	437	557	577	688	716
153	164	286	300	424	438	558	578(*)	689	717
154	165	287	301	425	439	559	579	690	718
155	166	288	302	426	440	560	580	691	719
156	167	289	303	427	441	561	581	692	720
157	168	290	304	428	442	562	582	693	721
158	169	291	305	429	443	563	583	694	722
159	170	292	306	430	444	564	584	695	723
160	171	293	307	431	445	565	585	696	724
161	172	294	308	432	446	566	586	697	725
162	173	295	309	433	447	567	587	698	726
163	174	295A	310	434	448	568	588	699	727
164	175	295B	311	435	449	569	589(*)	700	728
165	176	296	312	436	450	570	590	701	729
166	177	297	313	437	451	571	591	702	730
167	178	298	314	438	452	572	592	703	731
168	179	299	315	439	453	573	593	704	732
169	180(1)	300	316	440	454	574	594	705	733
170	180(2)	301	317	441(1) to (3)	455(1) to (3)	575	595	706	734
171	181	302	318	441(4), (5)	repealed	576	596	707	735
172	182(1)	303	319	441(6)	455(4)	577	597	708	736
173	182(2)	304	320	442	456	578	598	709	737
174	183	305	321	443	457	579	599	710	738
175	184	306	-	444	458	580	600	711	739
176	185	307	322	445	459	581	601	712	740
177	186	308	323	446	460	582	602	713	741
177A	187	309	324	447	461	583	603	714	742
178	188	310	325	448	462	583A	604	715	743
179(1) to (7)	189(1) to (7)	311	326	449	463	584	605	716	744
179(8)*	189(8)	312	327	450	464	585	606	717	745
179A	190	313	328	451	465	586	607	718	746
180	191	314	329	452	466	587	608	719	747(*)
181	192	315	330	452A	467	588	609	720	748
182	193	316	331	453	468	589	610	721	749
183	194	317	332	454	469	590	611	722	750(*)
184	195	318	333	455	470	591	612	723	751
185	196	319	334	456	471	592	613	724	752
186	197	320	335	457	472	593	614	725	753
187	198	321	336	458	473	594	615	726	754
188	199	322	337	459	474	595	616	727	755
189	200	323	338	460	475	596	617	728	756
190	201	324	339	460A	476	597	618	729	757
191	202	325	340	461	477	597A	619	730	758
192	203	326	341	462	478	597B	620	731	759(*)
193	204	327	342	463	479	598	621	732	760
194	205	328	343	464	480	599	622	733	761
195	206	329	344	465	481	600	623	734	762
196	207	330	345	466	482	601	624	735	763
197	208	331	346	467	483	602	625	736	764
198	209	332	347	468	484	603	626	737	765
199	210	333	348	469	485	604	627	738	766
200	211	334	349	470	486	605	628	739	767
201	212	335	350	471	487	606	629	740	768
202	213	336	351	472	488	607	630	741	769

202A	214	337	352	473	489	608	631	742	770
203	215	338	353	474	490	609	632	743	771
204	216	339	354	474A	491	610	633	744	772
205	217	340	355	475	492	611	634	745 to 752	-
206	218	341	356	475A	493	611A	635	753	773
207	219	342	357	476	494	612	636	-	-
208	220	343	358	477	495	613	637	-	-
209	221	344	359	478	496	614	638	-	-
210	222	345	360	479	497	615	639	-	-

See Also

- [List of Criminal Code Amendments](#)
- [Concordance list 1970 and 1985](#)
- [concordance 1927 and 1955](#)

List of Criminal Code Amendments (2000 to 2009)

< [Criminal Law](#) < [Offences](#) < [Offence History](#)

2005 to 2009

2009, c. 29

2009, c. 29					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
Truth in Sentencing Act	2009, c. 29	October 22, 2009	February 22, 2010	official text CanLII text	{{{8}}}
Summary					
The act "specif[ies] the extent to which a court may take into account time spent in custody by an offender before sentencing". It adds s. 515(9.1).					
Amended Code Sec.					
It replaces s. 719(3) and Form 21 in Part XXVIII.					

2009, c. 28

2009, c. 28 (Bill C-27)					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
An Act to amend the Criminal Code (identity theft and related misconduct)	2009, c. 28 (Bill C-27)	October 22, 2009	January 8, 2010	official text CanLII text	{{{8}}}
Summary					
The changes to the Code "create offences of identity theft, trafficking in identity information and unlawful possession or trafficking in certain government-issued identity documents, to clarify and expand certain offences related to identity theft and identity fraud, to exempt certain persons from liability for certain forgery offences, and to allow for an order that the offender make restitution to a victim of identity theft or identity fraud for the expenses associated with rehabilitating their identity".					
Amended Code Sec.					
It adds s. 56.1, 356 (3), 366(5), 368.1, and 368.2, 402.1, and 402.2. It also replaces s. 130, 342(3), 342(4), 342.01(1), 356(1), 368(1), 369, and 403. It amends s. 183 and 738(1).					

2009, c. 22

2009, c. 22					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
An Act to amend the Criminal Code (organized crime and protection of justice system participants)	2009, c. 22	June 23, 2009	October 2, 2009	official text CanLII text	{{{8}}}
Summary					
The amendments to the Code "add to the sentencing provisions for murder so that any murder committed in connection with a criminal organization is first degree murder, regardless of whether it is planned and deliberate; to create offences of intentionally discharging a firearm while being reckless about endangering the life or safety of another person, of assaulting a peace officer with a weapon or causing bodily harm and of aggravated assault of a peace officer; and to extend the duration of a recognizance to up to two years for a person who it is suspected will commit a criminal organization offence, a terrorism offence or an intimidation offence under section 423.1 if they were previously convicted of such an offence, and to clarify that the recognizance may include conditions such as electronic monitoring, participation in a treatment program and a requirement to remain in a specified geographic area."					
Amended Code Sec.					
It adds s. 2.1, 244.2, 270.01, 270.02, 718.02 replaces s. 84(1), (5)(b), 85(1), 231(6.01) to (6.2), 239(2)(b), 244(3)(b), 272(3)(b), 279(1.2)(b), 344(2)(b), 346(1.2)(b), 515(6)(a)(vii), 810.01(3), 810.01(5) to (5.2) and it amends s. 183, 487.04.					

2009, c. 2

2009, c. 2					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
Budget Implementation Act	2009, c. 2	March 12, 2009	On Royal Assent	official text CanLII text	{{{8}}}
Summary					
Consequential amendments to the Code relating to larger changes to the Competition Act.					
Amended Code Sec.					
It amends s. 183					

2008, c. 18

2008, c. 18 (Bill C-13)					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
An Act to amend the Criminal Code (criminal procedure, language of the accused, sentencing and other amendments)	2008, c. 18 (Bill C-13)	May 29, 2008	May 29, July 2, and October 1, 2008	official text CanLII text	{{{8}}}
Summary					
"This enactment amends various provisions of the Criminal Code in relation to criminal procedure, language of the accused, sentencing and other matters."					
Amended Code Sec.					
It adds s. 255(3.1), 259(2.1), 507.1(11), 530.01, 503.1(c.1), 530.2, 533.1, 537(1.01), 634(2.2), 683(7), 685(2), 695(2) and (3), 715(2.1), 720(2), 743.21. It replaces s. 4(7), 145(3), 164.2(1), 202(1)(i), 204(2), 259(1.1) to (1.4), 259(2)(a), 259(4), 351, 481.2, 487(2), (4), 487.03(1), (1.1), 490(17), 530(3), (5), (6), 530.1, 530.1(d) and (e), 531, 565(2) and (3), 568, 569 640(2) to (3), 676(1.1), 683(5) to (5.1), 701.1, 732.1(5) and (6), 734(5), 734.2, 742.3(3) and (4), 743.5(1), 743.5(3), 787(1), 803(2) and (3), Form 12. It repeals s. 117.13(4), (5), 487.055(6), 501(5), 509(3), 701(3), 729(4) and (5), 742.6(6) and (7).					

2008, c. 12

2008, c. 12 (S-203)					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
An Act to amend the Criminal Code (cruelty to animals)	2008, c. 12 (S-203)	April 17, 2008	On Royal Assent	official text CanLII text	{{{8}}}
Summary					
The "enactment amends the Criminal Code to increase the maximum penalties for animal cruelty offences."					
Amended Code Sec.					
It replaces s. 444, 445, 446, 447, and 447.1.					

2008, c. 6

2008, c. 6 (C-2) SI/2008-34					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
Tackling Violent Crime Act	2008, c. 6 (C-2) SI/2008-34	February 28, 2008	May 1, 2008 (s. 1 to 17, 28 to 38, 57, 58) July 2, 2008 (s. 18 to 27, 39 to 53, 55, 56, 59, and 60)	official text CanLII text	{{{8}}}
Summary					
"This enactment amends the Criminal Code by... creating two new firearm offences and providing escalating mandatory sentences of imprisonment for serious firearm offences;... strengthening the bail provisions for those accused of serious offences involving firearms and other regulated weapons;... providing for more effective sentencing and monitoring of dangerous and high-risk offenders;...introducing a new regime for the detection and investigation of drug impaired driving and strengthening the penalties for impaired driving; and... raising the age of consent for sexual activity from 14 to 16 years."					
Amended Code Sec.					
It adds s. 84(5), (6), 98.1, 150.1(6), 253(2), 254.1, 258.1, 272(3) and (4), 273(3) and (4), 279(1.2) and (1.3), 279.1(2.1) and (2.2), 344(2) and (3), 346(1.2) and (1.3), 752.01, 753.01, 753.02, 755, it replaces s. 85(1)(a), 85(3)(a), (b) and (c), 91(1), (2), 92(1), (2), 93(1), 94(1), 95(1), 95(2)(a), 98, 99(2), (3), 100(2), 103(2), 150.1(1) and (2), 172.1(1)(b) and (c), 239, 244, 254(2) to (6), 255(1)(a)(i) to (iii), 255(1)(c), 255(2) and (3), 256(5), 257(2), 259(1), 261, 272(2)(a), 273(2)(a) and (a.1), 279(1.1)(a) and (a.1), 279.1(1), 279.1(2)(a), 344(a), 346(1.1)(a), 515(10)(c), 662(6), 743.1(3.1), 752.1, 753.1(3), 753.2(2), 753.3(1), 753.4(1), 757, 759(1) to (5), 810.1(3), 810.2(3), 810.2(5) to (6), it amends s. 150.1(4), 151, 152, 153(2), 160(3), 161(1), 170(a) and (b), 171(a) and (b), 173(2), 183(a), 253(1), 254(1), 255(4), 258(1), 259(2), 273.3(1)(a) and (b), 348.1, 487.04, 490.011(1), 515(6), 752, 753, 753.2(1), 754(1), 810.1(1), (3)(a) and (b), it repeals 753(6), 753.1(4) and (5).					

2007, c. 28

2007, c. 28 (Bill C-59)					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
An Act to amend the Criminal Code (unauthorized recording of a movie)	2007, c. 28 (Bill C-59)	June 22, 2007	On Royal Assent	official text CanLII text	{{{8}}}
Summary					
"This enactment amends the Criminal Code to prohibit the unauthorized recording of a movie in a movie theatre (camcording)."					
Amended Code Sec.					
It adds s. 432.					

2007, c. 22

2007, c. 22 (Bill C-18)					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
An Act to amend certain Acts in relation to DNA identification	2007, c. 22 (Bill C-18)	June 22, 2007	June 22, 2007 and Jan 1, 2008	official text CanLII text	{{{8}}}
Summary					
This enactment amends the Criminal Code ... [amending] the provisions ... relating to orders for the taking of samples of bodily substances for forensic DNA analysis apply to persons who are sentenced ... allows an order to be made ... adds attempted murder and conspiracy to commit murder or to cause another person to be murdered to the offences covered by section 487.055 ... permits an application to be made ... when a person is still serving a sentence of imprisonment for one of the specified offences, rather than requiring that they be serving a sentence of imprisonment of two years or more for that offence;... in certain circumstances, allows ... [a person] to appear by closed-circuit television or a similar ... allows samples of bodily substances to be taken under the Criminal Code ... at the place, day and time set by an order or a summons or as soon as feasible afterwards;... specifies that it is an offence ... to fail to comply with such an order or summons.					
Amended Code Sec.					
It adds s. 487.055(1)(c.1), 487.055(3.01), 487.055(3.11), 487.0551, 487.0552, 487.056(4) to (6), 487.057(3). It replaces s. 487.04 [in part], 487.051, 487.054, 487.055(1)(d) and (e), 487.055(4), 487.056(1), 487.056(2) and (3), 487.057(1), 487.058, 487.06(1), 487.06(3), 487.07(1), 487.071(1), 487.071(2)(b), 487.08(1.1), 487.091(1)(a), 487.091(1)(b), 487.091(2) 487.091(3), 487.0911(1) to (3), 703(2), Forms 5.03 to 5.06, Form 5.07, Forms 5.08 and 5.09. It repeals s. 487.03(2), 487.055(7) to (10), Form 28.1.					

2007, c. 20

2007, c. 20 (Bill C-277)					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
An Act to amend the Criminal Code (luring a child)	2007, c. 20 (Bill C-277)	June 22, 2007	On Royal Assent	official text CanLII text	{{{8}}}
Summary					
"This enactment amends the Criminal Code to increase from five years to ten years the maximum punishment for an offence under section 172.1 (luring a child). It also specifies that, in the case of a summary conviction for this offence, the maximum [sic] punishment is eighteen months."					
Amended Code Sec.					
It replaces s. 172.1(2)(a) and (b).					

2007, c. 13

2007, c. 13 (Bill C-48)					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
An Act to amend the Criminal Code in order to implement the United Nations Convention against Corruption	2007, c. 13 (Bill C-48)	May 31, 2007	On Royal Assent	official text CanLII text	{{{8}}}
Summary					
"This enactment makes technical amendments to the corruption and offence-related provisions of the Criminal Code to implement the United Nations Convention against Corruption."					
Amended Code Sec.					
It amends s. 2, 118, 490.1(1), it replaces s. 119(1), 120, 121(1)(b) to (f), 123(1) and (2), 426(1)(a), 490.1(2), 490.1(3), 490.2(1) and (2), 490.4(3), 490.41(1).					

2007, c. 12

2007, c. 12 (Bill C-9)					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
An Act to amend the Criminal Code (conditional sentence of imprisonment)	2007, c. 12 (Bill C-9)	May 31, 2007	Dec 1, 2007	official text CanLII text	{{{8}}}
Summary					
"This enactment amends section 742.1 of the Criminal Code to provide that a person convicted of a serious personal injury offence as defined in section 725 of that Act, a terrorism offence or a criminal organization offence prosecuted by way of indictment for which the maximum term of imprisonment is ten years or more is not eligible for a conditional sentence."					
Amended Code Sec.					
It replaces s. 742.1.					

2007, c. 9

2007, c. 9 (Bill C-26)					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
An Act to amend the Criminal Code (criminal interest rate)	2007, c. 9 (Bill C-26)	May 3, 2007	On Royal Assent	official text CanLII text	{{{8}}}
Summary					
"This enactment amends the Criminal Code by exempting persons from the application of section 347 of that Act in respect of agreements for small, short-term loans. The exemption applies to persons who are licensed or otherwise authorized to enter into such agreements by designated provinces that have legislative measures that protect recipients of payday loans and that specify a limit on the total cost of those loans."					
Amended Code Sec.					
It replaces s. 347(1). It adds s. 347.1.					

2007, c. 5

2007, c. 5 (Bill S-3)					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
An Act to amend the National Defence Act, the Criminal Code, the Sex Offender Information Registration Act and the Criminal Records Act	2007, c. 5 (Bill S-3)	March 29, 2007	Sept 12, 2008	official text CanLII text	{{{8}}}
Summary					
"It ... makes certain amendments to the Criminal Code and the Sex Offender Information Registration Act to enhance the administration and enforcement of the current registration scheme for sex offender information."					
Amended Code Sec.					
It adds s. 490.016(3), 490.017(2), 490.023(1.1), 490.027(3), 490.031(2), 490.0311 It replaces s. 490.011(1) [in part], 490.012, 490.012(1) to (3), 490.013(2)(a) to (c), 490.013(3) and (4), 490.013(5), 490.015, 490.016(1), 490.018(3)(b), 490.019 [header], 490.02(1), 490.02(2)(a) and (b), 490.02(2)(c), 490.021(2), 490.022(1)(a) and (b), 490.022(3)(a) and (b), 490.022(3)(c), 490.022(3)(d), 490.023(1), 490.025 and 490.026, 490.027(1), 490.028 and 490.029, 490.03(1)(a) and (b), 490.03(2) to (4), 490.031, Form 52, Form 53 It repeals s.					

2006, c. 14

2006, c. 14 (Bill C-19)					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
An Act to amend the Criminal Code (street racing) and to make a consequential amendment to the Corrections and Conditional Release Act	2006, c. 14 (Bill C-19)	December 14, 2006	On Royal Assent	official text CanLII text	{{{8}}}
Summary					
"This enactment amends the Criminal Code to create an offence of street racing based on dangerous driving and criminal negligence offences. This enactment increases, in street racing situations, the maximum punishments for some offences and also provides for minimum prohibitions on driving that increase on a second and subsequent offence."					
Amended Code Sec.					
It amends s. 2, 260(1), 673, 785, it adds s. 249.2, 249.3, 249.4, 259(3.1) to (3.4), it replaces s. 259(5), 261(1) and (2).					

2006, c. 9

2006, c. 9 (C-2)

Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
Federal Accountability Act	2006, c. 9 (C-2)	December 12, 2006	March 1, 2007	official text CanLII text	{{{8}}}
Summary					
It "amends the ... Criminal Code to create indictable offences for fraud with respect to public money or money of a Crown corporation, and makes persons convicted of those offences ineligible to be employed by the Crown or the corporation or to otherwise contract with the Crown."					
Amended Code Sec.					
It replaces s. 750(3).					

2005, c. 44**2005, c. 44 (Bill C-53)**

Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
An Act to amend the Criminal Code (proceeds of crime) and the Controlled Drugs and Substances Act and to make consequential amendments to another Act	2005, c. 44 (Bill C-53)	November 25, 2005	On Royal Assent	official text CanLII text	{{{8}}}
Summary					
"This enactment amends the Criminal Code ... to provide a reverse onus of proof in proceeds of crime applications involving offenders who have been convicted of a criminal organization offence or certain offences under the Controlled Drugs and Substances Act. The enactment provides that a court shall make an order of forfeiture against any property of an offender [where] the offender has engaged in a pattern of criminal activity or has an income unrelated to crime that cannot reasonably account for all of the offender's property. The enactment also amends the Criminal Code to clarify the authority of the Attorney General of Canada in regards to proceeds of crime and to clarify the definition "designated offence" in regards to offences that may be prosecuted by indictment or on summary conviction. It also amends a provision of the Criminal Code to ensure the equivalency of the English and French versions."					
Amended Code Sec.					
It adds s. 462.37(2.01) to (2.07). It replaces s. 462.3 (1) [in part], 462.3(3), 462.32(1), 462.33(2)(c), 462.33(3), 462.33(5), 462.33(10)(c), 462.341, 462.37(3), 462.4(a), 462.41(1), 462.41(3) [in part], 462.42(1), 462.45, 462.46(1), 689(1).					

2005, c. 43**2005, c. 43 (Bill C-49)**

Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
An Act to amend the Criminal Code (trafficking in persons)	2005, c. 43 (Bill C-49)	November 25, 2005	On Royal Assent	official text CanLII text	{{{8}}}
Summary					
"This enactment amends the Criminal Code to ... create an offence of trafficking in persons that prohibits a person from engaging in specified acts for the purpose of exploiting or facilitating the exploitation of another person; ... create an offence that prohibits a person from receiving a financial or other material benefit that they know results from the commission of the offence of trafficking in persons; ... create an offence that prohibits concealing, removing, withholding or destroying travel documents or documents that establish or purport to establish another person's identity or immigration status for the purpose of committing or facilitating the offence of trafficking in persons; and ... establish that a person exploits another person if they cause them to provide, or offer to provide, labour or a service by engaging in conduct that could reasonably be expected to cause the other person to believe that their safety or that of someone known to them would be threatened if they failed to do so or if, by means of deception or the use or threat of force or of any other form of coercion, they cause the other person to have an organ or tissue removed."					
Amended Code Sec.					
It adds s. 279.01, 279.02, 279.03, 279.04. It replaces s. 183 [in part], 279 [header], 486(1.1), 486(2.1), 486(3)(a)(i), 487.04 [in part], 490.011(1) [in part], 738(1)(b).					

2005, c. 40**2005, c. 40**

Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
An Act to amend the Criminal Code and the Cultural Property Export and Import Act	2005, c. 40	November 25, 2005	On Royal Assent	official text CanLII text	{{{8}}}
Summary					
"This enactment amends the Criminal Code to prohibit certain offences, including theft, robbery, mischief and arson against cultural property protected under the 1954 Convention for the Protection of Cultural Property in the Event of Armed Conflict. Those amendments allow for the prosecution of such offences when committed outside Canada by Canadians."					
Amended Code Sec.					
It adds s. 7(2.01), (2.02), 430(4.2). It replaces s. 2 [in part].					

2005, c. 38

2005, c. 38 (C-26)					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
Canada Border Services Agency Act	2005, c. 38 (C-26)	November 3, 2005	December 12, 2005	official text CanLII text	{{{8}}}
Summary					
Incidental amendments in creating the Canada Border Services Agency.					
Amended Code Sec.					
It amends s. 2.					

2005, c. 32

2005, c. 32 (Bill C-2)					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
An Act to amend the Criminal Code (protection of children and other vulnerable persons) and the Canada Evidence Act	2005, c. 32 (Bill C-2)	July 20, 2005	November 1, 2005 (s. 1 to 12, 24, 25) and January 2, 2006 (s.13 to 23, 26 to 27.1)	official text CanLII text	{{{8}}}
Summary					
"This enactment amends the Criminal Code to ... amend the child pornography provisions with respect to the type of written and audio material that constitutes child pornography, and with respect to the child pornography offences, defences and penalties; ... add a new category to the offence of sexual exploitation of young persons and make additional amendments to further protect children from sexual exploitation;... increase the maximum penalty for child sexual offences, for failing to provide the necessities of life and for abandoning a child;... make child abuse an aggravating factor for the purpose of sentencing and direct the courts to give primary consideration to the objectives of denunciation and deterrence in sentencing for offences involving abuse of a child; ... amend and clarify the applicable test and criteria that need to be met for the use of testimonial aids, for excluding the public, for imposing a publication ban, for using video-recorded evidence or for appointing counsel for self-represented accused to conduct a cross-examination of certain witnesses; and ... create an offence of voyeurism and the distribution of voyeuristic material."					
Amended Code Sec.					
It adds s. 153(1.1), (1.2), 161(1.1), 162, 163.1(4.3), 486.1, 486.2, 486.3, 486.4, 486.5, 486.6, 718. It replaces s. 127, 150.1(2) and (3), 151, 152, 153(1), 161(1), 163.1(1) to (4), (4.1), (6), (7), 164(1), (3) to (5), (7), (8) [definition], 164.1(1), (5), (7), 170, 171, 183 [definition], 212(2), (4), 215(3), 218, 276.3, 278.9(1), 486, 487.2(1), 539(1), 542(2), 631(6), 648(1), 672.51(11), 715.1, 715.2, 718.2(a)(ii). It repeals s. 487.2(2), 539(4), 542(3), 648(3).					

2005, c. 25

2005, c. 25					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
An Act to amend the Criminal Code, the <i>DNA Identification Act</i> and the National Defence Act	2005, c. 25	May 19, 2005	On Royal Assent and January 1, 2008	official text CanLII text	{{{8}}}
Summary					
Amended Code Sec.					
It adds s. 487.051(4), 487.055(3)(a.1), 487.055(3)(b)(iv) to (vi), 487.0561, 487.0911. It replaces s. 487.04 [in part], 487.051(1) to (3), 487.052 and 487.053, 487.055(1), 487.056(1), 487.071, 487.08(1.1), 487.08(4), 487.091(1) and (2), Forms 5.03 to 5.06, Forms 5.08 and 5.09. It repeals s. 487.08(2.1).					

2005, c. 22

2005, c. 22 (Bill C-10)					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
An Act to amend the Criminal Code (mental disorder) and to make consequential amendments to other Acts	2005, c. 22 (Bill C-10)	May 19, 2005	On Royal Assent	official text CanLII text	{{{8}}}
Summary					
<p>"This enactment amends Part XX.1 of the Criminal Code governing persons found unfit to stand trial or not criminally responsible on account of mental disorder. The amendments, among other things, include ... repealing unproclaimed provisions related to capping, dangerous mentally disordered accused and hospital orders; ... expanding the authority of Review Boards by enabling them to order an assessment of the accused, adjourn hearings and protect the identity of victims and witnesses; ... permitting the oral presentation of victim impact statements at disposition hearings and adjournments allowing the victim to prepare the statement; ... permitting Review Boards to extend the time for holding a review hearing to a maximum of 24 months in certain circumstances; ... permitting the court to hold an inquiry and order a judicial stay of proceedings for an accused found unfit to stand trial, if the accused is not likely to ever be fit to stand trial and does not pose a significant risk to the safety of the public and a stay is in the interests of the proper administration of justice; ... specifying that the transfer provisions require the consent of the appropriate Attorneys General in all cases and enabling transfers of an accused who is not in custody; and ... allowing peace officers arresting an accused who is in contravention of an assessment order or a disposition to release, detain, compel the appearance of or deliver the accused to a place specified in the order."</p>					
Amended Code Sec.					
<p>It added s. 672.1(2), 672.121, 672.16(1.1), (1.2), 672.33(1.1), 672.45(1.1), 672.47(3), 672.5(5.1), 672.5(13.2), 672.5(15.1), (15.2), (15.3), 672.501, 672.85 [header], 672.851, 672.852. It replaced s. 672.1 [renumbered], 672.1(1) [in part], 672.11(e), 672.13(2), 672.14(3), 672.15(1), 672.16(1), 672.16(2), 672.16(3), 672.17, 672.191, 672.2(2), 672.2(4), 672.5(8), 672.5(16), 672.51(11), 672.52(2), 672.54, 672.541, 672.63, 672.67(2), 672.81(2), 672.82(1), 672.85, 672.85(b), 672.86(1)(b), 672.86(3), 672.91 to 672.94, 673 [definition], Form 48.</p> <p>It repealed s. 672.21(3)(c), 672.55(2), 672.64 to 672.66, 672.79, 672.8, 672.83(2), 672.84, schedule to Part XX.1, 747 [header], 747 to 747.8, Form 51.</p>					

2005, c. 10

2005, c. 10					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
Department of Public Safety and Emergency Preparedness Act	2005, c. 10	March 23, 2005	April 4, 2005	official text CanLII text	{{{8}}}
Summary					
Amended Code Sec.					
<p>It replaces s. 83.05(1.1) to (4), 83.05(6)(a), 83.05(7) to (10), 83.06(1) and (2), 83.07, 83.09(1) and (2), 185(1), 186(6), 187(2), 196(1) and (2).</p>					

2000 to 2004

2004, c. 15

2004, c. 15 (C-7)					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
An Act to amend certain Acts of Canada, and to enact measures for implementing the Biological and Toxin Weapons Convention, in order to enhance public safety	2004, c. 15 (C-7)	May 6, 2004	Dec 1, 2004	official text CanLII text	{{{8}}}
Summary					
<p>The Act "adds a new offence to the Criminal Code for communicating information or committing any act that is likely to lead others to falsely believe that terrorist activity is occurring, with the intention of causing persons to fear death, bodily harm, substantial damage to property or serious interference with the lawful use or operation of property."</p>					
Amended Code Sec.					
<p>It adds s. 83.231.</p>					

2004, c. 14

2004, c. 14 (Bill C-250)					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
An Act to amend the Criminal Code (hate propaganda)	2004, c. 14 (Bill C-250)	6 May 2004	?	CanLII text	{{{8}}}
Summary					
Amended Code Sec.					

2004, c. 12

2004, c. 12 (Bill C-14)					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
An Act to amend the Criminal Code and other Acts	2004, c. 12 (Bill C-14)	April 22, 2004	April 22, 2004 and Oct 1, 2004	official text CanLII text	{{{8}}}
Summary					
The Act "amends the Criminal Code by... establishing more serious offences for placing, or knowingly permitting to remain in a place, a trap, device or other thing that is likely to cause death or bodily harm to a person;... permitting the use of as much force as is reasonably necessary on board an aircraft to prevent the commission of an offence that would be likely to cause immediate and serious injury to the aircraft or to any person or property in the aircraft;... modifying the provision dealing with the provision of information on oath in relation to weapons; and... creating an exemption to the offence of intercepting private communications in order to protect computer systems."					
Amended Code Sec.					
It replaces s. 7(8), 117.04, 247, 462.43(1)(c), 536(4), (4.1), 536.1(3), (4), 729(1)(b), 732.2(1)(c), 741(1), 742.2(2), 742.6(10), (12), (14) to (16), 742.6(17), 742.7(1), (4). It modifies s. 184(2), 193(2). It adds s. 27.1, 184(3) and Form 46.					

2004, c. 10

2004, c. 10 (Bill C-16)					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
An Act respecting the registration of information relating to sex offenders, to amend the Criminal Code and to make consequential amendments to other Acts	2004, c. 10 (Bill C-16)	April 1, 2004	Dec 15, 2004	official text CanLII text	{{{8}}}
Summary					
"The enactment amends the Criminal Code to enable the Crown to apply for an order to require an offender who is convicted of, or found not criminally responsible on account of a mental disorder for, certain offences to report regularly to a designated registration centre and provide information. It creates a new Criminal Code offence for failure to comply with the order, as well as an offence for providing false or misleading information."					
Amended Code Sec.					
It adds s. 490.011, 490.012, 490.013, 490.014, 490.015, 490.016, 490.017, 490.018, 490.019, 490.02, 490.021, 490.022, 490.023, 490.024, 490.025, 490.026, 490.027, 490.028, 490.029, 490.03, 490.031, 490.032, Form 52 [in part]					

2004, c. 3

2004, c. 3 (Bill C-13)					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
An Act to amend the Criminal Code (capital markets fraud and evidence-gathering)	2004, c. 3 (Bill C-13)	March 29, 2004	Sept 15, 2004 (s. 2 to 8) and Sept 15, 2005 (s. 1)	official text CanLII text	{{{8}}}
Summary					
"This enactment amends the Criminal Code by creating a new offence of prohibited insider trading and creating a new offence to prohibit threatening or retaliating against employees for disclosing unlawful conduct. The enactment increases the maximum penalties and codifies aggravating and non-mitigating sentencing factors for fraud and certain related offences and provides for concurrent jurisdiction for the Attorney General of Canada to prosecute those offences. The enactment also creates a new procedural mechanism by which persons will be required to produce documents, data or information in specific circumstances."					
Amended Code Sec.					
It amends s. 2, 382. It replaces s. 380(1)(a), 380(2), 487.3(1), 487.3(4). It adds s. 380.1, 382.1, 425.1, 487.011 to 487.017.					

2003, c. 21

2003, c. 21 (Bill C-45)					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
An Act to amend the Criminal Code (criminal liability of organizations)	2003, c. 21 (Bill C-45)	November 7, 2003	March 31, 2004 (all except s. 556), June 1, 2004	official text CanLII text	{{{8}}}
Summary					
"This enactment amends the Criminal Code to ... establish rules for attributing to organizations, including corporations, criminal liability for the acts of their representatives; ... establish a legal duty for all persons directing work to take reasonable steps to ensure the safety of workers and the public; ... set out factors for courts to consider when sentencing an organization; and ... provide optional conditions of probation that a court may impose on an organization." Also known as the "Westray Bill", it created legal duties to employers for workplace safety.					
Amended Code Sec.					
It amends s. 2, 362(1)(c), 620 to 623, 732.1(1), 734(1), 735(1), it added s. 22.1, 22.2, and 217.1, 718.21, 732.1(3) to (3.2), replaces s. 328(e), 362(1)(d), 462.38(3)(b), 538, 556, 570(5), 650(1), 703.2, 721(1), 727(4), 730(1), 735(1)(b), 735(2), 800(3), 556, it repealed s. 391.					

2003, c. 8

2003, c. 8 (Bill C-10A)

Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
An Act to amend the Criminal Code (firearms) and the Firearms Act	2003, c. 8 (Bill C-10A)	May 13, 2003	May 30, 2003 and August 15, 2003	official text CanLII text	{{{8}}}

Summary

"This enactment amends the Criminal Code and the Firearms Act in order to simplify compliance with the firearms program, to modernize administrative procedures and to meet Canada's emerging international obligations by ... in Part III of the Criminal Code, ... modernizing the description of firearms that are deemed not to be firearms for the purpose of the Firearms Act and certain provisions of the Criminal Code, ... providing that there is no forfeiture of goods that are the subject of a prohibition order made under section 515 of the Criminal Code, and ... providing that an authorization, licence or registration certificate for firearms be revoked or amended only for the period that a prohibition order made under that section is in force;"

Amended Code Sec.

It adds s. 84(1) [definition], 115(1.1). It replaces s. 84(3)(d)(i) and (ii), 85(1)(a), 109(1)(c), 116, 117.07(2)(h), 515(4.1)(c).

2002, c. 22

2002, c. 22

Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
Excise Act, 2001	2002, c. 22	June 13, 2002	On Royal Assent and July 1, 2003	official text CanLII text	{{{8}}}

Summary

Consequential amendments to the Code in enacting the Excise Act (partially repealed at a later date)

Amended Code Sec.

It replaces s. 2 [definitions], 78(2), 183 [definitions], 462.3(b.1) [definitions].

2002, c. 13

2002, c. 13 (Bill C-15A)

Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
Criminal Law Amendment Act, 2001	2002, c. 13 (Bill C-15A)	June 4, 2002	July 23, 2003 (s. 79), June 1, 2004 (s. 24 to 46, 48, 59 and 72)	official text CanLII text	{{{8}}}

Summary

"This enactment amends the Criminal Code by ... adding offences and other measures that provide additional protection to children from sexual exploitation, including sexual exploitation involving use of the Internet; ... increasing the maximum penalty for criminal harassment; ... making home invasions an aggravating circumstance for sentencing purposes; ... creating an offence of disarming, or attempting to disarm, a peace officer; ... codifying and clarifying the review process for applications to the Minister of Justice with respect to allegations of miscarriage of justice; and ... reforming and modernizing criminal procedure with respect to ... procedural aspects of preliminary inquiries, ... the disclosure of expert evidence, ... rules of court in relation to case management and preliminary inquiries, ... electronic documents and remote appearances, ... a plea comprehension inquiry scheme, ... private prosecutions, ... the selection of alternate jurors, and ... restriction on the use of agents."

Amended Code Sec.

It added s. 3.1, 163.1(4.1) and (4.2), 164.1, 164.2, 164.3, 172.1, 270.1, 348.1, 482.1, 507.1, 536.2 to 536.5, 537(1)(j.1), 537(1.1), 540(7) to (9), 579.01, 606(1.1), (1.2) and (5), 626.1, 631(2.1), 634(2.1), 642.1, 650.01, 650.02, 657.3(3) to (7), 683(2.1) and (2.2), 688(2.1), 696.1 to 696.6, 715(4), 774.1, 802.1. It replaced s. 7(2.31)(b), 7(4.2) and (4.3), 161(1), 163.1(3), (6), and (7), 164(4), 264(3)(a), 274, 275, 276(1), 277, 482(2), 482(3)(c), 485(1.1), 485(2.1), 507(1), 529.1(b), 535, 536(2), 536(4), 536.1(2) to (5), 537(1)(i), 540(1)(a), 549(1.1) and (2), 554(2), 555(3)(a), 555.1(3) and (4), 556(2)(b), 556(3) and (4), 557, 560(1), 561(2), 561.1(1) to (3), 561.1(5) to (7), 562.1(1) and (2), 563.1(1), 565(2), 566.1(1) and (2), 567 to 568, 569(1), 574, 577, 598(2), 625.1(2), 631(3), (4), and (5), 632(b), 634(2), 641(1), 642(1), 643(1) and (1.1), 646, 650(1), 673 [in part], 676(5), 679(7), 689(1), 731.1, 734.3, 742.2, 753.1(2)(a), 785 [in part], 810.01(2) and (6), 810.1(1) to (4), 810.2(2) and (7), 822(4), 841 to 849, Form 7.1, (b), Form 11.1, (a). It repeals s. 214 [in part], 690.

2002, c. 7

2002, c. 7

Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
Yukon Act	2002, c. 7	April 1, 2003	March 27, 2002	official text CanLII text	{{{8}}}

Summary

The Act intends to "replace the Yukon Act in order to modernize it and to implement certain provisions of the Yukon Northern Affairs Program Devolution Transfer Agreement, and to repeal and make amendments to other Acts".

Amended Code Sec.

It amends s. 2, 552, schedule to Part XXV, it replaces s. 8(1)(a), 164(8)(d), 188(4)(f), 287(6)(e), 320(8)(d), 493(e), 533, 745.6(3)(f), 745.64(2), 812(1)(h), and 814(4).

2002, c. 1

2002, c. 1 (Bill C-7)					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
Youth Criminal Justice Act	2002, c. 1 (Bill C-7)	February 19, 2002	April 1, 2003	official text CanLII text	{{{8}}}
Summary					
Amended Code Sec.					
It replaces s. 487.04 [definitions], 487.051(1), 487.052(1), 487.053(b), 487.056(1), 487.071(1)(a) and (b), 667(1), 718.3(4), 721(3)(b), 743.4 and 743.5, Form 5.03, Form 5.04.					

2001, c. 41

2001, c. 41 (Bill C-36)					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
Anti-terrorism Act	2001, c. 41 (Bill C-36)	December 18, 2001	December 18, 2001, Dec 24, 2001, January 7, 2002, February 1, 2002, June 28, 2002, and July 2, 2003	official text CanLII text	{{{8}}}
Summary					
It "amends the Criminal Code to implement international conventions related to terrorism, to create offences related to terrorism, including the financing of terrorism and the participation, facilitation and carrying out of terrorist activities, and to provide a means by which property belonging to terrorist groups, or property linked to terrorist activities, can be seized, restrained and forfeited. It also provides for the deletion of hate propaganda from public web sites and creates an offence relating to damage to property associated with religious worship."					
Amended Code Sec.					
It adds s. 83.01, 83.02, 83.03, 83.04, 83.05, 83.06, 83.07, 83.08, 83.09, 83.1, 83.11, 83.12, 83.13, 83.14, 83.15, 83.16, 83.17, 83.18, 83.19, 83.2, 83.21, 83.22, 83.23, 83.24, 83.25, 83.26, 83.27, 83.28, 83.29, 83.3, 83.32, 83.33, 231(6.01), 320.1, 424.1, 430(4.1), 431.1, 431.2, 462.48(1)(d), 486(2.101), (2.102), (2.11), (2.2), (4.11), 490.1(1.1), 515(4.3), 515(6)(a)(iii) to (v), 718.2(a)(v), 743.6(1.2)					
It replaces s. 2 [definitions], 7(3), 7(3.71) to (3.75), 7(7), 7(10), 183, 185(1.1), 186(1.1), 186.1, 196(5), 424, 431, 462.3 [in part], 486(2.11) and (2.2), 486(4.1), 486(4.7)(b) to (e), 486(4.9)(c), 487.04(a)(i) [in part], 515(4.1), 515(4.2), 810.01(1), 810.01(3), 811[in part].					

2001, c. 37

2001, c. 37 (Bill C-46)					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
An Act to amend the Criminal Code (alcohol ignition interlock device programs)	2001, c. 37 (Bill C-46)	December 18, 2001	Dec 18, 2001	official text CanLII text	{{{8}}}
Summary					
"This enactment amends the Criminal Code to allow the court to authorize repeat offenders subject to driving prohibition orders to drive, if they register in a provincial alcohol ignition interlock device program. The enactment provides that no authorization has effect until a minimum period of prohibition has been completed of 3, 6 or 12 months for a first, second or subsequent offence, respectively."					
Amended Code Sec.					
It adds s. 259(1.1) to (1.4)					

2001, c. 32

2001, c. 32 (Bill C-24)					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
An Act to amend the Criminal Code (organized crime and law enforcement) and to make consequential amendments to other Acts	2001, c. 32 (Bill C-24)	December 18, 2001	Jan 7, 2002 and Feb 1, 2002	official text CanLII text	{{{8}}}
Summary					
"The enactment amends the Criminal Code by ... providing additional protection to members of the Senate and the House of Commons and persons who play a role in the administration of criminal justice from certain acts of intimidation directed against them or their families; ... providing law enforcement officers and other persons acting at their direction with circumscribed protection from criminal liability for certain otherwise illegal acts committed in the course of an investigation or enforcement of an Act of Parliament; ... extending the application of its proceeds of crime provisions to indictable offences under the Criminal Code and other Acts of Parliament, with a few exceptions; ... extending the application of its provisions relating to offence-related property to indictable offences under the Criminal Code; ... providing for the management, by judicial order, of proceeds of crime and offence-related property, whether seized or restrained; and ... providing broader measures for investigation and prosecution in connection with organized crime by expanding the concepts of criminal organization and criminal organization offence and by creating three new offences relating to participation in the activities — legal and illegal — of criminal organizations, and to the actions of their leaders." It requires a review of s. 25.1 to 25.4 after 3 years.					
Amended Code Sec.					
It adds s. 25.1, 25.2, 25.3, 25.4, 231(6.2), 423.1, 462.3(1) ["proceeds of crime"], 462.3(1) [definitions], 462.3(2) to (4), 462.32(4.1), 462.331, 462.38(2.1), 462.43(2), 467.11, 467.12, 467.13, 467.14, 486(1.5), 486(2.101), 490.2(4.1), 490.41, 490.81, 515(4.1)(b.1), 743.6(1.2). It replaces s. 2 [definitions], 183 [definitions], 185(1.1), 186(1.1), 186.1, 196(5), 423(1), 462.3 [number change], 462.31(1)(a) and (b), 462.32(1), 462.33(3), 462.33(3.1), 462.33(7), 462.34(6)(a)(i), 462.34(6)(b), 462.36, 462.37(1) and (2), 462.38(1), 462.38(2)(b), 462.38(3), 462.39, 462.41(2)(c), 462.41(3)(a), 462.42(1)(a), 462.42(4), 462.47, 462.48(1), 462.48(2), 462.48(2)(d), 462.48(3), 467.1, 467.2, 486(2.11) and (2.2), 486(4.1), 486(4.7)(b) to (e), 486(4.9)(c), 490.1(1), 490.1(2) and (3), 490.2(1) and (2), 490.2(3), 490.4(2)(c), 490.4(3)(a), 490.5(1)(a) and (b), 490.5(4)(a), 490.8(2)(a), 490.8(3), 490.8(8)(a), 515(4.2), 515(6)(a)(ii), 631(3) to (5), 632, 633, 641, 643(1) and (2), 645(5), 743.6(1.1), 810.01(1) and (3).					
It repeals s. 462.3(1) [definitions].					

2001, c. 27

2001, c. 27					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
Immigration and Refugee Protection Act	2001, c. 27	November 1, 2001	June 28, 2002 (partially repealed)	official text CanLII text	{{{8}}}
Summary					
Incidental amendments to the Criminal Code in creating the IRPA.					
Amended Code Sec.					
It amends s. 462.3, it replaces s. 477.1(a)(ii).					

2001, c. 26

2001, c. 26					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
Canada Shipping Act, 2001	2001, c. 26	November 1, 2001	July 1, 2001	official text CanLII text	{{{8}}}
Summary					
Incidental amendments to the Criminal Code when introducing the Canada Shipping Act.					
Amended Code Sec.					
It repeals s. 44.					

2000, c. 25

2000, c. 25 (Bill C-18)					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
An Act to amend the Criminal Code (impaired driving causing death and other matters)	2000, c. 25 (Bill C-18)	June 29, 2000	March 15, 2001	final bill text	{{{8}}}
Summary					
Amended Code Sec.					
It replaces s. 255(3), 256(1). It repeals s. 553(c)(vii).					

2000, c. 24

2000, c. 24 (Bill C-19)					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
Crimes Against Humanity and War Crimes Act	2000, c. 24 (Bill C-19)	June 29, 2000	October 23, 2000	final bill text CanLII text	{{{8}}}
Summary					
Amended Code Sec.					
It repeals s. 7(3.71) to (3.77). It modifies s. 183, 469, 745. It replaces s. 607(6).					

2000, c. 17

2000, c. 17 (Bill C-22)					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
Proceeds of Crime (Money Laundering) Act	2000, c. 17 (Bill C-22)	June 29, 2000	October 28, 2001	final bill text CanLII text	{{{8}}}
Summary					
Minor incidental amendments to Code relating to Proceeds of Crime Act					
Amended Code Sec.					
It replaces s. 488.1(11).					

2000, c. 10

2000, c. 10 (Bill S-10)					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
An Act to amend The National Defence Act, the <i>DNA Identification Act</i> , and the Criminal Code	2000, c. 10 (Bill S-10)	June 29, 2000	June 30, 2000	final bill text	{{{8}}}
Summary					
This Act makes amendments to the Code to "extend the prohibition against unauthorized use of bodily substances and the results of forensic DNA analysis to include those obtained under the National Defence Act." It also "amendments to the Criminal Code clarify and strengthen the existing regime concerning the taking of bodily substances for the purpose of forensic DNA analysis."					
Amended Code Sec.					
It modifies s. 487.03, 487.057(1), 487.06, replaces s. 487.053, 487.055(2), 487.055(3.1), 487.056(2), (3), 487.058, 487.07 (1), (3), 487.071(1), 487.08(1), (1.1), (2), (2.1), and 487.091(3). It adds FORM 28.1.					

2000, c. 2

2000, c. 2 (Bill C-202)					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
An Act to amend the Criminal Code (flight)	2000, c. 2 (Bill C-202)	March 30, 2000	March 30, 2000	final bill text	{{{8}}}
Summary					
Amended Code Sec.					
It adds s. 249.1, and replaces s. 259(2), 622(5).					

2000, c. 1

2000, c. 1 (Bill C-7)					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
An Act to amend the Criminal Records Act and to amend another Act in consequence	2000, c. 1 (Bill C-7)	March 30, 2000	August 1, 2000	final bill text	{{{8}}}
Summary					
This act makes minor amendments to the Code.					
Amended Code Sec.					
It replaces s. 750(4).					

See Also

- [List of Criminal Code Amendments \(2010 to 2019\)](#)
- [List of Criminal Code Amendments \(1984 to 1999\)](#)
- [List of Criminal Code Amendments \(1892 to 1984\)](#)

List of Criminal Code Amendments (2010 to 2019)

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2019, c. 25

2019, c. 25 (Bill C-75)

Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
An Act to amend the Criminal Code, the <i>Youth Criminal Justice Act</i> and other Acts and to make consequential amendments to other Acts	2019, c. 25 (Bill C-75)	June 21, 2019 [1]	<p>On Royal Assent: s. 278, 301, 314.</p> <p>90 days after RA (Sept 19, 2019): 1(1), (2), 2, 3, 4(1), 6 to 23, 25 to 29, 33 to 46, 48 to 50 and 52, 55(2), 56 to 59, 61, 63, 64 to 69, 70 to 72, 74 to 76, 79 to 88, 90, 92 to 97, 103 to 110, 112 to 156, 157(1), 158 to 181 and 183 to 186, 187(2), 188, 191 to 201, 203 to 208 and 216, 225(2), 237 to 244, 245(1) to (3), 246, 247, 250, 251, 252 and 253, 254(1), (4), (5) and 255(1), (2), (4) and (5), 256 to 259, 260(1), 261 to 263, 265, 267 to 275, 277, 281(1), (2), 282 to 286, 289 to 294, 298, 299, 302, 305 to 307, 315 to 319, 321, 322, 329 to 333, 334(1), (2), 336(1), 338 to 344, 345(1), 346, 347, 348(1) and (2) and 349(1) and (2), 350 to 353, 370(1) and 376 to 379, 382, 385, 399 and 400.1</p> <p>180 days after RA: (Dec 18th) s. 1(3), 5, 24, 30 to 32, 47 and 91, 157(2), 182, 187(1), 209 to 215, 217 to 224, 225(1), (3) to (7), 226 to 236, 245(4), 248, 249, 254(2), (3), 255(3) and 260(2), 264, 266, 276, 279 and 280, 281(3) and (4), 287, 288, 295, 296, 297, 300, 303, 304, 308 to 313, 323 to 328, 334(3), 335, 336(2), 337, 345(2), 348(3), 349(3), 361 to 369, 370(2), 371 to 375, 380, 381, 387 to 393, 396 to 398 and 400</p>	final reading draft text CanLII text	<p>Hansard 300,</p> <p>Hansard 310,</p> <p>Hansard 354,</p>

Summary

Makes changes on various parts of the code, including bail, jury selection, intimate partner violence, victim fine surcharge, warrants, administration of justices offences, limitations on preliminary inquiries, increase maximum penalties, remove unconstitutional offences, and numerous changes to YCJA.

Amended Code Sec.

s. 1(1), (2), (3), 2, 3, 4(1), 5, 6 to 29, 30 to 46 to 50 and 52, 55(2), 56 to 59, 61, 63, 64 to 69, 70 to 72, 74 to 76, 79 to 88, 90 to 97, 103 to 110, 112 to 156, 157(1), 158 to 181 and 183 to 186, 187(2), 188, 191 to 201, 203 to 208 and 216, 225(2), 237 to 244, 245(1) to (3), 246, 247, 250, 251, 252 and 253, 254(1), (4), (5) and 255(1), (2), (4) and (5), 256 to 259, 260(1), 261 to 263, 264, 265 to 280, 281(1), (2), 282 to 286, 289 to 294, 298, 299, 302, 305 to 307, 315 to 319, 321, 322, 329 to 333, 334(1), (2), 336(1), 338 to 344, 345(1), 346, 347, 348(1) and (2) and 349(1) and (2), 350 to 353, 370(1) and 376 to 379, 382, 385 to 398, 399, 400, and 400.1. 157(2), 182, 187(1), 209 to 215, 217 to 224, 225(1), (3) to (7), 226 to 236, 245(4), 248, 249, 254(2), (3), 255(3) and 260(2), 281(3) and (4), 287, 288, 295, 296, 297, 300, 301, 303, 304, 308 to 313, 314, 323 to 328, 334(3), 335, 336(2), 337, 345(2), 348(3), 349(3), 361 to 369, 370(2), 371 to 375, 380, 381, 387 to 393.

2019, c. 17

2019, c. 17 (Bill C-84)

Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
An Act to amend the Criminal Code (bestiality and animal fighting)	2019, c. 17 (Bill C-84)	June 21, 2019	On Royal Assent	draft text CanLII text	{{{8}}}

Summary

" enactment amends the Criminal Code to... define "bestiality"... expand the scope of the offence of encouraging, aiding or assisting at the fighting or baiting of animals or birds so that the offence...includes promoting, arranging, receiving money for or taking part in the fighting or baiting of animals or birds, and... also applies with respect to the training, transporting or breeding of animals or birds for fighting or baiting; and... expand the scope of the offence of building, making, maintaining or keeping a cockpit so that the offence applies with respect to any arena for animal fighting."

Amended Code Sec.

s. 160, 445.1, and 447.

2019, c. 14

2019, c. 14

Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
An Act to amend the Fisheries Act and other Acts in consequence	2019, c. 14	June 21, 2019	August 28, 2019 [PC 2019-1184]	CanLII text	{{{8}}}

Summary

Amended Code Sec.

2019, c. 13

2019, c. 13

Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
National Security Act, 2017	2019, c. 13	June 21, 2019	August 1, 2019 [PC 2019-1091]	CanLII text	{{{8}}}
Summary					
Amended Code Sec.					

2019, c. 11

2019, c. 11 (S-203)

Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
An Act to amend the Criminal Code and other Acts (ending the captivity of whales and dolphins)	2019, c. 11 (S-203)	June 21, 2019			{{{8}}}
Summary					
Amended Code Sec.					

2019, c. 9

2019, c. 9 (Bill C-71)

Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
An Act to amend certain Acts and Regulations in relation to firearms	2019, c. 9 (Bill C-71)	June 21, 2019	?	Open Parliament status CanLII text	{{{8}}}
Summary					
Amended Code Sec.					

2018, c. 26

2018, c. 26 (Bill C-47)

Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
An Act to amend the Export and Import Permits Act and the Criminal Code (amendments permitting the accession to the Arms Trade Treaty and other amendments)	2018, c. 26 (Bill C-47)	December 13, 2018	September 1, 2019 (S/I/ 2019-0041)	draft text CanLII text	{{{8}}}
Summary					
"The enactment amends the Criminal Code to include, for interception of private communications purposes, the offence of brokering in the definition of "offence" in section 183." (second reading)					
Amended Code Sec.					
s. 183.					

2018, c. 21

2018, c. 21 (Bill C-46)

Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
An Act to amend the Criminal Code (offences relating to conveyances) and to make consequential amendments to other Acts	2018, c. 21 (Bill C-46)	June 21, 2018	June 21, 2018 (s. 1 to 11) December 18, 2018 (s. 12 to 50)	official text CanLII text	{{{8}}}
Summary					
Part 1 amends the provisions of the Criminal Code that deal with offences and procedures relating to drug-impaired driving. Among other things, the amendments ... enact new criminal offences for driving with a blood drug concentration that is equal to or higher than the permitted concentration; ... authorize the Governor in Council to establish blood drug concentrations; and ... authorize peace officers who suspect a driver has a drug in their body to demand that the driver provide a sample of a bodily substance for analysis by drug screening equipment that is approved by the Attorney General of Canada. Part 2 repeals the provisions of the Criminal Code that deal with offences and procedures relating to conveyances, including those provisions enacted by Part 1, and replaces them with provisions in a new Part of the Criminal Code that, among other things, ... re-enact and modernize offences and procedures relating to conveyances; ... authorize mandatory roadside screening for alcohol;... establish the requirements to prove a person's blood alcohol concentration; and... increase certain maximum penalties and certain minimum fines.					
Amended Code Sec.					
s. 253(3), (4), 253.1 254(2), 255 to 259, 230.11 to 320.4, 335(2), 461(3), 487.04, 487.1(1),(5),(7),(8), 662(5), 673, 680(1), 729.1(2),(3), 752, 785, 811.1(2), Form 5.04, 5.1, 5.2.					

2018, c. 29

2018, c. 29 (Bill C-51)					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
An Act to amend the Criminal Code and the Department of Justice Act and to make consequential amendments to another Act	2018, c. 29 (Bill C-51)	December 13, 2018	On Royal Assent except for s. 73 and 75 that are on the first anniversary of Royal Assent	final text CanLII text	{{{8}}}
Summary					
"This enactment amends the Criminal Code to amend, remove or repeal passages and provisions that have been ruled unconstitutional or that raise risks with regard to the Canadian Charter of Rights and Freedoms, as well as passages and provisions that are obsolete, redundant or that no longer have a place in criminal law. It also modifies certain provisions of the Code relating to sexual assault in order to clarify their application and to provide a procedure applicable to the admissibility and use of the complainant's or a witness's record when in the possession of the accused."					
Amended Code Sec.					
It removes s. 49, 71, 125(d) and after, 143, 145 [parts], 163(2)(c), (d), (7), 164(8), 165, 198, 276.1 to 276.5, 279(3), 279.1(3), 288, 296, 359, 360, 365, 370, 371, 402, 413, 419 after (d), 427, 451, 459 after (c), 469(a)(ii), 794(2). It replaces s. 55, 57(3), 82, 108(1), 125, 145(2), (3), (4), (5), 153.1(3), 153.1(5)(a), 153.1(5)(b), 163(1), 163(2), 164(3) to (5), 176 to 178, 183 [parts], 207(4)(c), 215(2), 273.1(2), 273.2(a), (c), 276(2), 278.1, 278.3(5), 294, 299(c), 327(1), 342.2(1), 349, 350(b)(ii), 351(1), 352, 354(2), 376, 402.2, 405, 417, 419, 429(2), 445(1)(a),(b), 447.1(1), 450, 451, 452, 454, 458, 459, 517(2), 581(4), 584(1), 601(9), 719(3.1), 743.21(2), parts of Forms 6, 9 to 11, 11.1, 12. It adds s. 207(4.01), 276(2)(c), 276(4), 278.92 to 278.97					

2018, c. 16

2018, c. 16 (Bill C-45)					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
An Act respecting cannabis and to amend the Controlled Drugs and Substances Act, the Criminal Code and other Acts (Cannabis Act)	2018, c. 16 (Bill C-45)	June 21, 2018	On Royal Assent (s. 160.1, 161, 188 to 193, 194, 199 to 202, 206, and 225) October 16, 2018 (remainder) SI/2018-52	official text CanLII text	{{{8}}}
Summary					
"...it repeals Part XII.1 of the Criminal Code, which deals with instruments and literature for illicit drug use, and makes consequential amendments to that Act."					
Amended Code Sec.					
It replaces s. 25.1(14), 462.331(1), 462.37(2.02)*, 462.341, 462.341, 490.81(1), 729(2), 737(1). It modifies s. 109(1), 110(1)(a), 183, 462.37(2.02), 553(c), 673, 785, Form 5.04. It adds 487.04(a.1), 515(4.1)(b.2). It repeals Part XII.1. [first reading version]					

2018, c. 12

2018, c. 12					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
Budget Implementation Act, 2018, No 1	2018, c. 12	June 21, 2018	September 19, 2018 (s. 403 to 405) October 17, 2018 (s. 114)	official text CanLII text	{{{8}}}
Summary					
Makes minor changes to list of wiretap eligible offences under s. 183. Amends s. 2.2(1). Adds Part XXII.1 to the Code re "Remediation Agreements"					
Amended Code Sec.					

2018, c. 11

2018 c. 11 (Bill C-66)					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
Expungement of Historically Unjust Convictions Act	2018 c. 11 (Bill C-66)	June 21, 2018	June 21, 2018	official text CanLII text	{{{8}}}
Summary					
Amended Code Sec.					

2017, c. 27

2017, c. 27 (Bill C-23)					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
Preclearance Act	2017, c. 27 (Bill C-23)	December 12, 2017	2019?	official text CanLII text	{{{8}}}
Summary					
xxx					
Amended Code Sec.					
s. 117.071 and 579.001.					

2017, c. 23

2017, c. 23 (Bill C-305)					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
An Act to amend the Criminal Code (mischief)	2017, c. 23 (Bill C-305)	December 12, 2017	On Royal Assent	official text CanLII text	{{{8}}}
Summary					
"This enactment amends the Criminal Code to add to the offence of mischief relating to religious property the act of mischief in relation to property that is used for educational purposes, for administrative, social, cultural or sports activities or events or as a residence for seniors."					
Amended Code Sec.					
Replaces s. 430(4.1). Adds s. 430(4.101)					

2017, c. 22

2017, c. 22 (Bill S-231)					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
An Act to amend the Canada Evidence Act and the Criminal Code (protection of journalistic sources)	2017, c. 22 (Bill S-231)	October 18, 2017	On Royal Assent	official text CanLII text	{{{8}}}
Summary					
"The enactment ... amends the Criminal Code so that only a judge of a superior court of criminal jurisdiction or a judge within the meaning of section 552 of that Act may issue a search warrant relating to a journalist. It also provides that a search warrant can be issued only if the judge is satisfied that there is no other way by which the desired information can reasonably be obtained and that the public interest in the investigation and prosecution of a criminal offence outweighs the journalist's right to privacy in the collection and dissemination of information. The judge must also be satisfied that these same conditions apply before an officer can examine, reproduce or make copies of a document obtained under a search warrant relating to a journalist."					
Amended Code Sec.					
It adds s. 488.01.					

2017, c. 7

2017, c. 7 (Bill C-37)					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
An Act to amend the Controlled Drugs and Substances Act and to make related amendments to other Acts	2017, c. 7 (Bill C-37)	May 18, 2017	On Royal Assent	official text CanLII text	{{{8}}}
Summary					
"It... makes ... amendments to the Criminal Code and the Seized Property Management Act" related to CDSA amendments.					
Amended Code Sec.					
It replaces s. 83.13(4)(a), (b), 83.13(5), (6), (7) to (9), 462.331(3)(a), (b), 462.331(4),(5), (6)(a), (b), (7), (8), 462.37(1), (2), 462.38(2)(b), 462.41(2), 490.1(1), (2), (4)(a),(b), 490.4(2) 490.41(2)(a),(b), 490.81(3)(a),(b), (4), (5), 490.81(6)(a),(b), 490.81(7), (8). It adds s. 83.13(4)(c), 83.13(8.1), (9.1), 462.331(7.1), (8.1), 490.81(7.1), (8.1).					

2017, c. 13

2017, c. 13 (Bill C-16)					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
An Act to amend the Canadian Human Rights Act and the Criminal Code	2017, c. 13 (Bill C-16)	June 19, 2017	On Royal Assent	official text CanLII text	{{{8}}}
Summary					
This amendment to the Code aims to "extend the protection against hate propaganda set out in that Act to any section of the public that is distinguished by gender identity or expression and to clearly set out that evidence that an offence was motivated by bias, prejudice or hate based on gender identity or expression constitutes an aggravating circumstance that a court must take into consideration when it imposes a sentence."					
Amended Code Sec.					
It replaces s. 318(4) and 718.2(a)(i)					

2017, c. 33

2017, c. 33					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
Budget Implementation Act, 2017, No 2	2017, c. 33			official text	{{{8}}}
Summary					
Amended Code Sec.					
s. 188					

2016, c. 3

2016, c. 3 (Bill C-14)					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
An Act to amend the Criminal Code and to make related amendments to other Acts (medical assistance in dying)	2016, c. 3 (Bill C-14)	June 17, 2016	s. 4 and 5 of the Act [relates to s. 241.31 and 241.4(2) of Code] is in force on June 17, 2017	official text CanLII text	{{{8}}}
Summary					
The amendment amends the Criminal Code to, "...create exemptions from the offences of culpable homicide, of aiding suicide and of administering a noxious thing, in order to permit medical practitioners and nurse practitioners to provide medical assistance in dying and to permit pharmacists and other persons to assist in the process;...specify the eligibility criteria and the safeguards that must be respected before medical assistance in dying may be provided to a person; ...require that medical practitioners and nurse practitioners who receive requests for, and pharmacists who dispense substances in connection with the provision of, medical assistance in dying provide information for the purpose of permitting the monitoring of medical assistance in dying, and authorize the Minister of Health to make regulations respecting that information; and ... create new offences for failing to comply with the safeguards, for forging or destroying documents related to medical assistance in dying, for failing to provide the required information and for contravening the regulations."					
Amended Code Sec.					
It replaces s. 14, 241, 241.1, 241.2, 241.3, 241.4, 241.31 adds s. 227, and modifies s. 241.4(2), 245					

2015, c. 34

2015, c. 34 (Bill C-35)					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
An Act to amend the Criminal Code (law enforcement animals, military animals and service animals)	2015, c. 34 (Bill C-35)	June 23, 2015	On Royal Assent	official text CanLII text	{{{8}}}
Summary					
"This enactment amends the Criminal Code to better protect law enforcement animals, military animals and service animals and to ensure that offenders who harm those animals or assault peace officers are held fully accountable."					
Amended Code Sec.					
It adds s. 270.03, 445.01 and 718.03					

2015, c. 29

2015, c. 29 (Bill S-7)					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
Zero Tolerance for Barbaric Cultural Practices Act	2015, c. 29 (Bill S-7)	June 18, 2015	July 16, 2015 [PC No 2015-1073]	official text CanLII text	{{{8}}}
Summary					
Amends Criminal Code to "clarify that it is an offence for an officiant to knowingly solemnize a marriage in contravention of federal law; provide that it is an offence to celebrate, aid or participate in a marriage rite or ceremony knowing that one of the persons being married is doing so against their will or is under the age of 16 years; provide that it is an offence to remove a child from Canada with the intention that an act be committed outside Canada that, if it were committed in Canada, would constitute the offence of celebrating, aiding or participating in a marriage rite or ceremony knowing that the child is doing so against their will or is under the age of 16 years; provide that a judge may order a person to enter into a recognizance with conditions to keep the peace and be of good behaviour for the purpose of preventing the person from committing an offence relating to the marriage of a person against their will or the marriage of a person under the age of 16 years or relating to the removal of a child from Canada with the intention of committing an act that, if it were committed in Canada, would be such an offence; and provide that the defence of provocation is restricted to circumstances in which the victim engaged in conduct that would constitute an indictable offence under the Criminal Code that is punishable by five years or more in prison. "					
Amended Code Sec.					
The amendment involves replacing s. 150.1(2.1), 232(2), 232(3)(a), 295, and 811. It also adds s. 150.1(2.2), 293.1, 293.2, and 810.02 and it changes s. 273.3(1).					

2015, c. 23

2015, c. 23 (C-26)					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
Tougher Penalties for Child Predators Act	2015, c. 23 (C-26)	June 18, 2015	July 16, 2015 (s. 2 to 19) [PC No 2015-1074] December 1, 2016 (s. 21 to 28) [PC No 2016-0989]	official text CanLII text	{{{8}}}
Summary					
Amends the Criminal Code to "increase mandatory minimum penalties and maximum penalties for certain sexual offences against children; increase maximum penalties for violations of prohibition orders, probation orders and peace bonds; clarify and codify the rules regarding the imposition of consecutive and concurrent sentences; require courts to impose, in certain cases, consecutive sentences on offenders who commit sexual offences against children; and ensure that a court that imposes a sentence must take into consideration evidence that the offence in question was committed while the offender was subject to a conditional sentence order or released on parole, statutory release or unescorted temporary absence." Creates a public database of child sex offenders under the High Risk Child Sex Offender Database Act.					
Amended Code Sec.					
It amends s. 151, 152, 153, 160, 161, 163.1, 170, 171, 171.1, 172, 172.1, 172.2, 212, 271, 272, 718.2, 718.3, 733.1, and 811.					

2015, c. 20

2015, c. 20 (Bill C-51)					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
Anti-terrorism Act, 2015	2015, c. 20 (Bill C-51)	June 18, 2015	July 1 and August 1, 2015 [PC# 2015-1053]	official text CanLII text	{{{8}}}
Summary					
The Act "amends the Criminal Code to, with respect to recognizances to keep the peace relating to a terrorist activity or a terrorism offence, extend their duration, provide for new thresholds, authorize a judge to impose sureties and require a judge to consider whether it is desirable to include in a recognizance conditions regarding passports and specified geographic areas. With respect to all recognizances to keep the peace, the amendments also allow hearings to be conducted by video conference and orders to be transferred to a judge in a territorial division other than the one in which the order was made and increase the maximum sentences for breach of those recognizances. It further amends the Criminal Code to provide for an offence of knowingly advocating or promoting the commission of terrorism offences in general. It also provides a judge with the power to order the seizure of terrorist propaganda or, if the propaganda is in electronic form, to order the deletion of the propaganda from a computer system. Finally, it amends the Criminal Code to provide for the increased protection of witnesses, in particular of persons who play a role in respect of proceedings involving security information or criminal intelligence information, and makes consequential amendments to other Acts."					
Amended Code Sec.					
It amended s. 2, 83.3(7.1), (8.1), 83.31(2), (3), 487.04, 810.01(8), 810.011(6), 811(a), (b), added s. 83.221 to 83.223, 83.3(11.1), (11.2), 486.7, 810.011, 810.21, 810.22, and replaces s. 83.3(2)(a), (b), 83.3(4), 83.3(8)(a), (b), (12), 195(1)(a), (b), 486(1), 810.01(1)					

2015, c. 13

2015, c. 13 (Bill C-32)

Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
An Act to enact the Canadian Victims Bill of Rights and to amend certain Acts	2015, c. 13 (Bill C-32)	April 23, 2015	July 23, 2015 (some s. delayed, see s. 37 to 44 of Act) [PC# 2015-0846 and 2016-0366]	official text CanLII text	{{{8}}}
Summary					
<p>"This enactment amends the Criminal Code to... align the definition of "victim" with the definition of "victim" in the Canadian Victims Bill of Rights... protect the privacy and security interests of complainants and witnesses in proceedings involving certain sexual offences and ensure that they are informed of their right to be represented by legal counsel... broaden the conduct to which the offence of intimidation of justice system participants applies... expand the list of factors that a court may take into consideration when determining whether an exclusion order is in the interest of the proper administration of justice... make testimonial aids more accessible to vulnerable witnesses... enable witnesses to testify using a pseudonym in appropriate cases... make publication bans for victims under the age of 18 mandatory on application... provide that an order for judicial interim release must indicate that the safety and security of every victim was taken into consideration... require the court to inquire of the prosecutor if reasonable steps have been taken to inform the victims of any plea agreement entered into by the accused and the prosecutor in certain circumstances... add victim impact statement forms to assist victims to convey their views at sentencing proceedings and at hearings held by Review Boards... provide that the acknowledgment of the harm done to the victims and to the community is a sentencing objective... clarify the provisions relating to victim impact statements... allow for community impact statements to be considered for all offences... provide that victims may request a copy of a judicial interim release order, probation order or a conditional sentence order... specify that the victim surcharge must be paid within the reasonable time established by the lieutenant governor of the province in which it is imposed... provide a form for requesting a restitution order; and... provide that courts must consider the making of a restitution order in all cases, and that, in multiple victim cases, a restitution order may specify the amounts owed to each victim and designate the priority of payment among the victims." It also creates certain rights for victims in criminal proceedings.</p>					
Amended Code Sec.					
<p>It adds s. 2.2, 278.4(2.1), 486.31, 515(13), 606(4.1) to (4.4), 737.1, 739.1 to 739.4, and Form 48.1 in Part XXVIII. It replaces s. 287.2(1), (1)(b), 287.3(5), 287.5(2), 278.6(3), 278.7(2), (3), 423.1(1), 486(2), 486.1(1) to (3), 486.2, 486.3(1) to (4.1), 486.4(1), (1)(a), (1)(b), (2), 486.5(1), (2), (7)(b), 672.5(14), 718 (a), (f), 718.2(e), 722, 722.2, 732.1(5)(a), 737(4), 741, 741.1, 742.3(3)(a), Form 34.1 in Part XXVIII. It repeals s. 380.3, 380.4, 423.1(2), 672.5(16), 745.63(2).</p>					

2015, c. 3

2015, c. 3 (Bill C-47)

Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
Miscellaneous Statute Law Amendment Act, 2014	2015, c. 3 (Bill C-47)	February 26, 2015	On Royal Assent	official text CanLII text	{{{8}}}
Summary					
<p>The amendment means to "correct certain anomalies, inconsistencies and errors and to deal with other matters of a non-controversial and uncomplicated nature in the Statutes of Canada and to repeal certain provisions that have expired, lapsed or otherwise ceased to have effect".</p>					
Amended Code Sec.					
<p>It amends s. 2, 84(1), 164(8), 493, 552, schedule to Part XXV, it replaces s. 188(4)(c), (e), 287(6)(a), 320(8), 482(2)(l), 745.6(3)(c), (e), 812(1)(c), (f) . (g).</p>					

2015, c. 1

2015, c. 1 (Bill S-221)

Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
Act to amend the Criminal Code (assaults against public transit operators)	2015, c. 1 (Bill S-221)	February 25th, 2015	February 25th, 2015	official text CanLII text	{{{8}}}
Summary					
<p>"This enactment amends the Criminal Code to require a court to consider the fact that the victim of an assault [offences under s. 264.1(1)(a) or any of sections 266 to 269] is a public transit operator to be an aggravating circumstance for the purposes of sentencing."</p>					
Amended Code Sec.					
<p>s. 269.01.</p>					

2014, c. 39

2014, c. 39 (Bill C-43)

Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
Economic Action Plan 2014 Act, No 2	2014, c. 39 (Bill C-43)	16 December 2014	?	CanLII text	{{{8}}}
Summary					
Amended Code Sec.					

2014, c. 32

2014, c. 32 (Bill C-8)					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
Combating Counterfeit Products Act	2014, c. 32 (Bill C-8)	November 6, 2014	January 1, 2015 [PC# 2014-1451]	official text CanLII text	{{{8}}}
Summary					
Consequential amendments to the Code relating to new offences in the Copyright and Trade-marks Act.					
Amended Code Sec.					
s. 183.					

2014, c. 31

2014, c. 31 (Bill C-13)					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
Protecting Canadians from Online Crime Act	2014, c. 31 (Bill C-13)	December 9, 2014	March 9, 2015	official text CanLII text	{{{8}}}
Summary					
The "enactment amends the Criminal Code to provide...for ... a new offence of non-consensual distribution of intimate images as well as complementary amendments to authorize the removal of such images from the Internet and the recovery of expenses incurred to obtain the removal of such images, the forfeiture of property used in the commission of the offence, a recognizance order to be issued to prevent the distribution of such images and the restriction of the use of a computer or the Internet by a convicted offender;... the power to make preservation demands and orders to compel the preservation of electronic evidence;...new production orders to compel the production of data relating to the transmission of communications and the location of transactions, individuals or things; ...a warrant that will extend the current investigative power for data associated with telephones to transmission data relating to all means of telecommunications; ... warrants that will enable the tracking of transactions, individuals and things and that are subject to legal thresholds appropriate to the interests at stake; and ... a streamlined process of obtaining warrants and orders related to an authorization to intercept private communications by ensuring that those warrants and orders can be issued by a judge who issues the authorization and by specifying that all documents relating to a request for a related warrant or order are automatically subject to the same rules respecting confidentiality as the request for authorization."					
Amended Code Sec.					
It adds s. 4(8), 162.1, 162.2, 186(8), 187(8), 188(6), 342.2(4), Form 5.001 to 5.0091, replaces s. 164(1), (3) to (5), (7), 164.1(5), (7), 320.1(1), (5), (7), 327, 342.1(1), 342.2(1), (2), 371, 372, 430(1.1), 430(5), (5.1), (8), 487.011 to 487.02, header of 487.1, 487.3(1)(b), 492.1, 492.2, 810(1), it modifies s. 164(8), 164.1(1), 164.2(1), 183, 342.1(2), 487.3(1) 738(1) and repeals s. 326(2), 342.1(2).					

2014, c. 25

2014, c. 25 (Bill C-36)					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
Protection of Communities and Exploited Persons Act	2014, c. 25 (Bill C-36)	November 6th, 2014	December 6th, 2014	official text CanLII text	{{{8}}}
Summary					
"This enactment amends the Criminal Code to ... create an offence that prohibits purchasing sexual services or communicating in any place...; create an offence that prohibits receiving a material benefit that derived from the commission of this [purchasing offence]; create an offence that prohibits the advertisement of sexual services offered for sale and to authorize the courts to order the seizure of materials containing such advertisements and their removal from the Internet; modernize the offence that prohibits the procurement of persons for the purpose of prostitution; create an offence that prohibits communicating... for the purpose of selling sexual services ... [in a public place where children frequent]; ...and specify that, for the purposes of certain offences, a weapon includes any thing used, designed to be use or intended for use in binding or tying up a person against their will."					
Amended Code Sec.					
It modifies s. 2(b), 212(2), (4), 150.1(5), 161(1.1)(a), 183, 274, 278.2(1)(a), 486(3), 486.4(1)(a) and (b), 486.04, 490.011(1), 810.1(1). It adds 161(1.1)(d), 286.1 to 286.5, 487.04 segments, 752 segments. It replaces s. 164(1), (3) to (5), (7), (8), 164.1(1), (5), (7), 171.1(1)(a), 172.1(1)(a), 172.2(1)(a), 197(1) definitions, 213(1), 278.2(1), 279.02, 279.03, 487.04 segments, 487.051, 490.012(1), (2), (3)(a), 490.013(2.1), 490.02904(3)(d), 753.1(2)(a), Form 5.04 (b)(iii), Form 53 segments. It repeals s. 197(1) definitions, 212, 487.04 segments, 490.011(1) segments, 752 segments.					

2014, c. 23

2014, c. 23 (Bill C-10)					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
Tackling Contraband Tobacco Act	2014, c. 23 (Bill C-10)	November 6, 2014	April 10, 2015 [PC# 2015-0339]	official text CanLII text	{{{8}}}
Summary					
Amends Code to "create a new offence of trafficking in contraband tobacco and to provide for minimum penalties of imprisonment for repeat offenders".					
Amended Code Sec.					
s. 2, 121.1.					

2014, c. 32

2014, c. 21 (Bill C-489)					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
An Act to amend the Criminal Code and the Corrections and Conditional Release Act (restrictions on offenders)	2014, c. 21 (Bill C-489)	June 19, 2014	September 19, 2014	official text CanLII text	{{{8}}}
Summary					
"This enactment amends section 161 of the Criminal Code to require a court to consider making an order prohibiting certain offenders from being within two kilometres, or any other distance specified in the order, of any dwellinghouse where the victim identified in the order resides or of any other place specified in the order. It also amends subsection 732.1(2) (probation) to ensure that the offender abstains from communicating with any victim, witness or other person identified in a probation order, or refrains from going to any place specified in the order, except in accordance with certain conditions. It makes similar amendments to section 742.3 (conditional sentence orders) and subsection 810.1(3.02) (conditions of recognizance)." It amends Code provisions relating to <u>probation orders</u> , <u>conditional sentence orders</u> , <u>peace bonds</u> , and <u>161 orders</u> requiring judges to put restrictions on accused against being near or contacting victims or witnesses.					
Amended Code Sec.					
It adds 161(1)(a.1), 732.1(2)(a.1), 732.1(2.1), (2.2), 742.3(1.1) to (1.3), and 810.1(3.02)(b.1).					

2014, c. 17

2014, c. 17 (Bill C-394)					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
An Act to amend the Criminal Code and the National Defence Act (criminal organization recruitment)	2014, c. 17 (Bill C-394)	June 19, 2014	On Royal Assent	official text CanLII text	{{{8}}}
Summary					
"This enactment amends the Criminal Code to make it an offence to recruit, solicit, encourage, coerce or invite a person to join a criminal organization. It establishes a penalty for that offence and a more severe penalty for the recruitment of persons who are under 18 years of age. This enactment also makes a related amendment to the National Defence Act."					
Amended Code Sec.					
It amends s. 2, 183, 185, 186, 462.48(1.1), 467.1(2), 467.2(1), 467.2(2), 487.04(a.1).					
It adds s. 467.111. It replaces s. 467.14, 486.2(5)(a), 515(6)(a)(ii), 743.6(1.1), 743.6(1.2).					

2014, c. 10

2014, c. 10 (Bill C-444)					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
An Act to amend the Criminal Code (personating peace officer or public officer)	2014, c. 10 (Bill C-444)	June 19, 2014	On Royal Assent	official text CanLII text	{{{8}}}
Summary					
"This enactment amends the Criminal Code to establish that personating a police officer or a public officer for the purpose of committing another offence must be considered by a court to be an aggravating circumstance for sentencing purposes."					
Amended Code Sec.					
It adds 130.1 which increases penalties for the offence of personating peace officers.					

2014, c. 9

2014, c 9 (Bill C-217)					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
An Act to amend the Criminal Code (mischief relating to war memorials)	2014, c 9 (Bill C-217)	June 19, 2014	On Royal Assent	official text CanLII text	{{{8}}}
Summary					
Enacts "the offence of committing mischief in relation to a war memorial or cenotaph".					
Amended Code Sec.					
It adds s. 430(4.11).					

2014, c. 6

2014, c. 6 (Bill C-14)					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
Not Criminally Responsible Reform Act	2014, c. 6 (Bill C-14)	April 10, 2014	July 10, 2014	official text CanLII text	{{{8}}}
Summary					
"This enactment amends the mental disorder regime in the Criminal Code and the National Defence Act to specify that the paramount consideration in the decision-making process is the safety of the public and to create a scheme for finding that certain persons who have been found not criminally responsible on account of mental disorder are high-risk accused. It also enhances the involvement of victims in the regime and makes procedural and technical amendments." It creates new consideration of "high risk" offenders found to be NCR. It amends 672.1(1), 672.11(d.1), 672.121, 672.54, Form 48, Form 48.1.					
Amended Code Sec.					
It replaces s. 672.5(1), 672.5(15.2) to (16), 672.51(1), 672.5401, 672.75, 672.76(2)(a), 672.81(1.4) (1.5), 672.88, 672.89. It added 672.21(3)(c), 672.47(4), (5), 672.5(5.2), 672.5(13.3), 672.541, 672.542, 672.56(1.1), 672.64, 672.76(2)(a.1), 672.84.					

2013, c. 40

2013, c. 40 (Bill C-4)					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
Economic Action Plan 2013 Act, No 2	2013, c. 40 (Bill C-4)	12 December 2013		{{{7}}}	{{{8}}}
Summary					
Amended Code Sec.					
CanLII text					

2013, c. 32

2013, c. 32 (Bill C-299)					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
An Act to amend the Criminal Code (kidnapping of young person)	2013, c. 32 (Bill C-299)	June 26, 2013	On Royal Assent	official text CanLII text	{{{8}}}
Summary					
"This enactment amends the Criminal Code to prescribe a minimum punishment of five years when a kidnap victim is under sixteen years of age, unless the person who commits the offence is a parent, guardian or person having the lawful care or charge of the victim."					
Amended Code Sec.					
It amends s. 279 on <u>kidnapping</u> .					

2013, c. 24

2013, c. 24 (Bill C-15)					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
Strengthening Military Justice in the Defence of Canada Act	2013, c. 24 (Bill C-15)	June 19, 2013	October 18, 2013 (s. 17, 97 and 104), June 1, 2014 (remainder)	official text CanLII text	{{{8}}}
Summary					
Minor grammatical edits.					
Amended Code Sec.					
It makes minor edits to french wording in s. 5 of Form 52					

2013, c. 19

2013, c. 19 (Bill S-209)					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
An Act to amend the Criminal Code (prize fights)	2013, c. 19 (Bill S-209)	June 19, 2013	August 20, 2012	official text CanLII text	{{{8}}}
Summary					
The amendment "expand[s] the list of permitted sports under the prize fighting provisions".					
Amended Code Sec.					
It replaces s. 83(2).					

2013, c. 15

2013, c. 15 (C-309)					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
Preventing Persons from Concealing Their Identity during Riots and Unlawful Assemblies Act	2013, c. 15 (C-309)	June 19, 2013	On Royal Assent	official text CanLII text	{{{8}}}
Summary					
"This enactment amends the Criminal Code to make it an offence to wear a mask or other disguise to conceal one's identity while taking part in a riot or an unlawful assembly." Amends Code to include an offence for wearing a disguise or mask when participating in a riot or unlawful assembly					
Amended Code Sec.					
It amends s. 65 and 66.					

2013, c. 13

2013, c. 13 (Bill S-9)					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
Nuclear Terrorism Act	2013, c. 13 (Bill S-9)	June 19, 2013	November 1, 2013 [PC# 2013-0983]	official text CanLII text	{{{8}}}
Summary					
"This enactment amends the Criminal Code to create four new offences relating to nuclear terrorism in order to implement the Amendment to the Convention on the Physical Protection of Nuclear Material and the International Convention for the Suppression of Acts of Nuclear Terrorism."					
Amended Code Sec.					
It amends s. 2, 183, 487.04, 607(6), adds s. 7(2.21), 82.2 to 82.7, it replaces s. 83.01(1)(a)(v), it repeals s. 7(3.2) to (3.6).					

2013, c. 11

2013, c. 11 (Bill C-37)					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
Increasing Offenders' Accountability for Victims Act	2013, c. 11 (Bill C-37)	June 19, 2013	October 24, 2013 [PC# 2013-1061]	official text CanLII text	{{{8}}}
Summary					
This Act amends s. 737 to require victim fine surcharges upon sentencing in all cases.					
Amended Code Sec.					
It replaces s. 673(b), 737(1), 737(2)(a) and (b), 785(b), it repeals s. 737(5) and (6), 737(10), it amends s. 737(9)					

2013, c. 9

2013, c. 9 (Bill S-7)					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
Combating Terrorism Act	2013, c. 9 (Bill S-7)	April 25, 2013	July 15, 2013	official text CanLII text	{{{8}}}
Summary					
"This enactment replaces sections 83.28 to 83.3 of the Criminal Code to provide for an investigative hearing for the purpose of gathering information for an investigation of a terrorism offence and to allow for the imposition of a recognizance with conditions on a person to prevent them from carrying out a terrorist activity. In addition, the enactment provides for those sections to cease to have effect or for the possible extension of their operation. The enactment also provides that the Attorney General of Canada and the Minister of Public Safety and Emergency Preparedness include in their respective annual reports their opinion on whether those sections should be extended. It also amends the Criminal Code to create offences of leaving or attempting to leave Canada to commit certain terrorism offences."					
Amended Code Sec.					
It adds s. 83.31(1.1), (3.1). It replaces s. 7(2)(b) and (c), 83.08(2), 83.1(1), 83.23, 83.28, 83.29, 83.3, 83.32(1) to (2), 83.32(4), 83.33, 462.48(2)(d). It amends s. 183, 487.04 segments. It adds s. 83.181, 83.191, 83.201, 83.202. It repeals s. 83.1(2)					

2013, c. 8

2013, c. 8 (Bill C-55)

Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
Response to the Supreme Court of Canada Decision in <i>R v Tse</i> Act	2013, c. 8 (Bill C-55)	March 27, 2013	s. 5 (Sept 27, 2013) remainder (Mar 27, 2013)	official text CanLII text	{{{8}}}
Summary					
"This enactment amends the Criminal Code to provide, in response to the Supreme Court's decision in <i>R v Tse</i> , safeguards related to the authority to intercept private communications without prior judicial authorization under section 184.4 of that Act. Notably, the enactment... requires the Minister of Public Safety and Emergency Preparedness and the Attorney General of each province to report on the interceptions of private communications made under section 184.4... provides that a person who has been the object of such an interception must be notified of the interception within a specified period... narrows the class of individuals who can make such an interception; and... limits those interceptions to offences listed in section 183 of the Criminal Code."					
Amended Code Sec.					
It replaces s. 184.4, 195(1), (2), (3), (5). It adds s. 195(2.1), 196.1. It modifies s. 183, 191(2)(a) and (b.1).					

2012, c. 29

2012, c. 29 (Bill C-36)

Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
Protecting Canada's Seniors Act	2012, c. 29 (Bill C-36)	December 14, 2012	January 13, 2013	official text CanLII text	{{{8}}}
Summary					
"This enactment amends the Criminal Code to add vulnerability due to age as an aggravating circumstance for sentencing purposes."					
Amended Code Sec.					
It adds s. 718.2(a)(iii.1).					

2012, c. 19

2012, c. 19 (Bill C-38)

Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
Jobs, Growth and Long-term Prosperity Act	2012, c. 19 (Bill C-38)	May 29, 2012	?	CanLII text	{{{8}}}
Summary					
Amended Code Sec.					

2014, c. 15

2012, c. 15 (Bill C-310)

Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
An Act to amend the Criminal Code (trafficking in persons)	2012, c. 15 (Bill C-310)	June 28, 2012	June 28, 2012	official text CanLII text	{{{8}}}
Summary					
extends scope of trafficking in persons offences to include those operating outside of Canada.					
Amended Code Sec.					
It amended s. 7(4.1) and 279.04					

2012, c. 9

2012 c. 9 (Bill C-26)

Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
Citizen's Arrest and Self-Defence Act	2012 c. 9 (Bill C-26)	June 28, 2012	March 11, 2013 [PC# 2013-0016]	official text CanLII text	{{{8}}}
Summary					
"This enactment amends the Criminal Code to enable a person who owns or has lawful possession of property, or persons authorized by them, to arrest within a reasonable time a person whom they find committing a criminal offence on or in relation to that property. It also amends the Criminal Code to simplify the provisions relating to the defences of property and persons."					
Amended Code Sec.					
It replaces s. 34 to 42, 494(2), it adds s. 494(4).					

2012, c. 6

2012, c. 6 (Bill C-19)					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
An Act to amend the Criminal Code and the Firearms Act (<i>Ending the Long-gun Registry Act</i>)	2012, c. 6 (Bill C-19)	April 5, 2012	April 5, 2012	official text CanLII text	{{{8}}}
Summary					
It removes requirements relating to the "requirement to register firearms that are neither prohibited nor restricted".					
Amended Code Sec.					
It replaces s. 91(1),(4)(b)(ii), (5), 92(1), (4)(b)(ii), 94(1)(2)(a)(i) and (ii), 95(1), 106(1)(a) and (b), 108(3) and 117.03(1) and (2). It repeals s. 92(5) and (6), 94(5).					

2012, c. 1

2012, c. 1 (Bill C-10)					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
Safe Streets and Communities Act	2012, c. 1 (Bill C-10)	March 13, 2012	June 13, 2012 (s. 52 to 107, 147) [PC# 2012-0770] August 9, 2012 (s. 10 to 31 and 35 to 38) [PC# 2012-0841] October 23, 2012 (s. 167 to 203) [PC# 2012-0841] November 6, 2012 (s. 32(1), 33, 39 to 47, 49 and 50) [PC# 2012-0841] November 20, 2012 (s. 34) [PC# 2012-0841] February 28, 2013 (s. 160) [PC# 2013-0121]	official text CanLII text	{{{8}}}
Summary					
The Act "amends the Criminal Code to... increase or impose mandatory minimum penalties, and increase maximum penalties, for certain sexual offences with respect to children;... create offences of making sexually explicit material available to a child and of agreeing or arranging to commit a sexual offence against a child;... expand the list of specified conditions that may be added to prohibition and recognizance orders to include prohibitions concerning contact with a person under the age of 16 and use of the Internet or any other digital network;... expand the list of enumerated offences that may give rise to such orders and prohibitions; and... eliminate the reference, in section 742.1, to serious personal injury offences and to restrict the availability of conditional sentences for all offences for which the maximum term of imprisonment is 14 years or life and for specified offences, prosecuted by way of indictment, for which the maximum term of imprisonment is 10 years." Most amendments are changes to the sentencing provisions of child-related sex offences and serious offences with available Conditional Sentences.					
Amended Code Sec.					
It amends s. 7(4.1), 161(1), 161(1.1)(a), 164.2(1), 172.1(1), 183, 271, 272(2), 273(2), 486(3), 487.04(a), 752, 810.1(1), and Form 5.04. It replaces s. 151(a), (b), 152(a), (b), 153(1.1)(a), (b), 155(2), 160(3), 163.1(2)(b), 163.1(3)(b), 163.1(4)(a) and (b), 163.1(4.1)(a) and (b), 170(a) and (b), 171(b), 172.1(2), 173, 515(4.1)(c), 515(6)(d), 553(c)(xi), 742.1, 753.1(2)(a), 810.1(3.02)(a). It adds s. 171.1, 172.2.					

2011, c. 16

2011, c. 16 (Bill C-2)					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
Fair and Efficient Criminal Trials Act	2011, c. 16 (Bill C-2)	June 26, 2011	s. 2,4-6, 7(2),(4), 10, 11, and 14-16 (August 15, 2011) and remaining (Oct 24, 2011) [PC# 2011-0827]	official text CanLII text	{{{8}}}
Summary					
Creates power to appoint case mgmt judge with certain powers. Makes additions to protect jurors more and increases available numbers. Binds re-trials to previous voir dieres.					
Amended Code Sec.					
it adds s. 523(1.2) and 551.1 to 551.8, 631(2.1), 652.1 and 653.1. Replaces s. 523(2), 601, 631(3), (3.1), (5), and (6), 640(2.2), 641, 642.1(1), 643(1), 669.2(3) and (4) and 795.					

2011, c. 7

2011, c. 7 (Bill C-30)					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
Response to the Supreme Court of Canada Decision in R v Shoker Act	2011, c. 7 (Bill C-30)	March 23, 2011	March 12, 2015 [PC# 2014-1449]	official text CanLII text	{{{8}}}
Summary					
"This enactment amends the Criminal Code to allow a court to require that an offender or defendant provide a sample of a bodily substance on the demand of peace officers, probation officers, supervisors or designated persons, or at regular intervals, in order to enforce compliance with a prohibition on consuming drugs or alcohol imposed in a probation order, a conditional sentence order or a recognizance under section 810, 810.01, 810.1 or 810.2 of that Act."					
Amended Code Sec.					
It adds s. 729.1, 732.1(7) to (12), 732.11, 742.3(5) to (10), 742.31, 810(3.1), (3.2), 810.1(3.02)(f), (g), 810.2(4.1)(f), (g), 810.3, 810.4, 811.1 and Form 51. Replaces s. 732.1(3)(c), 742.3(2)(a), 810(3), 810(4), and 810.01(4.1).					

2011, c. 6

2011, c. 6 (Bill C-21) SI/2011-82					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
Standing up for Victims of White Collar Crime Act	2011, c. 6 (Bill C-21) SI/2011-82	March 23, 2011	November 1, 2011 [PC# 2011-1121]	official text CanLII text	{{{8}}}
Summary					
Adds mandatory minimum for fraud over one million and amends the aggravating factors found in s. 380.1.					
Amended Code Sec.					
Creates prohibition orders under 380.2, more restitution orders under s. 380.3 and community impact statements under s. 380.4.					

2011, c. 5

2011, c. 5 (Bill C-48)					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
Protecting Canadians by Ending Sentence Discounts for Multiple Murders Act	2011, c. 5 (Bill C-48)	March 23, 2011	December 2, 2011 [PC# 2011-1383]	official text CanLII text	{{{8}}}
Summary					
Amendments with respect to "parole inadmissibility period for offenders convicted of multiple murders".					
Amended Code Sec.					
It add s. 675(2.3), 676(6), 745.21, and 745.51.					

2011, c. 2

2011, c. 2 (Bill S-6)					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
An Act to amend the Criminal Code and another Act	2011, c. 2 (Bill S-6)	December 2, 2011	On Royal Assent [PC# 2011-1384]	official text CanLII text	{{{8}}}
Summary					
The act "amends the Criminal Code with regard to the right of persons convicted of murder or high treason to be eligible to apply for early parole".					
Amended Code Sec.					
It adds s. 745.01(2), 745.21, 745.51, 745.6(1)(a.1), 745.6(2.1) to (2.8). It also replaces s. 745.6(1), 745.61(1), (2), (3) to (5), 745.63(6)(a) and 745.63(8).					

2010, c. 20

2010, c. 20 (Bill C-464)					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
An Act to amend the Criminal Code (justification for detention in custody)	2010, c. 20 (Bill C-464)	December 15, 2010	On Royal Assent	official text CanLII text	{{{8}}}
Summary					
The Act "amends the Criminal Code to provide that the detention of an accused in custody may be justified where it is necessary for the protection or safety of the public, including any person under the age of 18 years."					
Amended Code Sec.					
It replaces s. 515(10)(b).					

2010, c. 19

2010, c. 19 (Bill S-215)					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
An Act to amend the Criminal Code (suicide bombings)	2010, c. 19 (Bill S-215)	December 15, 2010	November 30, 2011 [PC# 2011-1322]	official text CanLII text	{{{8}}}
Summary					
The act "clarif[ies] that suicide bombings fall within the definition terrorist activity."					
Amended Code Sec.					
s. 83.01(1.2)					

2010, c. 17

2010, c. 17 (Bill S-2)					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
Protecting Victims From Sex Offenders Act	2010, c. 17 (Bill S-2)	December 15, 2010	April 15, 2011	official text CanLII text	{{{8}}}
Summary					
It amends the Criminal Code to "enhance police investigation of crimes of a sexual nature and allow police services to use the national database proactively to prevent crimes of a sexual nature", "require[s] sex offenders arriving in Canada to comply with" SOIRA, and "provide[s] that sex offenders who are subject to a mandatory requirement to comply with the Sex Offender Information Registration Act are also subject to a mandatory requirement to provide a sample for forensic DNA analysis".					
Amended Code Sec.					
The act replaces s. 173(2), 490.012, 490.013(3), 490.014, 490.015(1)(c), 490.015(4), 490.016(1), (3), 490.017(2), 490.023(2), (4), 490.024(2), 490.025, 490.026(1), (5), 490.027(1), (3), 490.029(2). It adds s. 490.02901 to 490.02911. It also amends s. 487.04, 490.011(1), 490.018(1)(d), 490.019.					

2010, c. 14

2010, c. 14 (Bill S-9)					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
An Act to amend the Criminal Code (auto theft and trafficking in property obtained by crime)	2010, c. 14 (Bill S-9)	November 18, 2010	April 29, 2011	official text CanLII text	{{{8}}}
Summary					
The act "create[s] offences in connection with the theft of a motor vehicle, the alteration, removal or obliteration of a vehicle identification number, the trafficking of property or proceeds obtained by crime and the possession of such property or proceeds for the purposes of trafficking, and to provide for an in rem prohibition of the importation or exportation of such property or proceeds".					
Amended Code Sec.					
It amends s. 183. It adds s. 333.1, 353.1, 355.1 to 355.5. It replaces s. 462.3(3)(b)(i), 462.34(7), 462.48(1.1)(b), 491.2(1), and 593(1).					

2010, c. 3

2010, c. 3 (Bill C-268)					
Act Name	Citation	Royal Assent	In force	Amendment Text	Debates
An Act to amend the Criminal Code (minimum sentence for offences involving trafficking of persons under the age of eighteen years)	2010, c. 3 (Bill C-268)	June 29, 2010	June 29, 2010	official text CanLII text	{{{8}}}
Summary					
The act creates "minimum punishment of imprisonment for a term of five years for offences involving trafficking of persons under the age of eighteen years".					
Amended Code Sec.					
It amends s. 183, 487.04, 490.011(1), and 752. It adds s. 279.011. It replaces s. 279.02, 279.03, 486(3), 486.4(1)(a)(i)					

See Also

- [List of Criminal Code Amendments \(2000 to 2009\)](#)
- [List of Criminal Code Amendments \(1984 to 1999\)](#)
- [List of Criminal Code Amendments \(1892 to 1984\)](#)

List of Criminal Code Forms

< [Procedure and Practice](#)

Form	Title	Related Section	Amendments	Related Articles
Form 1	Information to Obtain a Search Warrant	s. 487 [<u>Section 487 Search Warrants</u>]	N/A	<u>Section 487 Search Warrants</u>
Form 2	Information	s. 506 [<u>Laying of an Information</u>] and 788 [<u>Laying an Summary Offence Information</u>]	R.S., 1985, c. C-46, Form 2; R.S., 1985, c. 27 (1st Supp.), s. 184.	<u>Informations and Indictments</u>
Form 3	Repealed	Repealed	N/A	N/A
Form 4	Heading of Indictment	s. 566 [<u>Preferring indictments</u>], 566.1 [<u>Indictments, Nunavut</u>], 580 [<u>Form of indictment</u>] and 591 [<u>Joinder and severance</u>]	R.S., 1985, c. C-46, Form 4; R.S., 1985, c. 27 (1st Supp.), s. 184; 1999, c. 3, s. 58.	<u>Informations and Indictments</u>
Form 5	Warrant to Search	s. 487	R.S., 1985, c. C-46, Form 5; 1999, c. 5, s. 45.	<u>Section 487 Search Warrants</u>
Form 5.001	Preservation Demand	s. 487.012(1)	2014, c. 31, s. 26.	<u>Preservation Demands and Orders</u>
Form 5.002	Information To Obtain a Preservation Demand	s. 487.013(2)	2014, c. 31, s. 26.	<u>Preservation Demands and Orders</u>
Form 5.003	Preservation Order	s. 487.013(4)	2014, c. 31, s. 26.	<u>Preservation Demands and Orders</u>
Form 5.004	Information To Obtain a Production Order	s. 487.014(2), 487.015(2), 487.016(2), 487.017(2) and 487.018(3)	2014, c. 31, s. 26.	
Form 5.005	Production Order for Documents	s. 487.014(3)	2014, c. 31, s. 26.	
Form 5.006	Production Order To Trace a Communication	s. 487.015(3)	2014, c. 31, s. 26.	<u>Trace Specified Communications Production Orders</u>
Form 5.007	Production Order for Transmission Data or Tracking Data	s. 487.016(3) and 487.017(3)	2014, c. 31, s. 26.	<u>Transmission Data Production Orders</u> <u>Production Orders for Tracking Data</u>
Form 5.008	Production Order for Financial Data	s. 487.018(4)	2014, c. 31, s. 26.	<u>Production Orders for Financial Data</u>
Form 5.0081	Information To Revoke or Vary an Order Made Under Any of Sections 487.013 to 487.018 of the Criminal Code	s. 487.019(3)	2014, c. 31, s. 26.	<u>Production Orders</u>
Form 5.009	Information To Obtain a Non-Disclosure Order	s. 487.0191(2)	2014, c. 31, s. 26.	<u>Sealing and Unsealing Judicial Authorizations</u>
FORM 5.0091	Non-Disclosure Order	s. 487.0191(3)	2014, c. 31, s. 26.	<u>Sealing and Unsealing Judicial Authorizations</u>
Form 5.01	Information To Obtain a Warrant To Take Bodily Substances for Forensic DNA Analysis	s. 487.05(1)	1998, c. 37, s. 24.	<u>Section 487.05 Seizure Warrant of DNA Samples</u>
Form 5.02	Warrant Authorizing the Taking of Bodily Substances for Forensic DNA Analysis	s. 487.05(1)	1998, c. 37, s. 24.	<u>Section 487.05 Seizure Warrant of DNA Samples</u>
Form 5.03	Order Authorizing the Taking of Bodily Substances for Forensic DNA Analysis	s. 487.051(1) and (2)	1998, c. 37, s. 24; 2002, c. 1, s. 185; 2005, c. 25, s. 12; 2007, c. 22, s. 23.	<u>DNA Orders (Primary Designated Offences)</u>
Form 5.04	Order Authorizing the Taking of Bodily Substances for Forensic DNA Analysis	s. 487.051(3) [<u>persons found not criminally responsible and secondary designated offences</u>]	1998, c. 37, s. 24; 2002, c. 1, s. 186; 2005, c. 25, s. 12; 2007, c. 22, s. 23; 2012, c. 1, s. 38; 2014, c. 25, s. 32.	<u>DNA Orders (secondary designated offences)</u>
Form 5.041	Order to a Person To Have Bodily Substances Taken for Forensic DNA Analysis	s. 487.051(4) and 487.055(3.11)	2007, c. 22, s. 23.	<u>DNA Orders (Primary Designated Offences)</u>
Form 5.05	Application for an Authorization To Take Bodily Substances for Forensic DNA Analysis	s. 487.055(1)	1998, c. 37, s. 24; 2005, c. 25, s. 12; 2007, c. 22, s. 23.	<u>Miscellaneous DNA Provisions</u>
Form 5.06	Authorization To Take Bodily Substances for Forensic DNA Analysis	s. 487.055(1)	1998, c. 37, s. 24; 2005, c. 25, s. 12; 2007, c. 22, s. 23.	<u>Persons failing to Attend for Taking of Sample</u>
Form 5.061	Summons to a Person To Have Bodily Substances Taken for Forensic DNA Analysis	s. 487.055(4) and 487.091(3)	2007, c. 22, s. 23.	<u>Miscellaneous DNA Provisions</u> <u>Section 487.05 Seizure Warrant of DNA Samples</u>
Form 5.062	Warrant for Arrest	s. 487.0551(1)	2007, c. 22, s. 23.	<u>Persons failing to Attend for Taking of Sample</u>
Form 5.07	Report to a Provincial Court Judge or the Court	s. 487.057(1)	1998, c. 37, s. 24; 2007, c. 22, s. 24.	<u>DNA Orders</u>

Form	Title	Related Section	Amendments	Related Articles
Form 5.08	Application for an Authorization To Take Additional Samples of Bodily Substances for Forensic DNA Analysis	s. 487.091(1)	1998, c. 37, s. 24; 2005, c. 25, s. 13; 2007, c. 22, s. 25.	Section 487.05 Seizure Warrant of DNA Samples
Form 5.09	Authorization To Take Additional Samples of Bodily Substances for Forensic DNA Analysis	s. 487.091(1)	1998, c. 37, s. 24; 2005, c. 25, s. 13; 2007, c. 22, s. 25.	Section 487.05 Seizure Warrant of DNA Samples
Form 5.1	Warrant To Search	s. 487.1	R.S., 1985, c. 27 (1st Supp.), s. 184, c. 1 (4th Supp.), s. 17.	
Form 5.2	Report to a Justice	s. 489.1 [<i>Restitution of property or report by peace officer</i>]	R.S., 1985, c. 27 (1st Supp.), s. 184.	Procedure on Seizure of Property
Form 5.3	Report to a Judge of Property Seized	s. 462.32	R.S., 1985, c. 42 (4th Supp.), s. 6.	Proceeds of Crime Search Warrant
Form 6	Summons to a Person Charged with an Offence	s. 493, 508, and 512	R.S., 1985, c. C-46, Form 6; R.S., 1985, c. 27 (1st Supp.), s. 184.	Issuing Process
Form 7	Warrant for Arrest	s. 475, 493, 597, 800 and 803	R.S., 1985, c. C-46, Form 7; R.S., 1985, c. 27 (1st Supp.), s. 203; 1997, c. 39, s. 3; 1999, c. 5, s. 46.	
Form 7.1	Warrant To Enter Dwelling-house	s. 529.1 [<i>Entry into Place to Execute an Arrest Warrant</i>]	1997, c. 39, s. 3; 2002, c. 13, s. 85.	Entry into Place to Execute an Arrest Warrant
Form 8	Warrant for Committal	s. 493 and 515	R.S., 1985, c. C-46, Form 8; R.S., 1985, c. 27 (1st Supp.), ss. 184, 203.	Continued Detention After Appearing Before a Justice
Form 9	Appearance Notice Issued by a Peace Officer to a Person Not Yet Charged with an Offence	s. 493	R.S., 1985, c. C-46, Form 9; R.S., 1985, c. 27 (1st Supp.), s. 184; 1994, c. 44, s. 84; 1997, c. 18, s. 115.	
Form 10	Promise to Appear	s. 493	R.S., 1985, c. C-46, Form 10; 1994, c. 44, s. 84; 1997, c. 18, s. 115.	Promise to Appear, Issued by Police
Form 11	Recognizance Entered into Before an Officer in Charge or Other Peace Officer	s. 493 [<i>Definitions of "recognizance" and "officer in charge"</i>]	R.S., 1985, c. C-46, Form 11; 1992, c. 1, s. 58; 1994, c. 44, s. 84; 1997, c. 18, s. 115.	Release by Police
Form 11.1	Undertaking Given to a Peace Officer or an Officer in Charge	s. 493, 499, and 503	1994, c. 44, s. 84; 1997, c. 18, s. 115; 1999, c. 25, s. 24; 2002, c. 13, s. 86(F).	Release by Police
Form 12	Undertaking Given to a Justice or a Judge	s. 493 and 679	R.S., 1985, c. C-46, Form 12; R.S., 1985, c. 27 (1st Supp.), s. 184; 1994, c. 44, s. 84; 1999, c. 25, s. 25; 2008, c. 18, s. 45.1.	Release With and Without Sureties and Deposits
Form 13	Undertaking by Appellant (Defendant)	s. 816, 832, and 834	R.S., 1985, c. C-46, Form 13; 1999, c. 25, s. 26.	Bail Pending Appeal
Form 14	Undertaking by Appellant (Prosecutor)	s. 817	N/A	Bail Pending Appeal
Form 15	Warrant To Convey Accused Before Justice of Another Territorial Division	s. 543	N/A	
Form 16	Subpoena to a Witness	s. 699	R.S., 1985, c. C-46, Form 16; R.S., 1985, c. 27 (1st Supp.), s. 184; 1999, c. 5, s. 47.	Compelling Attendance of Witnesses
Form 16.1	Subpoena to a Witness in the Case of Proceedings in Respect of an Offence Referred to in Subsection 278.2(1) of the Criminal Code	s. 278.3(5) [<i>Service of application and subpoena</i>] and 699(7) [<i>Form of subpoena in sexual offences</i>]	1997, c. 30, s. 3.	Production of Records for Sexual Offences Compelling Attendance of Witnesses
Form 17	Warrant for Witness	s. 698 and 705	R.S., 1985, c. C-46, Form 17; R.S., 1985, c. 27 (1st Supp.), s. 184.	Arrest Warrants for Witnesses
Form 18	Warrant To Arrest an Absconding Witness	s. 704	R.S., 1985, c. C-46, Form 18; R.S., 1985, c. 27 (1st Supp.), s. 203.	Arrest Warrants for Witnesses

Form	Title	Related Section	Amendments	Related Articles
Form 19	Warrant Remanding a Prisoner	s. 516 and 537	R.S., 1985, c. C-46, Form 19; R.S., 1985, c. 27 (1st Supp.), s. 184.	
Form 20	Warrant of Committal of Witness for Refusing To Be Sworn or To Give Evidence	s. 545	R.S., 1985, c. C-46, Form 20; R.S., 1985, c. 27 (1st Supp.), s. 184.	<u>Witness Refusing to Testify</u>
Form 21	Warrant of Committal on Conviction	s. 570 and 806	R.S., 1985, c. C-46, Form 21; R.S., 1985, c. 27 (1st Supp.), s. 184; 1995, c. 22, s. 9; 2009, c. 29, s. 4.	
Form 22	Warrant of Committal on an Order for the Payment of Money	s. 806	R.S., 1985, c. C-46, Form 22; R.S., 1985, c. 27 (1st Supp.), s. 184.	
Form 23	Warrant of Committal for Failure To Furnish Recognizance To Keep the Peace	s. 810 and 810.1	R.S., 1985, c. C-46, Form 23; R.S., 1985, c. 27 (1st Supp.), ss. 184, 203; 1993, c. 45, s. 12.	
Form 24	Warrant of Committal of Witness for Failure To Enter into Recognizance	s. 550	R.S., 1985, c. C-46, Form 24; R.S., 1985, c. 27 (1st Supp.), s. 184.	
Form 25	Warrant of Committal for Contempt	s. 708 [<i>Contempt</i>]	R.S., 1985, c. C-46, Form 25; R.S., 1985, c. 27 (1st Supp.), s. 184.	<u>Finding of Contempt</u>
Form 26	Warrant of Committal in Default of Payment of Costs of an Appeal	s. 827	N/A	
Form 27	Warrant of Committal on Forfeiture of a Recognizance	s. 773	R.S., 1985, c. C-46, Form 27; R.S., 1985, c. 27 (1st Supp.), s. 184.	<u>Estreatment of Recognizance</u>
Form 28	Endorsement of Warrant	s. 487 and 528	R.S., 1985, c. C-46, Form 28; R.S., 1985, c. 27 (1st Supp.), s. 184.	<u>Out of Province Arrest Warrants</u>
Form 28.1	Repealed	Repealed	N/A	
Form 29	Endorsement of Warrant	s. 507	R.S., 1985, c. C-46, Form 29; 1994, c. 44, s. 84.	<u>Issuing Process</u>
Form 30	Order for Accused To Be Brought Before Justice Prior to Expiration of Period of Remand	s. 537	N/A	
Form 31	Deposition of a Witness	s. 540	N/A	<u>Preliminary Inquiry Depositions</u>
Form 32	Recognizance	s. 493, 550, 679, 706, 707, 810, 810.1 and 817	R.S., 1985, c. C-46, Form 32; R.S., 1985, c. 27 (1st Supp.), ss. 101, 184, 203; c. 42 (4th Supp.), s. 7; 1993, c. 45, ss. 13, 14; 1999, c. 25, s. 27.	<u>Release With and Without Sureties and Deposits</u>
Form 33	Certificate of Default To Be Endorsed on Recognizance	s. 770	R.S., 1985, c. C-46, Form 33; R.S., 1985, c. 27 (1st Supp.), s. 203; 1994, c. 44, s. 84.	
Form 34	Writ of Fieri Facias	s. 771	N/A	<u>Estreatment of Recognizance</u>
Form 34.1	Statement on Restitution	s. 737.1(4)	2011, c. 6, s. 5; 2015, c. 13, s. 35.	<u>Restitution</u>
Form 34.2	Victim Impact Statement	s. 722(4)	2015, c. 13, s. 35.	<u>Victim Impact Statements</u>
Form 34.3	Community Impact Statement	s. 722.2(2)	2015, c. 13, s. 35.	<u>Victim Impact Statements</u>
Form 35	Conviction	s. 570 and 806	R.S., 1985, c. C-46, Form 35; R.S., 1985, c. 27 (1st Supp.), ss. 184, 203.	<u>Trial Verdicts</u>
Form 36	Order Against an Offender	s. 570 and 806	R.S., 1985, c. C-46, Form 36; R.S., 1985, c. 27 (1st Supp.), s. 184.	<u>Trial Verdicts</u>

Form	Title	Related Section	Amendments	Related Articles
Form 37	Order Acquitting Accused	s. 570	R.S., 1985, c. C-46, Form 37; R.S., 1985, c. 27 (1st Supp.), ss. 184, 203.	Trial Verdicts
Form 38	Conviction for Contempt	s. 708	N/A	Contempt of Court (Offence)
Form 39	Order for Discharge of a Person in Custody	s. 519 and 550	N/A	
Form 40	Challenge To Array	s. 629	N/A	Challenge to Jury Panel
Form 41	Challenge for Cause	s. 639	N/A	Challenge for Cause
Form 42	Certificate of Non-payment of Costs of Appeal	s. 827	N/A	Appeal Procedure For Summary Convictions
Form 43	Jailer's Receipt to Peace Officer for Prisoner	s. 744	R.S., 1985, c. C-46, Form 43; 1995, c. 22, s. 18.	Imprisonment, Execution of Warrant of Committal
Form 44	N/A	s. 667 [<i>Proof of previous conviction</i>]	R.S., 1985, c. C-46, Form 44; R.S., 1985, c. 27 (1st Supp.), s. 184, c. 1 (4th Supp.), s. 18; 1995, c. 22, s. 18; 2005, c. 10, s. 34.	Proof of Previous Conviction
Form 45	N/A	s. 667	R.S., 1985, c. C-46, Form 45; R.S., 1985, c. 27 (1st Supp.), s. 184; 2005, c. 10, s. 34.	Proof of Previous Conviction
Form 46	Probation Order	s. 732.1	R.S., 1985, c. C-46, Form 46; R.S., 1985, c. 27 (1st Supp.), s. 203; 1995, c. 22, s. 10; 2004, c. 12, s. 17.	Probation Orders
Form 47	Order To Disclose Income Tax Information	s. 462.48	R.S., 1985, c. 42 (4th Supp.), s. 8.	Proceeds of Crime Disclosure Order
Form 48	Assessment Order of the Court	s. 672.13	1991, c. 43, s. 8; 1995, c. 22, s. 10; 2005, c. 22, s. 40; 2014, c. 6, s. 19.	Assessment for Fitness and Criminal Responsibility
Form 48.1	Assessment Order of the Review Board	s. 672.13	2005, c. 22, s. 40; 2014, c. 6, s. 20.	Assessment for Fitness and Criminal Responsibility
Form 48.2	Victim Impact Statement — Not Criminally Responsible	s. 672.5(14)	2015, c. 13, s. 36.	Review Board Hearing Procedure
Form 49	Warrant of Committal, Disposition of Detention	s. 672.57	1991, c. 43, s. 8.	Review Board Disposition Hearings
Form 50	Warrant of Committal, Placement Decision	s. 672.7(2) [<i>Warrant of committal, Review Board</i>]	1991, c. 43, s. 8.	Dual Status Offenders
Form 51	Notice of Obligation To Provide Samples of Bodily Substance	s. 732.1(3)(c.2), 742.3(2)(a.2), 810(3.02)(c), 810.01(4.1)(g), 810.011(6)(f), 810.1(3.02)(i) and 810.2(4.1)(g)	1991, c. 43, s. 8; 1995, c. 22, s. 10 (Sch. I, item 37); 2005, c. 22, s. 41; 2011, c. 7, s. 13; 2015, c. 20, s. 34.	
Form 52	Order To Comply with Sex Offender Information Registration Act	s. 490.012	2004, c. 10, s. 21; 2007, c. 5, s. 30; 2010, c. 17, s. 26; 2013, c. 24, s. 117(F).	SOIRA Orders
Form 53	Notice of Obligation To Comply with Sex Offender Information Registration Act	s. 490.019 and 490.032	2004, c. 10, s. 21; 2007, c. 5, s. 31; 2013, c. 24, s. 117(F); 2014, c. 25, s. 33.	SOIRA Orders
Form 54	Obligation To Comply with Sex Offender Information Registration Act	s. 490.02901 to 490.02903, 490.02905 and 490.032	2010, c. 17, s. 27.	SOIRA Orders

Form text

- [Criminal Code Forms](#)

See Also

- [Criminal Code Forms](#)

Offences by Category

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Offences

Public Order Offences (Part II)

[*Pt. II – Offences Against Public Order (s. 46 to 83)*]:

Offence	Section	Minimums	Maximums	Consecutive Time
<u>High Treason</u>	46(1), 47(1) and (4) and 745	25 years without parole	Life	No
<u>Treason (overthrow gov't)</u>	46(2)(a), (c), or (d), 47(2)(a) and 745	None	Life	
<u>Treason (espionage while at war)</u>	46(2)(b) or (e), 47(2)(b) and 745	None	Life	
<u>Treason (espionage while not at war)</u>	46(2)(b) or (e), 47(2)(c) and 745	None	14 years	
<u>Assist alien enemy</u>	50(1)(a) and 50(2)	None	14 years	No
<u>Omission to prevent treason</u>	50(1)(b) and 50(2)	None	14 years	No
<u>Intimidating Parliament</u>	51	None	14 years	
<u>Sabotage</u>	52(1)	None		
<u>Inciting to mutiny</u>	53	None	14 years	
<u>Assisting deserter</u>	54			
<u>Offences respecting RCMP members</u>	56	None		
<u>Procuring identity documents</u>	56.1(4)	None		
<u>Forgery of or uttering forged passport</u>	57(1)	None	14 years	
<u>False information respecting passport</u>	57(2)	None		
<u>Possession of forged passport</u>	57(3)	None		
<u>Fraudulent use of citizenship certificate</u>	58(1)	None		
<u>Sedition</u>	61	None	14 years	
<u>Offences respecting military stores</u>	62	None		
<u>Participating in a riot</u>	65(1)	None		
<u>Concealing identity during a riot</u>	65(2)	None		
<u>Unlawful assembly</u>	66(1)	None		
<u>Concealment of identity during an unlawful assembly</u>	66(2)	None		
<u>Interfering with reading of riot proclamation or refusing to cease participation in riot</u>	68	None		
<u>Peace officer's neglect in riot situation</u>	69	None		
<u>Unlawful training or drilling of militia</u>	70(3)	None		
<u>Forcible entry or forcible detainer</u>	72 and 73	None		
<u>Piracy by law of nations</u>	74	None		
<u>Piratical acts</u>	75	None	14 years	
<u>Hijacking</u>	76	None		
<u>Endangering safety of aircraft or airport</u>	77	None		
<u>Offensive weapons and explosives on aircraft</u>	78	None	14 years	
<u>Seizing control of ship or fixed platform</u>	78.1(1)	None		
<u>Violent act on board a ship or platform</u>	78.1(2)	None		
<u>False information re safe navigation</u>	78.1(3)	None		
<u>Threats to commit offences at 78.1(2)</u>	78.1(4)	None		
<u>Breach of duty of care re explosives endangering life</u>	80(a)		None	
<u>Breach of duty of care re explosives risking bodily harm</u>	80(b)	None	14 years	
<u>Intending to cause explosion or use corrosive substance with intent to cause death or serious harm</u>	81(1)(a), (b) and 81(2)(a)	None		
<u>Possession of explosive with intent to destroy property or intent to endanger life</u>	81(1)(c), (d) and 81(2)(b)	None		
<u>Possession of explosive without lawful excuse</u>	82(1)	None		
<u>Possession of explosive for criminal organization</u>	82(2)	None	14 years	Yes (s. 82.1)

Offence	Section	Minimums	Maximums	Consecutive Time
Possession, etc., of nuclear material, radioactive material or device	82.3			
Use or alteration of nuclear material, radioactive material or device	82.4			
Commission of indictable offence to obtain nuclear material, etc.	82.5			
Threats to commit an offence relating to nuclear materials	82.6	None	14 years	No
Prize fights	83			

Terrorism Offences (Part II.1)

[Pt. II.1 – Terrorism (s. 83.01 to 83.33)]

Offence	Section	Minimums	Maximums	Consecutive Time
Provide or collect property to further terrorism	83.02	None		
Provide property or services to further terrorism	83.03	None		
Use or possession of property to further terrorism	83.04	None		
Offences re freezing of property, disclosure or audit relative to terrorism	83.12	1 year jail with priors \$100,000 and/or 2 years less a day		
Participation in terrorist activity	83.18	None		
Leaving Canada to participate in activity of terrorist group	83.181	None		
Facilitating terrorist activity	83.19(1)	None		
Leaving Canada to facilitate terrorist activity	83.191	None		
Committing an Offence for a Terrorist Group	83.2	None		
Leaving Canada to commit offence for terrorist group	83.201	None		
Leaving Canada to commit offence that is terrorist activity	83.202	None		
Instructing activity for terrorist group	83.21(1)	None		
Instructing terrorist activity	83.22(1)	None		
Counselling commission of terrorism offence	83.221	None		
Harbouring or concealing terrorist who committed an offence with maximum penalty of life	83.23(1) (a)	None		
Harbouring or concealing terrorist who committed an offence with maximum penalty of 14 years or less	83.23(1) (b)	None		
Harbouring or concealing person who is likely to carry out terrorist activity	83.23(2)	None		
Hoax re terrorist activity (no bodily harm or death)	83.231(2)	None		
Hoax re terrorist activity (bodily harm not death)	83.231(3)	None		
Hoax re terrorist activity (causing death)	83.231(4)	None		

Weapons Offences (Part III)

[Pt. III – Firearms and Other Weapons (s. 84 to 117.15)]

- Proving Weapons Offences
- Sentencing for Weapons Offences

Offence	Section	Minimums	Maximums	Consecutive Time
<u>Using firearm in commission of offence</u>	85(1) and (3)	1 year or 3 years with prior		
<u>Using an imitation firearm in commission of offence</u>	85(2) and (3)	1 year or 3 years with prior		
<u>Unsafe Storage or Careless Use of a Firearm - on second or more convictions</u>	86(1) and (2)	None	2 years (I) summary election	
<u>Unsafe Storage or Careless Use of a Firearm - on first conviction</u>	86(1) and (2)	None	5 years (I) summary election	
<u>Pointing a firearm</u>	87(2)	None		
<u>Possession of a weapon for purpose dangerous</u>	88(2)	None		
<u>Carrying weapon while attending public meeting</u>	89(2)	None		
<u>Carrying concealed weapon</u>	90(2)	None		
<u>Unauthorized possession of firearm</u>	91(1) and (3)	None		
<u>Unauthorized possession of prohibited weapon or restricted weapon</u>	91(2) and (3)	None		
<u>Possession of firearm knowing its possession is unauthorized</u>	92(1) and (3)	1 year (if one prior); 2 years less a day (if two or more prior)		
<u>Possession of prohibited weapon, device or ammunition knowing its possession is unauthorized</u>	92(2) and (3)	1 year (if one prior); 2 years less a day (if two or more prior)		
<u>Possession of weapon or firearm at unauthorized place</u>	93(2) and (3)	None		
<u>Unauthorized possession of weapon or firearm in vehicle</u>	94(1) and (2)	None		
<u>Possession of prohibited or restricted weapon with ammunition</u>	95(2)	3 or 5 years with prior		
<u>Possession of weapon obtained by crime</u>	96(2)	1 year (I)		
<u>Break and enter to steal firearm</u>	98(4)	None		
<u>Robbery to steal firearm</u>	98.1	None		
<u>Weapons Trafficking (with any aggravating elements made out)</u>	99(2)(a) and 99(2)(b)	3 or 5 years jail with prior		
<u>Weapons trafficking (w/out aggravating factors)</u>	99(3)	1 year		
<u>Possession for purpose of weapons trafficking (with any aggravating elements made out)</u>	100(2)(a) and 100(2)(b)	3 or 5 years jail with prior		
<u>Possession for purpose of weapons trafficking ((w/out aggravating factors)</u>	100(3)	1 year		
<u>Transfer of firearm without authority</u>	101(2)	None		
<u>Assembling automatic firearm</u>	102(2)	1 year (on Indictment) 1 year		
<u>Knowingly importing or exporting of unauthorized firearms (with aggravating factors)</u>	103(2)(a) and 103(2)(b)	3 or 5 years jail with prior		
<u>Knowingly importing or exporting unauthorized firearms (w/out aggravating factors)</u>	103(2.1)	1 year jail		
<u>Unauthorized importing or exporting firearms</u>	104(2)	None		
<u>Offences re lost, destroyed, defaced weapons</u>	105(2)	None		
<u>Destruction of weapons offences re report</u>	106(2)	None		
<u>False statements respecting firearms</u>	107(2)	None		
<u>Tampering with firearm serial number</u>	108(2)	None		
<u>Possession of firearm contrary to prohibition order</u>	117.01(3)	None		

Administration of Justice Offences (Part IV)

[Pt. IV – Offences Against the Administration of Law and Justice (s. 118 to 149)]

Offence	Section	Minimums	Maximums	Consecutive Time
<u>Bribery of a member of a legislature</u>	119(1)	None		
<u>Bribery of judicial officers</u>	119(1)	None		
<u>Bribery of public officers</u>	120	None		
<u>Fraud on government</u>	121(1) and (3)	None		
<u>Contractor subscribing to election fund</u>	121(1) and (3)	None		
<u>Selling, etc., of tobacco products and raw leaf tobacco</u>	121.1	90, 180, or 2 years less a day (with prior conviction(s))		
<u>Breach of trust by public officer</u>	122	None		
<u>Bribing municipal official</u>	123(1)	None		
<u>Influencing municipal official</u>	123(2)	None		
<u>Selling or purchasing office</u>	124	None		
<u>Influencing appointment in office</u>	125	None		
<u>Disobeying a statute where no other set sentence</u>	126(1)	None		
<u>Disobey order of Court</u>	127(1)	None		
<u>Misconduct by officers executing process</u>	128	None		
<u>Offences relating to public or peace officers</u>	129	None		
<u>Personation of peace officer</u>	130	None		
<u>Perjury</u>	131 and 132	None		
<u>False statement</u>	134(1)	None		
<u>Witness giving contradictory evidence</u>	136(1)	None		
<u>Fabricating evidence</u>	137	None		
<u>False affidavits</u>	138	None		
<u>Obstruct justice by indemnifying a surety</u>	139(1)	None		
<u>Obstruct justice – trial process</u>	139(2)	None		
<u>Public mischief</u>	140(2)	None		
<u>Compounding indictable offence</u>	141(1)	None		
<u>Corruptly taking reward</u>	142	None		
<u>Prison Breach</u>	144	None		
<u>Escape and being at large without excuse</u>	145(1)	None		
<u>Failure to attend court or surrender</u>	145(2)	None		
<u>Failure to comply with appearance notice or summons</u>	145(3)	None		
<u>Failure to comply with undertaking</u>	145(4)	None		
<u>Failure to comply with release order</u>	145(5)	None		
<u>Permitting or assisting escape</u>	146	None		
<u>Rescue or permitting escape</u>	147	None		
<u>Aid prisoner of war to escape</u>	148	None		

Sexual Offences and Disorderly Offences (Part V)

[Pt. V – Sexual Offences, Public Morals and Disorderly Conduct (s. 150 to 182)]

- Proving Sexual Offences
- Sentencing for Sexual Offences

Offence	Section	Minimums	Maximums	Consecutive Time
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Offence	Section	Minimums	Maximums	Consecutive Time
<u>Sexual interference</u>	151			
<u>Invitation to sexual touching</u>	152	1 year or less jail		
<u>Sexual exploitation</u>	153			
<u>Sexual exploitation of persons with disability</u>	153.1	None		
<u>incest (16 years or more)</u>	155			
<u>incest (under 16 years)</u>	155			
<u>Bestiality</u>	160(1)	None		
<u>Compelling bestiality</u>	160(2)	None		
<u>Bestiality in presence of child</u>	160(3)			
<u>Breach of 161 prohibition order</u>	161(4)	None		
<u>Voyeurism</u>	162(1)	None		
<u>Distribution of voyeurism material</u>	162(4)	None		
<u>Distribution of intimate images</u>	162.1(1)	None		
<u>Breach of s. 162.2 Internet Prohibition Order</u>	162.2(4)	None		
<u>Corrupting morals</u>	163 and 169	None		
<u>Making of child pornography</u>	163.1(2)	1 year		
<u>Distribution child pornography</u>	163.1(3)	1 year		
<u>Possession of Child Pornography</u>	163.1(4)	1 year / 6 months		
<u>Accessing of Child Pornography</u>	163.1(4.1)	1 year / 6 months		
<u>Immoral theatrical performance</u>	167 and 169	None		
<u>Mailing obscene matter</u>	168 and 169	None		
<u>Parent or guardian procuring sexual activity under 16</u>	170			
<u>Householder permitting sexual activity under 18</u>	171			
<u>Making sexually explicit material available to child</u>	171.1(2)			
<u>Corrupting children</u>	172(1)	None		
<u>Luring a child</u>	172.1(2)			
<u>Agreement or arrangement — sexual offence against child</u>	172.2			
<u>Indecent act</u>	173(1)	None		
<u>Indecent exposure</u>	173(2)			
<u>Nudity</u>	174(1)			
<u>Causing a Disturbance</u>	175(1)			
<u>Obstructing or violence to or arrest of officiating clergyman</u>	176(1)			
<u>Disturbing religious worship or certain meetings</u>	176(2)			
<u>Disturbing disturbs the order or solemnity of a meeting</u>	176(3)			
<u>Trespassing at Night</u>	177			
<u>Offensive volatile substance</u>	178			
<u>Common nuisance</u>	180(1)			
<u>Indignity or neglect of dead body</u>	182			

Invasion of Privacy Offences (Part VI)

[Pt. VI – Invasion of Privacy (s. 183 to 196.1)]

Offence	Section	Minimums	Maximums	Consecutive Time
<u>Interception of private communication</u>	184(1)	None		
<u>Interception of radio-based telephone communications</u>	184.5(1)	None		
<u>Possession of equipment for wiretapping illegally</u>	191(1)	None		
<u>Disclosure of information from wiretap</u>	193(1)	None		
<u>Disclosure of information from wiretap, radio</u>	193.1(1)	None		

Disorderly Houses, Gaming and Betting (Part VII)

[Pt. VII – Disorderly Houses, Gaming and Betting (s. 197 to 213)]

Offence	Section	Minimums	Maximums	Consecutive Time
<u>Keeping gaming or betting house</u>	201(1)	None		
<u>Found in in common gaming or betting house</u>	201(2)	None		
<u>Book-making (if no prior offences)</u>	202(2)(a)	None		
<u>Book-making</u>	202(2)(b) and 202(2)(c)	14 days or 3 months jail		
<u>Placing bets for others (if no prior offences)</u>	203(d)	None		
<u>Placing bets for others</u>	203(e) and 203(f)	14 days or 3 months jail		
<u>Breach of gambling rules and regulations</u>	204(10)	None		
<u>Offence in relation to lotteries and games of chance</u>	206(1)	None		
<u>Lottery offence involving ticket</u>	206(4)	None		
<u>Offences involving management of permitted lottery scheme</u>	207(3)(a)	None		
<u>Offences involving permitted lottery scheme</u>	207(3)(b)	None		
<u>Offences involving management of permitted lottery scheme (on ship)</u>	207.1(3)(a)	None		
<u>Offences involving permitted lottery scheme (on ship)</u>	207.1(3)(b)	None		
<u>Cheating at play</u>	209	None		
<u>Stopping or Impeding Traffic by Prostitution</u>	213(1)	None		
<u>Soliciting Near Children</u>	213(1.1)	None		

Offences Against the Person (Part VIII)

[Pt. VIII – Offences Against the Person and Reputation (s. 214 to 320.1)]

Trafficking in persons (victim aged 18 or greater) | 279.01(1)(b) | | | }

Offence	Section	Minimums	Maximums	Consecutive Time
Failure to provide necessities of life	215(3)	None		
Abandoning child	218	None		
Causing death by criminal negligence (involving the use of a firearm)	220(a)	4 years imprisonment	Life	No
Negligence causing death (no firearm)	220(b)	None	Life	No
Criminal negligence causing bodily harm	221	None		
Infanticide	233 and 237	None		
First Degree Murder	235 and 745	25 years without parole	Life	Varies
Second Degree Murder (with prior conviction for murder, war crimes or crimes against humanity)	235 and 745	25 years without parole	Life	Varies
Second Degree Murder	235 and 745	10 years without parole	Life	Varies
Manslaughter (Failure to safeguard ice opening or excavation resulting in death)	236 and 263	None		No
Manslaughter (involving use of a firearm)	236(a)	4 years	Life	No
Manslaughter (not involving use of a firearm)	236(b)	None	Life	No
Killing unborn child in act of birth	238	None		
Attempt to commit murder (use of a firearm which is not a restricted or prohibited firearm)	239(1)(a.1)	4 years		
Attempted Murder (with restricted or prohibited firearm)	239(1)(a)(i) and (ii)	5 or 7 years with prior		
Attempt to commit murder (no use of a firearm)	239(1)(b)	None		
Accessory after fact to murder	240	None		
Counselling suicide	241	None		
Failure to comply with safeguards	241.3	None		
Forgery or destruction of documents re assisted dying	241.4	None		
Neglect to obtain assistance and concealing birth	242	None		
Concealing body of child	243	None		
Discharging firearms with intent to wound (with aggravated factors)	244(2)(a)(i) and (ii)	Minimum of 5 or 7 years with prior		
Discharging firearms with intent to wound, maim, etc. (without aggravating factors)	244(2)(b)	4 years jail		
Causing bodily harm with air gun with intent	244.1	None		
Discharging firearm — recklessness (w/ restr. firearm or prohib. firearm)	244.2(3)(a)	4 years jail		
Discharging firearm — recklessness (without restricted firearm or prohibited firearm)	244.2(3)(b)			
Administer noxious thing with intent to endanger life	245(1)(a)	None		
Administer noxious thing with intent to aggrieve or annoy	245(1)(b)	None		
Overcoming resistance to commission of offence – choking	246(a)	None		
Overcoming resistance to commission of offence – drugging	246(b)	None		
Set trap likely to cause bodily harm or death	247(1)	None		
Keep trap and cause death in place to commit offence	247(1) and 247(5)	None		
Set trap and actually cause bodily harm	247(2)	None		
Keep trap to cause bodily harm to commit offence	247(3)	None		
Keep trap and cause bodily harm in place to commit offence	247(4)	None		
Interfere with transportation likely to cause death	248	None		
Interfere with transportation likely to cause death	262	None		

Offence	Section	Minimums	Maximums	Consecutive Time
Criminal Harassment	264	None		
Utter threats to cause death or bodily harm	264.1(2)	None		
Utter threats to destroy property or animals	264.1(3)	None		
Assault	266	None		
Assault with a Weapon	267(a)	None		
Assault Causing Bodily Harm	267(b)	None		
Aggravated Assault	268	None		
Unlawfully cause bodily harm	269	None		
Unlawfully cause bodily harm (failure to safeguard ice opening or excavation causing bodily harm)	269, 263(3)(b)			
Torture	269.1	None		
Assaulting a peace officer	270(1) and (2)	None		
Assault of peace officer with a weapon or causing bodily harm	270.01	None		
Aggravated assault of peace officer	270.02	None		
Disarming a peace officer	270.1	None		
Sexual Assault - victim under 16 years	271(a)	1 year		
Sexual Assault, victim 16 years old or greater	271(a)	None		
Sexual assault w/ restricted or prohibited firearm	272(2)(a)	Minimum of 5 or 7 years with prior		
Sexual assault, w/ non-prohibited firearm and relating to criminal org	272(2)(a)	Minimum of 5 or 7 years with prior		
Sexual assault w/ a non-restricted firearm used	272(2)(a.1)	4 years jail		
Sexual assault with a weapon or causing bodily harm, victim under 16	272(2)(a.2)	5 years jail		
Sexual assault with a weapon (no aggravating elements)	272(2)(b)	None		
Sexual assault causing bodily harm (no aggravating elements)	272(2)(b)	None		
Aggravated sexual assault w/ restricted or prohibited firearm	273(2)(a)			
Aggravated sexual assault, w/ non-prohibited firearm and re criminal org	273(2)(a)			
Aggravated sexual assault w/ a non-restricted firearm used	273(2)(a.1)	4 years		
Aggravated sexual assault, victim under 16 years	273(2)(a.2)	5 years jail		
Aggravated sexual assault (no aggravating elements)	273(2)(b)	None		
Removal of child from Canada	273.3(2)			
Breach of publication prohibition re 276.1 applications	276.3(2)	None		
Breach of publication prohibition re s. 278.3 applications	278.9(2)	None		
Kidnap, traffic persons, hostages and abduct. with restr. firearm etc or for a crim. org. (w/o priors)	279(1.1)(a)(i)			
Kidnap, traffic persons, hostages and abduct. with restr. firearm etc or for a crim. org. (w/ priors)	279(1.1)(a)(ii)			
Kidnapping, trafficking in persons, hostage taking and abduction with a non-restricted firearm	279(1.1)(a.1)	4 years		
Kidnapping, trafficking in persons under the age of 16, hostage taking and abduction	279(1.1)(a.2)			
Kidnapping, trafficking in persons, hostage taking and abduction without a firearm	279(1.1)(b)	None		
Unlawful confinement, imprisonment, seizure	279(2)	None		
Trafficking in persons (kidnap, aggravated assault, aggravated sexual assault, or death)	279.01(1)(a)	5 years		
Trafficking in persons (without enumerated aggravating factors)	279.01(2)	4 years imprisonment		

Offence	Section	Minimums	Maximums	Consecutive Time
Trafficking in persons under the age of 18 years (kidnap, aggravated assault, aggravated sexual assault, or death)	279.011(1)(a)	6 years		
Trafficking in persons under the age of 18 years (without enumerated aggravating factors)	279.011(1)(b)	5 years		
Profiting from trafficking in persons	279.02(1)	None		
Profiting from trafficking in persons, under 18 years	279.02(2)	2 years imprisonment		
Withholding or destroying documents in respect of human trafficking - victim 18 years and above	279.03(1)	None		
Withholding or destroying documents in respect of human trafficking, persons under 18 years	279.03(2)	1 year		
Hostage taking with restricted firearm or for benefit of criminal org (w/o priors)	279.1(2)(a)(i)			
Hostage taking with restricted firearm or for benefit of criminal org (w/ priors)	279.1(2)(a)(ii)			
Hostage taking with a non-restricted firearm	279.1(2)(a.1)	4 years		
Hostage taking (without aggravating elements)	279.1(2)(b)	None		
Abduction of person under 16 (other than parent or guardian)	280(1)			
Abduction of person under fourteen (other than parent or guardian)	281	None		
Abduction in contravention of custody order	282(1)	None		
Abduction (by parent or guardian)	283(1)	None		
Obtaining sexual services for consideration	286.1(1)	\$2,000 or \$4,000 (if near persons under 18 years)		
Obtaining sexual services for consideration (near public, w/o priors)	286.1(1)			
Obtaining sexual services for consideration (near public, w/ priors)	286.1(1)			
Obtaining sexual services for consideration (not near public, w/o priors)	286.1(1)			
Obtaining sexual services for consideration (not near public, w/ priors)	286.1(1)			
Obtaining sexual services for consideration from person under 18 years, w/o priors	286.1(2)			
Obtaining sexual services for consideration from person under 18 years, w/ priors	286.1(2)			
Material benefit from sexual services	286.2(1)	None		
Material benefit from sexual services — person under 18 years	286.2(2)	2 years jail		
Procuring — person 18 years or over	286.3(1)	None		
Procuring — person under 18 years	286.3(2)	5 years jail		
Advertising sexual services	286.4	None		
Bigamy	291(1)	None		
Procuring feigned marriage	292(1)	None		
Polygamy	293(1)	None		
Forced marriage	293.1	None		
Marriage under age of 16 years	293.2	None		
Pretending to solemnize marriage	294	None		
Solemnizing marriage contrary to law	295	None		
Publishing defamatory libel knowing it to be false	300	None		
Publishing defamatory libel (not aggravating under s. 300)	301	None		
Extortion by libel	302(3)	None		
Hate propaganda	318(1)	None		
Public incitement of hatred	319(1)	None		

Offence	Section	Minimums	Maximums	Consecutive Time
<u>Wilful promotion of hatred</u>	319(2)	None		
<u>Conversion Therapy</u>	320			

Offences Relating to Conveyances (Part VIII.1)

[Pt. VIII.1 – Offences Relating to Conveyances (s. 320.11 to 320.4)]

- Proving Conveyance Offences

Offence	Section	Minimums	Maximums	Consecutive Time
<u>Dangerous operation of a conveyance</u>	320.13(1), 320.19(5)	None		
<u>Dangerous Operation When Accident Causes Bodily Harm</u>	320.13(2), 320.2			
<u>Dangerous operation when accident causes death</u>	320.13(3), 320.21			
<u>Operation While Impaired by Drug or Alcohol</u>	320.14(1)(a), 320.19(1)			
<u>Operation While Over 80 BAC</u>	320.14(1)(b), 320.19(1) and (3)			
<u>Operation While Drug Exceeds Regs re Drugs</u>	320.14(1)(c), 320.19(1)			
<u>Operation While Blood Drug Exceeds Regs re Drugs</u>	320.14(1)(d), 320.19(1)			
<u>Operation while impaired and causing bodily harm</u>	320.14(2), 320.2			
<u>Operation While Impaired or Blood Concentration Over and Causing Death</u>	320.14(3), 320.21			
<u>Operation with low blood drug concentration</u>	320.14(4)	None		
<u>Refusal</u>	320.15(1), 320.19(1), (4)			
<u>Refusal with accident resulting in bodily harm</u>	320.15(2), 320.2			
<u>Refusal with accident resulting in death</u>	320.15(3), 320.21			
<u>Failure to Stop at Accident</u>	320.16(1), 320.19(5)			
<u>Failure to Stop After Accident Resulting in Bodily Harm</u>	320.16(2), 320.2			
<u>Failure to stop after accident resulting in death</u>	320.16(3), 320.21			
<u>Flight from peace officer</u>	320.17, 320.19(5)	None		
<u>Operation While Prohibited</u>	320.18, 320.19(5)	None		

Property Offences (Part IX)

[Pt. IX – Offences Against Rights of Property (s. 321 to 378)]

- Proving Fraud-based Offences
- Sentencing for Property Offences

Offence	Section	Minimums	Maximums	Consecutive Time
Possession, etc., of device to obtain use of telecommunication facility or telecommunication service	327(1)	None		
Theft by person required to account	330			
Theft by person holding power of attorney	331			
Misappropriation of money held under direction	332			
Motor vehicle theft	333.1	6 months (w/ two priors)		
Theft over \$5,000 or testamentary instrument	334(a)	None		
Theft under \$5,000 or not of testamentary instrument	334(b)	None		
Take auto without consent	335(1)	None		
Breach of trust	336	None		
Fraud respecting cattle	338(1)	None		
Theft of cattle	338(2)	None		
Drift timber fraud	339(1)	None		
Unlawful timber marks dealings	339(2)	None		
Destroying documents of title	340	None		
Fraudulent concealment	341	None		
Theft, forgery of credit card	342(1)			
Credit card data offence	342(3)			
Instruments for credit card fraud	342.01(1)	None		
Unauthorized use of computer	342.1(1)	None		
Possession of device to obtain computer service	342.2(1)	None		
Theft, forgery of credit card	342(1)	None		
Credit card data offence	342(3)	None		
Robbery with restricted or prohibited firearm, w/out priors	344(1)(a)(i)			
Robbery with non-restricted firearm and related to criminal org, w/o priors	344(1)(a)(i)			
Robbery with restricted or prohibited firearm, w/ priors	344(1)(a)(ii)			
Robbery with non-restricted firearm and related to criminal org, w/ priors	344(1)(a)(ii)			
Robbery with non-restricted firearm	344(1)(a.1)			
Robbery with non-restricted firearm	344(1)(b)			
Stopping mail with intent to obtain	345	None		
Extortion (w/ restricted firearm or for benefit of a crim. org.), w/o priors	346(1.1)(a)(i)			
Extortion (w/ restricted firearm or for benefit of a crim. org.), w/ priors	346(1.1)(a)(ii)			
Extortion (with non restricted firearm)	346(1.1)(a.1)			
Extortion (no firearm or other aggravating facts)	346(1.1)(b)	None		
Criminal interest rate	347(1)	None		
Break and Enter into a Dwelling House	348(1)(d)	None		
Break and enter of a non dwelling-house	348(1)(e)	None		
Unlawfully in a dwelling-house	349(1)	None		
Possession of break-in instruments	351(1)	None		
Disguise with intent	351(2)	None		
Possession of instruments to break into coin machines	352	None		
Sale of automobile master key	353(1)	None		
Failure to record sale of automobile master key	353(4)			
Tampering with vehicle identification number	353.1	None		
Possession of stolen goods over \$5,000 or testamentary instrument	354 and 355(a)			

Offence	Section	Minimums	Maximums	Consecutive Time
Possession of stolen goods under \$5,000 and not of test. instr.	354 and 355(b)			
Trafficking in stolen property over \$5,000	355.2, 355.5	None		
Trafficking in stolen property no more than \$5,000	355.2, 355.5	None		
Poss'n for the purpose of trafficking in stolen property over \$5,000	355.4, 355.5	None		
Poss'n for the purpose of trafficking in stolen property no more than \$5,000	355.4, 355.5	None		
Theft from mail	356(1) and (3)	None		
Bring into Canada property obtained by crime	357	None		
False pretence over \$5,000 or involving a testamentary instrument	362(1)(a) and (2)(a)	None		
False pretence not over \$5,000 and not involving a testamentary instrument	362(1)(a) and (2)(b)	None		
Obtain credit by false pretence	362(1)(b) and (3)			
Obtain benefit by false pretence re re-embursement	362(1)(c) and (3)			
Obtain benefit by false pretence by third party	362(1)(d) and (3)			
Obtaining execution of valuable security by fraud	363	None		
Fraud in obtaining food, beverage or lodging	364(1)	None		
Forgery	366 and 367	None		
Utter forged document	368(1)	None		
Possess, use, traffic, etc in forgery instruments	368.1	None		
Offence involving exchequer bill paper, public seal	369	None		
False message	372(1) and (4)	None		
Indecent phone call	372(2) and (4)	None		
Harassing telephone call	372(3) and (4)	None		
Drawing document without authority	374	None		
Obtaining instrument based on forged document	375	None		
Counterfeiting stamp	376(1)	None		
Counterfeiting mark	376(2)	None		
Damaging documents	377(1)	None		
Offences in relation to registers	378	None		

Fraudulent Transactions (Part X)

[Pt. X – Fraudulent Transactions Relating to Contracts and Trade (s. 379 to 427)]

Offence	Section	Minimums	Maximums	Consecutive Time
Fraud Over \$5,000	380(1)(a)	2 years jail (over \$1 mill., s. 380(1.1))		
Fraud involving a testamentary instrument	380(1)(a)	None		
Fraud under \$5,000 and not involving a testamentary instrument	380(1)(b)	None		
Fraud affecting public markets of stocks, etc.	380(2)	None		
Breach of s. 380.2 fraud prohibition order	380.2	None		
Using mails to defraud	381	None		
Fraudulent manipulation of stock exchange deals	382	None		
Prohibited insider trading	382.1(1)	None		
Passing on insider information	382.1(2)	None		
Gaming in stock or merchandise	383(1)	None		
Broker reducing stock by selling for own account	384	None		
Fraudulent concealment of title documents	385(1)	None		
Fraudulent registration of title	386	None		
Fraudulent sale of real property	387	None		
Misleading receipt	388	None		
Fraudulent disposal of goods on which \$ advanced	389(1)	None		
Fraudulent receipts under Bank Act	390	None		
Trade secret	391(1) and (3)			
Trade secret – prior knowledge	391(2) and (3)			
Disposal of property to defraud creditors	392	None		
Fraud in relation to fares	393(1)	None		
Offering advantage to avoid paying fare	393(2)	None		
Fraudulently obtaining transportation	393(3)	None		
Fraud in relation to valuable minerals by holder of lease or licence	394(1) and (4)	None		
Sale of valuable mineral save by lawful authority	394(2) and (4)	None		
Purchase of valuable mineral save from owner	394(3) and (4)	None		
Possession of stolen or fraudulently obtained valuable minerals	394.1(3)	None		
Offences in relation to mines	396(1)	None		
Falsification of books and documents	397(1)	None		
Participation in falsification of books and docs	397(2)	None		
Falsifying employment record	398	None		
False return by public officer	399	None		
False prospectus	400(1)	None		
Obtaining carriage by false billing	401(1)	None		
Identity theft	402.2(1) and (5)	None		
Trafficking in identity information	402.2(2) and (5)	None		
Personation with intent / Identity fraud	403(3)	None		
Acknowledging instrument in false name	405	None		
Forging a trade mark to deceive or defraud	407 and 412(1)	None		

Offence	Section	Minimums	Maximums	Consecutive Time
<u>Passing off wares or trademarks to deceive or defraud</u>	408 and 412(1)	None		
<u>Possession of instruments for forging trade marks</u>	409 and 412(1)	None		
<u>Other offences in relation to trade marks</u>	410 and 412(1)	None		
<u>Used goods sold without disclosure</u>	411 and 412(1)	None		
<u>Offences respecting wrecks</u>	415	None		
<u>Applying or removing marks without authority</u>	417(1)	None		
<u>Receiving or possessing public stores bearing mark</u>	417(2)	None		
<u>Sale of defective stores to Her Majesty</u>	418(1)	None		
<u>Participation in fraud re sale of defective stores</u>	418(2)	None		
<u>Unlawful use of military uniforms or certificates</u>	419	None		
<u>Offences re military stores</u>	420(1)	None		
<u>Criminal breach of contract</u>	422(1)	None		
<u>Intimidation</u>	423(1)	None		
<u>Intimidation of a justice system participant</u>	423.1	None		
<u>Threat against an internationally protected person</u>	424	None		
<u>Threat against U.N. or associated personnel</u>	424.1	None		
<u>Offences by employers re union activity</u>	425	None		
<u>Threats and retaliation vs employees re union work</u>	425.1(2)	None		
<u>Secret commission</u>	426(1) and (3)	None		
<u>Secret commission – privy</u>	426(2) and (3)	None		

Offences Relating to Certain Types of Property (Part XI)

[Pt. XI – Wilful and Forbidden Acts in Respect of Certain Property (s. 428 to 447.1)]

Offence	Section	Minimums	Maximums	Consecutive Time
<u>Mischief causing actual danger to life</u>	430(2)	None		
<u>Mischief over \$5000 or involving testament</u>	430(3)	None		
<u>Mischief under \$5,000 and not involving testament</u>	430(4)	None		
<u>Mischief to religious building etc</u>	430(4.1)	None		
<u>Mischief relating to war memorials</u>	430(4.11)	\$1,000/14 days/30 days		
<u>Mischief to cultural property</u>	430(4.2)	None		
<u>Mischief to data</u>	430(1.1) and (5)	None		
<u>Mischief in special circumstances re danger to life, or to data or property</u>	430(5.1)	None		
<u>Attack on premises, residence or transport of internationally protected person</u>	431	None		
<u>Attack on premises, residence or transport of U.N. or associated personnel</u>	431.1	None		
<u>Explosives offence re public or government facility</u>	431.2(2)	None		
<u>Unauthorized recording of a movie (not for profit)</u>	432(1)	None		
<u>Unauthorized recording of a movie (for profit)</u>	432(2)	None		
<u>Arson (disregard for human life)</u>	433	None		
<u>Arson — damage to property</u>	434	None		
<u>Arson causing damage to own property</u>	434.1	None		
<u>Arson for fraudulent purpose</u>	435(1)	None		
<u>Arson by negligence</u>	436(1)	None		
<u>Possession of incendiary material</u>	436.1	None		
<u>False alarm of fire</u>	437	None		
<u>Interference with saving of wrecked vessel</u>	438(1)	None		
<u>Wilful interference with attempts to save wreck</u>	438(2)	None		
<u>Interference with marine signal</u>	439(1)	None		
<u>Interference with signal, buoy or sea-mark used for the purpose of navigation</u>	439(2)	None		
<u>Remove natural bar without permission</u>	440	None		
<u>Occupant injuring building</u>	441	None		
<u>Interfere with boundary line</u>	442	None		
<u>Interfere with international boundary line</u>	443(1)	None		
<u>Injuring or endangering other animals</u>	445(2)	None		
<u>Killing or injuring law enforcement animals</u>	445.01(2)	6 months (I)		
<u>Cruelty to animals</u>	445.1(2)	None		
<u>Unlicensed ownership re captive whales</u>	445.2(2) and (5)	None		
<u>Unlicensed business re captive whales</u>	445.2(4) and (5)	None		
<u>Causing damage or injury to animals</u>	446(2)	None		
<u>Arena for animal fighting</u>	447(2)	None		
<u>Breach of prohibition order re possession of animals</u>	447.1(2)			

Currency Offences (Part XII)

[Pt. XII – Offences Relating to Currency (s. 448 to 462)]

Offence	Section	Minimums	Maximums	Consecutive Time
Make counterfeit money	449	None		
Possession of counterfeit money	450	None		
Having clippings for gold without justification	451	None		
Use of counterfeit money	452	None		
Utter counterfeit coin	453	None		
Possession of slugs and tokens	454	None		
Clip or utter coin	455	None		
Deface current coin	456	None		
Creating likeness of bank-notes	457(3)	None		
Possession of materials for counterfeiting	458	None		
Conveying instruments for counterfeiting from mint	459	None		
Advertising and dealing in counterfeit money, etc	460(1)	None		

Proceeds of Crime (Part XII.2)

[Pt. XII.2 – Proceeds of Crime (s. 462.3 to 462.5)]

Offence	Section	Minimums	Maximums	Consecutive Time
Laundering proceeds of crime	462.31(2)	None		
Breach of proceeds of crime restraint order	462.33(11)			

Attempts, Conspiracy and Accessories (Part XIII)

[Pt. XIII – Attempts – Conspiracies – Accessories (s. 463 to 467.2)]

Offence	Section	Minimums	Maximums	Consecutive Time
Attempt or accessory to indictable offence punishable by life imprisonment	463(a)	None		
Attempt or accessory to indictable offence punishable by 14 years	463(b)	varies		
Attempt or accessory to indictable offence punishable by 10 years	463(b)	varies		
Attempt or accessory to indictable offence punishable by 5 years	463(b)	varies		
Attempt or accessory to indictable offence punishable by summary conviction	463(c)			
Attempt or accessory to hybrid offence	463(d)			
Conspiracy to commit murder	465(1)(a)	None		
Conspiracy to prosecute an innocent person for an offence punishable by life or 14 years	465(1)(b)(i)	None		
Conspiracy to commit an indictable offence punishable by less than 14 years	465(1)(b)(ii)	None		
Participation in activities of criminal organization	467.11(1)	None		
Recruitment of members under the age of 18 by a criminal organization	467.111(a)			
Recruitment of members by a criminal organization	467.111(b)			
Commission of offence for criminal organization	467.12(1)			
Instructing commission of offence for criminal organization	467.13(1)	None		
Recruitment of members by a criminal organization	467.111	None		
Recruitment of members under the age of 18 by a criminal organization	467.111	6 months		

Special Procedure and Powers (Part XV)

[Pt. XV – Special Procedure and Powers (s. 483 to 492.2)]

Offence	Section	Minimums	Maximums	Consecutive Time
Use of seized bodily substances for other than DNA analysis	487.08(3)	None		
Breach of limited use order of DNA re 487.08(1.1)	487.08(4)	None		
Failure to comply with a preservation demand	487.0197	None		
Financial institution that fails to comply with production order	487.0198	None		
Failure to comply with a data preservation demand	487.0199	None		
Failure to comply with DNA order	487.0552(1)	None		
Breach of Order of Restraint for Offence-related Property	490.8	None		
Breach of restraint order under 490.9	490.8(9)	None		
Breach of SOIRA order	490.031(1)	None		
Breach of SOIRA order (false or misleading information)	490.0311(a)	None		
Breach of SOIRA Order, failing to notify of identity and address	490.0312	None		

Compelling Appearance of an Accused Before a Justice and Interim Release (Part XVI)

[Pt. XVI – Compelling Appearance of an Accused Before a Justice and Interim Release (s. 493 to 529.5)]

Offence	Section	Minimums	Maximums	Consecutive Time
Breach of non-publication order from show cause	517(2)	None		

Procedure on Preliminary Inquiry (Part XVIII)

[Pt. XVIII – Procedure on Preliminary Inquiry (s. 535 to 551)]

Offence	Section	Minimums	Maximums	Consecutive Time
Breach of non-publication order at preliminary	539(3)	None		
Breach of restriction of publication of reports of preliminary inquiry	542(2)	None		

Procedure in Jury Trials and General Provisions (Part XX)

[Pt. XX – Procedure in Jury Trials and General Provisions (s. 574 to 672)]

Offence	Section	Minimums	Maximums	Consecutive Time
Breach of non-publication order in jury trial	648(2)	None		
Disclosure of jury information	649	None		

Mental Disorder (Part XX.1)

[Pt. XX.1 – Mental Disorder (s. 672.1 to 672.95)]

Offence	Section	Minimums	Maximums	Consecutive Time
Breach of limitation re information that prior verdict of NCR	672.37(3)			
Order restricting publication re certain offences before Review Board	672.501(11)	None		

Procuring Attendance (Part XXII)

[Pt. XXII – Procuring Attendance (s. 697 to 715.2)]

Offence	Section	Minimums	Maximums	Consecutive Time
Contempt of court	708			

Sentencing (Part XXIII)

[Pt. XXIII – Sentencing (s. 716 to 751.1)]

Offence	Section	Minimums	Maximums	Consecutive Time
Breach of prohibition on use of bodily substance under a probation order	732.11(4)	None		
Breach of Probation	733.1	None		
Breach of prohibition on use of bodily substance under a conditional sentence order – use of substance	742.31(1) and (4)	None		
Breach of prohibition on use of bodily substance under a conditional sentence order – use of results	742.31(1) and (4)	None		
Failure to comply with a custodial non-communication order	743.21	None		
First or Second Degree Murder (Young Offender)	745.1	5 to 7, 10 years (variable)		

Dangerous Offenders and Long-Term Offenders (Part XXIV)

[Pt. XXIV – Dangerous Offenders and Long-Term Offenders (s. 752 to 761)]

Offence	Section	Minimums	Maximums	Consecutive Time
Breach of long-term supervision order	753.3	None		

Summary Convictions (Part XXVII)

[Pt. XXVII – Summary Convictions (s. 785 to 840)]

Offence	Section	Minimums	Maximums	Consecutive Time
Breach of a prohibition on use or disclosure of bodily substance or results of analysis obtained by a peace bond	810.4(4)	None		
Breach of a recognizance (peace bond) order under s. 83.3 or 810 to 810.2	811	None		

Drug Offences

- [Proving Drug Offences](#)
- [Sentencing for Drug Offences](#)

Offence	Section	Minimums	Maximums	Consecutive Time
Possession - Schedule I (opiates and related), w/o priors	4(3) CDSA			
Possession - Schedule I (opiates and related), w/ priors	4(3) CDSA			
Possession - Schedule II (cannabinoids), w/o priors	4(4) CDSA			
Possession - Schedule II (cannabinoids), w/ priors	4(4) CDSA			
Possession - Schedule III (psychedelics), w/o priors	4(6) CDSA			
Possession - Schedule III (psychedelics), w/ priors	4(6) CDSA			
Seek or obtain - Schedule III (opiates and related), w/o priors	4(7)(a)(i) or (b)(i) CDSA			
Seek or obtain - Schedule III (opiates and related), w/ priors	4(7)(a)(i) or (b)(ii) CDSA			
Seek or obtain - Schedule II (cannabinoids), w/o priors	4(7)(a)(ii) or (b)(i) CDSA			
Seek or obtain - Schedule II (cannabinoids), w/ priors	4(7)(a)(ii) or (b)(ii) CDSA			
Seek or obtain - Schedule III (psychedelics), w/o priors	4(7)(a)(iii) or (b)(i) CDSA			
Seek or obtain - Schedule III (psychedelics), w/ priors	4(7)(a)(iii) or (b)(ii) CDSA			
Seek or obtain - Schedule IV (barbiturates), w/o priors	4(7)(a)(iv) or (b)(i) CDSA			
Seek or obtain - Schedule IV (barbiturates), w/ priors	4(7)(a)(iv) or (b)(ii) CDSA			
Trafficking/PFP of Trafficking in Substance – Sch. I or II	5(3)(a) CDSA			
Trafficking/PFP of Trafficking in Substance – Sch. I or II re crim. org. or violence	5(3)(a)(i) CDSA			
Trafficking/PFP of Trafficking in Substance – Sch. I or II re youth or prison	5(3)(a)(ii) CDSA			
Trafficking in substance – Schedule III or V	5(3)(b) CDSA			
Trafficking in substance – Schedule IV	5(3)(c) CDSA			
importing and exporting Schedule I (up to 1kg) and II drugs, w/o aggravation	6(3)(a) CDSA			
importing and exporting Schedule I (up to 1kg) and II drugs, w/ aggravation	6(3)(a) CDSA			
importing and exporting Schedule I (exceeding 1kg) and II drugs	6(3)(a.1) CDSA			
importing and exporting Schedule III, V and VI drugs	6(3)(b) CDSA			
importing and exporting Schedule IV drugs	6(3)(c) CDSA			
Production Schedule I (opiates and related), w/o aggravation	7(2)(a) CDSA			
Production Schedule I (opiates and related), w/ aggravation	7(2)(a) and (3) CDSA			
Production Schedule II (cannabinoids), w/o aggravation	7(2)(a.1) CDSA			
Production Schedule II (cannabinoids), w/ aggravation	7(2)(a.1) and (3) CDSA			
Production Schedule III or V	7(2)(c) CDSA			
Production Schedule IV	7(2)(d) CDSA			

Youth Criminal Justice Act Offences

Offence	Section	Minimums	Maximums	Consecutive Time
Inducing a Young Person	136 YCJA			
Breach of Youth Order	137 YCJA			
Breach of Youth Placement Order	139(1) YCJA			

Repealed and Unconstitutional Offences

Offence	Section	Minimums	Maximums	Consecutive Time
Indecent Assault	149, 156			
Sexual Intercourse with Step-Daughter	158			
Gross Indecency				
Abortion				
Anal Intercourse				
Counselling or Aiding Suicide				
Procuring and Living on the Avails of Prostitution				
Rape				

Miscellaneous Offences by Topic

- [Miscellaneous Firearms Offences](#)
- [Miscellaneous Offences Against Public Order](#)
- [Miscellaneous Administration of Justice Offences](#)
- [Miscellaneous Sexual Offences](#)
- [Miscellaneous Offences Against the Person](#)
- [Miscellaneous Offences Against Property](#)
- [Miscellaneous Fraudulent Offences](#)
- [Miscellaneous Currency Offences](#)

See also

- [Offences by Penalty](#)
- [Regulatory and Provincial Offences](#)
- [Offences Found to be Unconstitutional](#)
- [Repealed Offences](#)
- [Sentencing Cases](#)
- [Criminal Law Cases](#)

Offences by Penalty

Offences

- [List of Straight Indictable Offences](#)
- [List of Hybrid Offences](#)
- [List of Summary Conviction Offences](#)

See Also

- [List of Offences by Category](#)

List of Hybrid Offences=

Maximum Penalty of 14 Years Imprisonment by Indictment

Offence	Section	Minimums	Summary Election Maximum	Consecutive Time
<u>Sexual interference</u> From July 17, 2015	151	1 year jail (I) 90 days (S)	"two years less a day"	Yes (s. 718.3(7)) ^a
<u>Invitation to sexual touching</u> From July 17, 2015	152	1 year jail (I) 90 days (S)	"two years less a day"	Yes (s. 718.3(7)) ^a
<u>Sexual exploitation</u> From July 17, 2015	153(1.1)	1 year jail (I) 90 days (S)	"two years less a day"	Yes (s. 718.3(7)) ^a
<u>Bestiality in presence of child</u> From July 17, 2015	160(3)	1 year jail	"two years less a day"	Yes (s. 718.3(7)) ^a
<u>Making sexually explicit material available to child</u>	171.1(2)	6 months jail (I) 90 days (S)	"two years less a day"	Yes (s. 718.3(7)) ^a
<u>Luring a child</u> From July 17, 2015	172.1(2)	1 year jail (I) 6 months (S)	"two years less a day"	Yes (s. 718.3(7)) ^a
<u>Agreement or arrangement — sexual offence against child</u> From July 17, 2015	172.2	1 year (I) 6 months (S)	"two years less a day"	Yes (s. 718.3(7)) ^a
<u>Sexual Assault - victim under 16 years</u> From July 17, 2015	271	1 year jail	18 months (I) 6 months (S)	Yes (s. 718.3(7)) ^a
<u>Refusal</u> From December 18, 2018	320.15(2), 320.2	\$1,000 fine, 30 days or 120 days jail	Two years less a day	No
<u>Dangerous Operation When Accident Causes Bodily Harm</u> From December 18, 2018	320.13(2), 320.2	\$1,000 fine, 30 days or 120 days jail	Two years less a day	No
Offence	Section	Minimums	Summary Election Maximum	Consecutive Time
<u>Failure to Stop After Accident Resulting in Bodily Harm</u> From December 18, 2018	320.16 (2), 320.2	\$1,000 fine, 30 days or 120 days jail	Two years less a day	No
<u>Operation while impaired and causing bodily harm</u> From December 18, 2018	320.14(2), 320.2	\$1,000 fine, 30 days or 120 days jail	Two years less a day	No
<u>Possess, use, traffic, etc in forgery instruments</u>	368.1	None	summary conviction	No

Maximum Penalty of 10 Years Imprisonment by Indictment

Offence	Section	Minimums	Summary Election Maximum	Consecutive Time
Sabotage From September 19, 2019	52(1)	None	summary conviction	No
Concealing identity during a riot From September 19, 2019	65(2)	None	summary conviction	No
Offences re freezing of property, disclosure or audit relative to terrorism From September 19, 2019	83.12	1 year jail with priors	\$100,000 and/or 2 years less a day	No
Hoax re terrorist activity (bodily harm not death) From September 19, 2019	83.231(3)	None	summary conviction	No
Possession of a weapon for purpose dangerous	88(1)	None	summary conviction	No
Unauthorized possession of weapon or firearm in vehicle	94(1)	None	summary conviction	No
Possession of prohibited or restricted weapon with ammunition	95(2)	3 or 5 years with prior	1 year	No
Possession of weapon obtained by crime	96(2)	1 year (I)	"summary conviction"	No
Assembling automatic firearm	102(2)	1 year (on Indictment)	1 year	No
Possession of firearm contrary to prohibition order	117.01(3)	None	summary conviction	No
Offence	Section	Minimums	Summary Election Maximum	Consecutive Time
Obstruct justice with elements of aggravation From September 19, 2019	139(2)	None	summary conviction	No
Prison Breach From September 19, 2019	144	None	summary conviction	No
Bestiality	160(1)	None	summary conviction	No
Compelling bestiality	160(2)	None	summary conviction	No
Possession of Child Pornography From July 17, 2015	163.1(4)	1 year	"two years less a day"	Yes (s. 718.3(7)) ^a
Accessing of Child Pornography From July 17, 2015	163.1(4.1)	1 year	"two years less a day"	Yes (s. 718.3(7)) ^a
Criminal negligence causing bodily harm From September 19, 2019	221	None	"summary conviction"	No
Set trap and actually cause bodily harm From September 19, 2019	247(2)	None	"summary conviction"	No
Keep trap to cause bodily harm to commit offence From September 19, 2019	247(3)	None	"summary conviction"	No
Impeding attempt to save life From September 19, 2019	262	None	"summary conviction"	No
Offence	Section	Minimums	Summary Election Maximum	Consecutive Time
Criminal Harassment	264(3)	None	summary conviction	No
Assault with a Weapon From September 19, 2019	267(a)	None	"summary conviction"	No
Assault Causing Bodily Harm From September 19, 2019	267(b)	None	"summary conviction"	No
Unlawfully cause bodily harm From September 19, 2019	269	None	"summary conviction"	No
Unlawfully cause bodily harm (failure to safeguard ice opening or excavation causing bodily harm)	269, 263(3)(b)	None	18 months	No
Assault of peace officer with a weapon or causing bodily harm From September 19, 2019	270.01	None	"summary conviction"	Yes (s. 270.03)
Sexual Assault, victim 16 years old or greater From August 9, 2012	271(a)	None	18 months	No
Unlawful confinement, imprisonment, seizure From September 19, 2019	279(2)	None	"summary conviction"	No
Profiting from trafficking in persons From September 19, 2019	279.02(1)	None	"summary conviction"	No
Abduction of person under fourteen (other than parent or guardian) From September 19, 2019	281	None	"summary conviction"	No
Offence	Section	Minimums	Summary Election Maximum	Consecutive Time
Abduction in contravention of custody order	282(1)	None	summary conviction	No
Abduction (by parent or guardian)	283(1)	None	summary conviction	No
Material benefit from sexual services From September 19, 2019	286.2(1)	None	"summary conviction"	No
Dangerous operation of a conveyance From December 18, 2018	320.13(1), 320.19(5)	None	Two years less a day	No
Operation While Impaired by Drug or Alcohol From December 18, 2018	320.14(1)(a), 320.19(1)	\$1,000 fine, 30 days or 120 days jail	Two years less a day	No

Offence	Section	Minimums	Summary Election Maximum	Consecutive Time
Operation While Over 80 BAC From December 18, 2018	320.14(1)(b), 320.19(1)	\$1,500, \$2,000 fine, 30 days or 120 days jail	Two years less a day	No
Operation While Blood Drug Exceeds Regs re Drugs From December 18, 2018	320.14(1)(c), 320.19(1)	\$1,000 fine, 30 days or 120 days jail	Two years less a day	No
Operation While Blood Drug Exceeds Regs re Drugs From December 18, 2018	320.14(1)(d), 320.19(1)	\$1,000 fine, 30 days or 120 days jail	Two years less a day	No
Refusal From December 18, 2018	320.15(1), 320.19(1), (4)	\$2,000 fine, 30 days or 120 days jail	Two years less a day	No
Offence	Section	Minimums	Summary Election Maximum	Consecutive Time
Failure to Stop at Accident From December 18, 2018	320.16 (1), 320.19(5)		Two years less a day	No
flight from peace officer From December 18, 2018	320.17, 320.19(5)	None	Two years less a day	No
Operation While Prohibited From December 18, 2018	320.18, 320.19(5)	None	Two years less a day	No
Motor vehicle theft From September 19, 2019	333.1	6 months (with 2 or more priors)	"two years less a day"	No
Theft of cattle From September 19, 2019	338(2)	None	"summary conviction"	No
Destroying documents of title From September 19, 2019	340	None	"summary conviction"	No
Theft, forgery of credit card	342(1)	None	summary conviction	No
Credit card data offence	342(3)	None	summary conviction	No
Instruments for credit card fraud	342.01(1)	None	summary conviction	No
Unauthorized use of computer	342.1(1)	None	summary conviction	No
Offence	Section	Minimums	Summary Election Maximum	Consecutive Time
Break and enter of a non dwelling-house	348(1)(e)	None	summary conviction	No
Unlawfully in a dwelling-house	349(1)	None	summary conviction	No
Possession of break-in instruments	351(1)	None	"summary conviction"	No
Disguise with intent From September 19, 2019	351(2)	None	"summary conviction"	No
Theft from Mail	356(3)	None	Summary conviction	No
Bring into Canada property obtained by crime From September 19, 2019	357	None	"summary conviction"	No
False pretence over \$5,000 or involving a testamentary instrument From September 19, 2019	362(2)(a)	None	"summary conviction"	No
Forgery	366, 367	None	summary conviction	No
Utter forged document	368(1)	None	summary conviction	No
Fraudulent manipulation of stock exchange deals From September 19, 2019	382	None	"summary conviction"	No
Offence	Section	Minimums	Summary Election Maximum	Consecutive Time
Prohibited insider trading From September 19, 2019	382.1(1)	None	"summary conviction"	No
Offences in relation to mines From September 19, 2019	396(1)	None	"summary conviction"	No
False prospectus From September 19, 2019	400(1)	None	"summary conviction"	No
Personation with intent / Identity fraud	403	None	summary conviction	No
Threat against U.N. or associated personnel From September 19, 2019	424.1	None	"summary conviction"	No
Mischief over \$5000 or involving testament	430(3)	None	summary conviction	No
Mischief to religious building etc From September 19, 2019	430(4.1)	None	"summary conviction"	No
Mischief relating to war memorials From September 19, 2019	430(4.11)	\$1,000, 14 days jail, 30 days jail	"summary conviction"	No
Mischief to cultural property	430(4.2)	None	summary conviction	No
Mischief to data	430(5)	None	summary conviction	No
Offence	Section	Minimums	Summary Election Maximum	Consecutive Time
Arson for fraudulent purpose From September 19, 2019	435(1)	None	"summary conviction"	No

Offence	Section	Minimums	Summary Election Maximum	Consecutive Time
Interference with signal, buoy or sea-mark used for the purpose of navigation From September 19, 2019	439(2)	None	"summary conviction"	No
Laundering proceeds of crime	462.31(2)	None	summary conviction	No
Breach of long-term supervision order From September 19, 2019	753.3	None	"summary conviction"	No
Drug Trafficking (Schedule III)	CDSA 5	18 months	None	No
Importing and exporting drugs, (Schedule III, V, or VI)	CDSA 6(3)(b)	None	18 months	No
Drug production (Schedule III)	CDSA 7(2)(c)	None	18 months	No

Maximum Penalty of 7 Years Imprisonment by Indictment

Offence	Section	Minimums	Summary Election Maximum	Consecutive Time
Drug possession (Schedule I)	CDSA 4(3)	None	6 months or 1 year with priors	No
Obtain drugs from practitioner (Schedule I)	CDSA 4(7)	None	6 months or 1 year with priors	No

Maximum Penalty of 5 Years Imprisonment by Indictment

Offence	Section	Minimums	Summary Election Maximum	Consecutive Time
<u>Procuring Identity Documents</u>	56.1	None	summary conviction	No
<u>Possession of forged passport</u> From September 19, 2019	57(3)	None	summary conviction	No
<u>Offences respecting military stores</u> From September 19, 2019	62	None	summary conviction	No
<u>Concealment of identity during an unlawful assembly</u>	66(2)	None	summary conviction	No
<u>Unlawful training or drilling of militia</u> From September 19, 2019	70	None	summary conviction	No
<u>Possession of explosive without lawful excuse</u> From September 19, 2019	82(1)	None	summary conviction	No
<u>Hoax re terrorist activity (no bodily harm or death)</u> From September 19, 2019	83.231(2)	None	"summary conviction"	No
<u>Unsafe Storage or Careless Use of a Firearm - on second or more convictions</u>	86(1), (2)	None	summary conviction	No
<u>Pointing a firearm</u>	87(2)	None	summary conviction	No
<u>Carrying concealed weapon</u>	90(2)	None	summary conviction	No
Offence	Section	Minimums	Summary Election Maximum	Consecutive Time
<u>Unauthorized possession of firearm</u>	91(1)	None	summary conviction	No
<u>Unauthorized possession of prohibited weapon or restricted weapon</u>	91(2)	None	summary conviction	No
<u>Possession of weapon or firearm at unauthorized place</u>	93(2)	None	summary conviction	No
<u>Transfer of firearm without authority</u>	101(2)	None	summary conviction	No
<u>Unauthorized importing or exporting firearms</u>	104(2)	None	"summary conviction"	No
<u>Offences re lost, destroyed, defaced weapons</u>	105(2)	None	"summary conviction"	No
<u>Destruction of weapons offences re report</u>	106(2)	None	"summary conviction"	No
<u>False statements respecting firearms</u>	107(2)	None	"summary conviction"	No
<u>Tampering with firearm serial number</u>	108(2)	None	"summary conviction"	No
<u>Fraud on government</u> From September 19, 2019	121(3)	None		No
<u>Selling, etc., of tobacco products and raw leaf tobacco</u> From September 19, 2019	121.1	90, 180, or 2 years less a day (with prior conviction(s))	summary conviction	No
Offence	Section	Minimums	Summary Election Maximum	Consecutive Time
<u>Breach of trust by public officer</u> From September 19, 2019	122	None		No
<u>Bribing municipal official</u> From September 19, 2019	123(1)	None		No
<u>Influencing municipal official</u> From September 19, 2019	123(2)	None		No
<u>Selling or purchasing office</u> From September 19, 2019	124	None		No
<u>Influencing appointment in office</u> From September 19, 2019	125	None		No
<u>Personation of peace officer</u>	130	None	summary conviction	No
<u>Public mischief</u>	140(2)	None	summary conviction	No
<u>Corruptly taking reward</u> From September 19, 2019	142	None	summary conviction	No
<u>Rescue or permitting escape</u> From September 19, 2019	147	None		No
<u>Aid prisoner of war to escape</u> From September 19, 2019	148	None		No
Offence	Section	Minimums	Summary Election Maximum	Consecutive Time
<u>Sexual exploitation of persons with disability</u> From September 19, 2019	153.1(1)	None	summary conviction	No
<u>Voyeurism</u>	162(1)	None	summary conviction	No
<u>Distribution of voyeurism material</u>	162(4)	None	summary conviction	No
<u>Distribution of intimate images</u>	162.1(1)	None	summary conviction	No
<u>Possession of Child Pornography</u> August 9, 2012 to July 17, 2015	163.1(4)	6 months	18 months	Yes (s. 718.3(7)) ^a
<u>Possession of Child Pornography</u> November 1, 2005 to August 9, 2012	163.1(4)	45 days	18 months	Yes (s. 718.3(7)) ^a
<u>Accessing of Child Pornography</u> August 9, 2012 to July 17, 2015	163.1(4.1)	6 months	18 months	Yes (s. 718.3(7)) ^a

Offence	Section	Minimums	Summary Election Maximum	Consecutive Time
Accessing of Child Pornography November 1, 2005 to August 9, 2012	163.1(4.1)	45 days	18 months	Yes (s. 718.3(7)) ^a
Indignity or neglect of dead body From September 19, 2019	182	None		No
Interception of private communication From September 19, 2019	184(1)	None	"summary conviction"	No
Offence	Section	Minimums	Summary Election Maximum	Consecutive Time
Interception of radio-based telephone communications From September 19, 2019	184.5(1)	None		No
Failure to provide necessities of life From September 19, 2019	215(3)	None	summary conviction	No
Abandoning child From September 19, 2019	218	None	summary conviction	No
Infanticide From September 19, 2019	237	None	summary conviction	No
Failure to comply with safeguards From September 19, 2019	241.3	None	summary conviction	No
forgery or destruction of documents re assisted dying From September 19, 2019	241.4	None	summary conviction	No
Neglect to obtain assistance and concealing birth From September 19, 2019	242	None	summary conviction	No
Keep trap and cause death in place to commit offence From September 19, 2019	247(1) and 247(5)	None	summary conviction	No
Utter threats to cause death or bodily harm From September 19, 2019	264.1(2)	None	"summary conviction"	No
Assault	266	None	summary conviction	No
Offence	Section	Minimums	Summary Election Maximum	Consecutive Time
Assaulting a peace officer	270(1) and (2)	None	summary conviction	Yes (s. 270.03)
Disarming a peace officer From September 19, 2019	270.1	None	"summary conviction"	No
Removal of child from Canada	273.3(2)	None	summary conviction	No
Withholding or destroying documents in respect of human trafficking - victim 18 years and above From September 19, 2019	279.03(1)	None	"summary conviction"	No
Obtaining sexual services for consideration From September 19, 2019	286.1(1)	\$2,000 or \$4,000 (if near persons under 18 years) \$1,000 or \$2,000	fine not more than "\$5,000"/"two years less a day"	Yes (s. 718.3(7)) ^a
Advertising sexual services From September 19, 2019	286.4	None	"summary conviction"	No
Bigamy From September 19, 2019	291(1)	None	"summary conviction"	No
Procuring feigned marriage From September 19, 2019	292(1)	None	"summary conviction"	No
Polygamy From September 19, 2019	293(1)	None	"summary conviction"	No
Forced marriage From September 19, 2019	293.1	None	"summary conviction"	No
Marriage under age of 16 years From September 19, 2019	293.2	None	"summary conviction"	No
Offence	Section	Minimums	Summary Election Maximum	Consecutive Time
Publishing defamatory libel knowing it to be false From September 19, 2019	300	None	"summary conviction"	No
Extortion by libel From September 19, 2019	302(3)	None	"summary conviction"	No
Fraud respecting cattle From September 19, 2019	338(1)	None	"summary conviction"	No
Drift timber fraud From September 19, 2019	339(1)	None	"summary conviction"	No
Criminal interest rate	347(1)	None	"\$25,000" and/or 6 months	No
Criminal interest rate From September 19, 2019	347(1)	None	"\$25,000" or "two years less a day"	No
Tampering with vehicle identification number	353.1	Summary conviction	None	No
Trafficking in stolen property no more than \$5,000	355.2, 355.5	None	Summary conviction	No

Offence	Section	Minimums	Summary Election Maximum	Consecutive Time
<u>Poss'n for the purpose of trafficking in stolen property no more than \$5,000</u>	355.4, 355.5	None	Summary conviction	No
<u>Obtaining execution of valuable security by fraud</u> From September 19, 2019	363	None	"summary conviction"	No
Offence	Section	Minimums	Summary Election Maximum	Consecutive Time
<u>Damaging documents</u> From September 19, 2019	377(1)	None	"summary conviction"	No
<u>Offences in relation to registers</u> From September 19, 2019	378	None	"summary conviction"	No
<u>Passing on insider information</u>	382.1(2)	None	summary conviction	No
<u>Gaming in stock or merchandise</u> From September 19, 2019	383(1)	None	"summary conviction"	No
<u>Reducing stock by selling for own account</u> From September 19, 2019	384	None	"summary conviction"	No
<u>Fraudulent registration of title</u> From September 19, 2019	386	None	"summary conviction"	No
<u>Fraud in relation to valuable minerals by holder of lease or licence</u> From September 19, 2019	394(1)	None	"summary conviction"	No
<u>Sale of valuable mineral save by lawful authority</u> From September 19, 2019	394(2)	None	"summary conviction"	No
<u>Purchase of valuable mineral save from owner</u> From September 19, 2019	394(3)	None	"summary conviction"	No
<u>Possession of stolen or fraudulently obtained valuable minerals</u> From September 19, 2019	394.1(3)	None	"summary conviction"	No
Offence	Section	Minimums	Summary Election Maximum	Consecutive Time
<u>Falsification of books and documents</u> From September 19, 2019	397(1)	None	"summary conviction"	No
<u>Participation in falsification of books and docs</u> From September 19, 2019	397(2)	None	"summary conviction"	No
<u>False return by public officer</u> From September 19, 2019	399	None	"summary conviction"	No
<u>Identity theft</u>	402.2(1)	None	Summary conviction	No
<u>Trafficking in identity information</u>	402.2(2)	None	Summary conviction	No
<u>Acknowledging instrument in false name</u> From September 19, 2019	405	None	"summary conviction"	No
<u>Offences re military stores</u>	420(1)	None	summary conviction	No
<u>Criminal breach of contract</u>	422(1)	None	summary conviction	No
<u>Intimidation</u>	423(1)	None	summary conviction	No
<u>Threat against an internationally protected person</u> From September 19, 2019	424	None	"summary conviction"	No
Offence	Section	Minimums	Summary Election Maximum	Consecutive Time
<u>Threats and retaliation vs employees re union work</u>	425.1(2)	None	summary conviction	No
<u>Secret commission</u> From September 19, 2019	426(3)	None	"summary conviction"	No
<u>Mischief in special circumstances re danger to life, or to data or property</u>	430(5.1)	None	summary conviction	No
<u>Unauthorized recording of a movie (for profit)</u>	432(2)	None	summary conviction	No
<u>Arson by negligence</u> From September 19, 2019	436(1)	None	"summary conviction"	No
<u>Possession of incendiary material</u> From September 19, 2019	436.1	None	"summary conviction"	No
<u>Interference with saving of wrecked vessel</u> From September 19, 2019	438(1)	None	"summary conviction"	No
<u>Occupant injuring building</u> From September 19, 2019	441	None	"summary conviction"	No
<u>Interfere with international boundary line</u> From September 19, 2019	443(1)	None	"summary conviction"	No
<u>Injuring or endangering cattle</u>	444(2)	None	\$10,000 and/or 18 months	No
Offence	Section	Minimums	Summary Election Maximum	Consecutive Time
<u>Injuring or endangering other animals</u> From September 19, 2019	445(2)	None	"\$10,000" and/or "two years less a day"	No
<u>Killing or injuring law enforcement animals</u> From September 19, 2019	445.01(2)	6 months (if done in commission of an offence)	"\$10,000" and/or "two years less a day"	Yes (s. 445.01(3))

Offence	Section	Minimums	Summary Election Maximum	Consecutive Time
Cruelty to animals From September 19, 2019	445.1(2)	None	"\$10,000" and/or "two years less a day"	No
Arena for animal fighting From September 19, 2019	447(2)	None	\$10,000 and/or "two years less a day"	No
Having clippings for gold without justification From September 19, 2019	451	None	"summary conviction"	No
Conspiracy to commit an indictable offence punishable by less than 14 years	465(1)(b)(ii)	None	N/A	No
Participation in activities of criminal organization From September 19, 2019	467.11(1)	None	"summary conviction"	Yes (s. 467.14)
Breach of Order of Restraint for Offence-related Property From September 19, 2019	490.8	None	"summary conviction"	No

Maximum Penalty of 5 Years Less a Day Imprisonment by Indictment

Offence	Section	Minimums	Summary Election Maximum	Consecutive Time
Drug possession (Schedule II)	CDSA 4(4)	None	6 months or 1 year	No
Obtain drugs from a practitioner (Schedule II)	CDSA 4(7)	None	6 months or 1 year	No

Maximum Penalty of 4 Years Imprisonment by Indictment

Offence	Section	Minimums	Summary Election Maximum	Consecutive Time
Breach of 161 prohibition order From September 19, 2019	161(4)	None	summary conviction	No
Breach of s. 162.2 Internet Prohibition Order From September 19, 2019	162.2(4)	None	summary conviction	No
Breach of Probation From September 19, 2019	733.1	None	"summary conviction"	No
Breach of a recognizance (peace bond) order under s. 83.3 or 810 to 810.2 From September 19, 2019	811	None	"summary conviction"	No

Maximum Penalty of 3 Years Imprisonment by Indictment

Offence	Section	Minimums	Summary Election Maximum	Consecutive Time
Drug possession (Schedule III)	CDSA 4(6)	None	6 months or 1 year	No
Obtain drugs from a practitioner (Schedule III)	CDSA 4(7)	None	6 months or 1 year	No
Obtain drugs from a practitioner (Schedule III) (with Priors)	CDSA 4(7)	None	6 months or 1 year	No
Drug trafficking (Schedule IV)	CDSA 5(3)(c)(i)	None	1 year	No
Importing and exporting drugs, (Schedule IV)	CDSA 6(3)(c)	None	1 year	No
Drug production (Schedule IV)	CDSA 7(2)(d)	None	1 year	No

Maximum Penalty of 2 Years Imprisonment by Indictment

Offence	Section	Minimums	Summary Election Maximum	Consecutive Time
<u>False information respecting passport</u>	57(2)	None	summary conviction	No
<u>Fraudulent use of citizenship certificate</u> From September 19, 2019	58(1)	None	summary conviction	No
<u>Participating in a riot</u> From September 19, 2019	65(1)	None	summary conviction	No
<u>Peace officer's neglect in riot situation</u> From September 19, 2019	69	None	summary conviction	No
<u>Unsafe Storage or Careless Use of a Firearm - on first conviction</u>	86(1),(2)	None	summary conviction	No
<u>Forcible entry or forcible detainer</u>	72 and 73	None	summary conviction	No
<u>Disobeying a statute where no other set sentence</u> From September 19, 2019	126(1)	None	summary conviction	No
<u>Disobey order of Court</u>	127(1)	None	summary conviction	No
<u>Misconduct by officers executing process</u> From September 19, 2019	128	None	summary conviction	No
<u>Offences relating to public or peace officers</u>	129	None	summary conviction	No
Offence	Section	Minimums	Summary Election Maximum	Consecutive Time
<u>False affidavits</u> From September 19, 2019	138	None	"summary conviction"	No
<u>Obstruct justice (aggravating elements of 139(2) not being made out)</u>	139(1)	None	summary conviction	No
<u>Compounding indictable offence</u> From September 19, 2019	141(1)	None	"summary conviction"	No
<u>Escape and being at large without excuse</u>	145(1)	None	summary conviction	No
<u>Failure to attend court or surrender</u> From December 18, 2019	145(2)	None	"summary conviction"	No
<u>Failure to comply with appearance notice or summons</u> From December 18, 2019	145(3)	None	"summary conviction"	No
<u>failure to comply with undertaking</u> From December 18, 2019	145(4)	None	"summary conviction"	No
<u>failure to comply with release order</u> From December 18, 2019	145(5)	None	"summary conviction"	No
<u>Permitting or assisting escape</u> From September 19, 2019	146	None	"summary conviction"	No
<u>Obscenity</u>	163 and 169	None	summary conviction	No
Offence	Section	Minimums	Summary Election Maximum	Consecutive Time
<u>Immoral theatrical performance</u>	167 and 169	None	summary conviction	No
<u>Mailing obscene matter</u>	168 and 169	None	summary conviction	No
<u>Corrupting children</u> From September 19, 2019	172(1)	None	"summary conviction"	No
<u>Indecent act</u> From September 19, 2019	173(1)	None	summary conviction	No
<u>Indecent exposure</u>	173(2)	90 days (I) 30 days (S)	summary conviction	No
<u>Obstructing or violence to or arrest of officiating clergyman</u> From September 19, 2019	176(1)	None	summary conviction	No
<u>Common nuisance</u> From September 19, 2019	180(1)	None		No
<u>Possession of equipment for wiretapping illegally</u> From September 19, 2019	191(1)	None	summary conviction	No
<u>Disclosure of information from wiretap</u> From September 19, 2019	193(1)	None	summary conviction	No
Offence	Section	Minimums	Summary Election Maximum	Consecutive Time
<u>Disclosure of information from wiretap</u> From September 19, 2019	193.1(1)	None	summary conviction	No
<u>Keeping gaming or betting house</u> From September 19, 2019	201(1)	None	summary conviction	No
<u>Breach of gambling rules and regulations</u>	204(10)	None	Summary conviction	No
<u>Lotteries Offences respecting lotteries</u> From September 19, 2019	206(1)	None		No
<u>Offences involving management of permitted lottery scheme</u>	207(3)(a)	None	summary conviction	No
<u>Offences involving management of permitted lottery scheme (on ship)</u>	207.1(3)(a)	None	summary conviction	No
<u>Cheating at play</u> From September 19, 2019	209	None		No

Offence	Section	Minimums	Summary Election Maximum	Consecutive Time
Concealing body of child From September 19, 2019	243	None	summary conviction	No
Utter threats to destroy property or animals	264.1(3)	None	summary conviction	No
Pretending to solemnize marriage From September 19, 2019	294	None	"summary conviction"	No
Solemnizing marriage contrary to law From September 19, 2019	295	None	"summary conviction"	No
Offence	Section	Minimums	Summary Election Maximum	Consecutive Time
Publishing defamatory libel (not aggravating under s. 300) From September 19, 2019	301	None	"summary conviction"	No
Public incitement of hatred	319(1)	None	summary conviction	No
Wilful promotion of hatred	319(2)	None	summary conviction	No
Possession, etc., of device to obtain use of telecommunication facility or telecommunication service From ??	327(1)	None	"summary conviction"	No
Theft under \$5,000 or not of testamentary instrument	334(b)	None	summary conviction	No
Fraudulent concealment From September 19, 2019	341	None	"summary conviction"	No
Possession of device to obtain computer service	342.2(1)	None	summary conviction	No
Possession of instruments to break into coin machines From September 19, 2019	352	None	"summary conviction"	No
Sale of automobile master key From September 19, 2019	353(1)	None	"summary conviction"	No
Possession of stolen goods under \$5,000 and not of testamentary instrument	355(b)	None	summary conviction	No
Offence	Section	Minimums	Summary Election Maximum	Consecutive Time
False pretence not over \$5,000 and not involving a testamentary instrument	362(2)(b)	None	summary conviction	No
False message From March 9, 2015	372(1)	None	summary conviction	No
Indecent phone call	372(2)	None	summary conviction	No
Harassing telephone call	372(3)	None	summary conviction	No
Fraud under \$5,000 and not involving a testamentary instrument	380(1)(b)	None	summary conviction	No
Breach of s. 380.2 fraud prohibition order	380.2	None	summary conviction	No
Using mails to defraud From September 19, 2019	381	None	"summary conviction"	No
Fraudulent concealment of title documents From September 19, 2019	385(1)	None	"summary conviction"	No
Fraudulent sale of real property From September 19, 2019	387	None	"summary conviction"	No
Misleading receipt From September 19, 2019	388	None	"summary conviction"	No
Offence	Section	Minimums	Summary Election Maximum	Consecutive Time
Fraudulent disposal of goods on which \$ advanced From September 19, 2019	389(1)	None	"summary conviction"	No
Fraudulent receipts under Bank Act From September 19, 2019	390	None	"summary conviction"	No
Disposal of property to defraud creditors From September 19, 2019	392	None	"summary conviction"	No
Fraud in relation to fares From September 19, 2019	393(1)	None	"summary conviction"	No
Offering advantage to avoid paying fare From September 19, 2019	393(2)	None	"summary conviction"	No
Forging a trade mark to deceive or defraud	407 and 412(1)	None	summary conviction	No
Passing off wares or trademarks to deceive or defraud	408 and 412(1)	None	summary conviction	No
Possession of instruments for forging trade marks	409 and 412(1)	None	summary conviction	No
Other offences in relation to trade marks	410 and 412(1)	None	summary conviction	No
Used goods sold without disclosure	411 and 412(1)	None	summary conviction	No
Offence	Section	Minimums	Summary Election Maximum	Consecutive Time

Offence	Section	Minimums	Summary Election Maximum	Consecutive Time
<u>Offences respecting wrecks</u>	415	None	summary conviction	No
<u>Applying or removing marks without authority</u> From September 19, 2019	417(1)	None	"summary conviction"	No
<u>Receiving or possessing public stores bearing mark</u>	417(2)	None	summary conviction	No
<u>Mischief under \$5000 and not involving testament</u>	430(4)	None	summary conviction	No
<u>Unauthorized recording of a movie (not for profit)</u>	432(1)	None	summary conviction	No
<u>False alarm of fire</u>	437	None	summary conviction	No
<u>Remove natural bar without permission</u> From September 19, 2019	440	None	"summary conviction"	No
<u>Causing damage or injury to animals</u> From September 19, 2019	446(2)	None	"summary conviction"	No
<u>Utter counterfeit coin</u> From September 19, 2019	453	None	"summary conviction"	No
<u>Failure to comply with DNA order</u>	487.0552(1)	None	summary conviction	No
Offence	Section	Minimums	Summary Election Maximum	Consecutive Time
<u>Breach of limited use order of DNA re 487.08(1.1)</u>	487.08(4)	None	summary conviction	No
<u>Breach of SOIRA order</u> From September 19, 2019	490.031(1)	None	\$10,000 and/or "two years less a day"	No
<u>Breach of SOIRA order (false or misleading information)</u> From September 19, 2019	490.0311(a)	None	\$10,000 and/or "two years less a day"	No
<u>Failure to comply with a custodial non-communication order</u> From September 19, 2019	743.21	None	"summary conviction"	No

Previous Offences

- [List of Hybrid Offences \(Previous\)](#)

References

- Note *: See s. 787 re summary conviction fines
- Note a: : From July 16, 2015 (Tougher Penalties for Child Predators Act, 2015, c. 23 (C-26)), s. 718.3(7) requires sentences for sexual offence committed against children must be served consecutive to sex offences against other children

See Also

- [Offences by Penalty](#)
- [List of Summary Conviction Offences](#)
- [List of Straight Indictable Offences](#)
- [List of Offences by Category](#)

List of Hybrid Offences (Previous)

Hybrid Offences

Maximum Penalty of 10 Years Imprisonment by Indictment

Offence	Section	Maximum Fine	Minimums	Consecutive Time
<u>Offences re freezing of property, disclosure or audit relative to terrorism</u> Until September 19, 2019	83.12	1 year jail with priors	\$100,000 and/or 1 year	No
<u>Hoax re terrorist activity (bodily harm not death)</u> Until September 19, 2019	83.231(3)	None	18 months	No
<u>Possession of prohibited or restricted weapon with ammunition</u> Until September 19, 2019	95(2)	??	?	No
<u>Sexual interference</u> November 1, 2005 to August 9, 2012	151	45 days	18 months	No
<u>Invitation to sexual touching</u> August 9, 2012 to July 17, 2015	152	1 year jail (I) 90 days (S)	18 months	No
<u>Invitation to sexual touching</u> November 1, 2005 to August 9, 2012	152	45 days jail	18 months	No
<u>Sexual exploitation</u> August 9, 2012 to July 17, 2015	153(1.1)	1 year (I) 90 days (S)	18 months	No
<u>Sexual exploitation</u> November 1, 2005 to August 9, 2012	153(1.1)	45 days	18 months	No
<u>Sexual interference</u> August 9, 2012 to July 17, 2015	151	1 year (I) 90 days (S)	18 months	No
<u>Anal intercourse (unconstitutional) [Repealed]</u>	159(1)	None	summary conviction	No
<u>Bestiality in presence of child</u> 1985 to August 9, 2012	160(3)	None	Summary conviction	Yes (s. 718.3(7)) ^a
<u>Bestiality in presence of child</u> August 9, 2012 to July 17, 2015	160(3)	1 year	2 years less a day	Yes (s. 718.3(7)) ^a
<u>Making Child Pornography</u> August 9, 2012 to July 17, 2015	163.1(2)	1 year	two years less a day	Yes (s. 718.3(7)) ^a
<u>Making Child Pornography</u> November 1, 2005 to August 9, 2012	163.1(2)	1 year	18 months	Yes (s. 718.3(7)) ^a
<u>Distribution of Child Pornography</u> August 9, 2012 to July 17, 2015	163.1(3)	12 months	two years less a day	Yes (s. 718.3(7)) ^a
<u>Distribution of Child Pornography</u> November 1, 2005 to August 9, 2012	163.1(3)	1 year	18 months	Yes (s. 718.3(7)) ^a
<u>Luring a child</u> August 9, 2012 to July 17, 2015	172.1(2)	1 year	18 months	Yes (s. 718.3(7)) ^a
<u>Luring a child</u> June 22, 2007 to August 9, 2012	172.1(2)	None	18 months	Yes (s. 718.3(7)) ^a
<u>Agreement or arrangement — sexual offence against child</u> August 9, 2012 to July 17, 2015	172.2	1 year	18 months	Yes (s. 718.3(7)) ^a
<u>Assault with a Weapon</u> Until September 19, 2019	267(a)	None	18 months	No
<u>Assault Causing Bodily Harm</u> Until September 19, 2019	267(b)	None	18 months	No
<u>Unlawfully cause bodily harm</u> Until September 19, 2019	269	None	18 months	No
<u>Assault of peace officer with a weapon or causing bodily harm</u> Until September 19, 2019	270.01	None	18 months	Yes (s. 270.03)
<u>Sexual Assault, victim under 16 years</u> August 9, 2012 to July 17, 2015	271(a)	1 year	18 months	No
<u>Sexual Assault</u> 1994 to August 9, 2012	271(1)(a)	None	18 months	No
<u>Unlawful confinement, imprisonment, seizure</u> Until September 19, 2019	279(2)	None	18 months	No
<u>Motor vehicle theft</u> Until September 19, 2019	333.1	6 months (with 2 or more priors)	18 months	No
<u>Mischief to religious building etc</u> Until September 19, 2019	430(4.1)	None	18 months	No
<u>Mischief relating to war memorials</u> Until September 19, 2019	430(4.11)	\$1,000, 14 days jail, 30 days jail	18 months	No

Maximum Penalty of 5 Years Imprisonment by Indictment

Offence	Section	Maximum Fine	Minimums	Consecutive Time
<u>Sexual exploitation of persons with disability</u> Until September 19, 2019	153.1(1)	None	18 months	No
<u>Failure to provide necessities of life</u> Until September 19, 2019	215(3)	None	18 months	No
<u>Abandoning child</u> Until September 19, 2019	218	None	18 months	No
<u>Failure to comply with safeguards</u> Until September 19, 2019	241.3	None	18 months	No
<u>forgery or destruction of documents re assisted dying</u> Until September 19, 2019	241.4	None	18 months	No
<u>Dangerous operation of motor vehicle</u> Until December 18, 2018	249(2)	None	summary conviction	No
<u>Flight from a Peace Officer - no bodily harm or death</u> Until December 18, 2018	249.1(1)	None	summary conviction	No
<u>Dangerous driving (street racing) - no bodily harm or death</u> Until December 18, 2018	249.4(2)	None	summary conviction	No
<u>Failure to stop at scene of accident</u> Until December 18, 2018	252(1.1)	None	summary conviction	No
<u>Impaired operation, over .08 or refusal</u> Until December 18, 2018	253, 254 and 255(1)(a), (b)	\$1,000, 30 days, or 120 days	18 months	No
<u>Operate motor vehicle while disqualified</u> Until December 18, 2018	259(4)	None	summary conviction	No
<u>Utter threats to cause death or bodily harm</u> Until September 19, 2019	264.1(2)	None	18 months	No
<u>Disarming a peace officer</u> Until September 19, 2019	270.1	None	18 months	No
<u>Abduction of person under 16</u> Until September 19, 2019	280(1)	None	"summary conviction"	No
<u>Obtaining sexual services for consideration</u> Until September 19, 2019	286.1(1)	\$2,000 or \$4,000 (if near persons under 18 years) \$1,000 or \$2,000	"18 months"	Yes (s. 718.3(7)) ^a
<u>Advertising sexual services</u> Until September 19, 2019	286.4	None	18 months	No
<u>Criminal interest rate</u> Until September 19, 2019	347(1)	None	"\$25,000" or 6 months jail	No
<u>Injuring or endangering other animals</u> Until September 19, 2019	445(2)	None	\$10,000 and/or 18 months	No
<u>Killing or injuring law enforcement animals</u> Until September 19, 2019	445.01(2)	6 months (if done in commission of an offence)	\$10,000 and/or 18 months	Yes (s. 445.01(3))
<u>Cruelty to animals</u> Until September 19, 2019	445.1(2)	None	\$10,000 and/or 18 months	No
<u>Keeping cockpit</u> Until September 19, 2019	447(2)	None	\$10,000 and/or 18 months	No
<u>Advertising and dealing in counterfeit money</u> Until September 19, 2019	460(1)	None	"summary conviction"	No

Maximum Penalty of 4 Years Imprisonment by Indictment

Offence	Section	Maximum Fine	Minimums	Consecutive Time
<u>Breach of 161 prohibition order</u> Until September 19, 2019	161(4)	None	18 months	No
<u>Breach of s. 162.2 Internet Prohibition Order</u> Until September 19, 2019	162.2(4)	None	18 months	No
<u>Breach of Probation</u> Until September 19, 2019	733.1	None	18 months and/or \$5,000	No
<u>Breach of a recognizance (peace bond) order under s. 83.3 or 810 to 810.2</u> Until September 19, 2019	811	None	18 months	No

Maximum Penalty of 2 Years Imprisonment by Indictment

Offence	Section	Maximum Fine	Minimums	Consecutive Time
Causing damage or injury to animals Until September 19, 2019	446(2)	None	\$5,000/6 Months	No
Failure to comply with a custodial non-communication order Until September 19, 2019	743.21	None	18 months	No
Breach of SOIRA order Until September 19, 2019	490.031(1)	None	\$10,000 and/or 6 months	No
Breach of SOIRA order (false or misleading information) Until September 19, 2019	490.0311(a)	None	\$10,000 and/or 6 months	No

Other

Offence	Section	Maximum Fine	Minimums	Consecutive Time
Importing or exporting instruments or literature for illicit drug use (first offence)	462.2(a)	"one hundred thousand dollars"	None	No
Importing or exporting instruments or literature for illicit drug use (second or subsequent offence)	462.2(b)	"three hundred thousand dollars"	None	No -->

List of Straight Indictable Offences

This page was last substantively updated or reviewed *January 2021*. (Rev. # 47510)

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Minimum Punishment is Imprisonment for Life

Offence	Section	Minimums	Mandatory Consecutive Time
High Treason	46(1), 47(1) and 745	25 years without parole	No
Treason (overthrow gov't)	47 (2)(a), (c), or (d) and 745	None	No
Treason (espionage while at war)	47 (2)(b) or (e) and 745	None	No
First Degree Murder	235 and 745	25 years without parole	Varies
Second Degree Murder (with prior conviction for murder, war crimes or crimes against humanity)	235 and 745	25 years without parole	Varies
Second Degree Murder	235 and 745	10 years without parole	Varies

Maximum Punishment of Imprisonment for Life

Offence	Section	Minimums	Mandatory Consecutive Time
<u>Interfering with reading of riot proclamation or refusing to cease participation in riot</u>	68	None	No
<u>Piracy by law of nations</u>	74	None	No
<u>Hijacking</u>	76	None	No
<u>Endangering safety of aircraft or airport</u>	77	None	No
<u>Seizing control of ship or fixed platform</u>	78.1(1)	None	No
<u>Violent act on board a ship or platform</u>	78.1(2)	None	No
<u>False information re safe navigation</u>	78.1(3)	None	No
<u>Threats to commit offences at 78.1(2)</u>	78.1(4)	None	No
<u>Breach of duty of care re explosives endangering life</u>	80(a)	None	No
<u>Intending to cause explosion or use corrosive substance with intent to cause death or serious harm</u>	81(1)(a), (b) and 81(2)(a)	None	No
<u>Possession, etc., of nuclear material, radioactive material or device</u>	82.3	None	No
<u>Use or alteration of nuclear material, radioactive material or device</u>	82.4	None	No
<u>Commission of indictable offence to obtain nuclear material, etc.</u>	82.5	None	No
<u>Committing an Offence for a Terrorist Group</u>	83.2	None	Yes (s. 83.26)
<u>Instructing activity for terrorist group</u>	83.21(1)	None	Yes (s. 83.26)
<u>Instructing terrorist activity</u>	83.22(1)	None	Yes (s. 83.26)
<u>Hoax re terrorist activity (causing death)</u>	83.231(4)	None	No
<u>Break and enter to steal firearm</u>	98(4)	None	No
<u>Robbery to steal firearm</u>	98.1	None	No
<u>Causing death by criminal negligence (involving the use of a firearm)</u>	220(a)	4 years imprisonment	No
<u>Negligence causing death (no firearm)</u>	220(b)	None	No
<u>Manslaughter (involving use of a firearm)</u>	236(a)	4 years	No
<u>Manslaughter (not involving use of a firearm)</u>	236(b)	None	No
<u>Killing unborn child in act of birth</u>	238	None	No
<u>Attempted Murder (with restricted or prohibited firearm)</u>	239(1)(a)(i) and (ii)	5 or 7 years with prior	No
<u>Attempt to commit murder (use of a firearm which is not a restricted or prohibited firearm)</u>	239(1)(a.1)	4 years	No
<u>Attempt to commit murder (no use of a firearm)</u>	239(1)(b)	None	No
<u>Accessory after fact to murder</u>	240	None	No
<u>Overcoming resistance to commission of offence</u>	246	None	No
<u>Interfere with transportation likely to cause death</u>	248	None	No
<u>Manslaughter (Failure to safeguard ice opening or excavation resulting in death)</u>	236, 263(3)(a)	None	No
<u>Sexual assault with a weapon or causing bodily harm, victim under 16</u> From July 17, 2015	272(2)(a.2)	5 years jail	Yes (s. 718.3(7)) ^a
<u>Aggravated sexual assault victim under 16 years</u> From November 6, 2012	273(2)(a.2)	5 years jail	Yes (s. 718.3(7)) ^a
<u>Aggravated sexual assault with restricted firearm or for a criminal organization</u>	273(2)(a)(i) and (ii)	5 or 7 years with prior	No
<u>Aggravated sexual assault with a non restricted firearm</u>	273(2)(a.1)	4 years	No
<u>Aggravated sexual assault without a firearm</u>	273(2)(b)	None	No
<u>Kidnapping, trafficking in persons, hostage taking and abduction with restricted firearm etc or for a criminal organization</u>	279(1.1)(a)(i) and (ii)	5 or 7 years with prior	No
<u>Kidnapping, trafficking in persons, hostage taking and abduction with a non-restricted firearm</u>	279(1.1)(a.1)	4 years	No
<u>Kidnapping, trafficking in persons under the age of 16, hostage taking and abduction</u> From June, 2013	279(1.1)(a.2) From June 23, 2013	5 years	No
<u>Kidnapping, trafficking in persons, hostage taking and abduction without a firearm</u>	279(1.1)(b)	None	No
<u>Hostage taking with restricted firearm or for benefit of criminal organization</u>	279.1(2)(a)(i) and (ii)	5 or 7 years with prior	No
<u>Hostage taking with a non-restricted firearm</u>	279.1(2)(a.1)	4 years	No
<u>Hostage taking (without aggravating elements)</u>	279.1(2)(b)	None	No
<u>Trafficking in persons (kidnap, aggravated assault, aggravated sexual assault, or death)</u>	279.01(1)(a)	5 years	No
<u>Trafficking in persons under the age of 18 years (kidnap, aggravated assault, aggravated sexual assault, or death)</u>	279.011(a)	6 years	Yes (s. 718.3(7)) ^a
<u>Abortion</u>	287(1)	None	No
<u>dangerous operation when accident causes death</u> From December 18, 2018	320.13(3), 320.21	\$1,000 fine, 30 days or 90 days jail	No
<u>Operation While Impaired or Blood Concentration Over and Causing Death</u> From December 18, 2018	320.14(3), 320.21	\$1,000 fine, 30 days or 90 days jail	No

Offence	Section	Minimums	Mandatory Consecutive Time
<u>Refusal When Accident Resulting in Death</u> From December 18, 2018	320.15(3), 320.21	\$1,000 fine, 30 days or 90 days jail	No
<u>Failure to stop after accident resulting in death</u> From December 18, 2018	320.16(3), 320.21	\$1,000 fine, 30 days or 90 days jail	No
<u>Robbery</u>	344	None	No
<u>Robbery with non restricted firearm</u>	344(1)(a.1)	4 years	No
<u>Robbery with restricted firearm or for benefit of criminal organization</u>	344(1)(a)(i) and (ii)	5 or 7 years with prior	No
<u>Stopping mail with intent to obtain</u>	345	None	No
<u>Extortion (with restricted firearm or for the benefit of a criminal organization)</u>	346(1.1)(a)(i) and (ii)	5 or 7 years with prior	No
<u>Extortion (with non restricted firearm)</u>	346(1.1)(a.1)	4 years	No
<u>Extortion (no firearm or other aggravating facts)</u>	346(1.1)(b)	None	No
<u>Break and Enter into a Dwelling House</u>	348(1)(d)	None	No
<u>Mischief causing actual danger to life</u>	430(2)	None	No
<u>Explosives offence re public or government facility</u>	431.2(2)	None	No
<u>Arson (disregard for human life)</u>	433	None	No
<u>Conspiracy to commit murder</u>	465(1)(a)	None	No
<u>Instructing commission of offence for criminal organization</u>	467.13(1)	None	Yes (s. 467.14)
<u>First or Second Degree Murder (Young Offender)</u>	745.1	5 to 7, 10 years (variable)	No
<u>Drug Trafficking (Schedule I)</u>	CDSA 5	None	No
<u>Drug Trafficking (Schedule I), with relevant aggravating factors (crim. org., violence, weapons, prior record)</u> From March 13, 2012	CDSA 5	1 year	No
<u>Drug Trafficking (Schedule I), with relevant aggravating factors (near school, near or with young persons, in prison)</u> From March 13, 2012	CDSA 5	2 year	No
<u>Drug Trafficking (Schedule II)</u>	CDSA 5	None	No
<u>Drug Trafficking (Schedule II), with relevant aggravating factors (crim. org., violence, weapons, prior record)</u> From March 13, 2012	CDSA 5	1 year	No
<u>Drug Trafficking (Schedule II) with relevant aggravating factors (near school, near or with young persons, in prison)</u> From March 13, 2012	CDSA 5	2 year	No
<u>Importation and exportation of drugs (Schedule I), not greater than 1 kg</u> From March 13, 2012	CDSA 6	None	No
<u>Importation and exportation of drugs (Schedule I), not greater than 1 kg and aggravating factors</u> From March 13, 2012	CDSA 6	1 year	No
<u>Importation and exportation of drugs (Schedule I), greater than 1 kg</u> From March 13, 2012	CDSA 6	2 years imprisonment	No
<u>Importation and exportation of drugs (Schedule II)</u>	CDSA 6	None	No
<u>Importation and exportation of drugs (Schedule II) with aggravating factors</u> From March 13, 2012	CDSA 6	1 year	No

Maximum Punishment is Imprisonment for 14 Years

Offence	Section	Minimums	Mandatory Consecutive Time
<u>Treason (espionage while not at war)</u>	47(2)(c)	None	No
<u>Assist alien enemy</u>	50(1)(a) and 50(2)	None	No
<u>Omission to prevent treason</u>	50(1)(b) and 50(2)	None	No
<u>Intimidating Parliament</u>	51	None	No
<u>Inciting to mutiny</u>	53	None	No
<u>Forgery of or uttering forged passport</u>	57(1)	None	No
<u>Sedition</u>	61	None	No
<u>Piratical acts</u>	75	None	No
<u>Offensive weapons and explosives on aircraft</u>	78	None	No
<u>Breach of duty of care re explosives risking bodily harm</u>	80(b)	None	No
<u>Possession of explosive with intent to destroy property or intent to endanger life</u>	81(1)(c),(d) and 81(2)(b)	None	No
<u>Possession of explosive for criminal organization</u>	82(2)	None	Yes (s. 82.1)
<u>Threats to commit an offence relating to nuclear materials</u>	82.6	None	No
<u>Facilitating terrorist activity</u>	83.19(1)	None	Yes (s. 83.26)
<u>Leaving Canada to facilitate terrorist activity</u>	83.191	None	Yes (s. 83.26)
<u>Leaving Canada to commit offence for terrorist group</u>	83.201	None	Yes (s. 83.26)
<u>Leaving Canada to commit offence that is terrorist activity</u>	83.202	None	Yes (s. 83.26)
<u>Harbouring or concealing terrorist who committed an offence with maximum penalty of life</u>	83.23(1)(a)	None	Yes (s. 83.26)
<u>Using firearm in commission of offence</u>	85(1)	1 year or 3 years with prior	Yes (s. 85(3))
<u>Using an imitation firearm in commission of offence</u>	85(2)	1 year or 3 years with prior	Yes (s. 85(3))
<u>Bribery of judicial officers or member of a legislature</u>	119(1)	None	No
<u>Bribery of public officers</u>	120	None	No
<u>Perjury</u>	131, 132	None	No
<u>Witness giving contradictory evidence</u>	136(1)	None	No
<u>Fabricating</u>	137	None	No
<u>Sexual interference</u>	151	1 year or less jail	Yes (s. 718.3(7)) ^a
<u>Invitation to sexual touching</u>	152	1 year or less jail	Yes (s. 718.3(7)) ^a
<u>Making of child pornography after July 17, 2015</u>	163.1(2)	1 year or less jail	Yes (s. 718.3(7)) ^a
<u>Distribution child pornography after July 17, 2015</u>	163.1(3)	1 year or less jail	Yes (s. 718.3(7)) ^a
<u>Parent or guardian procuring sexual activity under 16 From July 17, 2015</u>	170	1 year	Yes (s. 718.3(7)) ^a
<u>Householder permitting sexual activity under 18 From July 17, 2015</u>	171	1 year	Yes (s. 718.3(7)) ^a
<u>Living on the avails of prostitution of person under eighteen (no parasitic involvement)</u>	212	2 years jail	Yes (s. 718.3(7)) ^a
<u>Procuring involving person under 18 (with parasitic involvement)</u>	212(2.1)	5 years jail	Yes (s. 718.3(7)) ^a
<u>Counselling suicide</u>	241	None	No
<u>Discharging firearms with intent to wound (with aggravated factors)</u>	244(2)(a)(i) and (ii)	Minimum of 5 or 7 years with prior	No
<u>Discharging firearms with intent to wound, maim, etc. (without aggravating factors)</u>	244(2)(b)	4 years jail	No
<u>Causing bodily harm with air gun with intent</u>	244.1	None	No
<u>Discharging firearm — recklessness (without aggravating factors)</u>	244.2	4 years jail	No
<u>Discharging firearm — recklessness (with aggravating factors)</u>	244.2	Minimum of 5 or 7 years with prior	No
<u>Administer noxious thing with intent to endanger life</u>	245(1)(a)	None	No
<u>Keep trap and cause bodily harm in place to commit offence</u>	247(4)	None	No
<u>Aggravated Assault</u>	268	None	No
<u>Torture</u>	269.1	None	No
<u>Aggravated assault of peace officer</u>	270.02	None	Yes (s. 270.03)
<u>Sexual Assault Sexual assault with restricted firearm etc weapon, threats to a third party or causing bodily harm</u>	272(2)(a)	Minimum of 5 or 7 years with prior	No
<u>Sexual assault with a firearm that is not restricted, etc, threats to a third party or causing bodily harm</u>	272(2)(a.1)	4 years jail	No
<u>Sexual assault with a weapon (no aggravating elements)</u>	272(2)(b)	None	No
<u>Sexual assault causing bodily harm (no aggravating elements)</u>	272(2)(b)	None	No

Offence	Section	Minimums	Mandatory Consecutive Time
<u>Sexual assault with weapon that is not a firearm, threats to a third party or causing bodily harm</u>	272(2)(b)	None	No
<u>Trafficking in persons (without enumerated aggravating factors)</u>	279.01(2)	4 years imprisonment	No
<u>Trafficking in persons under the age of 18 years (without enumerated aggravating factors)</u>	279.011(b)	5 years	No
<u>Profiting from trafficking in persons</u>	279.02(2)	2 years imprisonment	No
<u>Material benefit from sexual services — person under 18 years</u>	286.2(2)	2 years jail	No
<u>Procuring — person 18 years or over</u>	286.3	None	No
<u>Procuring — person under 18 years</u>	286.3	5 years jail	No
<u>Breach of trust</u>	336	None	No
<u>Trafficking in stolen property over \$5,000</u>	355.2, 355.5	None	No
<u>Poss'n for the purpose of trafficking in stolen property over \$5,000</u>	355.4, 355.5	None	No
<u>Offence involving exchequer bill paper, public seal</u>	369	None	No
<u>Drawing document without authority</u>	374	None	No
<u>Obtaining instrument based on forged document</u>	375	None	No
<u>Counterfeiting stamp</u>	376(1)	None	No
<u>Counterfeiting mark</u>	376(2)	None	No
<u>Fraud Over \$5,000 after September 1, 2004</u>	380(1)(a)	2 years jail (over \$1 mill., s. 380(1.1))	No
<u>Fraud involving a testamentary instrument</u>	380(1)(a)	None	No
<u>Fraud affecting public markets of stocks, etc.</u>	380(2)	None	No
<u>Sale of defective stores to Her Majesty</u>	418(1)	None	No
<u>Participation in fraud re sale of defective stores</u>	418(2)	None	No
<u>Intimidation of a justice system participant</u>	423.1	None	No
<u>Attack on premises, residence or transport of internationally protected person</u>	431	None	No
<u>Attack on premises, residence or transport of U.N. or associated personnel</u>	431.1	None	No
<u>Arson — damage to property</u>	434	None	No
<u>Arson causing damage to property (w/out disregard for life as in 433)</u>	434	None	No
<u>Arson causing damage to own property (w disregard for life as in 433)</u>	434.1	None	No
<u>Make counterfeit money</u>	449	None	No
<u>Possession of counterfeit money</u>	450	None	No
<u>Use of counterfeit money</u>	452	None	No
<u>Clip or utter coin</u>	455	None	No
<u>Possession of materials for counterfeiting</u>	458	None	No
<u>Conveying instruments for counterfeiting from mint</u>	459	None	No
<u>Attempt or accessory to indictable offence punishable by life imprisonment</u>	463(a)	None	No
<u>Commission of offence for criminal organization</u>	467.12(1)	None	Yes (s. 467.14)
<u>drug production (cannabis) (between 5 and 201 plants for purpose of trafficking)</u>	CDSA 7(2)(b)	6 months	No
<u>drug production (cannabis) (between 5 and 201 plants for purpose of trafficking with aggravating factors)</u>	CDSA 7(2)(b)	9 months	No
<u>drug production (cannabis) (between 201 and 501 plants for purpose of trafficking)</u>	CDSA 7(2)(b)	1 year	No
<u>drug production (cannabis) (between 201 and 501 plants for purpose of trafficking with aggravating factors)</u>	CDSA 7(2)(b)	18 months	No
<u>drug production (cannabis) (greater than 500 plants for purpose of trafficking)</u>	CDSA 7(2)(b)	2 years	No
<u>drug production (cannabis) (greater than 500 plants for purpose of trafficking with aggravating factors)</u>	CDSA 7(2)(b)	3 years	No

Maximum Punishment of 10 Years

Offence	Section	Minimums	Mandatory Consecutive Time
<u>Provide or collect property to further terrorism</u>	83.02	None	Yes (s. 83.26)
<u>Provide property or services to further terrorism</u>	83.03	None	Yes (s. 83.26)
<u>Use or possession of property to further terrorism</u>	83.04	None	Yes (s. 83.26)
<u>Participation in terrorist activity</u>	83.18	None	Yes (s. 83.26)
<u>Leaving Canada to participate in activity of terrorist group</u>	83.181	None	Yes (s. 83.26)
<u>Harbouring or concealing terrorist who committed an offence with maximum penalty of 14 years or less</u>	83.23(1)(b)	None	Yes (s. 83.26)
<u>Harbouring or concealing person who is likely to carry out terrorist activity</u>	83.23(2)	None	Yes (s. 83.26)
<u>Possession of firearm knowing its possession is unauthorized</u>	92(1)	1 year (if one prior); 2 years less a day (if two or more prior)	No
<u>Possession of prohibited weapon, device or ammunition knowing its possession is unauthorized</u>	92(2)	1 year (if one prior); 2 years less a day (if two or more prior)	No
<u>Weapons Trafficking (with any aggravating elements made out)</u>	99(2)(a) and 99(2)(b)	3 or 5 years jail with prior	No
<u>Weapons trafficking (w/out aggravating factors)</u>	99(3)	1 year	No
<u>Possession for purpose of weapons trafficking (with any aggravating elements made out)</u>	100(2)(a) and 100(2)(b)	3 or 5 years jail with prior	No
<u>Possession for purpose of weapons trafficking ((w/out aggravating factors)</u>	100(3)	1 year	No
<u>Knowingly importing or exporting of unauthorized firearms (with aggravating factors)</u>	103(2)(a) and 103(2)(b)	3 or 5 years jail with prior	No
<u>Knowingly importing or exporting unauthorized firearms (w/out aggravating factors)</u>	103(2.1)	1 year jail	No
<u>Procuring</u>	212(1)	None	No
<u>Dangerous operation of motor vehicle cause bodily harm</u>	249(3)	None	No
<u>Failure to stop at scene of accident (bodily harm)</u>	252(1.2)	None	No
<u>Impaired Driving and Over 80 Causing Bodily Harm</u>	255(2), (2.1), (2.2)	\$1,000 fine, 30 days, 120 days	No
<u>Blood alcohol over legal limit while causing bodily harm</u>	255(2.1)	\$1,000 fine, 30 days or 90 days jail	No
<u>Failure to provide sample and bodily harm</u>	255(2.2)	\$1,000 fine, 30 days or 90 days jail	No
<u>Withholding or destroying documents in respect of human trafficking, persons under 18 years</u>	279.03(2)	1 year	No
<u>Obtaining sexual services for consideration from person under 18 years</u>	286.1(2)	6 months or 1 year	No
<u>Theft over \$5,000 or testamentary instrument</u>	334(a)	None	No
<u>Possession of stolen goods over \$5,000 or testamentary instrument</u>	355(a)	None	No
<u>Theft from mail</u>	356(1)	None	No
<u>Conspiracy to prosecute an innocent person for an offence punishable by life or 14 years</u>	465(1)(b)(i)	None	No
<u>Drug Trafficking (Schedule III)</u>	CDSA 5	None	No

Maximum Punishment of 7 years

Offence	Section	Minimums	Consecutive Time
<u>Attempt or accessory to indictable offence punishable by 14 years</u>	463(b)	varies	varies
<u>Drug production (Cannabis)</u>	CDSA 7(2)(b)	None	No

Maximum Punishment is Imprisonment for 5 Years

Offence	Section	Minimums	Consecutive Time
<u>Counselling commission of terrorism offence</u>	83.221	None	Yes (s. 83.26)
<u>Set trap likely to cause bodily harm</u>	247(1)	None	No
<u>Hate propoganda</u>	318(1)	None	No
<u>Recruitment of members by a criminal organization</u>	467.111	None	Yes (s. 467.14)
<u>Recruitment of members under the age of 18 by a criminal organization</u>	467.111	6 months	Yes (s. 467.14)

Maximum Punishment is Imprisonment for 5 Years Less a Day

Offence	Section	Minimums	Mandatory Consecutive Time
<u>Drug trafficking (Schedule II), Cannabis resin (<=1 g) or Cannabis (<=30 g)</u>	CDSA 5(4)	None	No

Maximum Punishment is Imprisonment for 2 Years

Offence	Section	Minimums	Mandatory Consecutive Time
Book-making (if no prior offences)	202(2)(a)	None	No
Book-making	202(2)(b) and 202(2)(c)	14 days or 3 months jail	No
Placing bets for others (if no prior offences)	203(d)	None	No
Placing bets for others	203(e) and 203(f)	14 days or 3 months jail	No

Maximum Punishment is Imprisonment for 18 Months

Offence	Section	Minimums	Mandatory Consecutive Time
Drug possession (Schedule IV)	CDSA 4(7)	None	No

Previous

- [List of Straight Indictable Offences \(Previous\)](#)

See Also

- [Offences by Penalty](#)
- [List of Hybrid Offences](#)
- [List of Summary Conviction Offences](#)
- [List of Offences by Category](#)

References

- Note a : From July 16, 2015 (Tougher Penalties for Child Predators Act, 2015, c. 23 (C-26)), s. 718.3(7) requires sentences for sexual offence committed against children must be served consecutive to sex offences against other children

List of Straight Indictable Offences (Previous)

Straight Indictable Offences

Maximum Punishment of Life

Offence	Section	Minimums	Mandatory Consecutive Time
Keep trap and cause death in place to commit offence Until September 19, 2019	247(1) and 247(5)	None	No
Flight from police cause death Until December 18, 2018	249.1(3), (4)(b)	None	No
Cause death by criminal negligence (street racing) Until December 18, 2018	249.2	None	No
Cause death by dangerous driving (street racing) Until December 18, 2018	249.4(4)	None	No
Failure to stop at scene of accident (victim dead or reckless as to death) Until December 18, 2018	252(1.3)	None	No
Impaired driving causing death Until December 18, 2018	255(3)	\$1,000 fine, 30 days or 90 days jail	No
Blood alcohol level over .08 and death Until December 18, 2018	255(3.1)	\$1,000 fine, 30 days or 90 days jail	No
Fail to provide breath sample and death Until December 18, 2018	255(3.2)	\$1,000 fine, 30 days or 90 days jail	No
Importation and exportation of drugs (Schedule I) 1996 to March 13, 2012	CDSA 6	None	No
drug production (Schedule I) 1996 to March 13, 2012	CDSA 7(2)(a)	None	No
drug production (Schedule II) 1996 to March 13, 2012	CDSA 7(2)(a)	None	No
drug production (Schedule I) From March 13, 2012	CDSA 7(2)(a)	2 years	No
drug production (Schedule I) From March 13, 2012	CDSA 7(2)(a)	3 year (if agg. factors made out)	No
drug production (Schedule II), for purpose of trafficking From March 13, 2012	CDSA 7(2)(a.1)	1 year	No
drug production (Schedule II), for purpose of trafficking From March 13, 2012	CDSA 7(2)(a.1)	18 months (if agg. factors made out)	No

Maximum Punishment is Imprisonment for 14 Years

Offence	Section	Minimums	Mandatory Consecutive Time
<u>Incest</u> From August 9, 2012	155	5 years (if victim under age of 16)	No
<u>Incest</u> 1985 to August 9, 2012	155	None	No
<u>sexual assault with a weapon or causing bodily harm, victim under 16</u> August 9, 2012 to July 17, 2015	272(2)(a.2)	5 years jail	No
<u>Dangerous operation of motor vehicle cause death</u> Until December 18, 2018	249(4)	None	No
<u>Flight from police cause bodily harm</u> Until December 18, 2018	249.1(3), (4)(a)	None	No
<u>Cause bodily harm by criminal negligence (street racing)</u> Until December 18, 2018	249.3	None	No
<u>Cause bodily harm by dangerous driving (street racing)</u> Until December 18, 2018	249.4(3)	None	No
<u>Public servant refusing to deliver property</u>	337	None	No

Maximum Punishment of 10 years

Offence	Section	Minimums	Consecutive Time
Sabotage Until September 19, 2019	52(1)	None	No
Concealing identity during a riot Until September 19, 2019	65(2)	None	No
Obstruct justice with elements of aggravation Until September 19, 2019	139(2)	None	No
Prison Breach Until September 19, 2019	144	None	No
Parent or guardian procuring sexual activity under 16 August 9, 2012 to July 17, 2015	170(a)	1 year jail	No
Criminal negligence causing bodily harm Until September 19, 2019	221	None	No
Set trap and actually cause bodily harm Until September 19, 2019	247(2)	None	No
Keep trap to cause bodily harm to commit offence Until September 19, 2019	247(3)	None	No
Impeding attempt to save life Until September 19, 2019	262	None	No
Profiting from trafficking in persons Until September 19, 2019	279.02(1)	None	No
Abduction of person under fourteen (other than parent or guardian) Until September 19, 2019	281	None	No
Material benefit from sexual services Until September 19, 2019	286.2(1)	None	No
Theft of cattle Until September 19, 2019	338(2)	None	No
Destroying documents of title Until September 19, 2019	340	None	No
Possession of break-in instruments Until ??	351(1)	None	No
Disguise with intent Until September 19, 2019	351(2)	None	No
Bring into Canada property obtained by crime Until September 19, 2019	357	None	No
False pretence over \$5,000 or involving a testamentary instrument Until September 19, 2019	362(2)(a)	None	No
Fraudulent manipulation of stock exchange deals Until September 19, 2019	382	None	No
Prohibited insider trading Until September 19, 2019	382.1(1)	None	No
Offences in relation to mines Until September 19, 2019	396(1)	None	No
False prospectus Until September 19, 2019	400(1)	None	No
Threat against U.N. or associated personnel Until September 19, 2019	424.1	None	No
Arson for fraudulent purpose Until September 19, 2019	435(1)	None	No
Interference with signal, buoy or sea-mark used for the purpose of navigation Until September 19, 2019	439(2)	None	No
Breach of long-term supervision order Until September 19, 2019	753.3	None	No

Maximum Punishment of 10 years less a day

Offence	Section	Minimums	Consecutive Time
Assist in Drug Production 2011 to May 18, 2017	CDSA 7.1	None	No

Maximum Punishment is Imprisonment for 5 Years

Offence	Section	Minimums	Mandatory Consecutive Time
Possession of forged passport Until September 19, 2019	57(3)	None	No
Offences respecting military stores Until September 19, 2019	62	None	No
Unlawful training or drilling of militia Until September 19, 2019	70	None	No
Possession of explosive without lawful excuse Until September 19, 2019	82(1)	None	No
Fraud on government Until September 19, 2019	121(3)	None	No
Breach of trust by public officer Until September 19, 2019	122	None	No
Bribing municipal official Until September 19, 2019	123(1)	None	No
Influencing municipal official Until September 19, 2019	123(2)	None	No
Selling or purchasing office Until September 19, 2019	124	None	No
Influencing appointment in office Until September 19, 2019	125	None	No
Corruptly taking reward Until September 19, 2019	142	None	No
Rescue or permitting escape Until September 19, 2019	147	None	No
Aid prisoner of war to escape Until September 19, 2019	148	None	No
Parent or guardian procuring sexual activity under 16 February 28, 2008 to August 9, 2012	170(a)	6 months jail	Yes (s. 718.2(7)) ^a
Parent or guardian procuring sexual activity under 14 November 1, 2005 to February 28, 2008	170(a)	6 months jail	No
Parent or guardian procuring sexual activity under 18 but at least 16 August 9, 2012 to July 17, 2015	170(b)	6 months jail	No
Householder permitting sexual activity under 16 July 2, 2008 to July 17, 2015	171(a)	6 months jail	No
Householder permitting sexual activity under 14 November 1, 2005 to July 2, 2008	171(a)	6 months jail	No
Indignity or neglect of dead body Until September 19, 2019	182	None	No
Intercept of Private Communications Until September 19, 2019	184	None	No
Interception of communication Until September 19, 2019	184(1)	None	No
Interception of radio-based telephone communications Until September 19, 2019	184.5(1)	None	No
Communicating with under 18 for prostitution [Repealed]	212(4)	6 months jail	No
Infanticide Until September 19, 2019	237	None	No
Neglect to obtain assistance and concealing birth Until September 19, 2019	242	None	No
Set trap likely to cause bodily harm	247(1)	None	No
Unworthy vessel or aircraft	251(1)	None	No
Withholding or destroying documents in respect of human trafficking - victim 18 years and above Until September 19, 2019	279.03(1)	None	No
Abduction of person under 16 Until September 19, 2019	280(1)	None	No
Bigamy Until September 19, 2019	291(1)	None	No
Procuring feigned marriage Until September 19, 2019	292(1)	None	No
Polygamy Until September 19, 2019	293(1)	None	No
Forced marriage Until September 19, 2019	293.1	None	No
Marriage under age of 16 years Until September 19, 2019	293.2	None	No
Publishing defamatory libel knowing it to be false Until September 19, 2019	300	None	No
Extortion by libel Until September 19, 2019	302(3)	None	No

Offence	Section	Minimums	Mandatory Consecutive Time
<u>Hate propaganda</u>	318(1)	None	No
<u>Fraud respecting cattle</u> Until September 19, 2019	338(1)	None	No
<u>Drift timber fraud</u> Until September 19, 2019	339(1)	None	No
<u>Obtaining execution of valuable security by fraud</u> Until September 19, 2019	363	None	No
<u>Offence involving counterfeit proclamation by Government</u> [Repealed, 2018, c. 29, s. 42]	370	None	No
<u>Telegram in false name</u> [Repealed, 2018, c. 29, s. 42]	371	None	No
<u>Damaging documents</u> Until September 19, 2019	377(1)	None	No
<u>Offences in relation to registers</u> Until September 19, 2019	378	None	No
<u>Gaming in stock or merchandise</u> Until September 19, 2019	383(1)	None	No
<u>reducing stock by selling for own account</u> Until September 19, 2019	384	None	No
<u>Fraudulent registration of title</u> Until September 19, 2019	386	None	No
<u>Fraud in relation to valuable minerals by holder of lease or licence</u> Until September 19, 2019	394(1)	None	No
<u>Sale of valuable mineral save by lawful authority</u> Until September 19, 2019	394(2)	None	No
<u>Purchase of valuable mineral save from owner</u> Until September 19, 2019	394(3)	None	No
<u>Possession of stolen or fraudulently obtained valuable minerals</u> Until September 19, 2019	394.1(3)	None	No
<u>Falsification of books and documents</u> Until September 19, 2019	397(1)	None	No
<u>Participation in falsification of books and docs</u> Until September 19, 2019	397(2)	None	No
<u>False return by public officer</u> Until September 19, 2019	399	None	No
<u>Acknowledging instrument in false name</u> Until September 19, 2019	405	None	No
<u>Threat against an internationally protected person</u> Until September 19, 2019	424	None	No
<u>Secret commission</u> Until September 19, 2019	426(3)	None	No
<u>Arson by negligence</u> Until September 19, 2019	436(1)	None	No
<u>Possession of incendiary material</u> Until September 19, 2019	436.1	None	No
<u>Interference with saving of wrecked vessel</u> Until September 19, 2019	438(1)	None	No
<u>Occupant injuring building</u> Until September 19, 2019	441	None	No
<u>Interfere with international boundary line</u> Until September 19, 2019	443(1)	None	No
<u>Having clippings for gold without justification</u> Until September 19, 2019	451	None	No
<u>Advertising and dealing in counterfeit money</u> Until September 19, 2019	460(1)	None	No
<u>Conspiracy to commit an indictable offence punishable by less than 14 years</u> Until September 19, 2019	465(1)(b)(ii)	None	No
<u>Participation in activities of criminal organization</u> Until September 19, 2019	467.11(1)	None	Yes (s. 467.14)
<u>Recruitment of members by a criminal organization</u>	467.111	None	Yes (s. 467.14)
<u>Recruitment of members under the age of 18 by a criminal organization</u>	467.111	6 months	Yes (s. 467.14)

Maximum Punishment is Imprisonment for 2 Years

Offence	Section	Minimums	Mandatory Consecutive Time
<u>Fraudulent use of citizenship certificate</u> Until September 19, 2019	58(1)	None	No
<u>Participating in a riot</u> Until September 19, 2019	65(1)	None	No
<u>Peace officer's neglect in riot situation</u> Until September 19, 2019	69	None	No
<u>Duelling</u> Until December 13, 2018	71	None	No
<u>Disobeying a statute where no other set sentence</u> Until September 19, 2019	126(1)	None	No
<u>Misconduct by officers executing process</u> Until September 19, 2019	128	None	No
<u>False affidavits</u> Until September 19, 2019	138	None	No
<u>Compounding indictable offence</u> Until September 19, 2019	141(1)	None	No
<u>Permitting or assisting escape</u> Until September 19, 2019	146	None	No
<u>Parent or guardian procuring sexual activity under 18 but at least 16</u> February 28, 2008 to August 9, 2012	170(b)	45 days jail	No
<u>Parent or guardian procuring sexual activity under 18 but at least 16</u> November 1, 2005 to February 28, 2008	170(b)	45 days jail	No
<u>Householder permitting sexual activity under 18 but at least 16</u> August 9, 2012 to July 17, 2015	171(b)	90 days jail	No
<u>Householder permitting sexual activity under 18 but at least 16</u> July 2, 2008 to August 9, 2012	171(b)	45 days jail	No
<u>Householder permitting sexual activity under 18 but at least 14</u> (November 1, 2005 to July 2, 2008)	171(b)	45 days jail	No
<u>Corrupting children</u> Until September 19, 2019	172(1)	None	No
<u>Obstructing or violence to or arrest of officiating clergyman</u> Until September 19, 2019	176(1)	None	No
<u>Common nuisance</u> Until September 19, 2019	180(1)	None	No
<u>Spread false news</u> Repealed s. 2019, c. 25, s. 62	181	None	No
<u>Possession of equipment for wiretapping illegally</u> Until September 19, 2019	191(1)	None	No
<u>Disclosure of information from wiretap</u> Until September 19, 2019	193(1)	None	No
<u>Disclosure of information from wiretap</u> Until September 19, 2019	193.1(1)	None	No
<u>Keeping gaming or betting house</u> Until September 19, 2019	201(1)	None	No
<u>Lotteries Offences respecting lotteries</u> Until September 19, 2019	206(1)	None	No
<u>Cheating at play</u> Until September 19, 2019	209	None	No
<u>Keeping common bawdy-house</u> Repealed	210(1)	None	No
<u>Concealing body of child</u> Until September 19, 2019	243	None	No
<u>Administering a Noxious Substance (with intent to aggrieve or annoy that person)</u> Until September 19, 2019	245(1)(b)	None	No
<u>Female person aborting pregnancy [repealed, 2019]</u>	287(2)	None	No
<u>Supplying noxious thing to produce miscarriage</u> Until December 13, 2018	288	None	No
<u>Pretending to solemnize marriage</u> Until September 19, 2019	294	None	No
<u>Solemnizing marriage contrary to law</u> Until September 19, 2019	295	None	No
<u>Publishing defamatory libel (not aggravating under s. 300)</u> Until September 19, 2019	301	None	No
<u>Possess device to obtain telecommunication service</u> Until ??	327(1)	None	No
<u>Fraudulent concealment</u> Until September 19, 2019	341	None	No
<u>Possession of instruments to break into coin machines</u> Until September 19, 2019	352	None	No

Offence	Section	Minimums	Mandatory Consecutive Time
<u>Sale of automobile master key</u> Until September 19, 2019	353(1)	None	No
<u>False message</u> Until March 9, 2015	372(1)	None	No
<u>Using mails to defraud</u> Until September 19, 2019	381	None	No
<u>Fraudulent concealment of title documents</u> Until September 19, 2019	385(1)	None	No
<u>Fraudulent sale of real property</u> Until September 19, 2019	387	None	No
<u>Misleading receipt</u> Until September 19, 2019	388	None	No
<u>Fraudulent disposal of goods on which \$ advanced</u> Until September 19, 2019	389(1)	None	No
<u>Fraudulent receipts under Bank Act</u> Until September 19, 2019	390	None	No
<u>Disposal of property to defraud creditors</u> Until September 19, 2019	392	None	No
<u>Fraud in relation to fares</u> Until September 19, 2019	393(1)	None	No
<u>Offering advantage to avoid paying fare</u> Until September 19, 2019	393(2)	None	No
<u>Trader failing to keep accounts</u>	402(1)	None	No
<u>Applying or removing marks without authority</u> Until September 19, 2019	417(1)	None	No
<u>Remove natural bar without permission</u> Until September 19, 2019	440	None	No
<u>Utter counterfeit coin</u> Until September 19, 2019	453	None	No

List of Summary Conviction Offences

This page was last substantively updated or reviewed *January 2021*. (Rev. # 47510)

< [Criminal Law/Sentencing](#) < [Offences](#)

Maximum Punishment is Imprisonment for 2 Years Less a Day ("summary conviction")

Offence	Section	Maximum Fine	Minimums	Consecutive Time
<u>Assisting deserter</u>	54	\$5,000 [*]	None	No
<u>Offences respecting RCMP members</u>	56	\$5,000 [*]	None	No
<u>Unlawful assembly</u>	66(1)	\$5,000 [*]	None	No
<u>Prize fights</u>	83(1)	\$5,000 [*]	None	No
<u>Carrying weapon while attending public meeting</u>	89(2)	\$5,000 [*]	None	No
<u>False statement</u>	134(1)	\$5,000 [*]	None	No
<u>Nudity</u>	174(1)	\$5,000 [*]	None	No
<u>Causing a Disturbance</u>	175(1)	\$5,000 [*]	None	No
<u>Obstructing or violence to or arrest of officiating clergyman</u>	176(1)	\$5,000 [*]	None	No
<u>Disturbing religious worship or certain meetings</u>	176(2)	\$5,000 [*]	None	No
<u>Disturbing disturbs the order or solemnity of a meeting</u>	176(3)	\$5,000 [*]	None	No
Offence	Section	Maximum Fine	Minimums	Consecutive Time
<u>Trespassing at Night</u>	177	\$5,000 [*]	None	No
<u>Found in in common gaming or betting house</u>	201(2)	\$5,000 [*]	None	No
<u>Lottery offence involving ticket</u>	206(4)	\$5,000 [*]	None	No
<u>Offences involving permitted lottery scheme</u>	207(3)(b)	\$5,000 [*]	None	No
<u>Offences involving permitted lottery scheme (on ship)</u>	207.1(3)(b)	\$5,000 [*]	None	No
<u>Stopping or Impeding Traffic by Prostitution</u>	213(1)	\$5,000 [*]	None	No
Offence	Section	Maximum Fine	Minimums	Consecutive Time
<u>Soliciting Near Children</u>	213(1.1)	\$5,000 [*]	None	No
<u>Not safeguarding opening in ice or excavation of land</u>	263(3)(c)	\$5,000 [*]	None	No
<u>Breach of publication prohibition re s. 278.3 applications</u>	278.9(2)	\$5,000 [*]	None	No
<u>Operation with low blood drug concentration From December 18, 2018</u>	320.14(4)	\$1,000	None	No
<u>Take auto without consent</u>	335(1)	\$5,000 [*]	None	No
<u>Unlawful timber marks dealings</u>	339(2)	\$5,000 [*]	None	No
<u>Failure to record sale of automobile master key</u>	353(4)	\$5,000 [*]	None	No
<u>Fraud in obtaining food, beverage or lodging</u>	364(1)	\$5,000 [*]	None	No
Offence	Section	Maximum Fine	Minimums	Consecutive Time
<u>Fraudulently obtaining transportation</u>	393(3)	\$5,000 [*]	None	No
<u>Falsifying employment record</u>	398	\$5,000 [*]	None	No
<u>Obtaining carriage by false billing</u>	401(1)	\$5,000 [*]	None	No
<u>Unlawful use of military uniforms or certificates</u>	419	\$5,000 [*]	None	No
<u>Offences by employers re union activity</u>	425	\$5,000 [*]	None	No
<u>Wilful interference with attempts to save wreck</u>	438(2)	\$5,000 [*]	None	No
<u>Interference with marine signal</u>	439(1)	\$5,000 [*]	None	No
<u>Interfere with boundary line</u>	442	\$5,000 [*]	None	No
<u>Offences concerning aquatic mammals</u>	445.2(5)	"\$200,000"	None	No
Offence	Section	Maximum Fine	Minimums	Consecutive Time
<u>Breach of prohibition order re possession of animals</u>	447.1(2)	\$5,000 [*]	None	No
<u>Possession of slugs and tokens</u>	454	\$5,000 [*]	None	No
<u>Deface current coin</u>	456	\$5,000 [*]	None	No
<u>Creating likeness of bank-notes</u>	457(3)	\$5,000 [*]	None	No
<u>Breach of proceeds of crime restraint order</u>	462.33(11)	\$5,000 [*]	None	No
<u>Conspiracy (Offence)</u>	465(1)(d)	\$5,000 [*]	None	No
<u>Failure to comply with order restricting publication of ID and evidence etc re child sexual violence etc</u>	486.4 and 486.6(1)	\$5,000 [*]	None	No
<u>Failure to comply with order restricting publication of evidence etc re justice system participants</u>	486.5 and 486.6(1)	\$5,000 [*]	None	No
<u>use of seized bodily substances for other than DNA analysis</u>	487.08(3)	\$5,000 [*]	None	No

Offence	Section	Maximum Fine	Minimums	Consecutive Time
failure to comply with a preservation demand	487.0197	"\$5,000"	None	No
financial institution that fails to comply with production order	487.0198	"\$250,000"	None	No
failure to comply with a data preservation demand	487.0199	\$5,000*	None	No
Breach of restriction on publication of search warrant (unconstitutional)	487.2	\$5,000*	None	No
Breach of SOIRA Order, failing to notify of identity and address	490.0312	\$5,000*	None	No
Breach of restraint order under 490.9	490.8(9)	\$5,000*	None	No
Breach of non-publication order from show cause	517(2)	\$5,000*	None	No
Breach of non-publication order at preliminary	539(3)	\$5,000*	None	No
Breach of restriction of publication of reports of preliminary inquiry	542(2)	\$5,000*	None	No
Offence	Section	Maximum Fine	Minimums	Consecutive Time
Breach of non-publication order in jury trial	648(2)	\$5,000*	None	No
Disclosure of jury information	649	\$5,000*	None	No
Breach of limitation re information that prior verdict of NCR	672.37(3)	\$5,000*	None	No
Order restricting publication re certain offences before Review Board	672.501(11)	\$5,000*	None	No
Breach of prohibition on use of bodily substance under a probation order	732.11	\$5,000*	None	No
Breach of prohibition on use of bodily substance under a conditional sentence order	742.31	\$5,000*	None	No
Breach of a prohibition on use or disclosure of bodily substance or results of analysis obtained by a peace bond	810.4(4)	\$5,000*	None	No
Drug possession (Schedule II), Cannabis resin (1 g), Cannabis (30 g) or more	CDSA 4(5)	"one thousand dollars"	None	No

Maximum Punishment is Imprisonment for 90 days

Offence	Section	Maximum Fine	Minimums	Consecutive Time
Contempt of court	708	\$100	None	No

Previous

Maximum Punishment is Imprisonment for 12 Months

Offence	Section	Maximum Fine	Minimums	Consecutive Time
Importing or exporting instruments or literature for illicit drug use (second or subsequent offence)	462.2(b)	\$300,000	None	No

Maximum Punishment is Imprisonment for 6 Months

Offence	Section	Maximum Fine	Minimums	Consecutive Time
Offensive volatile substance	178	\$5,000*	None	No
Found-in in bawdy-house	210(2)	\$5,000*	None	No
Transporting person to bawdy-house	211	\$5,000*	None	No
Failure to keep watch on person towed	250(1)	\$5,000*	None	No
Towing of person by vessel after dark	250(2)	\$5,000*	None	No
Breach of prohibition on use of bodily substance under a s. 258 sample demand	258.1(1),(2), and (5)	\$5,000*	None	No
Breach of publication prohibition re 276.1 applications	276.3(2)	\$5,000*	None	No
Pretending to practice witchcraft	365	\$5,000*	None	No
False claim of royal warrant	413	\$5,000*	None	No
Trading stamp offence by non-merchant	427(1)	\$5,000*	None	No
Trading stamp offence by merchant	427(2)	\$5,000*	None	No
Importing or exporting instruments or literature for illicit drug use	462.2(a)	\$100,000	None	No

References

- Note See s. 787 re: summary conviction fines

See Also

- [List of Offences by Category](#)

Guilty Plea Checklist

< [Precedents, Court Forms and Checklists](#)

Checklist

<p>UNDERSTAND WAIVED RIGHTS</p> <ul style="list-style-type: none">▪ <input type="checkbox"/> Waiver of right to a trial, including a jury trial for indictable offences▪ <input type="checkbox"/> Waiver of the presumption of innocence▪ <input type="checkbox"/> Waiver of the Crown burden to prove the essential elements of the offence beyond a reasonable doubt▪ <input type="checkbox"/> Waiver of right to challenge procedure, including all procedural Charter rights▪ <input type="checkbox"/> Waiver of all rights of appeal, except appeal of the sentence▪ <input type="checkbox"/> Limited waiver of the right to bail <p>RETAINED RIGHTS</p> <ul style="list-style-type: none">▪ <input type="checkbox"/> Right to dispute the facts as they are alleged outside of bare essential elements of proof▪ <input type="checkbox"/> Right to dispute penalties advanced by the Crown▪ <input type="checkbox"/> Personal right to review full disclosure (ie. all relevant materials)▪ <input type="checkbox"/> Right to address the judge before sentence is passed▪ <input type="checkbox"/> Right to apply for a Pardon (select offences) <p>ANALYSIS OF CASE WITH CLIENT BEFORE ENTERING PLEA</p> <ul style="list-style-type: none">▪ <input type="checkbox"/> Opportunity to review all relevant materials▪ <input type="checkbox"/> Explain of essential elements of the offence▪ <input type="checkbox"/> Aware of all defences that have an "air of reality"▪ <input type="checkbox"/> Review Agreed Statement of Fact (if any)▪ <input type="checkbox"/> Discuss Merits of the Crown and Defence cases▪ <input type="checkbox"/> sufficient time to review the evidence, elements of proof and defences <p>INFORM CLIENT BEFORE ENTERING PLEA</p> <ul style="list-style-type: none">▪ <input type="checkbox"/> Aware that judge has final say on sentence, including ancillary orders, etc.▪ <input type="checkbox"/> The plea must be voluntary (not oppressive or coerced)▪ <input type="checkbox"/> The plea must be unconditional and unequivocal▪ <input type="checkbox"/> Position of the Crown on penalty (if known)▪ <input type="checkbox"/> Procedure for Guilty Plea, including inquiry from judge under s. 606(1.1)	<p>DIRECT CONSEQUENCES OF SENTENCING</p> <ul style="list-style-type: none">▪ <input type="checkbox"/> Crown right to seek revocation of bail upon finding of guilt▪ <input type="checkbox"/> Maximum penalty for each count and possibility of consecutive penalties per count▪ <input type="checkbox"/> Available and unavailable sentencing options (e.g. discharges or conditional sentence orders)▪ <input type="checkbox"/> Maximum and minimum penalties for the offences▪ <input type="checkbox"/> Expected ranges▪ <input type="checkbox"/> Potential Ancillary Orders including:<ul style="list-style-type: none">▪ <input type="checkbox"/> Weapons Prohibition▪ <input type="checkbox"/> Section 161 Order▪ <input type="checkbox"/> Driving Prohibition▪ <input type="checkbox"/> Forfeiture of property seized▪ <input type="checkbox"/> SOIRA Sex Offender Registry▪ <input type="checkbox"/> DNA Order▪ <input type="checkbox"/> Victim Fine Surcharge▪ <input type="checkbox"/> Restitution, as part of probation or as "stand-alone"▪ <input type="checkbox"/> Fine-in-Lieu of Forfeiture including penalties in default▪ <input type="checkbox"/> Also discuss the duration of the order and the ability to terminate the order early.▪ <input type="checkbox"/> The possibility of Crown seeking a Long-Term Offender Order or a Dangerous Offender Order <p>OTHER CONSEQUENCES OF GUILTY PLEA</p> <ul style="list-style-type: none">▪ <input type="checkbox"/> Potential of movement of offender between jails or even out of province in federal penitentiary▪ <input type="checkbox"/> Immigration consequences, including deportation upon completion of term of custody▪ <input type="checkbox"/> Provincial Motor Vehicle Act consequences and effect on insurance premiums▪ <input type="checkbox"/> Provincial Sex Offender registry▪ <input type="checkbox"/> Restrictions on international travel▪ <input type="checkbox"/> Impact family court proceedings (custody and access to children; apprehension of children)▪ <input type="checkbox"/> Impact on civil lawsuit proceedings▪ <input type="checkbox"/> Impact on employment, including professional licensing▪ <input type="checkbox"/> Impact on education program eligibility▪ <input type="checkbox"/> Effect on retention of youth criminal record
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See Also

- [Guilty Plea Checklist \(Google Docs\)](#)
 - [Ontario Legal Aid Guilty Plea Checklist \(pdf form\)](#)

Precedents

PRECEDENT TERMS OF USE

All forms, templates and precedents, including anything found on this page, can be used without the need for any attribution.

Templates and Precedents

To use any of these templates, copy/paste the template into a word processor and then adjust formatting accordingly. Many jurisdictions have *official templates* for their applications that would likely be preferred. These templates **do not necessarily conform with the preferred style for each jurisdiction**. Changes may be necessary to conform with the local jurisdiction's Rules of Court.

Court Filing Precedent

- [Precedent - Generic Application](#)

Charter

- [Precedent - Generic Charter Application](#)
- [Precedent - Section 8 Application](#) (Exclusion of Evidence)
- [Precedent - Section 9 Application](#) (Exclusion of Evidence)
- [Precedent - Section 10\(b\) Application](#) (Exclusion of Evidence)
- [Precedent - Section 11\(b\) Application](#) (Stay of Proceedings)
- [Precedent - Abuse of Process Application](#) (Stay of Proceedings)
- [Precedent - Application for a Declaration of Invalidity](#) (Section 7 or 12)

Procedural

- [Precedent - Designation of Counsel](#)
- [Precedent - Application to Withdraw as Counsel](#)
- [Precedent - Application to Withdraw Guilty Plea](#)
- [Precedent - Application to Adjourn Trial](#)
- [Precedent - Application for Joinder](#)
- [Precedent - Application for Severance](#)
- [Precedent - Application for Change of Venue](#)
- [Precedent - Notice of Re-Election](#)
- [Precedent - Transportation Orders](#)
- [Precedent - Application for Court-appointed Counsel](#) (Robotham Application)
- [Precedent - Order for Cross-Examination Counsel](#)
- [Precedent - Application to Quash Charges](#)
- [Precedent - Notice to Amend Charges to Conform to Evidence](#)
- [Precedent - Application for Publication Ban](#)

Witnesses

- [Precedent - Testimony by Video-link](#)
- [Precedent - Testimonial Aids](#)

Disclosure and Records

- [Precedent - Disclosure-related Filings](#)
 - [Precedent - Stinchcombe Application](#)
 - [Precedent - O'Connor Application](#)
- [Precedent - Sexual Offence Matters](#)
 - [Precedent - Section 278.3 Application](#)
 - [Precedent - Section 276 Application](#)
 - [Precedent - Seaboyer Application](#)
- [Precedent - Application to Unseal Judicial Authorization](#)
- [Precedent - Lavallee Application](#)
- [Precedent - Application for Declaration of Waiver of Privilege](#)

Juries

- [Precedent - Jury Trial Filings](#)

Admitting Evidence

- [Precedent - Notice to Admit Business Records Under CEA](#)
- [Precedent - Financial Document Affidavit Under Section 29 CEA](#)

- Precedent - Notice to Admit Expert Opinion Evidence
 - Precedent - Reply Notice to Admit Expert Opinion Evidence
- Precedent - Notice to Admit Hearsay Evidence
- Precedent - Notice to Adduce Similar Fact Evidence
- Precedent - Notice to Adjudicate Voluntariness of Accused Statement (not legally required)
- Precedent - Shortcut to Proof
 - Precedent - Agreed Statement of Fact
- Precedent - Notice to Admit Preliminary Inquiry Evidence
- Precedent - Notice to Admit Sworn Hearsay Evidence (s. 715)
- Precedent - Notice to Admit Wiretap Evidence
- Precedent - Notice to Adduce Third Party Suspect Evidence
- Precedent - Notice to Adduce Bad Character of Victim
- Precedent - Corbett Application
- Precedent - Notice to Adduce Certified Copy

Mental Health

- Precedent - Application for Determination of Criminal Responsibility
- Precedent - Application for Determination of Fitness

Variations

- Precedent - Vary Release or Sentence Order

Property

- Precedent - Detention Order
- Precedent - Extension of Detention Order (One Year or Less)
- Precedent - Extension of Detention Order (Over One Year)
- Precedent - Forfeiture of Property
 - Precedent - Forfeiture of Property Under Section 490(9)
 - Precedent - Forfeiture of Property Under 117.05
 - Precedent - Forfeiture Under 164.2
 - Precedent - Estreatment Application
- Precedent - Application to Return Property

Sentencing

- Precedent - Section 161 Orders
- Precedent - Section 109 and 110 Weapons Prohibition

Long-Term and Dangerous Offender

- Precedent - Application for Dangerous Offender Designation
- Precedent - Application for Long-term Offender Order

Appeals and Reviews

- Precedent - Appeals
 - Precedent - Appeals - Indictable Offence Appeal
 - Precedent - Appeals - Summary Offence Appeal
- Precedent - Appeals - Miscellaneous
- Precedent - Judicial Review

Consents, waivers and undertakings

- Precedent - Consent to Further Detention of Property
- Precedent - Consent to Forfeit Property

Misc

- Precedent - Crown Letter re Admissions
- Precedent - Counsel Letters
- Precedent - Notice to Appear in Chambers
- Precedent - Brief Cover Pages
- Precedent - Exhibit Cover Pages
- Precedent - Search and Seizure
- Precedent - Right to Counsel Script

Court Forms

- [Draft Informations and Indictments](#)

Substantive Precedents

Bail

- [Bail Brief \(Generic\)](#)
- [Bail Release Form](#) (pre-2019 amendments)

Sentencing

- [Disposition Form](#)
- [Sentencing Brief \(Generic\)](#)
- [Sentencing for Luring Brief](#)
- [Sentencing for Fraud Over \\$5,000](#)

Judgement on Trial

- [Voir Dire Decision](#)
- [Closing Submissions](#)
- [Trial Judgement](#)

Judgements on Sentence

- [Sentencing Judgement](#)

See Also

- [Criminal Code Forms](#)

Precedents, Court Forms and Checklists

< [Precedents, Court Forms and Checklists](#)

Note that format and content requirements vary between jurisdictions. See [Rules of Court](#).

Checklists

- [Crown File Review Checklist](#)
- [Defence File Review Checklist](#)
- [Initial Appearance Checklist](#)
- [Guilty Plea Checklist](#)
- [Trial Preparation Checklist](#)
- [Questioning Checklist](#)
- [Objections Cheatsheet](#)
- [Admissibility Checklist](#)
- [Police Checklists](#)
 - [ITO Drafting Checklist](#)
- [Documents Checklist](#)

Charts

- [Judicial Authorization Chart](#)
- [Motions Chart](#)
- [Criminal Code Section Cheat Sheet](#)

Precedents

- [Precedents](#)

Official Court Forms (includes Notices, Orders, and supporting docs)

Newfoundland and Labrador

- [Supreme Court Forms, Summary Conviction Appeals, and General Forms](#)

New Brunswick

- [Provincial Court Rules and Forms](#)
- [Court of Queen's Bench Forms](#)

Nova Scotia

- [Nova Scotia Provincial Court Forms and Other Court Documents](#)
- [Nova Scotia Supreme Court Forms \(Google docs\)](#)
 - [summary conviction notice of appeal \[Form 63\]](#)
 - [Notice to extend deadline for notice to appeal](#)

Ontario

- [Forms under the Criminal Rules of the Ontario Court of Justice](#)
- [Forms under the Criminal Proceedings Rules of the Superior Court of Justice](#)

Manitoba

- [Manitoba Courts, Provincial Court forms](#)
 - [Provincial Court Practice Directives](#)
- [Court of Queen's Bench Forms \(Criminal\)](#)

Alberta

- [Provincial Court Practice Directions and Forms](#)
- [Queen's Bench Criminal Forms](#)

British Columbia

- [Provincial Court and Supreme Court \(Criminal\) Forms](#)

Form of Charges

- [Draft Form of Charges](#)

Criminal Code Forms

- [Criminal Code Forms](#)

Tools

- <http://draw.io>
- <https://getgreenshot.org/>
- <http://sheets.google.com>
- <http://docs.google.com>

See Also

- [Rules of Court](#)
- [Model Examinations \(Criminal Law\)](#)

Disposition

- [Disposition Sheet](#)

Precedent - Appeals

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Indictable Offence Appeal

- [Precedent - Appeals - Indictable Offence Appeal](#)

Summary Conviction Appeal

- [Precedent - Appeals - Summary Offence Appeal](#)

Precedent - Charter Applications

< [Precedents, Court Forms and Checklists](#) < [Precedents](#)

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Notice

NOTICE OF CHARTER APPLICATION

C A N A D A

File#

PROVINCE OF [PROVINCE]
COUNTY OF [COUNTY]

IN THE [LEVEL OF COURT] OF [PROVINCE]

BETWEEN:

[ACCUSED NAME]

Applicant

– and –

HER MAJESTY THE QUEEN

Respondent

NOTICE OF CHARTER APPLICATION

WHEREAS the accused, [accused name], has been charged that [on or about/between] [dates of the offence] he/she is alleged to have committed offences contrary to section(s) [list sections] of the *Criminal Code*;

TAKE NOTICE that an application will be brought by the Applicant, [name of accused] to the presiding [Justice/Judge] at the [name and location of courthouse] on the [date] day of [month], [year], or soon thereafter, for an Order that the Applicant's rights under s. [List sections of charter: e.g. 7, 8, 11(d)] of the *Canadian Charter of Rights and Freedoms* (*Charter*) have been violated in the course of this case.

THE APPLICANT RELIES ON THE FOLLOWING LEGAL GROUNDS:

1. [enumerate the principles that apply to the circumstances]
2. ...
3. Any additional grounds as counsel may advise and this Honourable Court may permit.

THE APPLICANT RELIES ON THE FOLLOWING FACTUAL GROUNDS:

1. [give a narrative of the relevant portions of the investigation and prosecution or other important circumstances]
2. ...
3. Any additional grounds as counsel may advise and this Honourable Court may permit.

IN SUPPORT OF THIS APPLICATION, THE APPLICANT RELIES ON THE FOLLOWING EVIDENCE:

1. [SET OUT documents and transcripts upon which the applicant relies upon; e.g affidavit, transcript, business records, oral evidence]
2. ...
3. Any additional evidence as counsel may advise and this Honourable Court may permit.

THE APPLICANT SEEKS THE FOLLOWING RELIEF:

An Order for [describe the type of order and terms of the order, this may include an order of Exclusion of Evidence under s. 24(2) of the Charter or an Order for the Stay of Proceedings under s. 24(1) of the Charter]

FOR THE PURPOSE OF THIS APPLICATION, THE APPLICANT MAY BE SERVED AT:

In accordance with the appropriate Rules of Court,

[party name]
[party title]
[address]
[address]
[address]
Tel: (xxx) xxx-xxxx
Fax: (xxx) xxx-xxxx
Email: xxx@xxxxxx.xxx

DATED at _____, in the Province of _____, this ____ day of _____, 20__.

[Counsel's name]
[Counsel's title]

TO: [Provincial/Federal Crown Attorney]

[Internal File Coding]

C A N A D A
PROVINCE OF [PROVINCE]
COUNTY OF [COUNTY]

File# _____

IN THE [LEVEL OF COURT] OF [PROVINCE]

BETWEEN:

[ACCUSED NAME]

Applicant

– and –

HER MAJESTY THE QUEEN

Respondent

NOTICE OF CHARTER APPLICATION

WHEREAS the accused, [accused name], has been charged that [on or about/between] [dates of the offence] he/she is alleged to have committed offences contrary to section(s) [list sections] of the *Criminal Code*;

TAKE NOTICE that an application will be brought by the Applicant, [name of accused] to the presiding [Justice/Judge] at the [name and location of courthouse] on the [date] day of [month], [year], or soon thereafter, for an Order that the Applicant's rights under s. [List sections of charter: e.g. 7, 8, 11(d)] of the *Canadian Charter of Rights and Freedoms (Charter)* have been violated in the course of this case.

THE APPLICANT RELIES ON THE FOLLOWING LEGAL GROUNDS:

1. [enumerate the principles that apply to the circumstances]
2. ...
3. Any additional grounds as counsel may advise and this Honourable Court may permit.

THE APPLICANT RELIES ON THE FOLLOWING FACTUAL GROUNDS:

1. [SET OUT a narrative of the relevant portions of the investigation and prosecution or other important circumstances]
2. ...

Affidavit

AFFIDAVIT (CHARTER)

C A N A D A
PROVINCE OF [PROVINCE]
COUNTY OF [COUNTY]

File# _____

IN THE [LEVEL OF COURT] OF [PROVINCE]

BETWEEN:

[ACCUSED NAME]

Applicant

– and –

HER MAJESTY THE QUEEN

Respondent

AFFIDAVIT OF [AFFIANT NAME]

I, [Affiant name], of [City], in the [Community] and Province of [Province], make oath and say as follows that:

1. I have personal knowledge of the matters and facts hereinafter deposed to except where stated to be on information and belief and where so stated, I verily believe the same to be true.

SWORN/AFFIRMED TO at [city], in the region)
of)
[region], Province of)
[province], this [day])
day of [month], 20____, before me:)

_____)
Commissioner of Oaths/Barrister of)
the [level] Court of [province]

_____)
[Affiant Name]
[Affiant title]

[Internal File Coding]

EXHIBIT A
[DESCRIPTION]

EXHIBIT B
[DESCRIPTION]

IN THE [LEVEL OF COURT] OF [PROVINCE]

BETWEEN:

[ACCUSED NAME]

Applicant

– and –

HER MAJESTY THE QUEEN

Respondent

AFFIDAVIT OF [AFFIANT NAME]

I, [Affiant name], of [City], in the [Community] and Province of [Province], make oath and say as follows that:

1. I have personal knowledge of the matters and facts hereinafter deposed to except where stated to be on information and belief and where so stated, I verily believe the same to be true.

SWORN/AFFIRMED TO at [city], in the region of)

[region], Province of)

[province], this [day])

day of [month], 20____, before me:)

)

_____) _____

) [Affiant Name]

Commissioner of Oaths/Barrister of

) [Affiant title]

the [level] Court of [province]

)

[Internal File Coding]

Order

Precedent - Counsel Letters

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Disclosure Request Letter

DISCLOSURE LETTER

I have received and reviewed the initial disclosure package in the above-noted matter. I have reason to believe there exists materials of potential relevance that has not been disclosed and is required for full answer and defence. I wish to request as additional disclosure the following materials listed below.

Should any of the requested records *not* be in the possession of the Crown but are reasonably believed to exist, a will-say to that effect would be requested. Should any materials be in the police or Crown counsel related to this prosecution that has not been disclosed after review for relevancy and privilege, I would kindly ask that the records be identified where not otherwise clearly outlined previously, along with an indication of the reasons for withholding the record.

"Records", for the purpose of this request, include all typed or handwritten statements or notes, reports, letters, emails, memos, calendars, audio or video recordings. This would include any electronically stored records, including those that were previously deleted but are recoverable by forensic means.

I would kindly ask for disclosure of the following material records:

1. All records relating the statements (formal or informal, recorded, reduced to writing, or otherwise) given by the following relevant persons:
 1. [list people and identify the specific format of the statement if known]
 2. ...
2. All records that are referenced by [witness] during their interview on [date]. If present in disclosure, I would kindly appreciate that you could identify where in disclosure this could be found. These records consist of:
 1. [list the items that are mentioned in the particular statement]
 2. ...
3. All relevant communications between AA and BB during the period of XX and YY.

Judicial Authorizations

1. A copy of the following Information(s) to Obtain:
 1. [list the type of warrant and the date of issuance]
 2. ...
2. A copy of the following documents reviewed by the affiant before swearing the judicial authorization(s):
 1. [list documents referenced in the ITO as being relied up]
3. A copy of the record or photograph of the item listed in the exhibit report from the search of [date], consisting of the following:
 1. [list items in the search exhibit list that needs to be disclosed in record-form or simply photographed, such as a real object]

Informer Evidence Supporting an ITO

1. Any source handler notes that were created by the handler that related to information provided to the affiant prior to the swearing of the Information to Obtain. Should this request be denied on the basis of informer privilege, I would kindly ask for a list of note entries and total number of pages that satisfy this request.

Other Investigations

1. A copy of investigative file # _____ [assuming there is a material connection to the case]

Completeness of Materials

1. Please confirm that the entire contents of XXX was provided in disclosure. If not complete, we would kindly ask for the entirety of the contents.

Legibility and Redactions

1. The following pages of disclosure are illegible. I would kindly ask if you could provide a legible copy.
2. The following pages of disclosure have been redacted without notation as to the reason why. Could you kindly indicate the nature of the contents and reason for redaction.

Please advise me if I can be of any assistance and can clarify anything part of this request.

Precedent - Disclosure-related Filings

< [Precedents, Court Forms and Checklists](#) < [Precedents](#)

McNeil Application

Undertakings

C A N A D A

File#

PROVINCE OF [PROVINCE]
 COUNTY OF [COUNTY]

IN THE [LEVEL OF COURT] OF [PROVINCE]

BETWEEN:

HER MAJESTY THE QUEEN

– and –

[ACCUSED NAME]

UNDERTAKING

(Electronic Device(s))

I, _____, Defence Counsel for
 _____ in relation to Criminal charges under Section(s)
 _____ arising on or between (insert date
 here) _____, by accepting receipt of (insert device name here)
 _____ (hereinafter "device") do hereby undertake as follows:

- I will keep the device in my possession and control and store it in a secure place within my law offices;
- I will not release custody of the device to any person except members of [appropriate police force], or members of the [Crown attorney office];
- I will not permit any other lawyers or staff within my office to have access to the contents of the device;
- I will not disclose the password for the device to anyone, except in relation to a retained expert;
- I will only permit access to the device by an expert retained by me in accordance with the following provisions:
 - My expert will only have access to the device for the purposes of forensic examination and presentation of evidence in the trial of this matter;
 - I will take all reasonable steps to ensure that my expert uses the device in a secure manner;
 - I will ensure my expert does not copy the contents of the device except for legitimate forensic purposes;
 - Should my expert be required to copy the contents of the device for legitimate forensic purposes, I will ensure that all copies are accounted for and dealt with in accordance with the undertaking including ensuring that all copies of the contents of the device are securely erased from my expert's computer in accordance with the terms of these undertakings;
 - Should my expert require the use of the contents of the device at their business premises located at _____ for legitimate forensic purposes, I will ensure that the device is at that location for only as long as is necessary and that the device and its contents will be handled by my expert in a secure manner;
 - Prior to permitting my expert to remove the device and its contents from my premises, I will provide Crown Counsel with notice of my intention and provide Crown Counsel with all relevant information as to the means by which the device will be kept secure
- I will not release the device to my expert without the express consent of Crown Counsel
- I will not permit the accused to possess or control the device;
- I will not allow any persons except my expert, and the accused while in my presence, to view the images or videos contained within the device;
- I will not, nor will I permit any person employed at my office, to make any copies of the contents of the device except for the purposes of preparation and presentation of the defence in this matter including any appeals or retrials;
- any copies of any portion of the contents of the device made by me or any person employed at my offices will either be returned to members of the [appropriate police] or members of the [Crown attorney], or securely erased in accordance with these undertakings;
- I will not connect the device to the internet, either through a hardwired connection or wirelessly;
- I will not connect a storage medium to the device;
- for the purposes of this undertaking I understand "securely erased" means the following:
 - All the copies of the device or any portion of it will be deleted from all computers to which I have copied it;
 - I will obtain and use digital wiping software to overwrite the entirety of my computers unallocated storage space;
 - I understand the term "unallocated space" means all digital storage space contained on the computer that is not currently being used by computers operating system;
- at the conclusion of all litigation in relation to these charges, I will return the device that was provided to me to [appropriate police] or a member of [Crown attorney office];
- I will erase my record of the device's password that I have been given;
- I will return the device promptly at any time that the Crown Counsel requests

DATED at _____, in the Province of _____, this ____ day of _____, 20__.

Counsel for the Defence

Witness



Sorry, the file you have requested does not exist.

Make sure that you have the correct URL and the file exists.

Get stuff done with Google Drive

Apps in Google Drive make it easy to create, store and share online documents, spreadsheets, presentations and more.

Learn more at drive.google.com/start/apps.

Precedent - Exhibit and Brief Cover Pages

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Briefs

C A N A D A

File#

PROVINCE OF [PROVINCE]
 COUNTY OF [COUNTY]

IN THE [LEVEL OF COURT] OF [PROVINCE]

BETWEEN:

HER MAJESTY THE QUEEN

– and –

[ACCUSED NAME]

CROWN/ACCUSED/APPLICANT/RESPONDENT BRIEF OF LAW

On the Issue of [description of issue]

[first party name]

[first party title]

[address]

[address]

[address]

[address]

Tel: (xxx) xxx-xxxx

Fax: (xxx) xxx-xxxx

Email: xxx@xxxxxx

Counsel for Her Majesty the Queen

[second party name]

[second party title]

[address]

[address]

[address]

[address]

Tel: (xxx) xxx-xxxx

Fax: (xxx) xxx-xxxx

Email: xxx@xxxxxx

Counsel for the Accused

Table of Contents

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a. The Offences X

PART II: STATEMENT OF ISSUES X

PART III: STATEMENT OF ARGUMENT X

PART IV: ORDER SOUGHT X

PART V: TABLE OF AUTHORITIES X

Body of Brief

PART I: OVERVIEW

[1] Lorem ipsum dolor sit amet, consectetur adipiscing elit. Omnis enim est natura diligens sui. Duo Reges: constructio interrete. Videmusne ut pueri ne verberibus quidem a contemplandis rebus perquirendisque deterreantur? Quid censes in Latino fore? Quid, quod res alia tota est? Quodcumque in mentem incideret, et quodcumque tamquam occurreret. Quodsi ipsam honestatem undique perfectam atque absolutam. Ut optime, secundum naturam affectum esse possit.

[2] Quaesita enim virtus est, non quae relinqueret naturam, sed quae tueretur. Claudii libidini, qui tum erat summo ne imperio, dederetur. Graece donan, Latine voluptatem vocant. Tertium autem omnibus aut maximis rebus iis, quae secundum naturam sint, fruentem vivere. Recte dicis; Qua ex cognitione faciliior facta est investigatio rerum occultissimarum. Quia dolori non voluptas contraria est, sed doloris privatio:

Quam illa ardentis amores excitaret sui! Cur tandem? Cum audissem Antiochum, Brute, ut solebam, cum M. Quamvis enim depravatae non sint, pravae tamen esse possunt. Deinde qui fit, ut ego nesciam, sciant omnes, quicumque Epicurei esse voluerunt?

Illis videtur, qui illud non dubitant bonum dicere -; Fortitudinis quaedam praecepta sunt ac paene leges, quae effeminari virum vetant in dolore. Videamus animi partes, quarum est conspectus illustrior; Cur igitur, cum de re conveniat, non malumus usitate loqui? Ut pulsii recurrant? Cur id non ita fit? Utinam quidem dicerent alium alio beatiorem! Iam ruinas videres. A mene tu?

[3] Graece donan, Latine voluptatem vocant. Tertium autem omnibus aut maximis rebus iis, quae secundum naturam sint, fruentem vivere. Recte dicis; Qua ex cognitione faciliior facta est investigatio rerum

Table of Authorities

PART V: TABLE OF AUTHORITIES

<u>CASE LAW</u>	TAB
<i>R v ...</i>	X
<i>R v ...</i>	X
<u>LEGISLATION:</u>	TAB
...	X
...	X
<u>SECONDARY SOURCES:</u>	TAB
...	X
...	X
<u>WEBSITES:</u>	TAB
...	X
...	X

C A N A D A
PROVINCE OF [PROVINCE]
COUNTY OF [COUNTY]

File# _____

IN THE [LEVEL OF COURT] OF [PROVINCE]

BETWEEN:

HER MAJESTY THE QUEEN

– and –

[ACCUSED NAME]

CROWN/ACCUSED/APPLICANT/RESPONDENT BRIEF OF LAW

On the Issue of [description of issue]

[first party name]

[first party title]

[address]

[address]

[address]

[address]

Tel: (xxx) xxx-xxxx

Fax: (xxx) xxx-xxxx

Email: xxx@xxxxxx

Counsel for Her Majesty the Queen

[second party name]

[second party title]

[address]

[address]

[address]

[address]

Tel: (xxx) xxx-xxxx

Fax: (xxx) xxx-xxxx

Email: xxx@xxxxxx

Counsel for the Accused

Book Of Authorities

C A N A D A

File#

PROVINCE OF [PROVINCE]
COUNTY OF [COUNTY]

IN THE [LEVEL OF COURT] OF [PROVINCE]

BETWEEN:

HER MAJESTY THE QUEEN

– and –

[ACCUSED NAME]

BOOK OF AUTHORITIES

[description of the type of application]

[first party name]	[second party name]
[first party title]	[second party title]
[address]	[address]
[address]	[address]
[address]	[address]
[address]	[address]
Tel: (xxx) xxx-xxxx	Tel: (xxx) xxx-xxxx
Fax: (xxx) xxx-xxxx	Fax: (xxx) xxx-xxxx
Email: xxx@xxxxxx	Email: xxx@xxxxxx
Counsel for Her Majesty the Queen	Counsel for the Accused

Table of Authorities

TABLE OF AUTHORITIES

CASES	TAB
R v	X
R v	X
R v	X

IN THE [LEVEL OF COURT] OF [PROVINCE]

BETWEEN:

HER MAJESTY THE QUEEN

- and -

[ACCUSED NAME]

BOOK OF AUTHORITIES

[description of the type of application]

[first party name]

[first party title]

[address]

[address]

[address]

[address]

Tel: (xxx) xxx-xxxx

Fax: (xxx) xxx-xxxx

Email: xxx@xxxxxx

Counsel for Her Majesty the Queen

[second party name]

[second party title]

[address]

[address]

[address]

[address]

Tel: (xxx) xxx-xxxx

Fax: (xxx) xxx-xxxx

Email: xxx@xxxxxx

Counsel for the Accused

Precedent - Forfeiture and Estreatment

< [Precedents, Court Forms and Checklists](#) < [Precedents](#)

PRECEDENT TERMS OF USE

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Forfeiture

- [Precedent - Forfeiture of Property Under Section 490\(9\)](#)
- [Precedent - Forfeiture of Property Under Section 490.1](#)
- [Precedent - Forfeiture of Property Under 117.05](#)
- [Precedent - Forfeiture Under 164.2](#)
- [Precedent - Estreatment Application](#)

Precedent - Generic Application

PRECEDENT TERMS OF USE

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Generic Application

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- [Notice of Application](#)
- [Reply Notice](#)
- [Evidence Affidavit](#)
- [Affidavit of Service](#)
- [Order of Court](#)

Notice

C A N A D A

File#

PROVINCE OF [PROVINCE]
 COUNTY OF [COUNTY]

IN THE [LEVEL OF COURT] OF [PROVINCE]

BETWEEN:

HER MAJESTY THE QUEEN

– and –

[ACCUSED NAME]

NOTICE OF APPLICATION/MOTION

WHEREAS the accused, [accused name], has been charged that [on or about/between] [dates of the offence] he/she is alleged to have committed offences contrary to section(s) [list sections] of the *Criminal Code*;

TAKE NOTICE that an application will be brought at [time] a.m./p.m. on the [date] day of [month], [year], at [address] for an order granting [relief being sought].

THE APPLICANT RELIES ON THE FOLLOWING GROUNDS

1. [SET OUT grounds consisting of reasons for granting the relief and alleged facts]
2. ...
3. Any additional grounds as counsel may advise and this Honourable Court may permit.

IN SUPPORT OF THIS APPLICATION, THE APPLICANT RELIES ON THE FOLLOWING EVIDENCE:

1. [SET OUT documents and transcripts upon which the applicant relies upon; e.g affidavit, transcript, business records, oral evidence]
2. ...
3. Any additional evidence as counsel may advise and this Honourable Court may permit.

THE APPLICANT SEEKS THE FOLLOWING RELIEF:

1. An Order allowing the Application and granting [describe the type of order and terms of the order]

FOR THE PURPOSE OF THIS APPLICATION, THE APPLICANT MAY BE SERVED AT:

In accordance with the appropriate Rules of Court,

[party name]
 [party title]
 [address]
 [address]
 [address]
 Tel: (xxx) xxx-xxxx
 Fax: (xxx) xxx-xxxx
 Email: xxx@xxxxxx.xxx

DATED at _____, in the Province of _____, this ____ day of _____, 20 ____.

 [Counsel's name]
 [Counsel's title]

TO: [parties requiring notice]
 [contact info]

AND TO: [other necessary parties]
 [contact info]

cc. [other party where notice not legally required such as co-counsel, etc.]

[Internal File Coding]

C A N A D A

File# _____

PROVINCE OF [PROVINCE]

COUNTY OF [COUNTY]

IN THE [LEVEL OF COURT] OF [PROVINCE]

BETWEEN:

HER MAJESTY THE QUEEN

– and –

[ACCUSED NAME]

NOTICE OF APPLICATION/MOTION

WHEREAS the accused, [accused name], has been charged that [on or about/between] [dates of the offence] he/she is alleged to have committed offences contrary to section(s) [list sections] of the *Criminal Code*;

TAKE NOTICE that an application will be brought at [time] a.m./p.m. on the [date] day of [month], [year], at [address] for an order granting [relief being sought].

THE APPLICANT RELIES ON THE FOLLOWING GROUNDS:

1. [grounds consisting of reasons for granting the relief and alleged facts]
2. ...
3. Any additional grounds as counsel may advise and this Honourable Court may permit.

IN SUPPORT OF THIS APPLICATION, THE APPLICANT RELIES ON THE FOLLOWING EVIDENCE:

1. [SET OUT documents and transcripts upon which the applicant relies upon; e.g affidavit, transcript, business records, oral evidence]
2. ...
3. Any additional evidence as counsel may advise and this Honourable Court may permit.

THE APPLICANT SEEKS THE FOLLOWING RELIEF:

1. An Order allowing the Application and granting [describe the type of order and terms of the order]

FOR THE PURPOSE OF THIS APPLICATION, THE APPLICANT MAY BE SERVED AT:

In accordance with the appropriate Rules of Court,

Reply Notice

C A N A D A

File#

PROVINCE OF [PROVINCE]
 COUNTY OF [COUNTY]

IN THE [LEVEL OF COURT] OF [PROVINCE]

BETWEEN:

HER MAJESTY THE QUEEN

– and –

[ACCUSED NAME]

REPLY NOTICE OF APPLICATION/MOTION

WHEREAS the accused, [accused name], has been charged that [on or about/between] [dates of the offence] he/she is alleged to have committed offences contrary to section(s) [list sections] of the *Criminal Code*;

THE RESPONDENT RELIES ON THE FOLLOWING GROUNDS

1. [grounds consisting of reasons for granting the relief and alleged facts]
2. ...
3. Any additional grounds as counsel may advise and this Honourable Court may permit.

IN SUPPORT OF THIS POSITION, THE RESPONDENT RELIES ON THE FOLLOWING EVIDENCE:

1. [SET OUT documents and transcripts upon which the respondent relies upon; e.g affidavit, transcript, business records, oral evidence]
2. ...
3. Any additional evidence as counsel may advise and this Honourable Court may permit.

FOR THE PURPOSE OF THIS APPLICATION, THE RESPONDENT MAY BE SERVED AT:

In accordance with the appropriate Rules of Court,

[party name]
 [party title]
 [address]
 [address]
 [address]
 Tel: (xxx) xxx-xxxx
 Fax: (xxx) xxx-xxxx
 Email: xxx@xxxxxx.xxx

DATED at _____, in the Province of _____, this ____ day of _____, 20__.

 [Counsel's name]
 [Counsel's title]

TO: [parties requiring notice]
 [contact info]

AND TO: [other necessary parties]
 [contact info]

cc. [other party where notice not legally required such as co-counsel, etc.]

C A N A D A
PROVINCE OF [PROVINCE]
COUNTY OF [COUNTY]

File# _____

IN THE [LEVEL OF COURT] OF [PROVINCE]

BETWEEN:

HER MAJESTY THE QUEEN

– and –

[ACCUSED NAME]

REPLY NOTICE OF APPLICATION/MOTION

WHEREAS the accused, [accused name], has been charged that [on or about/between] [dates of the offence] he/she is alleged to have committed offences contrary to section(s) [list sections] of the *Criminal Code*;

TAKE NOTICE that an application will be brought at [time] a.m./p.m. on the [date] day of [month], [year], at [address] for an order granting [relief being sought].

THE RESPONDENT RELIES ON THE FOLLOWING GROUNDS:

1. [grounds consisting of reasons for granting the relief and alleged facts]
2. ...
3. Any additional grounds as counsel may advise and this Honourable Court may permit.

IN SUPPORT OF THIS POSITION, THE RESPONDENT RELIES ON THE FOLLOWING EVIDENCE:

1. [SET OUT documents and transcripts upon which the applicant relies upon; e.g affidavit, transcript, business records, oral evidence]
2. ...
3. Any additional evidence as counsel may advise and this Honourable Court may permit.

Evidence Affidavit

AFFIDAVIT (GENERIC)

C A N A D A
PROVINCE OF [PROVINCE]
COUNTY OF [COUNTY]

File# _____

IN THE [LEVEL OF COURT] OF [PROVINCE]

BETWEEN:

HER MAJESTY THE QUEEN

– and –

[ACCUSED NAME]

AFFIDAVIT OF [AFFIANT NAME]

I, [Affiant name], of [City], in the [Community] and Province of [Province], make oath and say as follows that:

- 1. I am the [relationship to case] herein and have personal knowledge of the matters and facts herein deposed to, except where stated to be based on information and belief, in which case I do verily believe the same to be true.
- 2. ...

SWORN/AFFIRMED TO at [city], in the region)
of)
[region], Province of)
[province], this [day])
day of [month], 20____, before me:)

Commissioner of Oaths/Barrister of
the [level] Court of [province]

[Affiant Name]
[Affiant title]

[Internal File Coding]

EXHIBIT A
[DESCRIPTION]

EXHIBIT B
[DESCRIPTION]

This is Exhibit " " referred to
in the Affidavit of

Sworn before me this _____ day
of _____ A.D., 20....

A Barrister & Solicitor for

C A N A D A
PROVINCE OF [PROVINCE]
COUNTY OF [COUNTY]

File# _____

IN THE [LEVEL OF COURT] OF [PROVINCE]

BETWEEN:

HER MAJESTY THE QUEEN

- and -

[ACCUSED NAME]

AFFIDAVIT OF [AFFIANT NAME]

I, [Affiant name], of [City], in the [Community] and Province of [Province], make oath and say as follows that:

1. I am the [relationship to case] herein and have personal knowledge of the matters and facts herein deposed to, except where stated to be based on information and belief, in which case I do verily believe the same to be true.
2. ...

SWORN/AFFIRMED TO at [city], in the region of)
[region], Province of)
[province], this [day])
day of [month], 20____, before me:)

_____) _____
) [Affiant Name]

Commissioner of Oaths/Barrister of) [Affiant title]
the [level] Court of [province])

[Internal File Code]

Affidavit of Service

Affidavit of Service

IN THE MATTER OF AN APPLICATION PURSUANT TO
SECTION [relevant section for service] OF THE CRIMINAL CODE
AND IN THE MATTER OF [person to serve]

AFFIDAVIT OF SERVICE

I, [name], of [city], in the County of [count], Province of [province], make oath and say as follows:

- 1. I have personal knowledge of the matters and facts hereinafter deposed to except where stated to be on information and belief and where so stated, I verily believe the same to be true.
2. I am a member of [organization] and am a [peace officer/other designation].
3. I did, on the ___ day of ___, 20___, before the hour of ___ in the ___ noon, personally serve [person to serve], with true copies of the documents attached hereto to this my Affidavit, consisting of:
1. [list the notices, and other documents served]
4. My means of knowledge as to the identity of the person so served were as follows:

Blank lines for providing means of knowledge.

SWORN/AFFIRMED TO at [city], in the region)
of)
[region], Province of)
[province], this [day])
day of [month], 20___, before me:)

Commissioner of Oaths/Barrister of
the [level] Court of [province]

[Affiant Name]
[Affiant title]

Acknowledgment of Service

I, [name of person accepting service], hereby acknowledge that I have received, from [organization issuing service], the within document and the attachments thereto this ___ day of ___, 20__ on behalf of [actual person needing notice], [name of actual person], and that the receipt of same constitutes valid service and notice pursuant to the relevant legislation and Rules of Court.

[name of person accepting service]
[title of person accepting service]

**IN THE MATTER OF AN APPLICATION PURSUANT TO
SECTION [relevant section for service] OF THE CRIMINAL CODE
AND IN THE MATTER OF [person to serve]**

AFFIDAVIT OF SERVICE

I, [name], of [city], in the County of [count], Province of [province], make oath and say as follows:

1. I have personal knowledge of the matters and facts hereinafter deposed to except where stated to be on information and belief and where so stated, I verily believe the same to be true.
2. I am a member of [organization] and am a [peace officer/other designation].
3. I did, on the _____ day of _____, 20__, before the hour of _____ in the _____ noon, personally serve [person to serve], with true copies of the documents attached hereto to this my Affidavit, consisting of:
 1. [list the notices, and other documents served]
4. My means of knowledge as to the identity of the person so served were as follows:

SWORN/AFFIRMED TO at [city], in the region of)
[region], Province of)
[province], this [day])
day of [month], 20____, before me:)
)
_____) _____
) [Affiant Name]
Commissioner of Oaths/Barrister of) [Affiant title]
the [level] Court of [province])

Acknowledgment of Service

I, [name of person accepting service], hereby acknowledge that I have received, from [organization issuing service], the within document and the attachments thereto this ___ day of _____, 20__

C A N A D A

File#

PROVINCE OF [PROVINCE]
COUNTY OF [COUNTY]

IN THE [LEVEL OF COURT] OF [PROVINCE]

BETWEEN:

HER MAJESTY THE QUEEN

– and –

[ACCUSED NAME]

ORDER

BEFORE THE HONOURABLE Judge or Justice [name of judge or justice] at [community/city], [province].

UPON the Application of counsel for [party] for an order pursuant to section [section] of the *Criminal Code* that;

WHEREAS the accused, [accused name], has been charged that on or about [dates of the offence] he/she is alleged to have committed offences contrary to section(s) [list sections] of the Criminal Code;

AND UPON BEING SATISFIED THAT...

IT IS HEREBY ORDERED THAT ...

FURTHER, IT IS HEREBY ORDERED THAT ...

DATED at _____, in the Province of _____, this ____ day of _____, 20__.

[name of title and judge]

TO: [parties requiring notice]
[contact info]

AND TO: [other necessary parties]
[contact info]

cc. [other party where notice not legally required such as co-counsel, etc.]

[Internal File Coding]

C A N A D A
PROVINCE OF [PROVINCE]
COUNTY OF [COUNTY]

File# _____

IN THE [LEVEL OF COURT] OF [PROVINCE]

BETWEEN:

HER MAJESTY THE QUEEN

– and –

[ACCUSED NAME]

ORDER

BEFORE THE HONOURABLE Judge or Justice [name of judge or justice] at [community/city], [province].

UPON the Application of counsel for [party] for an order pursuant to section [section] of the *Criminal Code* that;

WHEREAS the accused, [accused name], has been charged that on or about [dates of the offence] he/she is alleged to have committed offences contrary to section(s) [list sections] of the Criminal Code;

AND UPON BEING SATISFIED THAT...

IT IS HEREBY ORDERED THAT ...

FURTHER, IT IS HEREBY ORDERED THAT ...

DATED at _____, in the Province of _____, this ____ day of _____, 20__.

[name of title and judge]

TO: [parties requiring notice]
[contact info]

AND [other necessary parties]
TO: [contact info]

cc. [other party where notice not legally required such as co-counsel, etc.]

[Internal File Coding]

Draft Dismissal Order

C A N A D A

File#

PROVINCE OF [PROVINCE]
COUNTY OF [COUNTY]

IN THE [LEVEL OF COURT] OF [PROVINCE]

BETWEEN:

HER MAJESTY THE QUEEN

– and –

[ACCUSED NAME]

ORDER

BEFORE THE HONOURABLE Judge or Justice [name of judge or justice] at [community/city], [province].

REASONS FOR JUDGEMENT having been delivered on [date] by [name of judge or justice];

IT IS HEREBY ORDERED THAT the application for [subject of application] is dismissed with no costs awarded.

IT IS FURTHER ORDERED THAT ...

DATED at _____, in the Province of _____, this ____ day of _____, 20__.

[name of title and judge]

TO: [parties requiring notice]
[contact info]

AND TO: [other necessary parties]
[contact info]

cc. [other party where notice not legally required such as co-counsel, etc.]

[Internal File Coding]

C A N A D A
PROVINCE OF [PROVINCE]
COUNTY OF [COUNTY]

File# _____

IN THE [LEVEL OF COURT] OF [PROVINCE]

BETWEEN:

HER MAJESTY THE QUEEN

– and –

[ACCUSED NAME]

ORDER

BEFORE THE HONOURABLE Judge or Justice [name of judge or justice] at [community/city], [province].

REASONS FOR JUDGEMENT having been delivered on [date] by [name of judge or justice];

IT IS HEREBY ORDERED THAT the application for [subject of application] is dismissed with no costs awarded.

IT IS FURTHER ORDERED THAT ...

DATED at _____, in the Province of _____, this ____ day of _____, 20__.

[name of title and judge]

TO: [parties requiring notice]
[contact info]

AND [other necessary parties]
TO: [contact info]

cc. [other party where notice not legally required such as co-counsel, etc.]

[Internal File Coding]

Precedent - Jury Trial Filings

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Precedent - Notice to Admit Canada Evidence Act Records

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Notice

NOTICE TO ADMIT BUSINESS RECORDS

C A N A D A

File#

PROVINCE OF [PROVINCE]
COUNTY OF [COUNTY]

IN THE [LEVEL OF COURT] OF [PROVINCE]

BETWEEN:

HER MAJESTY THE QUEEN

– and –

[ACCUSED NAME]

NOTICE TO TENDER BUSINESS RECORDS

(Section 30(7) *Canada Evidence Act* — Business Records)

WHEREAS the accused, [accused name], has been charged that [on or about/between] [dates of the offence] he/she is alleged to have committed offences contrary to section(s) [list sections] of the *Criminal Code*;

WHEREAS the trial for these outstanding charges is currently scheduled to begin before the [level of court] on [date] at [time].

TAKE NOTICE THAT the Crown intends to tender into evidence at trial certain records, to wit:

1. [list of documents] (X pages)
2. ...

IF you wish to examine original or electronic records—as the case may be—that are to be introduced by the Crown at trial, they are in the possession of the [organization holding records], [address of the Crown], [city], [province]. Please notify the Crown should you wish to make arrangements for an inspection.

DATED at _____, in the Province of _____, this ____ day of _____, 20__.

[Counsel's name]
[Counsel's title]

[Internal File Coding]

C A N A D A
PROVINCE OF [PROVINCE]
COUNTY OF [COUNTY]

File# _____

IN THE [LEVEL OF COURT] OF [PROVINCE]

BETWEEN:

HER MAJESTY THE QUEEN

– and –

[ACCUSED NAME]

NOTICE TO TENDER BUSINESS RECORDS
(Section 30(7) *Canada Evidence Act* — Business Records)

WHEREAS the accused, [accused name], has been charged that [on or about/between] [dates of the offence] he/she is alleged to have committed offences contrary to section(s) [list sections] of the *Criminal Code*;

WHEREAS the trial for these outstanding charges is currently scheduled to begin before the [level of court] on [date] at [time].

TAKE NOTICE THAT the Crown intends to tender into evidence at trial certain records, to wit:

1. [list of documents] (X pages)
2. ...

IF you wish to examine original or electronic records—as the case may be—that are to be introduced by the Crown at trial, they are in the possession of the [organization holding records], [address of the Crown], [city], [province]. Please notify the Crown should you wish to make arrangements for an inspection.

Affidavit

BUSINESS RECORDS AFFIDAVIT

C A N A D A
PROVINCE OF [PROVINCE]
COUNTY OF [COUNTY]

File# _____

IN THE [LEVEL OF COURT] OF [PROVINCE]

BETWEEN:

HER MAJESTY THE QUEEN

– and –

[ACCUSED NAME]

AFFIDAVIT OF [AFFIANT NAME]
(Section 30(7) *Canada Evidence Act* — Business Records)

I, [Affiant name], of [City], in the [Community] and Province of [Province], make oath and say as follows that:

1. I hold the position of [position] with [organization] and I have personal knowledge of the matters and facts hereinafter deposed to except where stated to be on information and belief and where so stated, I verily believe the same to be true.
2. My position requires me to have familiarity and knowledge of recording-keeping practices and electronic document systems of records relating to [type of records at issue].
- 3.

EITHER

(where the records are copies of the original records, but the organization has kept the originals)

1. Attached hereto as *Appendix "A"* ("the records"), consisting of XX pages, are true copies of the original records of the following:
 1. [description of the records] (X pages)
 2. ...
2. The original records were made in the usual and ordinary course of business for our organization.
3. I have personally [reviewed/copied] the original documents held by our organization and reviewed the copies sufficiently to satisfy myself as to the accuracy and authenticity of the copies.
4. It is not reasonably practicable to produce the original records as their continued retention by our organization is necessary for purposes relating to the usual and ordinary course of business.

OR

(where the records were retrieved from a computer system)

5. Attached hereto as *Appendix "A"* ("the records"), consisting of XX pages, are true copies of the original records of the following:
 1. [description of the records] (X pages)
 2. ...
6. The original records were made in the usual and ordinary course of business for our organization.
7. I personally [reviewed/retrieved] the records from our organization's electronic document system. I attest that the records are true and accurate representations of the information stored on the system.
8. To the best of my knowledge and experience, the electronic document system storing the records was functioning properly while I accessed it. At no time did I observe any system errors or failures in the system that could reasonably affect the integrity of the system. I do not have any reason to believe that the electronic document system was not operating properly.

OR

(where the original records are attached)

1. Attached hereto as *Appendix "A"* ("the records"), consisting of XX pages, are the original records of the following:
 1. [description of the records] (X pages)
 2. ...
2. The original records were made in the usual and ordinary course of business for our organization.

AND CONSIDER

(where records were created by persons who inputted data into the system)

3. The records were created in the usual and ordinary course of business by persons who at the time of the making of the entry or records had knowledge of the circumstances or events set out therein.
4. The information found in the record was recorded at the time specified therein and it has been produced by persons who are under a duty to produce the records in their original form.

SWORN/AFFIRMED TO at [city], in the region)
of)
[region], Province of)

[province], this [day] day of [month], 20____, before me:)	
_____)	[Affiant Name]
Commissioner of Oaths/Barrister of the [level] Court of [province])	[Affiant title]
[Internal File Coding]		

C A N A D A
PROVINCE OF [PROVINCE]
COUNTY OF [COUNTY]

File# _____

IN THE [LEVEL OF COURT] OF [PROVINCE]

BETWEEN:

HER MAJESTY THE QUEEN

– and –

[ACCUSED NAME]

AFFIDAVIT OF [AFFIANT NAME]
(Section 30(7) *Canada Evidence Act* — Business Records)

I, [Affiant name], of [City], in the [Community] and Province of [Province], make oath and say as follows that:

1. I hold the position of [position] with [organization] and I have personal knowledge of the matters and facts hereinafter deposed to except where stated to be on information and belief and where so stated, I verily believe the same to be true.
2. My position requires me to have familiarity and knowledge of recording-keeping practices and electronic document systems of records relating to [type of records at issue].

EITHER

(where the records are copies of the original records, but the organization has kept the originals)

1. Attached hereto as *Appendix "A"* ("the records"), consisting of XX pages, are true copies of the original records of the following:
 1. [description of the records] (X pages)
 2. ...
2. The original records were made in the usual and ordinary course of business for our organization.

Precedent - Notice to Admit Criminal Code Evidence

Precedent - Notice to Amend Charges to Conform to Evidence

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Notice to Amend Charges to Conform to Evidence

NOTICE OF APPLICATION

C A N A D A

File#

PROVINCE OF [PROVINCE]
COUNTY OF [COUNTY]

IN THE [LEVEL OF COURT] OF [PROVINCE]

BETWEEN:

HER MAJESTY THE QUEEN

Applicant

– and –

[ACCUSED NAME]

Respondent

NOTICE OF APPLICATION

(Amend Charge(s) Pursuant to Section 601(2) of the *Criminal Code*)

WHEREAS the accused, [accused name], has been charged that [on or about/between] [dates of the offence] he/she is alleged to have committed offences contrary to section(s) [list sections] of the *Criminal Code*;

WHEREAS the trial for these outstanding charges is currently scheduled to begin before the [level of court] on [date] at [time].

TAKE NOTICE that an application will be brought at [time] a.m./p.m. on the [date] day of [month], [year], at [address] for an order granting an amendment to [list counts] of the information alleging the above-noted charges to read as follows:

- [new phrasing]

THE APPLICANT RELIES ON THE FOLLOWING GROUNDS

1. Under s. 601(2), the Crown is permitted to seek an order from the trial judge to vary a count on an indictment or information to "conform to the evidence".
2. In the course of the Crown case it is expected that there will be evidence as follows:
 - 1.
3. ...
4. Any additional grounds as counsel may advise and this Honourable Court may permit.

IN SUPPORT OF THIS APPLICATION, THE APPLICANT RELIES ON THE FOLLOWING EVIDENCE:

1. [SET OUT documents and transcripts upon which the applicant relies upon; e.g affidavit, transcript, business records, oral evidence]
2. ...
3. Any additional evidence as counsel may advise and this Honourable Court may permit.

THE APPLICANT SEEKS THE FOLLOWING RELIEF:

1. An Order for [describe the type of order and terms of the order]

FOR THE PURPOSE OF THIS APPLICATION, THE APPLICANT MAY BE SERVED AT:

In accordance with the appropriate Rules of Court,

[party name]
[party title]
[address]
[address]
[address]
Tel: (xxx) xxx-xxxx
Fax: (xxx) xxx-xxxx
Email: xxx@xxxxxx.xxx

DATED at _____, in the Province of _____, this ____ day of _____, 20__.

[Counsel's name]
[Counsel's title]

[Internal File Coding]

C A N A D A
PROVINCE OF [PROVINCE]
COUNTY OF [COUNTY]

File# _____

IN THE [LEVEL OF COURT] OF [PROVINCE]

BETWEEN:

HER MAJESTY THE QUEEN

Applicant

- and -

[ACCUSED NAME]

Respondent

NOTICE OF APPLICATION

(Amend Charge(s) Pursuant to Section 601(2) of the *Criminal Code*)

WHEREAS the accused, [accused name], has been charged that [on or about/between] [dates of the offence] he/she is alleged to have committed offences contrary to section(s) [list sections] of the *Criminal Code*;

WHEREAS the trial for these outstanding charges is currently scheduled to begin before the [level of court] on [date] at [time].

TAKE NOTICE that an application will be brought at [time] a.m./p.m. on the [date] day of [month], [year], at [address] for an order granting an amendment to [list counts] of the information alleging the above-noted charges.

THE APPLICANT RELIES ON THE FOLLOW GROUNDS:

1. [grounds consisting of reasons for granting the relief and alleged facts]
2. ...
3. Any additional grounds as counsel may advise and this Honourable Court may permit.

Affidavit

AFFIDAVIT

C A N A D A
PROVINCE OF [PROVINCE]
COUNTY OF [COUNTY]

File# _____

IN THE [LEVEL OF COURT] OF [PROVINCE]

BETWEEN:

HER MAJESTY THE QUEEN

– and –

[ACCUSED NAME]

AFFIDAVIT OF [AFFIANT NAME]

I, [Affiant name], of [City], in the [Community] and Province of [Province], make oath/affirmation and say as follows that:

1. I have personal knowledge of the matters and facts hereinafter deposed to except where stated to be on information and belief and where so stated, I verily believe the same to be true.
2. I am aware of information, obtained through the usual and ordinary course of business and believed to be reliable, that has lead me to believe that [accused name] is currently being held in [correctional/remand facility] located at [address of correctional/remand facility], that that the prisoner is required to appear before the [level] at [location of the court house], [Province], on [date], [year], at [time] for the purpose of [purpose].
3. I believe the ends of justice require that an order be made to bring the prisoner before the Court for that purpose.

SWORN/AFFIRMED TO at [city], in the region)
of)
[region], Province of)
[province], this [day])
day of [month], 20____, before me:)

Commissioner of Oaths/Barrister of
the [level] Court of [province]

[Affiant Name]
[Affiant title]

[Internal File Coding]

EXHIBIT A
[DESCRIPTION]

EXHIBIT B
[DESCRIPTION]

IN THE [LEVEL OF COURT] OF [PROVINCE]

BETWEEN:

HER MAJESTY THE QUEEN

– and –

[ACCUSED NAME]

AFFIDAVIT OF [AFFIANT NAME]

I, [Affiant name], of [City], in the [Community] and Province of [Province], make oath/affirmation and say as follows that:

1. I have personal knowledge of the matters and facts hereinafter deposed to except where stated to be on information and belief and where so stated, I verily believe the same to be true.
2. I am aware of information, obtained through the usual and ordinary course of business and believed to be reliable, that has lead me to believe that [accused name] is currently being held in [correctional/remand facility] located at [address of correctional/remand facility], that that the prisoner is required to appear before the [level] at [location of the court house], [Province], on [date], [year], at [time] for the purpose of [purpose].
3. I believe the ends of justice require that an order be made to bring the prisoner before the Court for that purpose.

SWORN/AFFIRMED TO at [city], in the region of)
[region], Province of)
[province], this [day])
day of [month], 20____, before me:)

_____))
) [Affiant Name]
Commissioner of Oaths/Barrister of) [Affiant title]
the [level] Court of [province])

Precedent - Procedural Filings

[Precedent - Procedural Filings](#)

Precedent - Sexual Offence Matters

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Authentication of Documents

Affidavit Authenticating Docs in Possession

CANADA
PROVINCE OF [PROVINCE]
COUNTY OF [COUNTY]

File# _____

IN THE [LEVEL OF COURT] OF [PROVINCE]

BETWEEN:

HER MAJESTY THE QUEEN

- and -

[ACCUSED NAME]

AFFIDAVIT OF [AFFIANT NAME]

I, [Affiant name], of [City], in the [Community] and Province of [Province], make oath and say as follows that:

- 1. I have personal knowledge of the matters and facts hereinafter deposed to except where stated to be on information and belief and where so stated, I verily believe the same to be true.
2. I hold the position of Support Staff with [name of organization] and work as a legal assistant to [name of lawyer];
3. My role as Support Staff I am tasked with duties including:
1. Preparing, sending, receiving, printing, cataloguing and filing of prosecution documents, including [name of specific type documents at issue such as disclosure, court records, transcripts], in relation to [name of lawyer's] active criminal files;
2. Requesting copies of court records and transcriptions of court hearings for [name of lawyer];
4. I have completed the tasked duties listed above in relation to the prosecution documents in possession of my office on the matter of [name of file]
5. I do verily believe that the following documents are true copies of the prosecution documents, including disclosure, court records, court transcripts, and other materials that I have prepared, received, printed, and/or catalogued as part of my duties in relation to the noted matter:
1. Exhibit 1: ...
2. ...

SWORN/AFFIRMED TO at [city], in the region)
of)
[region], Province of)
[province], this [day])
day of [month], 20____, before me:)

Commissioner of Oaths/Barrister of
the [level] Court of [province]

[Affiant Name]
[Affiant title]

[Internal File Coding]

Websites

Affidavit Authenticating Webpages

C A N A D A
PROVINCE OF [PROVINCE]
COUNTY OF [COUNTY]

File# _____

IN THE [LEVEL OF COURT] OF [PROVINCE]

BETWEEN:

HER MAJESTY THE QUEEN

– and –

[ACCUSED NAME]

AFFIDAVIT OF [AFFIANT NAME]

I, [Affiant name], of [City], in the [Community] and Province of [Province], make oath and say as follows that:

1. I have personal knowledge of the matters and facts hereinafter deposed to except where stated to be on information and belief and where so stated, I verily believe the same to be true.
2. I hold the position of Support Staff with [name of organization] and work as a legal assistant to [name of lawyer];
3. My role as Support Staff I am tasked with duties including requesting, receiving, collecting and compiling records and documents, including those held by the courts, parties to proceedings, or third-parties, relevant to the proceedings against active criminal files managed by [name of lawyer];
4. On or around [date], I was tasked with accessing and preserving a named publicly available webpage, identified by the URL web address (hereinafter "webpage"):
 1. [name of URL]
5. On [date], I accessed the requested webpage using [name of web browser. e.g. Safari, Chrome, Internet Explorer] on my office workstation.
6. To the best of my knowledge and experience, they were functioning properly while I accessed the webpages. At no time did I observe any system errors or failures in the systems that I believe could reasonably affect their integrity. I do not have any reason to believe that the systems I was using were not operating properly.
7. I preserved the webpage by [printing the page, making a screenshot, or downloading the page].
8. I do verily believe that the following documents are true copies of the preserved webpage that I viewed online on [date of access]:
 1. Exhibit 1: ...
9. The documents fairly and accurately represent [describe the information that is claimed to be accurate] that was visible to me when accessing the webpage using the web browser. Any artifacts visible on the document do not affect [information that is claimed to be accurate]

SWORN/AFFIRMED TO at [city], in the region)
of)
[region], Province of)
[province], this [day])
day of [month], 20____, before me:)

Commissioner of Oaths/Barrister of
the [level] Court of [province]

[Affiant Name]
[Affiant title]

[Internal File Coding]

Affidavit Authenticating Webpages

C A N A D A
PROVINCE OF [PROVINCE]
COUNTY OF [COUNTY]

File# _____

IN THE [LEVEL OF COURT] OF [PROVINCE]

BETWEEN:

HER MAJESTY THE QUEEN

– and –

[ACCUSED NAME]

AFFIDAVIT OF [AFFIANT NAME]

I, [Affiant name], of [City], in the [Community] and Province of [Province], make oath and say as follows that:

1. I have personal knowledge of the matters and facts hereinafter deposed to except where stated to be on information and belief and where so stated, I verily believe the same to be true.
2. I hold the position of Support Staff I am tasked with [name of organization] and work as a legal assistant to [name of lawyer];
3. My role as Support Staff I am tasked with duties including requesting, receiving, collecting and compiling records and documents, including those held by the courts, parties to proceedings, or third-parties, relevant to the proceedings against active criminal files managed by [name of lawyer];
4. On or around March 19, 2019, I was tasked with accessing and preserving a named publicly available webpage, identified by the URL web address (hereinafter "webpage"):
 1. <http://maps.google.ca>
5. On [date], I accessed the requested webpage using [name of web browser. e.g. Safari, Chrome, Internet Explorer] on my office workstation.
6. To the best of my knowledge and experience, they were functioning properly while I accessed the webpages. At no time did I observe any system errors or failures in the systems that I believe could reasonably affect their integrity. I do not have any reason to believe that the systems I was using were not operating properly.
7. I am able to preserve the webpage by [printing the page, making a screenshot, or downloading the page].
8. I went online and accessed the website <http://maps.google.ca>. I used the interface to search for the following locations and displayed them in "satellite view". Using the interface I am able to view the area in a standard map format or a satellite format. I am able to view the map top-down from any cardinal direction or at angles simulating a "bird's eye" view. I located and preserved Google Map views showing following:
 1. Exhibit 1a: ...
9. On or around the same time and place, I went online and accessed the website <http://maps.google.ca>. I used the interface to search for the following locations and displayed them in "street view". Using the interface, I am able to view a 360-degree panoramic photograph taken from any selected street on the map. I located and preserved Google Streetview views showing the following:
 1. Exhibit 1b: ...
10. The documents fairly and accurately represent [describe the information that is claimed to be accurate] that was visible to me when accessing the webpage using the web browser. Any artifacts visible or cropping of edges on the document do not affect [information that is claimed to be accurate and fairly represented].

SWORN/AFFIRMED TO at [city], in the region)
of)
[region], Province of)
[province], this [day])
day of [month], 20____, before me:)

Commissioner of Oaths/Barrister of
the [level] Court of [province]

[Affiant Name]
[Affiant title]

[Internal File Coding]

Precedent - Transportation Orders

PRECEDENT TERMS OF USE

All forms, templates and precedents, including anything found on this page, can be used without the need for any attribution.

Notice

NOTICE OF APPLICATION TO TRANSPORT PRISONER

C A N A D A

File#

PROVINCE OF [PROVINCE]
COUNTY OF [COUNTY]

IN THE [LEVEL OF COURT] OF [PROVINCE]

IN THE MATTER of an Application under section 527 of the *Criminal Code*

– and –

BETWEEN:

HER MAJESTY THE QUEEN

– and –

[ACCUSED NAME]

NOTICE OF APPLICATION

WHEREAS the accused, [accused name], has been charged that [on or about/between] [dates of the offence] he/she is alleged to have committed offences contrary to section(s) [list sections] of the *Criminal Code*;

TAKE NOTICE that an application will be brought at [time] a.m./p.m. on the [date] day of [month], [year], at [address] for an order granting [relief being sought].

THE APPLICANT RELIES ON THE FOLLOWING GROUNDS

1. [grounds consisting of reasons for granting the relief and alleged facts]
2. ...
3. Any additional grounds as counsel may advise and this Honourable Court may permit.

IN SUPPORT OF THIS APPLICATION, THE APPLICANT RELIES ON THE FOLLOWING EVIDENCE:

1. [SET OUT documents and transcripts upon which the applicant relies upon; e.g affidavit, transcript, business records, oral evidence]
2. ...
3. Any additional evidence as counsel may advise and this Honourable Court may permit.

THE APPLICANT SEEKS THE FOLLOWING RELIEF:

1. An Order for [describe the type of order and terms of the order]

FOR THE PURPOSE OF THIS APPLICATION, THE APPLICANT MAY BE SERVED AT:

In accordance with the appropriate Rules of Court,

[party name]
[party title]
[address]
[address]
[address]
Tel: (xxx) xxx-xxxx
Fax: (xxx) xxx-xxxx
Email: xxx@xxxxxx.xxx

DATED at _____, in the Province of _____, this ____ day of _____, 20 ____.

[Counsel's name]
[Counsel's title]

[Internal File Coding]

C A N A D A File# _____

PROVINCE OF [PROVINCE]

COUNTY OF [COUNTY]

IN THE [LEVEL OF COURT] OF [PROVINCE]

IN THE MATTER OF SECTION 527 OF THE *CRIMINAL CODE*

– and –

BETWEEN:

HER MAJESTY THE QUEEN

– and –

[ACCUSED NAME]

NOTICE OF APPLICATION

WHEREAS the accused, [accused name], has been charged that [on or about/between] [dates of the offence] he/she is alleged to have committed offences contrary to section(s) [list sections] of the *Criminal Code*;

TAKE NOTICE that an application will be brought at [time] a.m./p.m. on the [date] day of [month], [year], at [address] for an order granting [relief being sought].

THE APPLICANT RELIES ON THE FOLLOWING GROUNDS:

1. [grounds consisting of reasons for granting the relief and alleged facts]
2. ...
3. Any additional grounds as counsel may advise and this Honourable Court may permit.

IN SUPPORT OF THIS APPLICATION, THE APPLICANT RELIES ON THE FOLLOWING EVIDENCE:

1. [SET OUT documents and transcripts upon which the applicant relies upon; e.g affidavit, transcript, business records, oral evidence]
2. ...
3. Any additional evidence as counsel may advise and this Honourable Court may permit.

THE APPLICANT SEEKS THE FOLLOWING RELIEF:

1. An Order for [describe the type of order and terms of the order]

Affidavit

AFFIDAVIT (TRANSPORT)

C A N A D A

File# _____

PROVINCE OF [PROVINCE]
COUNTY OF [COUNTY]

IN THE [LEVEL OF COURT] OF [PROVINCE]
IN THE MATTER OF SECTION 527 OF THE *CRIMINAL CODE*

– and –

BETWEEN:

HER MAJESTY THE QUEEN

– and –

[ACCUSED NAME]

AFFIDAVIT OF [AFFIANT NAME]

I, [Affiant name], of [City], in the [Community] and Province of [Province], make oath/affirmation and say as follows that:

1. I have personal knowledge of the matters and facts hereinafter deposed to except where stated to be on information and belief and where so stated, I verily believe the same to be true.
2. I am aware of information, obtained through the usual and ordinary course of business and believed to be reliable, that has lead me to believe that [accused name] is currently being held in [correctional/remand facility] located at [address of correctional/remand facility], that that the prisoner is required to appear before the [level] at [location of the court house], [Province], on [date], [year], at [time] for the purpose of [purpose].
3. I believe the ends of justice require that an order be made to bring the prisoner before the Court for that purpose.

SWORN/AFFIRMED TO at [city], in the region)
of)
[region], Province of)
[province], this [day])
day of [month], 20____, before me:)

Commissioner of Oaths/Barrister of
the [level] Court of [province]

[Affiant Name]
[Affiant title]

[Internal File Coding]

EXHIBIT A
[DESCRIPTION]

EXHIBIT B
[DESCRIPTION]

C A N A D A
PROVINCE OF [PROVINCE]
COUNTY OF [COUNTY]

File# _____

IN THE [LEVEL OF COURT] OF [PROVINCE]
IN THE MATTER OF SECTION 527 OF THE *CRIMINAL CODE*

– and –

BETWEEN:

HER MAJESTY THE QUEEN

– and –

[ACCUSED NAME]

AFFIDAVIT OF [AFFIANT NAME]

I, [Affiant name], of [City], in the [Community] and Province of [Province], make oath/affirmation and say as follows that:

1. I have personal knowledge of the matters and facts hereinafter deposed to except where stated to be on information and belief and where so stated, I verily believe the same to be true.
2. I am aware of information, obtained through the usual and ordinary course of business and believed to be reliable, that has lead me to believe that [accused name] is currently being held in [correctional/remand facility] located at [address of correctional/remand facility], that that the prisoner is required to appear before the [level] at [location of the court house], [Province], on [date], [year], at [time] for the purpose of [purpose].
3. I believe the ends of justice require that an order be made to bring the prisoner before the Court for that purpose.

SWORN/AFFIRMED TO at [city], in the region of)
[region], Province of)
[province], this [day])
day of [month], 20____, before me:)
)

Draft Order

C A N A D A

File#

PROVINCE OF [PROVINCE]
COUNTY OF [COUNTY]

IN THE [LEVEL OF COURT] OF [PROVINCE]
IN THE MATTER OF SECTION 527 OF THE *CRIMINAL CODE*

– and –

BETWEEN:

HER MAJESTY THE QUEEN

– and –

[ACCUSED NAME]

ORDER TO TRANSPORT A PRISONER
(Pursuant to Section 527 of the *Criminal Code*)

TO: THE SUPERINTENDENT OF THE [Name of facility], [province]

BEFORE THE HONOURABLE Judge/Justice _____ at [city],
[province].

WHEREAS the accused, [accused name], has been charged that [on or about/between] [dates of the offence] he/she is alleged to have committed offences contrary to section(s) [list sections] of the *Criminal Code*;

UPON the Application of counsel for [party] for an order pursuant to section 527 of the *Criminal Code* to have the accused appear before [a Justice/Judge] [name, if available] presiding at [court house], [address], Province of [province], on [date], at the hour of [time] for the [type of hearing].

AND UPON BEING SATISFIED that the ends of justice require that this Order be made;

IT IS HEREBY ORDERED that you, the Superintendent of the [name of the facility] deliver said accused into the custody of the [high sheriff or peace officer, as the case may be], bearing a copy of this Order;

AND IT IS FURTHER ORDERED that you, the Superintendent or your delegate, bring the accused to the courthouse identified herein, to be present there for the aforesaid purpose and thereafter return the accused to the aforesaid detention facility unless otherwise ordered by this Honourable Court.

DATED at _____, in the Province of _____, this ____ day of _____, 20__.

[name of title and judge]

TO: [Peace officer / sherriff]
[address]

AND TO: Person in Charge of the detention facility
[address]

[Internal File Coding]

C A N A D A
PROVINCE OF [PROVINCE]
COUNTY OF [COUNTY]

File# _____

IN THE [LEVEL OF COURT] OF [PROVINCE]
IN THE MATTER OF SECTION 527 OF THE *CRIMINAL CODE*

– and –

BETWEEN:

HER MAJESTY THE QUEEN

– and –

[ACCUSED NAME]

ORDER TO TRANSPORT A PRISONER

(Pursuant to Section 527 of the *Criminal Code*)

TO: THE SUPERINTENDENT OF THE [Name of facility], [province]

BEFORE THE HONOURABLE Judge/Justice _____ at [city], [province].

UPON the Application of counsel for [party] for an order pursuant to section 527 of the *Criminal Code* that;

WHEREAS the accused, [accused name], has been charged that [on or about/between] [dates of the offence] he/she is alleged to have committed offences contrary to section(s) [list sections] of the *Criminal Code*;

AND UPON IT APPEARING that the accused is required to appear before [a Justice/Judge] [name, if available] presiding at [court house], [address], Province of [province], on [date], at the hour of [time] for the [type of hearing].

AND WHEREAS I am satisfied that the ends of justice require that this Order be made;

IT IS HEREBY ORDERED that you, the Superintendent of the [name of the facility] deliver said accused into the custody of the [high sheriff or peace officer, as the case may be], bearing a copy of this Order;

FURTHER, IT IS HEREBY ORDERED that you, the [sheriff or peace officer], bring the accused to the Courthouse identified herein, to be present there for the aforesaid purpose and thereafter return the accused to the aforesaid detention facility unless otherwise ordered by this Honourable Court.

Videoconference

C A N A D A

File#

PROVINCE OF [PROVINCE]
COUNTY OF [COUNTY]

IN THE [LEVEL OF COURT] OF [PROVINCE]
IN THE MATTER OF SECTION 527 OF THE *CRIMINAL CODE*

– and –

BETWEEN:

HER MAJESTY THE QUEEN

– and –

[ACCUSED NAME]

ORDER TO TRANSPORT A PRISONER
(Pursuant to Section 527 of the *Criminal Code*)

TO: THE SUPERINTENDENT OF THE [Name of facility], [province]

BEFORE THE HONOURABLE Judge/Justice _____ at [city],
[province].

UPON the Application of counsel for [party] for an order pursuant to section 527 of the
Criminal Code that;

WHEREAS the accused, [accused name], has been charged that [on or about/between]
[dates of the offence] he/she is alleged to have committed offences contrary to section(s)
[list sections] of the *Criminal Code*;

AND UPON IT APPEARING that the accused is required to appear before [a
Justice/Judge] [name, if available] presiding at [court house], [address], Province of
[province], on [date], at the hour of [time] for the [type of hearing].

AND WHEREAS I am satisfied that the ends of justice require that this Order be made;

IT IS HEREBY ORDERED that you, the Superintendent of the [name of the facility]
deliver said accused into the custody of the [high sheriff or peace officer, as the case may
be], bearing a copy of this Order;

FURTHER IT IS HEREBY ORDERED that you, the [sheriff or peace officer], bring the
accused to the Courthouse identified herein, to be present there for the aforesaid
purpose and thereafter return the accused to the aforesaid detention facility unless
otherwise ordered by this Honourable Court.

DATED at _____, in the Province of _____, this ____ day of
_____, 20__.

[name of title and judge]

TO: [Peace officer / sherriff]
[address]

AND TO: Person in Charge of the detention facility
[address]

[Internal File Coding]

C A N A D A
PROVINCE OF [PROVINCE]
COUNTY OF [COUNTY]

File# _____

IN THE [LEVEL OF COURT] OF [PROVINCE]
IN THE MATTER OF SECTION 527 OF THE *CRIMINAL CODE*

– and –

BETWEEN:

HER MAJESTY THE QUEEN

– and –

[ACCUSED NAME]

ORDER TO TRANSPORT A PRISONER
(Pursuant to Section 527 of the *Criminal Code*)

TO: THE SUPERINTENDENT OF THE [Name of facility], [province]

BEFORE THE HONOURABLE Judge/Justice _____ at [city], [province].

UPON the Application of counsel for [party] for an order pursuant to section 527 of the *Criminal Code* that;

WHEREAS the accused, [accused name], has been charged that [on or about/between] [dates of the offence] he/she is alleged to have committed offences contrary to section(s) [list sections] of the *Criminal Code*;

AND UPON IT APPEARING that the accused is required to appear before [a Justice/Judge] [name, if available] presiding at [court house], [address], Province of [province], on [date], at the hour of [time] for the [type of hearing].

AND WHEREAS I am satisfied that the ends of justice require that this Order be made;

IT IS HEREBY ORDERED that you, the Superintendent of the [name of the facility] deliver said accused into the custody of the [high sheriff or peace officer, as the case may be], bearing a copy of this Order;

FURTHER, IT IS HEREBY ORDERED that you, the [sheriff or peace officer], bring the accused to the Courthouse identified herein, to be present there for the aforesaid purpose and thereafter return the accused to the aforesaid detention facility unless otherwise ordered by this Honourable Court.

Precedent - Unsealing Authorizations

< [Precedents, Court Forms and Checklists](#) < [Precedents](#)

PRECEDENT TERMS OF USE

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Notice

Application to Unseal Court Records

C A N A D A
PROVINCE OF [PROVINCE]
COUNTY OF [COUNTY]

File# _____

IN THE [LEVEL OF COURT] OF [PROVINCE]

BETWEEN:

HER MAJESTY THE QUEEN

- and -

[ACCUSED NAME]

- and -

IN THE MATTER OF: A criminal investigation pursuant to sections [list sections charged] of the *Criminal Code*;

AND IN THE MATTER OF: THE An Application pursuant to section 487.3 of the *Criminal Code* to vary an order to prohibit disclosure of information filed in support of obtaining a [Search Warrant/Production Order] pursuant to the *Criminal Code*;

NOTICE OF APPLICATION

(Ex Parte)

TAKE NOTICE that an Application is being made for an Order granting the variation of the sealing orders to permit full access to the records by members of the public.

WHEREAS the accused, [accused name], has been charged that [on or about/between] [dates of the offence] he/she is alleged to have committed offences contrary to section(s) [list sections] of the *Criminal Code*;

THE APPLICANT RELIES ON THE FOLLOWING GROUNDS

1. The initial sealing order was granted on application of the investigator. The basis for the application was to protect an ongoing investigation into the alleged criminal activity of [accused] concerning [charges].
2. The judicial authorization was executed on [date].
3. The investigation has concluded and charges were laid on [date].
4. The legal presumption remains against the continued sealing of any record and must be justified by the party seeking that the record remains sealed.
5. The basis for which the initial sealing order was granted no longer exists.
6. There are no other lawful reasons, including privilege, which exists to justify further sealing of the records.
7. Any additional grounds as counsel may advise and this Honourable Court may permit.

IN SUPPORT OF THIS APPLICATION, THE APPLICANT RELIES ON THE FOLLOWING EVIDENCE:

1. A copy of the charging [information/indictment] dated [date];
2. A copy of the affidavit of [investigation], dated [date];

THE APPLICANT SEEKS THE FOLLOWING RELIEF:

1. An Order unsealing the following Sealing Orders:

JPC #	Subject Entity	Date Ordered	Author/Applicant	Issuing Justice	Base Court

DATED at _____, in the Province of _____, this ____ day of _____, 20__.

[Counsel's name]
[Counsel's title]

C A N A D A
PROVINCE OF [PROVINCE]
COUNTY OF [COUNTY]

File# _____

IN THE [LEVEL OF COURT] OF [PROVINCE]

BETWEEN:

HER MAJESTY THE QUEEN

- and -

[ACCUSED NAME]

- and -

IN THE A criminal investigation pursuant to sections [list sections charged] of the
MATTER OF: *Criminal Code*;

AND IN THE An Application pursuant to section 487.3 of the *Criminal Code* to prohibit
MATTER OF: disclosure of information filed in support of obtaining a [Search
Warrant/Production Order] pursuant to the *Criminal Code*;

AND IN THE An Application to vary the "Sealing Order(s)" for the purposes of enabling
MATTER OF: public access to court records and to enable full answer and defence;

NOTICE OF APPLICATION

(Ex Parte)

TAKE NOTICE that an Application is being sought for an Order granting the variation of the sealing orders to permit full access to the records by members of the public.

WHEREAS the accused, [accused name], has been charged that [on or about/between] [dates of the offence] he/she is alleged to have committed offences contrary to section(s) [list sections] of the *Criminal Code*;

Affidavit

Affidavit

C A N A D A
PROVINCE OF [PROVINCE]
COUNTY OF [COUNTY]

File# _____

IN THE [LEVEL OF COURT] OF [PROVINCE]

BETWEEN:

HER MAJESTY THE QUEEN

- and -

[ACCUSED NAME]

- and -

IN THE MATTER OF: A criminal investigation pursuant to sections [list sections charged] of the *Criminal Code*;

AND IN THE MATTER OF: **THE** An Application pursuant to section 487.3 of the *Criminal Code* to prohibit disclosure of information filed in support of obtaining a [Search Warrant/Production Order] pursuant to the *Criminal Code*;

AND IN THE MATTER OF: **THE** An Application to vary the "Sealing Order(s)" for the purposes of enabling public access to court records and to enable full answer and defence;

AFFIDAVIT OF [AFFIANT NAME]

I, [Affiant name], of [City], in the [Community] and Province of [Province], make oath and say as follows that:

1. I have personal knowledge of the matters and facts hereinafter deposed to except where stated to be on information and belief and where so stated, I verily believe the same to be true.
2. I am the lead investigator in the matter of Her Majesty the Queen versus [Accused name] (DOB: [date of birth]) concerning offences pursuant to section(s) [list sections] of the *Criminal Code* occurring on or about/between [date(s) of offence].
3. I was the affiant who applied and was granted [a] judicial authorization(s) on [date(s)]. The authorization(s) [was/were] executed on [date(s)].
4. The investigation was concluded and charges were laid on [date].
5. I am familiar with the following [production orders/search warrants], including their supporting ITOs and sealing orders:

JPC #	Subject Entity	Date Ordered	Author/Applicant	Issuing Justice	Base Court

1. I understand that the above-listed orders and supporting documents were sealed by the authorizing Justice at the same time as the main authorization on the basis of protecting an ongoing investigation. The investigation has now concluded with the laying of charges;
2. I am not aware of any basis that currently exists that would justify ongoing sealing of any of the records.

SWORN/AFFIRMED TO at [city], in the region)
of)
[region], Province of)
[province], this [day])
day of [month], 20____, before me:)

Commissioner of Oaths/Barrister of
the [level] Court of [province]

[Affiant Name]
[Affiant title]

[Internal File Coding]

C A N A D A
PROVINCE OF [PROVINCE]
COUNTY OF [COUNTY]

File# _____

IN THE [LEVEL OF COURT] OF [PROVINCE]

BETWEEN:

HER MAJESTY THE QUEEN

- and -

[ACCUSED NAME]

- and -

IN THE A criminal investigation pursuant to sections [list sections charged] of the
MATTER OF: *Criminal Code*;

AND IN THE An Application pursuant to section 487.3 of the *Criminal Code* to prohibit
MATTER OF: disclosure of information filed in support of obtaining a [Search
Warrant/Production Order] pursuant to the *Criminal Code*;

AND IN THE An Application to vary the "Sealing Order(s)" for the purposes of enabling
MATTER OF: public access to court records and to enable full answer and defence;

AFFIDAVIT OF [AFFIANT NAME]

I, [Affiant name], of [City], in the [Community] and Province of [Province], make oath and say as follows that:

1. I have personal knowledge of the matters and facts hereinafter deposed to except where stated to be on information and belief and where so stated, I verily believe the same to be true.
2. I am the lead investigator in the matter of Her Majesty the Queen versus [Accused name] (DOB: [date of birth]) concerning offences pursuant to section(s) [list sections] of the *Criminal Code* occurring on or about/between [date(s) of offence].

Order

C A N A D A
 PROVINCE OF [PROVINCE]
 COUNTY OF [COUNTY]

File# _____

IN THE [LEVEL OF COURT] OF [PROVINCE]

BETWEEN:

HER MAJESTY THE QUEEN

– and –

[ACCUSED NAME]

- and -

IN THE MATTER OF: A criminal investigation pursuant to sections [list sections charged] of the *Criminal Code*;

AND IN THE MATTER OF: THE An Application pursuant to section 487.3 of the *Criminal Code* to vary an order to prohibit disclosure of information filed in support of obtaining a [Search Warrant/Production Order] pursuant to the *Criminal Code*;

ORDER

(Section 487.3/487.0191 of the *Criminal Code*)

Before the Honourable Judge/Justice Presiding:

WHEREAS on [date], a justice of the peace granted multiple judicial authorizations under [section] of the *Criminal Code* in relation to a criminal investigation for offence contrary to section(s) [list sections] of the *Criminal Code*.

AND WHEREAS the affiant applied for and was granted the following Sealing Orders, sealing the authorization and Information to Obtain:

JPC #	Subject Entity	Date Ordered	Author/Applicant	Issuing Justice	Base Court

AND WHEREAS the authorizations were executed on or about [date].

UPON THE APPLICATION made by counsel for Her Majesty the Queen, [name of counsel], for an Order to vary the above-noted sealing orders so as to allow access to the judicial authorizations and supporting Informations to Obtain;

UPON READING the affidavit of [investigator affidavit] dated [date];

IT IS ORDERED that the Sealing Orders referred to above shall be varied to allow for the release of all judicial authorization materials at issue including the supporting Information to Obtain after being subject to vetting by the Crown.

DATED at _____, in the Province of _____, this ____ day of _____, 20__.

 Judge of the [Level] Court of [Province]

[Internal File Coding]

C A N A D A
PROVINCE OF [PROVINCE]
COUNTY OF [COUNTY]

File# _____

IN THE [LEVEL OF COURT] OF [PROVINCE]

BETWEEN:

HER MAJESTY THE QUEEN

- and -

[ACCUSED NAME]

- and -

IN THE A criminal investigation pursuant to sections [list sections charged] of the
MATTER OF: *Criminal Code*;

AND IN THE An Application pursuant to section 487.3 of the *Criminal Code* to vary an order
MATTER OF: to prohibit disclosure of information filed in support of obtaining a [Search
Warrant/Production Order] pursuant to the *Criminal Code*;

ORDER

(Section 487.3/487.0191 of the *Criminal Code*)

Before the Honourable Judge/Justice Presiding:

WHEREAS on [date], a justice of the peace granted multiple judicial authorizations under [section] of the *Criminal Code* in relation to a criminal investigation for offence contrary to section(s) [list sections] of the *Criminal Code*.

AND WHEREAS the affiant applied for and was granted the following Sealing Orders, sealing the authorization and Information to Obtain:

Precedent - Various Defence Motions

< [Precedents, Court Forms and Checklists](#) < [Precedents](#)

PRECEDENT TERMS OF USE

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Notice

C A N A D A

File#

PROVINCE OF [PROVINCE]
 COUNTY OF [COUNTY]

IN THE [LEVEL OF COURT] OF [PROVINCE]

BETWEEN:

HER MAJESTY THE QUEEN

– and –

[ACCUSED NAME]

NOTICE OF APPLICATION TO QUASH
 (Section 581 of the Criminal Code)

WHEREAS the accused, [accused name], has been charged that [on or about/between] [dates of the offence] he/she is alleged to have committed offences contrary to section(s) [list sections] of the *Criminal Code*;

TAKE NOTICE that an application will be brought at [time] a.m./p.m. on the [date] day of [month], [year], at [address] for an order granting [relief being sought].

THE APPLICANT RELIES ON THE FOLLOWING GROUNDS

1. Authority set out in s. 581 of the Criminal Code.
2. the [information/indictment] dated [date].
3. An indictment can be challenged up until the point where it has been preferred: R v Tippett, 2010 NLCA 49, 259 CCC (3d) 396
4. [grounds consisting of reasons for granting the relief and alleged facts]
5. ...
6. Any additional grounds as counsel may advise and this Honourable Court may permit.

IN SUPPORT OF THIS APPLICATION, THE APPLICANT RELIES ON THE FOLLOWING EVIDENCE:

1. [SET OUT documents and transcripts upon which the applicant relies upon; e.g affidavit, transcript, business records, oral evidence]
2. ...
3. Any additional evidence as counsel may advise and this Honourable Court may permit.

THE APPLICANT SEEKS THE FOLLOWING RELIEF:

1. An Order granting the application and quashing the [Indictment/Information] described above.

FOR THE PURPOSE OF THIS APPLICATION, THE APPLICANT MAY BE SERVED AT:

In accordance with the appropriate Rules of Court,

[party name]
 [party title]
 [address]
 [address]
 [address]
 [address]
 Tel: (xxx) xxx-xxxx
 Fax: (xxx) xxx-xxxx
 Email: xxx@xxxxxx.xxx

DATED at _____, in the Province of _____, this _____ day of _____, 20____.

 [Counsel's name]
 [Counsel's title]

TO:

[parties requiring notice]
[contact info]

AND TO:

[other necessary parties]
[contact info]

cc.

[other party where notice not legally required such as co-counsel, etc.]

[Internal File Coding]

Affidavit

AFFIDAVIT (GENERIC)

C A N A D A
PROVINCE OF [PROVINCE]
COUNTY OF [COUNTY]

File# _____

IN THE [LEVEL OF COURT] OF [PROVINCE]

BETWEEN:

HER MAJESTY THE QUEEN

– and –

[ACCUSED NAME]

AFFIDAVIT OF [AFFIANT NAME]

I, [Affiant name], of [City], in the [Community] and Province of [Province], make oath/affirmation and say as follows that:

1. I have personal knowledge of the matters and facts hereinafter deposed to except where stated to be on information and belief and where so stated, I verily believe the same to be true.
2. ...

SWORN/AFFIRMED TO at [city], in the region)
of)
[region], Province of)
[province], this [day])
day of [month], 20____, before me:)

Commissioner of Oaths/Barrister of
the [level] Court of [province]

[Affiant Name]
[Affiant title]

[Internal File Coding]

EXHIBIT A
[DESCRIPTION]

EXHIBIT B
[DESCRIPTION]

Precedent - Vary Release or Sentence Order

[< Precedents, Court Forms and Checklists](#) < [Precedents](#)

PRECEDENT TERMS OF USE

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Notice

NOTICE OF APPLICATION

C A N A D A

File#

PROVINCE OF [PROVINCE]
COUNTY OF [COUNTY]

IN THE [LEVEL OF COURT] OF [PROVINCE]

BETWEEN:

[ACCUSED NAME]

Applicant

– and –

HER MAJESTY THE QUEEN

Respondent

NOTICE OF APPLICATION

(Variation of [release order or undertaking] Pursuant to Section [x] of the *Criminal Code*)

WHEREAS the accused, [accused name], has been charged that [on or about/between] [dates of the offence] he/she is alleged to have committed offences contrary to section(s) [list sections] of the *Criminal Code*;

TAKE NOTICE that an application will be brought at [time] a.m./p.m. on the [date] day of [month], [year], at [address] for an order granting [relief being sought].

THE APPLICANT RELIES ON THE FOLLOW GROUNDS

1. [grounds consisting of reasons for granting the relief and alleged facts]
2. ...
3. Any additional grounds as counsel may advise and this Honourable Court may permit.

IN SUPPORT OF THIS APPLICATION, THE APPLICANT RELIES ON THE FOLLOWING EVIDENCE:

1. [SET OUT documents and transcripts upon which the applicant relies upon; e.g affidavit, transcript, business records, oral evidence]
2. ...
3. Any additional evidence as counsel may advise and this Honourable Court may permit.

THE APPLICANT SEEKS THE FOLLOWING RELIEF:

1. An Order for [describe the type of order and terms of the order]

FOR THE PURPOSE OF THIS APPLICATION, THE APPLICANT MAY BE SERVED AT:

In accordance with the appropriate Rules of Court,

[party name]
 [party title]
 [address]
 [address]
 [address]
 Tel: (xxx) xxx-xxxx
 Fax: (xxx) xxx-xxxx
 Email: xxx@xxxxxx.xxx

DATED at _____, in the Province of _____, this _____ day of _____, 20____.

 [Counsel's name]
 [Counsel's title]

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AFFIDAVIT

C A N A D A
PROVINCE OF [PROVINCE]
COUNTY OF [COUNTY]

File# _____

IN THE [LEVEL OF COURT] OF [PROVINCE]

BETWEEN:

[ACCUSED NAME]

Applicant

– and –

HER MAJESTY THE QUEEN

Respondent

AFFIDAVIT OF [AFFIANT NAME]

I, [Affiant name], of [City], in the [Community] and Province of [Province], make oath and say as follows that:

1. I have personal knowledge of the matters and facts hereinafter deposed to except where stated to be on information and belief and where so stated, I verily believe the same to be true.
2. ...

SWORN/AFFIRMED TO at [city], in the region)
of)
[region], Province of)
[province], this [day])
day of [month], 20____, before me:)

_____)
Commissioner of Oaths/Barrister of)
the [level] Court of [province])

[Affiant Name]
[Affiant title]

[Internal File Coding]

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Sentencing Brief (Generic)

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Briefs

C A N A D A
 PROVINCE OF [PROVINCE]
 COUNTY OF [COUNTY]

File# _____

IN THE [LEVEL OF COURT] OF [PROVINCE]

BETWEEN:

HER MAJESTY THE QUEEN

– and –

[ACCUSED NAME]

CROWN/ACCUSED SENTENCING BRIEF

[first party name]	[second party name]
[first party title]	[second party title]
[address]	[address]
[address]	[address]
[address]	[address]
[address]	[address]
Tel: (xxx) xxx-xxxx	Tel: (xxx) xxx-xxxx
Fax: (xxx) xxx-xxxx	Fax: (xxx) xxx-xxxx
Email: xxx@xxxxxx	Email: xxx@xxxxxx

Counsel for Her Majesty the Queen Counsel for the Accused

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Body of Brief

PART I: OVERVIEW^(e)

[X] On [date], the accused [plead/was found] guilty to the commission of the following offence(s) between [date]. Specifically that he did:

| (1) ... commit the offence ... contrary to s. ... of the *Criminal Code*.

|

(2) ... commit the offence of ... contrary to s. ... of the *Criminal Code*.

The Crown elected to proceed by indictment/summary conviction on the hybrid offences.

[X] It is the Crown/Defence position that a fit and proper sentence for the offences charged are as follows:

Count #	Section	Offence Name	Date Range	Min. Penalty	Max. Penalty	Sentence Requested (Consecutive or Concurrent)	Ancillary Order(s)
1							
2							
Global Sentence						[total duration]	
Global Sentence Factoring in Totality						[total duration]	

[X] The terms of the conditional sentence order should be as follows:

- Statutory conditions required by the Code.
- [list of terms and conditions]

[X] The terms of the probation order should be as follows:

- Statutory conditions required by the Code.
- [list of terms and conditions]

[X] The terms of the ancillary orders should be as follows:

- [list optional terms, including duration of ancillary orders]

[X] We decline to seek a [DNA order, SOIRA Order, etc] < * Crown brief only >

[X] The remainder of these written submissions will be organized into the following Parts:

- PART II: Agreed Facts And Other Evidence
- PART III: Positions Of The Parties
- PART IV: General Sentencing Principles
- PART V: Objectives Of Sentencing In This Case
- PART VI: Aggravating And Mitigating Factors In This Case
- PART VI-A: Joint Recommendations
- PART VI-B: Available Dispositions
- PART VII: Discussion On Appropriate Sentence
- PART VIII: Ancillary Orders
- PART IX: Conclusions

PART II: AGREED FACTS AND OTHER EVIDENCE^(e)

A. Circumstances of the Offence

[X] The agreed facts for the purpose of sentencing are as follows:

[review narrative of allegations agreed upon]

or

[X] The agreed facts for the purpose of sentencing are set out in the Agreed Statement of Facts that will be tendered at the sentencing hearing.

or

B. Personal Circumstances

i. Reports and Assessments

[X] Once a [guilty plea/conviction] was entered, the Court ordered a Pre-Sentence Report (PSR) at the request of defence. The PSR [is still pending/has been received on [date]]. At the request of [defence/crown], a [other type of report such as a pre-sentence sexual risk assessment, Gladue report, etc] was ordered. That report [is still pending/has been received on [date]].

C. Victim Impact Statements

[X] The Crown made referrals on [date] to Victim Services for the following victim(s):

[X] Further efforts were made to contact the victims to notify them of their rights to file the victim impact statements and read them in court. This included ... [describe additional efforts, personal contact]

[X] Victim services informs the Crown that...

[X] As of this writing, it is unknown whether any victims have filed victim impact statements.

or

[X] We are in receipt of the written victim impact statements for [list persons]. We are of the view that the content conforms with the requirements of s. 722, except as follows:

- [list all instances where the VIS does not conform with 722, including attacking character, assert facts, recommend a sentence, mischaracterize the law or facts, or are inflammatory]

D. Other Evidence

[X] The Crown seeks to rely on the following exhibits that will be tendered at the hearing either by consent or through material witness(es):

- [list documents, reports, etc. that the Crown seeks to tender]

[X] The defence seeks to rely on the following exhibits that will be tendered at the hearing either by consent or through material witness(es).

- [list documents, reports, etc. that the defence seeks to tender]

PART III: POSITIONS OF THE PARTIES^(e)

[X] The parties are not in agreement on what the fit and proper sentence would be for this accused, including the appropriate form of disposition, duration of custody, the terms of probation, and ancillary orders.

OR

[X] Over the course of the proceedings the parties have negotiated a potential resolution to this matter. There is agreement on particular charges and facts to be admitted. The parties have agreed on what is believed to be a suitable sentence, subject to the Court's approval in an *Anthony-Cook* hearing.

PART IV: GENERAL SENTENCING PRINCIPLES

(e)

[X] The exercise of sentencing an offender is one of determining a fit and proper sentence for the particular offender. This process requires a high degree of individualizing and tailoring of the sentence to fit the particular accused. Accordingly, the process must be flexible.

[X] Justice LeBel in *R v LM*, [2008] 2 SCR 163, 2008 SCC 31 (CanLII) gives some recommendation on the proper approach (para. 17):

[17] Far from being an exact science or an inflexible predetermined procedure, sentencing is primarily a matter for the trial judge's competence and expertise. The trial judge enjoys considerable discretion because of the individualized nature of the process (s. 718.1 Cr. C.; *R. v. Johnson*, [2003] 2 S.C.R. 357, 2003 SCC 46 (CanLII), at para. 22; *R. v. Proulx*, [2000] 1 S.C.R. 61, 2000 SCC 5 (CanLII), at para. 82). To arrive at an appropriate sentence in light of the complexity of the factors related to the nature of the offence and the personal characteristics of the offender, the judge must weigh the normative principles set out by Parliament in the Criminal Code:

- the objectives of denunciation, deterrence, separation of offenders from society, rehabilitation of offenders, and acknowledgment of and reparations for the harm they have done (s. 718 Cr. C.) (see Appendix);
- the fundamental principle that a sentence must be proportionate to the gravity of the offence and the degree of responsibility of the offender (s. 718.1 Cr. C.); and
- the principles that a sentence should be increased or reduced to account for aggravating or mitigating circumstances, that a sentence should be similar to other sentences imposed in similar circumstances, that the least restrictive sanctions should be identified and that available sanctions other than imprisonment should be considered (s. 718.2 Cr. C.).

A. Purpose and Principles of Sentencing

[X] The objective of a sentencing judge, framed most broadly, is to ensure that the sentence ordered is "just and appropriate". A just and appropriate sentence is one that satisfies the fundamental purposes of a sentence as laid out by the *Criminal Code*. Section 718 states the fundamental purpose of sentencing is as follows:

Purpose

718. The fundamental purpose of sentencing is to contribute, along with crime prevention initiatives, to respect for the law and the maintenance of a just, peaceful and safe society by imposing just sanctions that have one or more of the following objectives:

- (a) to denounce unlawful conduct;
- (b) to deter the offender and other persons from committing offences;
- (c) to separate offenders from society, where necessary;
- (d) to assist in rehabilitating offenders;
- (e) to provide reparations for harm done to victims or to the community; and
- (f) to promote a sense of responsibility in offenders, and acknowledgment of the harm done to victims and to the community.

R.S., 1985, c. C-46, s. 718; R.S., 1985, c. 27 (1st Supp.), s. 155; 1995, c. 22, s. 6

[X] There will be heightened importance and emphasis on particular objectives for any particular case. No single objective can ever trump another completely. These objectives must be weighed against each other in light of what the court would consider the optimal way to protect the local community (see *R v Nasogaluak*, [2010] 1 SCR 206).

B. Rehabilitation

[X] The principle of rehabilitation is relevant in all sentencing and remains one of the main objectives of the process. As Justice Wagner (as he was) stated in *R v Lacasse*, 2015 SCC 64, [2015] 3 SCR 1089, at para 4:

One of the main objectives of Canadian criminal law is the rehabilitation of offenders. Rehabilitation is one of the fundamental moral values that distinguish Canadian society from the societies of many other nations in the world, and it helps the courts impose sentences that are just and appropriate.

C. Proportionality

[X] The principle of proportionality is of such importance that it was codified in s. 718.1 as the *fundamental principle* to the sentencing process. The section states:

Fundamental principle

718.1 A sentence must be proportionate to the gravity of the offence and the degree of responsibility of the offender. R.S., 1985, c. 27 (1st Supp.), s. 156; 1995, c. 22, s. 6.

The importance proportionality plays in the sentencing process is justified on the basis that a just sentence is necessarily one that is proportionate to the gravity of the offence and the responsibility of the offender. In *R v Ipeelee*, 2012 SCC 13 (CanLII) at para 37 Justice Lebel explained the role proportionality:

[37] The fundamental principle of sentencing (i.e., proportionality) is intimately tied to the fundamental purpose of sentencing — the maintenance of a just, peaceful and safe society through the imposition of just sanctions. Whatever weight a judge may wish to accord to the various objectives and other principles listed in the Code, the resulting sentence must respect the fundamental principle of proportionality. Proportionality is the sine qua non of a just sanction. First, the principle ensures that a sentence reflects the gravity of the offence. This is closely tied to the objective of denunciation. It promotes justice for victims and ensures public confidence in the justice system. As Wilson J. expressed in her concurring judgment in *Re B.C. Motor Vehicle Act*, 1985 CanLII 81 (SCC), [1985] 2 S.C.R. 486, at p. 533:

It is basic to any theory of punishment that the sentence imposed bear some relationship to the offence; it must be a "fit" sentence proportionate to the seriousness of the offence. Only if this is so can the public be satisfied that the offender "deserved" the punishment he received and feel a confidence in the fairness and rationality of the system.

Second, the principle of proportionality ensures that a sentence does not exceed what is appropriate, given the moral blameworthiness of the offender. In this sense, the principle serves a limiting or restraining function and ensures justice for the offender. In the Canadian criminal justice system, a just sanction is one that reflects both perspectives on proportionality and does not elevate one at the expense of the other.

D. Parity

[X] Section 718.2(b) directs that sentencing judges must ensure that the accused's sentence "be similar to sentences imposed on similar offences committed in similar circumstances;". This is the principle of parity and is usually addressed through consideration of the range of past sentences where similar offenders have committed similar offences in similar circumstances. The Court should also be sensitive to the particular needs of the local community (see *Nasogaluak*, *Lacasse*).

[X] The purpose behind the principle is to ensure fairness as between similarly situated cases. It does not, however, override the individualized nature of sentencing, nor does it prohibit considerable disparity between accused so long as the sentence ordered is proportionate to the gravity of the offence and moral culpability of the offender. (see *R v CAM*, [1996] 1 SCR 500) Proportionality should generally prevail over parity (see *R v Lacasse*, [2015] 3 SCR 1089 at para 92). Accordingly, review of prior sentencing case law can be of assistance and may even provide a shortcut to calibrating the right sentence, but in all cases, the ultimate sentence must be justified as proportionate, first and foremost.

E. Restraint

[X] The principle of restraint is codified in both s. 718.2(d) and (e), stating that:

718.2...

(d) an offender should not be deprived of liberty, if less restrictive sanctions may be appropriate in the circumstances; and
(e) all available sanctions other than imprisonment that are reasonable in the circumstances should be considered for all offenders, with particular attention to the circumstances of aboriginal offenders.
1995, c. 22, s. 6; 1997, c. 23, s. 17; 2000, c. 12, s. 95; 2001, c. 32, s. 44(F), c. 41, s. 20; 2005, c. 32, s. 25; 2012, c. 29, s. 2; 2015, c. 13, s. 24, c. 23, s. 16.

[X] The principle ensures that sentences are just and fair in the eyes of the public by imposing upon courts a duty to limit the use of incarceration by ensuring that courts consider the least intrusive sentence that achieves the necessary sentencing objectives and only uses incarceration as an option of last resort.

F. Concurrent vs Consecutive Sentences [assuming multiple offences charged]

where

[X] Section 718.3(4)(b) grants sentencing judges the discretion to determine whether to order the sentences for multiple offences before them be served concurrently or consecutively to each another. It states as follows:

781.3...

Cumulative punishments

(4) The court that sentences an accused shall consider directing

(a) that the term of imprisonment that it imposes be served consecutively to a sentence of imprisonment to which the accused is subject at the time of sentencing; and

(b) that the terms of imprisonment that it imposes at the same time for more than one offence be served consecutively, including when

(i) the offences do not arise out of the same event or series of events,

(ii) one of the offences was committed while the accused was on judicial interim release, including pending the determination of an appeal, or

(iii) one of the offences was committed while the accused was fleeing from a peace officer.

[X] It is submitted that ...

G. Totality (assuming multiple offences charged)

[X] The sentencing principle of totality is designed to prevent the ordering of "unduly long or harsh" sentences that result from the combination of consecutive sentences in the course of the sentence calculation. The principle is founded and guided in the principle of proportionality which requires that the global sentence remains proportionate to the gravity of the offence and the degree of responsibility of the offender. (see *R v Hutchings*, 2012 NLCA 2 (CanLII))

[X] This common law principle of totality was codified into s. 718.2(c) of the *Code* as a mandatory sentencing consideration:

Obligations of court

718.2 A court that imposes a sentence shall also take into consideration the following principles:...

(c) where consecutive sentences are imposed, the combined sentence should not be unduly long or harsh;...

[X] On a given case, the sentencing judge should consider factors including:

- the length of the combined sentence in relation to the normal level of sentence for the most serious of the individual offences involved;
- the number and gravity of the offences involved;
- the offender's criminal record;
- the impact of the combined sentence on the offender's prospects for rehabilitation, in the sense that it may be harsh or crushing;
- such other factors as may be appropriate to consider to ensure that the combined sentence is proportionate to the gravity of the offences and the offender's degree of responsibility.

[X] Should the combined sentence prove to be excessive, the sentencing judge must then determine "the extent to which the combined sentence should be reduced to achieve a proper totality". This can be done by altering the sentence for individual counts to run concurrently rather than consecutively, or simply reduce the length of individual sentences.

[X] In making the necessary changes to the sentence, the sentencing judge must be mindful to identify:

- the sentences that are regarded as appropriate for each individual offence applying proper sentencing principles, without considerations of totality;
- the degree to which sentences have been made concurrent on the basis that they constitute a single criminal adventure; and
- the methodology employed to achieve the proper totality that is indicated, identifying which individual sentences are, for this purpose, to be made concurrent or to be otherwise reduced.

[X] In our case, it is submitted that ...

PART V: OBJECTIVES OF SENTENCING IN THIS CASE

(e)

[This section will usually be customized to the particular offence]

[X]

A. Purpose of Criminalization of Conduct

[X]

B. Objectives to be Emphasized

[X]

C. Range of Sentence

[X]

PART VI: AGGRAVATING AND MITIGATING FACTORS IN THIS CASE^(e)

[This section will usually be customized to the particular offence]

[X]

A. Gravity of Conduct

[X]

B. Sophistication of the Offence

[X]

C. Vulnerability of Victim

[X]

D. Responsibility and Moral Culpability of the Offender

[X]

E. Guilty Plea, Remorse, and Acceptance of Responsibility

[X]

F. Age, Character, and Risk to Re-Offend

[X]

G. Addiction and Mental Health

[X]

H. Prior Criminal Record and Repeat Offenders

[X]

I. Effect on Employment, Family, and Immigration

[X]

J. Prospects of Rehabilitation

[X]

K. Totality

[X]

L. Remand Credit

[X]

PART VI-A: JOINT RECOMMENDATIONS^(e)

[X] A joint recommendation that is presented to the Court can only be adopted where the court is satisfied, after hearing all the evidence and submissions, that the proposed sentence would not bring the administration of justice into disrepute or otherwise be contrary to the public interest. This "public interest test" was most recently outlined in *R v Anthony-Cook*, 2016 SCC 43. Justice Moldaver, writing for the Court, outlined the test as follows:

[32] Under the public interest test, a trial judge should not depart from a joint submission on sentence unless the proposed sentence would bring the administration of justice into disrepute or is otherwise contrary to the public interest. ...

[33] In *Druken*, at para. 29, the court held that a joint submission will bring the administration of justice into disrepute or be contrary to the public interest if, despite the public interest considerations that support imposing it, it is so "markedly out of line with the expectations of reasonable persons aware of the circumstances of the case that they would view it as a break down in the proper functioning of the criminal justice system". And, as stated by the same court in *R. v. B.O.2*, 2010 NLCA 19, at para. 56 (CanLII), when assessing a joint submission, trial judges should "avoid rendering a decision that causes an informed and reasonable public to lose confidence in the institution of the courts".

[34] In my view, these powerful statements capture the essence of the public interest test developed by the Martin Committee. They emphasize that a joint submission should not be rejected lightly, a conclusion with which I agree. Rejection denotes a submission so unhinged from the circumstances of the offence and the offender that its acceptance would lead reasonable and informed persons, aware of all the relevant circumstances, including the importance of promoting certainty in resolution discussions, to believe that the proper functioning of the justice system had broken down. This is an undeniably high threshold — and for good reason, as I shall explain.

[X] Justice Moldaver described the importance of having a high threshold to reject a joint recommendation:

[41] But as I have said, for joint submissions to be possible, the parties must have a high degree of confidence that they will be accepted. Too much doubt and the parties may choose instead to accept the risks of a trial or a contested sentencing hearing. The accused in particular will be reluctant to forgo a trial with its attendant safeguards, including the crucial ability to test the strength of the Crown's case, if joint submissions come to be seen as an insufficiently certain alternative.

[X] Under the *Anthony-Cook* approach to a joint recommendation, an added obligation is placed on both counsel to provide sufficient information about the offence, offender, and circumstances of the proceedings that brought about the agreement:

[53] Third, when faced with a contentious joint submission, trial judges will undoubtedly want to know about the circumstances leading to the joint submission — and in particular, any benefits obtained by the Crown or concessions made by the accused. The greater the benefits obtained by the Crown, and the more concessions made by the accused, the more likely it is that the trial judge should accept the joint submission, even though it may appear to be unduly lenient. For example, if the joint submission is the product of an agreement by the accused to assist the Crown or police, or an evidentiary weakness in the Crown's case, a very lenient sentence might not be contrary to the public interest. On the other hand, if the joint submission resulted only from the accused's realization that conviction was inevitable, the same sentence might cause the public to lose confidence in the criminal justice system.

...

[55] This is not to say that counsel must inform the trial judge of "their negotiating positions or the substance of their discussions leading to the agreement" (*R. v. Tkachuk*, 2001 ABCA 243 (CanLII), 293 A.R. 171, at para. 34). But counsel must be able to inform the trial judge why the proposed sentence would not bring the administration of justice into disrepute or otherwise be contrary to the public interest. If they do not, they run the risk that the trial judge will reject the joint submission.

...

[57] A thorough justification of the joint submission also has an important public perception component. Unless counsel put the considerations underlying the joint submission on the record, "though justice may be done, it may not have the appearance of being done: the public may suspect, rightly or wrongly, that an impropriety has occurred" (C. C. Ruby, G. J. Chan and N. R. Hasan, *Sentencing* (8th ed. 2012), at p. 73).

[X] Should the Court be inclined to reject the joint recommendation, the sentencing judge cannot simply declare the agreement inappropriate and proceed to determine a fit and proper sentence. The Court must provide notice to counsel that there are concerns and invite counsel to make further submissions, invite a potential withdraw of guilty plea, and only after that must give "clear and cogent" reasons for the rejection.

[58] Fourth, if the trial judge is not satisfied with the sentence proposed by counsel, "fundamental fairness dictates that an opportunity be afforded to counsel to make further submissions in an attempt to address the . . . judge's concerns before the sentence is imposed" (*G.W.C.*, at para. 26). The judge should notify counsel that he or she has concerns, and invite further submissions on those concerns, including the possibility of allowing the accused to withdraw his or her guilty plea, as the trial judge did in this case.

[60] Finally, trial judges who remain unsatisfied by counsel's submissions should provide clear and cogent reasons for departing from the joint submission. These reasons will help explain to the parties why the proposed sentence was unacceptable, and may assist them in the resolution of future cases. Reasons will also facilitate appellate review.

A. Benefits to Crown and Concessions by Defence

[X]

B. Repute to Administration of Justice

[X]

C. Not Contrary to the Public Interest

[X]

PART VI-B: AVAILABLE DISPOSITIONS^(e)

A.1. Availability of Discharges

[X]

Conditional and absolute discharge

730. (1) Where an accused, other than an organization, pleads guilty to or is found guilty of an offence, other than an offence for which a minimum punishment is prescribed by law or an offence punishable by imprisonment for fourteen years or for life, the court before which the accused appears may, if it considers it to be in the best interests of the accused and not contrary to the public interest, instead of convicting the accused, by order direct that the accused be discharged absolutely or on the conditions prescribed in a probation order made under subsection 731(2).

Period for which appearance notice, etc., continues in force

(2) Subject to Part XVI, where an accused who has not been taken into custody or who has been released from custody under or by virtue of any provision of Part XVI pleads guilty to or is found guilty of an offence but is not convicted, the appearance notice, promise to appear, summons, undertaking or recognizance issued to or given or entered into by the accused continues in force, subject to its terms, until a disposition in respect of the accused is made under subsection (1) unless, at the time the accused pleads guilty to or is found guilty, the court, judge or justice orders that the accused be taken into custody pending such a disposition.

...

Where person bound by probation order convicted of offence

(4) Where an offender who is bound by the conditions of a probation order made at a time when the offender was directed to be discharged under this section is convicted of an offence, including an offence under section 733.1, the court that made the probation order may, in addition to or in lieu of exercising its authority under subsection 732.2(5), at any time when it may take action under that subsection, revoke the discharge, convict the offender of the offence to which the discharge relates and impose any sentence that could have been imposed if the offender had been convicted at the time of discharge, and no appeal lies from a conviction under this subsection where an appeal was taken from the order directing that the offender be discharged.

R.S., 1985, c. C-46, s. 730; 1995, c. 22, s. 6; 1997, c. 18, s. 141; 2003, c. 21, s. 17.

A.2. Availability of Conditional Sentences

[X]

Imposing of conditional sentence

742.1 If a person is convicted of an offence and the court imposes a sentence of imprisonment of less than two years, the court may, for the purpose of supervising the offender's behaviour in the community, order that the offender serve the sentence in the community, subject to the conditions imposed under section 742.3, if

(a) the court is satisfied that the service of the sentence in the community would not endanger the safety of the community and would be consistent with the fundamental purpose and principles of sentencing set out in sections 718 to 718.2;

(b) the offence is not an offence punishable by a minimum term of imprisonment;

(c) the offence is not an offence, prosecuted by way of indictment, for which the maximum term of imprisonment is 14 years or life;

(d) the offence is not a terrorism offence, or a criminal organization offence, prosecuted by way of indictment, for which the maximum term of imprisonment is 10 years or more;
(e) the offence is not an offence, prosecuted by way of indictment, for which the maximum term of imprisonment is 10 years, that

- (i) resulted in bodily harm,
- (ii) involved the import, export, trafficking or production of drugs, or
- (iii) involved the use of a weapon; and

(f) the offence is not an offence, prosecuted by way of indictment, under any of the following provisions:

- (i) section 144 (prison breach),
- (ii) section 264 (criminal harassment),
- (iii) section 271 (sexual assault),
- (iv) section 279 (kidnapping),
- (v) section 279.02 (trafficking in persons — material benefit),
- (vi) section 281 (abduction of person under fourteen),
- (vii) section 333.1 (motor vehicle theft),
- (viii) paragraph 334(a) (theft over \$5000),
- (ix) paragraph 348(1)(e) (breaking and entering a place other than a dwelling-house),
- (x) section 349 (being unlawfully in a dwelling-house), and
- (xi) section 435 (arson for fraudulent purpose).

...

1992, c. 11, s. 16; 1995, c. 19, s. 38, c. 22, s. 6; 1997, c. 18, s. 107.1; 2007, c. 12, s. 1; 2012, c. 1, s. 34.

PART VII: DISCUSSION ON APPROPRIATE SENTENCE

(e)

[This section is where discussion and analysis can be done in detail]

[X]

A. Gravity of the Offence

[X]

B. Circumstances of the Offender

[X]

PART VIII: ANCILLARY ORDERS(e)

A. Restitution Orders

[X] As made out by the facts, the total loss to the victims was in the amount of

[X] Should restitution order be found suitable we should ask that the order be payable to persons and in the amounts found as indicated here:

#	Victim Name	Contact	Amount
1	[name]	[contact info]	[amount]
2			

A.1. Fine-in-Lieu of Restitution Orders

[X] The

Order of forfeiture of property

462.37 (1) Subject to this section and sections 462.39 to 462.41, if an offender is convicted, or discharged under section 730, of a designated offence and the court imposing sentence on or discharging the offender, on application of the Attorney General, is satisfied, on a balance of probabilities, that any property is proceeds of crime obtained through the commission of the designated offence, the court shall order that the property be forfeited to Her Majesty to be disposed of as the Attorney General directs or otherwise dealt with in accordance with the law.

[X] The meaning of "designated offence" is defined in s. 462.3 as:

i. Purpose of Fine-in-Lieu

[X]

10 The sentence imposed for an offence under Part XII.2 on proceeds of crime consists of two elements: the penalty for committing a designated offence (s. 462.3(1)), and forfeiture of the proceeds of crime (s. 462.37(1)). The new provisions are in addition to existing methods. The intention of Parliament is clear. Not only must the act itself be punished, but it must not benefit the offender. Parliament's purpose in doing this is to ensure that crime does not pay. Although the appeal concerns the discretion of a court that imposes a fine instead of forfeiture, the objective of the primary provision must be correctly established for it to be possible to identify the objective of the provision authorizing this sentence.

...

16 Parliament's intention in enacting the forfeiture provisions was to give teeth to the general sentencing provisions. While the purpose of the latter provisions is to punish an offender for committing a particular offence, the objective of forfeiture is rather to deprive the offender and the criminal organization of the proceeds of their crime and to deter them from committing crimes in the future. The severity and broad scope of the provisions suggest that Parliament is seeking to avert crime by showing that the proceeds of crime themselves, or the equivalent thereof, may be forfeited.
R v Lavigne, 2006 SCC 10

ii. Does Totality Factor into Fine-in-Lieu Order

[X]

25 The amicus curiae argues that the effect of imposing a fine without regard to the general principles of sentencing is to punish the offender twice. What that argument fails to consider is that those principles are not all disregarded and that a fine instead of forfeiture is seen as a separate component of the sentence. While such an order is technically part of the sentence, it is nevertheless distinguished by the fact that its purpose is to replace the proceeds of crime. It is not regarded as punishment specifically for the designated offence.

Lavigne

iii. Possession of Proceeds vs Control of Proceeds

[X]

[50] Second, the appellants submit that the trial judge erred by imposing fines in lieu of forfeiture in the absence of proof that they received the funds that served as the basis for the fine amounts, \$423,580.41 for Mr. Khatchatourov and \$71,954.63 for Ms. Reznik. They argue that there was insufficient evidence that the appellants had possession or control over the funds, and therefore that the Crown had not proved the funds were "property" as defined in s. 2, and for the purpose of s. 462.37(3), of the Criminal Code.

[51] I do not accept this submission. Mr. Khatchatourov's counsel said this at the sentence hearing:

[C]ertainly it is open to Your Honour to say: "Well, look, these cheques were made payable to him. Who knows what happened from there but it's a reasonable inference that he got that money or had control of that money"....

[52] This common sense concession is consistent with the evidence, which was that Mr. Khatchatourov and Ms. Reznik received cheques, made out in their names, from the fraudulent transactions totalling the precise amounts of the two fines. Absent some evidence (for example, testimony from the appellants at their sentence hearing) that the appellants did not cash the cheques and receive the funds, I see no reason to impose a duty on the Crown to take additional steps (for example, a tracing exercise) to try to obtain further proof that the appellants actually received the money generated by their frauds. Their receipt of the cheques is enough. Even in the increasingly complicated world of Canadian criminal law, some things are obvious.

Khatchatourov, 2014 ONCA 464

iv. Fine-in-Lieu Order Concurrent to Restititon

[X] It is permissible for the court to make an order of restitution

v. Duration and Default Time for Fine-in-Lieu Order

[X]

Section	Imprisonment	Fine Amount
462.37(4)(a)(i)	0 to 6 months	0 to \$10,000
462.37(4)(a)(ii)	6 to 12 months	\$10,000 to \$20,000
462.37(4)(a)(iii)	12 to 18 months	\$20,000 to \$50,000
462.37(4)(a)(iv)	18 to 24 months	\$50,000 to \$100,000
462.37(4)(a)(v)	2 to 3 years	\$100,000 to \$150,000
462.37(4)(a)(vi)	3 to 5 years	\$150,000 to \$1,000,000
462.37(4)(a)(vii)	5 to 10 years	\$1,000,000 or more

B. Forfeiture Orders

[X]

C. DNA Orders

[X]

D. SOIRA Orders

[X]

PART IX: CONCLUSIONS(e)

[X] Based on the foregoing and as supplemented by oral submissions, the [Crown / defence] believe a fit and proper sentence is as follows:

Count #	Section	Offence Name	Date Range	Min. Penalty	Max. Penalty	Sentence Requested (Consecutive or Concurrent)	Ancillary Order(s)
1							
2							
Global Sentence						[total duration]	
Global Sentence Factoring in Totality						[total duration]	

[X] We are also recommending the following ancillary orders:

[list the orders requested and their duration]

[X] The Crown is declining to seek ... [discretionary orders that are not requested]

ALL OF WHICH IS RESPECTFULLY SUBMITTED

DATED at _____, in the Province of _____, this ____ day of _____, 20__.

[Counsel's name]
[Counsel's title]

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Sentencing for Fraud Over \$5,000 Brief

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PRECEDENT TERMS OF USE

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Briefs

A sentencing brief is structured as follows:

- Overview
 - Identify the charges, including time, place and section of the code.
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 - Summary of undisputed Facts
 - Summary of anticipated disputed facts, including what witnesses will be provided
 - Enumeration of relevant exhibits
- Positions of Parties
- Principles of Sentencing
 - Objectives to be emphasized in Case
- Applicable Factors
- Prior Cases

- Analysis / Discussion of Case
- Ancillary Orders
 - Legal Requirements of Order
 - Interpretation of Provisions
- Discussion of Application
- Summary of Party's Position
 - Breakdown of the requested Sentence, including any factual

C A N A D A

File#

PROVINCE OF [PROVINCE]
 COUNTY OF [COUNTY]

IN THE [LEVEL OF COURT] OF [PROVINCE]

BETWEEN:

HER MAJESTY THE QUEEN

– and –

[ACCUSED NAME]

CROWN/ACCUSED SENTENCING BRIEF

[first party name]

[first party title]

[address]

[address]

[address]

[address]

Tel: (xxx) xxx-xxxx

Fax: (xxx) xxx-xxxx

Email: xxx@xxxxxx

[second party name]

[second party title]

[address]

[address]

[address]

[address]

Tel: (xxx) xxx-xxxx

Fax: (xxx) xxx-xxxx

Email: xxx@xxxxxx

Counsel for Her Majesty the Queen

Counsel for the Accused

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PART V: OBJECTIVES OF SENTENCING IN THIS CASE^(e)

[This section will usually be customized to the particular offence]

A. Purpose of Criminalization of Conduct

B. Objectives to be Emphasized

[X] In sentencing for fraud over \$5,000 it has been well established that the main objectives are denunciation and deterrence. (see R. v. Dobis, 2002 CanLII 32815 (ON CA) and R v Bogart, [2002] OJ No. 3039, 2002 CanLII 41073 (ON CA), per Laskin JA at 29, 33-36 leave ref'd, [2003] SCR vi) General deterrence has been found to have a greater impact on embezzlement-type crimes and those offences where there is planning and deliberation. (see R. v. Williams, [2007] OJ No 1604 (ONSC)) And where there is a relationship of trust the need for custody is even greater (R. v. Howe, [2002] AJ No 1443, 2002 ABCA 277 (CanLII), per Hunt JA, at para 3).

[X] Amongst the primary reasons for emphasizing any type of deterrence for major fraud is in order to ensure that the crime is simply not worth the venture. Is a gain of \$20,000, \$50,000, or \$100,000, even temporarily, worthwhile if the consequence is only a fine? Probation? House arrest? A short jail sentence? A properly deterrent sentence must clearly communicate that the answer to all these questions is unequivocally in the negative. Should a sentence be not sufficiently punitive, regardless of the personal circumstances of the offender, it runs the risk of incidentally relaying the message to the next similarly situated person contemplating such a crime that it may just be worth it.

[X] Factored into this too is the amount of incurred profits and the likelihood of getting caught. Should the penalty for higher dollar amounts be of negligible difference from the penalty for lesser amounts, it too runs a risk that the next offender may see the commission as "in for a penny, in for a pound", and then proceed to continue the offence once embarked upon. Likewise, an offence that is not easily detected, such as those where the commission involves obfuscation and deception, provide some incentive to the culprit that the venture is worthwhile. There is a calculation in the offender's mind that a reduced likelihood of getting caught will have a discounting rate upon the sentence. A properly deterrent sentence must tell the culprit that even where detection and punishment may not be particularly high, the consequence of that eventuality renders the risk unacceptable, thereby deterring the commission of the offence.

[X] The justification for the emphasized objectives further extends to consideration of the inherent high degree of moral culpability in large scale commercial crime offences generally. They are often referred to as a "thinking person's" crime, where the offence requires a multitude of repetitive and persistent decisions on the part of the accused to keep the fraud going. There must be planning to ensure that the victim is sufficiently trusting of the accused to give over their money and to ensure the scheme is not readily detected, including the fabrication of plausible lies and other smoke-screens.

i. Breach of Trust

[X] Where there is a relationship of trust the need for custody is even greater.

R v Howe, [2002] AJ No 1443, 2002 ABCA 277 (CanLII), per Hunt JA, at para 3

C. Range of Sentence

[X] Generally across Canada, the sentencing range for the offence of ... ranges anywhere between ... and Our position is that the proper range for this type of offence would land in the between X and Y. When tailored to the specifics to this offender we are recommending a period of incarceration of XX.

[X] The recommended sentence presented here is in light of cases from within the province:

- [list of cases and short summaries]

[X] There are also cases from elsewhere in Canada including the following:

- [list of cases and short summaries]

[X] The recommended sentence presented here is in light of cases from within the province:

PART VI: AGGRAVATING AND MITIGATING FACTORS IN THIS CASE^(e)

[X] Section 718.2 obliges the sentencing judge to increase and decrease a potential sentence on consideration of the enumerated aggravating and mitigating features that go to the gravity of the offence and degree of responsibility of the offender. The section states the following:

Other sentencing principles

718.2 A court that imposes a sentence shall also take into consideration the following principles:

(a) a sentence should be increased or reduced to account for any relevant aggravating or mitigating circumstances relating to the offence or the offender, and, without limiting the generality of the foregoing,

(i) evidence that the offence was motivated by bias, prejudice or hate based on race, national or ethnic origin, language, colour, religion, sex, age, mental or physical disability, sexual orientation, or gender identity or expression, or on any other similar factor,

- (ii) evidence that the offender, in committing the offence, abused the offender's spouse or common-law partner,
- (ii.1) evidence that the offender, in committing the offence, abused a person under the age of eighteen years,
- (iii) evidence that the offender, in committing the offence, abused a position of trust or authority in relation to the victim,
- (iii.1) evidence that the offence had a significant impact on the victim, considering their age and other personal circumstances, including their health and financial situation,
- (iv) evidence that the offence was committed for the benefit of, at the direction of or in association with a criminal organization,
- (v) evidence that the offence was a terrorism offence, or
- (vi) evidence that the offence was committed while the offender was subject to a conditional sentence order made under section 742.1 or released on parole, statutory release or unescorted temporary absence under the Corrections and Conditional Release Act shall be deemed to be aggravating circumstances;

...

1995, c. 22, s. 6; 1997, c. 23, s. 17; 2000, c. 12, s. 95; 2001, c. 32, s. 44(F), c. 41, s. 20; 2005, c. 32, s. 25; 2012, c. 29, s. 2; 2015, c. 13, s. 24, c. 23, s. 16; 2017, c. 13, s. 4.

[X] Section 380.1 directs the sentencing judge to consider further circumstances for certain fraud-related offences:

Sentencing — aggravating circumstances

380.1 (1) Without limiting the generality of section 718.2, where a court imposes a sentence for an offence referred to in section 380, 382, 382.1 or 400, it shall consider the following as aggravating circumstances:

- (a) the magnitude, complexity, duration or degree of planning of the fraud committed was significant;
- (b) the offence adversely affected, or had the potential to adversely affect, the stability of the Canadian economy or financial system or any financial market in Canada or investor confidence in such a financial market;
- (c) the offence involved a large number of victims;
- (c.1) the offence had a significant impact on the victims given their personal circumstances including their age, health and financial situation;
- (d) in committing the offence, the offender took advantage of the high regard in which the offender was held in the community;
- (e) the offender did not comply with a licensing requirement, or professional standard, that is normally applicable to the activity or conduct that forms the subject-matter of the offence; and
- (f) the offender concealed or destroyed records related to the fraud or to the disbursement of the proceeds of the fraud.

Aggravating circumstance — value of the fraud

(1.1) Without limiting the generality of section 718.2, when a court imposes a sentence for an offence referred to in section 382, 382.1 or 400, it shall also consider as an aggravating circumstance the fact that the value of the fraud committed exceeded one million dollars.

Non-mitigating factors

(2) When a court imposes a sentence for an offence referred to in section 380, 382, 382.1 or 400, it shall not consider as mitigating circumstances the offender's employment, employment skills or status or reputation in the community if those circumstances were relevant to, contributed to, or were used in the commission of the offence.

Record of proceedings

(3) The court shall cause to be stated in the record the aggravating and mitigating circumstances it took into account when determining the sentence.

2004, c. 3, s. 3 2011, c. 6, s. 3

[X] In particular to this offence, the offence-specific factors found in s. XXX should be considered as well.

A. Gravity of Conduct

[consider the relationship of trust, the degree of physical or psychological harm]

B. Sophistication of the Offence

[X] The offence(s) in this case were [planned and continuous/spontaneous and impulsive]. ...

i. Large-scale Fraud is Not Spontaneous or Impulsive

[X] The commission of large-scale frauds is a "thinking" person's crime. That is to say that it is far from impulsive or spontaneous. It was observed in *R v Tucker*, [1988] N.S.J. 33 (NSCA): This is not a case involving one or two transactions but rather is one of a continued premeditated fraud perpetrated by a knowledgeable businessman and carried out over a lengthy period of time. General deterrence must be the paramount consideration because it is of the utmost importance for the public generally and the business community in particular to understand that those who practice fraud in commercial matters will be severely punished.

C. Vulnerability of Victim

i. Breach of Trust

[X] In addition to the common law, the *Criminal Code* codifies circumstances as aggravating under s. 718.2(a)(iii).

D. Responsibility and Moral Culpability of the Offender

E. Guilty Plea, Remorse, and Acceptance of Responsibility

F. Character and Risk to Re-Offend

G. Addiction and Mental Health

H. Prior Criminal Record and Repeat Offenders

It has been well recognized that the absence of prior record supports greater consideration of the principle of restraint. It may often mean the difference between incarceration and freedom. The circumstances of fraud will often provide some different considerations. This is for two reasons. A good reputation will often be instrumental to the offender's earning of trust that granted them access to the position that allowed them to commit the offence. The offences of fraud are not discrete one-time offences. They are persistent and repetitive. They are planned and deliberate. They reflect numerous choices to repeat and continue the criminal enterprise.

see *R v Lee*, 2011 NSPC 81 at paras 40 to 41

I. Effect on Employment, Family and Immigration

J. Prospects of Rehabilitation

K. Totality

L. Remand Credit

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File#

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 COUNTY OF [COUNTY]

IN THE [LEVEL OF COURT] OF [PROVINCE]

BETWEEN:

HER MAJESTY THE QUEEN

– and –

[ACCUSED NAME]

CROWN/ACCUSED SENTENCING BRIEF

[first party name]

[first party title]

[address]

[address]

[address]

[address]

Tel: (xxx) xxx-xxxx

Fax: (xxx) xxx-xxxx

Email: xxx@xxxxxx

[second party name]

[second party title]

[address]

[address]

[address]

[address]

Tel: (xxx) xxx-xxxx

Fax: (xxx) xxx-xxxx

Email: xxx@xxxxxx

Counsel for Her Majesty the Queen

Counsel for the Accused

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PART VI: OBJECTIVES OF SENTENCING IN THIS CASE^(e)

The purpose behind the criminalization of the conduct captured by the offence was described in *R v Legare*, where Justice [name] stated the following:

[28] Section 172.1(1) makes it a crime to communicate by computer with underage children or adolescents for the purpose of facilitating the commission of the offences mentioned in its constituent paragraphs. In this context, "facilitating" includes helping to bring about and making easier or more probable -- for example, by "luring" or "grooming" young persons to commit or participate in the prohibited conduct; by reducing their inhibitions; or by prurient discourse that exploits a young person's curiosity, immaturity or precocious sexuality.

[29] I hasten to add that sexually explicit language is not an essential element of the offences created by s. 172.1. Its focus is on the intention of the accused at the time of the communication by computer. Sexually explicit comments may suffice to establish the criminal purpose of the accused. But those who use their computers to lure children for sexual purposes often groom them online by first gaining their trust through conversations about their home life, their personal interests or other innocuous topics.

[30] As Hill J. explained in *R. v. Pengelley*, [2009] O.J. No. 1682 (QL) (S.C.J.), at para. 96:

... computer communications may serve to sexualize or groom or trick a child toward being receptive to a sexual encounter, to cultivate a relationship of trust, or to undertake a process of relinquishing inhibitions, all with a view to advancing a plan or desire to physical sexual exploitation of a young person.

[31] Accordingly, the content of the communication is not necessarily determinative; what matters is whether the evidence as a whole establishes beyond a reasonable doubt that the accused communicated by computer with an underage victim for the purpose of facilitating the commission of a specified secondary offence in respect of that victim.

[32] The italicized words in the preceding paragraph, drawn textually from 172.1 (1)(c), make clear that the intention of the accused must be determined subjectively. I agree in this regard with the Attorney General of Ontario. As Doherty J.A. stated in *Alicandro*, at para. 31, the accused must be shown to have "engage[d] in the prohibited communication with the specific intent of facilitating the commission of one of the designated offences" with respect to the underage person who was the intended recipient of communication (emphasis added).

PART VI: AGGRAVATING AND MITIGATING FACTORS IN THIS CASE^(e)

[This section will usually be customized to the particular offence]

A. Gravity of Conduct

B. Sophistication of the Offence

C. Vulnerability of Victim

D. Responsibility and Moral Culpability of the Offender

E. Guilty Plea, Remorse, and Acceptance of Responsibility

F. Age, Character, and Risk to Re-Offend

G. Addiction and Mental Health

H. Prior Criminal Record and Repeat Offenders

I. Effect on Employment, Family, and Immigration

J. Prospects of Rehabilitation

K. Totality

L. Remand Credit

PART VII: DISCUSSION ON APPROPRIATE SENTENCE^(e)

[This section is where discussion and analysis can be done in detail]

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Briefs

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COUNTY OF [COUNTY]

IN THE [LEVEL OF COURT] OF [PROVINCE]

BETWEEN:

HER MAJESTY THE QUEEN

– and –

[ACCUSED NAME]

CROWN/ACCUSED SHOW CAUSE BRIEF

[first party name]	[second party name]
[first party title]	[second party title]
[address]	[address]
[address]	[address]
[address]	[address]
[address]	[address]
Tel: (xxx) xxx-xxxx	Tel: (xxx) xxx-xxxx
Fax: (xxx) xxx-xxxx	Fax: (xxx) xxx-xxxx
Email: xxx@xxxxxx	Email: xxx@xxxxxx

Counsel for Her Majesty the Queen Counsel for the Accused

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Body of Brief

PART I: OVERVIEW^(e)

[X] On [date], the accused was charged with the commission of the following offence(s) between [date]. Specifically that he did:

- | (1) ... commit the offence of ... contrary to s. ... of the *Criminal Code*.
- | (2) ... commit the offence of ... contrary to s. ... of the *Criminal Code*.

The Crown elected to proceed by indictment/summary conviction on the hybrid offences.

Or

The Crown has yet to make its election on the hybrid offences.

PART II: ALLEGED FACTS AND OTHER EVIDENCE^(e)

PART III: POSITIONS OF THE PARTIES^(e)

PART IV: GENERAL BAIL PRINCIPLES

^(e)

PART V: APPLICABLE GROUNDS IN THIS CASE

^(e)

PART VI: TERMS OF RELEASE^(e)

PART VII: CONCLUSIONS^(e)

ALL OF WHICH IS RESPECTFULLY SUBMITTED

DATED at _____, in the Province of _____, this ____ day of _____, 20__.

[Counsel's name]
[Counsel's title]

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Objections Cheatsheet

< Precedents, Court Forms and Checklists

Checklist

General Irrelevance (see [Relevance](#))

- Eliciting evidence supporting a Motion *not* before the Court
- Contradicting Collateral Facts (see [Collateral Fact Rule](#))

Premature Evidence

- No foundation/Assumes facts not proven
- Eliciting evidence supporting a Motion *not* before the Court

Improperly Phrased Questions

- Compound Question
- Vague/Misleading question
- Misquoting prior evidence/statement

Uncivil Questions

- Asked and answered
- Badgering, harassing witness
- arguing with witness
- Monologuing/Editorizing

Evidence unconnected to incident at issue

- a prior consistent statement as "oath helping" (see [Prior Consistent Statements](#))
- Character of *accused* not admissible unless accused put his character in issue (see [Character of Accused](#))
- Character of *victim* presumed not relevant unless "probative value outweighs its prejudicial effect" (see [Character of Non-Accused Persons](#))

Evidence that generally is prohibited by Rules of Evidence

- Hearsay
- Question seeks answer NOT in direct knowledge of the accused
- Asking witness for expert opinion (see [Expert Evidence](#))
- Eliciting Privileged information (see [Solicitor-Client Privilege](#); [Informer Privilege](#); [Litigation Privilege](#))

Evidence-in-Chief

- Leading Question on evidence other than uncontentious evidence (See [Examination-in-Chief](#))

Defence evidence

- Eliciting evidence contradicting Crown evidence without first confronting the Crown witness ([Rule in Browne v Dunn](#))

Prior Sexual History (assuming enumerated sexual offence)

- Sexual contact with anyone, except contact at issue in trial (see [Complainant's Sexual Activity Evidence](#))
- Eliciting any information that is contained in private records, including medical, personal diaries, etc. (see [Production of Records for Sexual Offences](#))

Sexual Assault Myths

- Failure of the complainant to "fight back"
- Failure of the complainant to "scream" or "call for help"
- Failure of the complainant to report the assault in a timely manner

Admissibility Checklist

< [Precedents, Court Forms and Checklists](#)

All Evidence

General Admission

- Identify one or more propositions that are sought to be proven by the evidence
- Does the evidence make the proposition more likely to be true
- Is the evidence material to a legal element of proof or issue to be determined in the case
- Is the proposition collateral, possibly excluded for collateral fact rule

Discretionary Exclusion

- prejudice outweighs probative value (time consumed, affect on trial fairness)

General Exclusionary Rules

- Not relevant or material
- **Hearsay**
- does any type of **privilege** apply (spousal, solicitor, litigation, public interest, informer, settlement)
- **Opinion** evidence
- Prior **Consistent Statements** for purpose of enhancing credibility with no other relevance
- Character Evidence (i.e. propensity evidence)
- **Collateral Facts**
- **Compelled Statements of Accused**
- Prior **sexual history** of victim (for enumerated offences)

Hearsay

- Is it a statement or an implied assertion
- Is it intended for the truth of what is being said or some other purpose

Principled Exception

- is the person who made statement able to be meaningfully cross examined
- is the context of the statement suggesting that it is trustworthy (motivation for accuracy, sufficient testing of evidence)

Prior Statement of Accused

- is it excludable as a prior consistent statement

Disreputable Conduct

Documentary Evidence

- CEA Business Records
 - Notice, Affidavit
- CEA Financial Records
 - Affidavit
- Common law business records
- principled Admission

Images and Video

Authenticate Recording

- Either:
 - Person who created the record can vouch for authenticity
 - Person who observed the creation of the record on the electronic device
 - Person who observed the record on the device and any time-stamp associated with the record (authenticity inferred from circumstances)
 - Evidence of circumstantial reliability of the device

Establish Creation Time

- Either:
 - Person who created the record can vouch for time
 - Person who observed the creation of the record on the electronic device
 - Person who observed the record on the device and any time-stamp associated with the record (authenticity inferred from circumstances)
 - Evidence of circumstantial reliability of the device

Relevance and Materiality

Actus Reus and Circumstances

- Observation of incident or circumstances surrounding the incident
- Real evidence of items collected by police
 - Recognition of the real evidence as sourced from circumstances surrounding the incident (including Continuity)
- Propensity of the accused to engage in conduct similar to the offence (Similar Fact Evidence)

Identity

- Recognition of accused as the culprit
- Circumstantial evidence consistent with accused as culprit
- Circumstantial evidence inconsistent with available third parties as culprit

Mens Rea

- Observed utterances/conduct of *accused* to infer an awareness of circumstances OR intention
 - before incident
 - during incident
 - after incident (Post-Offence Conduct)

Credibility and Reliability

Credibility and Reliability of a Witness

- Animus, Bias, Dependence, Partiality, or Motive to fabricate
- Tainting of evidence (determine how much claimed is based on second-hand info or mere personal belief)
- Quality of Observation
 - Opportunity to Observe (frequency of personal presence, duration, distance, obstructions)
 - Reasons (or absence of reasons) to make observations at the time
 - Focus on attention at the time (distractions, etc)
 - Emotional state at time
 - Level of Intoxiation
- Quality of recollection and recall
 - Opportunity to record the memory accurately
 - Time of recording of the memory
 - Opportunity to refresh memory
 - Timing of memory refresh memory
 - Exposure to other versions of events through witnesses or the news
- Contradictions with Common Sense
 - Accuracy of memory given level of importance at the time, given the lack of recording or corroborating records
 - Failure to record only select events of importance
- Contradictions on Prior Statements
- Demeanour and manner of response
- Plausibility and Possibility
 - Reasons and explanations for choice of actions (with special consideration for sexual offences)
 - Whether choice of actions match emotional state
 - Signs of embellishment or minimization (eg. efforts to cast self in a good light)
 - How the witness responds and changes evidence when confronted with new evidence
 - Overly and inordinately complex answers
- Proven history of related dishonesty
- Corroboration or absence of corroboration with other witnesses or objective evidence

Application to Cross-Examine Witness

If witness cannot recall events

- refresh memory

If witness says something NOT in prior statement

Criminal Code and Related Definitions

This page was last substantively updated or reviewed August 2021. (Rev. # 47510)

< [Procedure and Practice](#)

Introduction

All definitions set out here apply to all uses of the word within the Criminal Code except where indicated otherwise.

Descriptive cross-references

3. Where, in any provision of this Act, a reference to another provision of this Act or a provision of any other Act is followed by words in parenthesis that are or purport to be descriptive of the subject-matter of the provision referred to, the words in parenthesis form no part of the provision in which they occur but shall be deemed to have been inserted for convenience of reference only.

1976-77, c. 53, s. 2.

– CCC

Criminal Code Terms

Term	Section	Scope	Related Sections and/or Articles
A			
"abandon"	s. 214	"this Part" [Pt. VIII – Offences Against the Person and Reputation (s. 214 to 320.1)]	Abandoning Child (s. 218)
"accused"	s. 493	"this Part" [Pt. XVI – Compelling Appearance of an Accused Before a Justice and Interim Release (s. 493 to 529.5)]	Definitions of Parties, Persons, Places and Organizations
"accused"	s. 672.1(1)	"this Part" [Pt. XX.1 – Mental Disorder (s. 672.1 to 672.95)]	Mental Illness
"accused"	s. 716	"this Part" [Pt. XXIII – Sentencing (s. 716 to 751.1)]	Definitions of Parties, Persons, Places and Organizations
"Act"	s. 2	"this Act"	many instances, Definitions for General Documents, Legal Documents and Financial Instruments
"adult"	s. 487.04	"this section and in sections 487.05 to 487.0911"	Only used in s. 487.07(4). See Execution of Blood Sample Warrants
"advertisement of sexual services"	s. 164(8)	"this section"	Seizure and Forfeiture of Obscene or Child Pornographic Materials
"agent"	s. 426(4)	"this section"	Secret Commissions (Offence)
"Agreement"	s. 7(2.34)	"this subsection apply in this subsection and in subsections (2.3) and (2.31)"	Special Jurisdiction for Offences Committed on Aircrafts or Spacecrafts See s. 7(2.3), 7(2.31), 7(2.34)
"Agreement"	s. 579.001(5)	"this section"	Stay of Proceedings by Crown
"alternative measures"	s. 716	"this Part" [Pt. XXIII – Sentencing (s. 716 to 751.1)]	Alternative Measures
"ammunition"	s. 2.1	"this Act"	Definition of Firearms
"ammunition"	s. 84(1)	"this Part"	Definition of Prohibited Device and Ammunition
"analyst"	s. 320.11	"this Part" [Pt. VIII.1 – Offences Relating to Conveyances (s. 320.11 to 320.4)]	Conveyance Offences
"analyst"	s. 729(2)	"this section"	Proof of Bodily Substance in Condition Breach Prosecution
"analyst"	s. 811.1(1)	"this section"	Peace Bonds
"antique firearm"	s. 2.1	"this Act"	Definition of Firearms
"antique firearm"	s. 84(1)	"this Part" [Pt. III – Firearms and Other Weapons (s. 84 to 117.15)]	Definition of Firearms
"appeal court"	s. 812	"section 813 to 828"	Criminal Courts
"appeal court"	s. 829	"sections 830 to 838"	Criminal Courts
"appearance notice"	s. 2	"this Act"	Release by Police on Undertaking
"application for federal employment"	s. 672.37(1)	"this section"	Not Criminally Responsible Due to Mental Disorder
"approved container"	s. 320.11	"this Part" [Pt. VIII.1 – Offences Relating to Conveyances (s. 320.11 to 320.4)]	Conveyance Offences
"approved drug screening equipment"	s. 320.11	"this Part" [Pt. VIII.1 – Offences Relating to Conveyances (s. 320.11 to 320.4)]	Conveyance Offences
"approved instrument"	s. 320.11	"this Part" [Pt. VIII.1 – Offences Relating to Conveyances (s. 320.11 to 320.4)]	Conveyance Offences
"approved screening device"	s. 320.11	"this Part" [Pt. VIII.1 – Offences Relating to Conveyances (s. 320.11 to 320.4)]	Conveyance Offences
"Attorney General"	s. 2	"this Act"	Definition of Crown, Prosecutor and Attorney General
"Attorney General"	s. 507.1(10)	"this section"	Private Prosecutions
"Attorney General"	s. 773(5)	"this section and in section 771"	Estreatment of Recognizance
"assessment"	s. 672.1(1)	"this Part" [Pt. XX.1 – Mental Disorder (s. 672.1 to 672.95)]	Mental Illness
"associated personnel"	s. 2	"this Act"	s. 6, 424.1, 431.1. See also Definitions of Parties, Persons, Places and Organizations
"association"	s. 204	"this section"	Exemptions for Gaming Offences
"audioconference"	s. 2	"this Act"	Remote Attendance in Court
"authorization"	s. 2.1	"this Act"	Definition of Firearms
"authorization"	s. 84(1)	"this Part" [Pt. III – Firearms and Other Weapons (s. 84 to 117.15)]	Definition of Firearms
"authorization"	s. 183	"this Part" [Pt. VI – Invasion of Privacy (s. 183 to 196.1)]	Wiretaps
"automatic firearm"	s. 2.1	"this Act"	Definition of Firearms
"automatic firearm"	s. 84(1)	"this Part" [Pt. III – Firearms and Other Weapons (s. 84 to 117.15)]	Definition of Firearms
"automobile master key"	s. 353(5)	"this section"	Miscellaneous Offences Against Property
B			
"bank-note"	s. 2	"this Act"	Definitions for General Documents, Legal Documents and Financial Instruments
"bestiality"	s. 160(7)	"this section"	Bestiality (Offence)

Term	Section	Scope	Related Sections and/or Articles
"bet"	s. 197(1)	"this Part" [Pt. VII – Disorderly Houses, Gaming and Betting (s. 197 to 213)]	<u>Gambling Offences (Offence)</u>
"bodily harm"	s. 2	"this Act"	<u>Definition of Bodily Harm</u>
"break"	s. 98(2)	"this section"	<u>Break and Enter (Offence)</u>
"break"	s. 321	"this Part" [Pt. IX – Offences Against Rights of Property (s. 321 to 378)]	<u>Break and Enter (Offence)</u>
"brother"	s. 155	"this section"	<u>Incest (Offence)</u>
C			
"Canadian"	s. 83.01(1)	"this Part" [Pt. II.1 – Terrorism (s. 83.01 to 83.33)]	<u>Definitions of Parties, Persons, Places and Organizations</u>
"Canadian crew member"	s. 7(2.34)	"this subsection and in subsections (2.3) and (2.31)"	<u>Special Jurisdiction for Offences Committed on Aircrafts or Spacecrafts</u>
"Canadian Forces"	s. 2	"this Act"	s.5, 46, 50, 53, 54, 62, 78, 117.07, 117.08, 191, 193.1, 269.1, 366, 419 to 421, 445.01, and 672.37 <u>Definitions of Parties, Persons, Places and Organizations</u>
"cartridge magazine"	s. 2.1	"this Act"	<u>Definition of Firearms</u>
"cartridge magazine"	s. 84(1)	"this Part" [Pt. III – Firearms and Other Weapons (s. 84 to 117.15)]	<u>Definition of Firearms</u>
"cattle"	s. 2	"this Act"	<u>Animal Cruelty (Offence)</u>
"certificate of citizenship"	s. 58(2)	"this section"	<u>Miscellaneous Offences Against Public Order</u>
"certificate of naturalization"	s. 58(2)	"this section"	<u>Miscellaneous Offences Against Public Order</u>
"cetacean"	s. 445.2(1)	"this section"	<u>Animal Cruelty (Offence)</u>
"chairperson"	s. 672.1(1)	"this Part" [Pt. XX.1 – Mental Disorder (s. 672.1 to 672.95)]	<u>Mental Illness</u>
"change"	s. 732.1(1)	"this section and section 732.2"	<u>Variation of Probation Orders</u>
"cheque"	s. 362(5)	"this section"	<u>Obtaining Property by False Pretences (Offence)</u>
"chief firearms officer"	s. 84(1)	"this Part" [Pt. III – Firearms and Other Weapons (s. 84 to 117.15)]	<u>Miscellaneous Firearms Offences</u> <u>Firearms Prohibition Orders</u> <u>Persons Exempted from Firearm Offences</u>
"Chief Justice"	s. 188(4)	"this section"	<u>Definition of Judicial Officers and Offices</u>
"child"	s. 172	"this section"	<u>Miscellaneous Sexual Offences</u>
"child pornography"	s. 163.1(1)	"this section"	<u>Definition of Child Pornography</u>
"clerk of the appeal court"	s. 785	"this Part" [Pt. XXVII – Summary Convictions (s. 785 to 840)]	<u>Trial Process</u>
"clerk of the court"	s. 2	"this Act"	<u>Definitions of Parties, Persons, Places and Organizations</u>
"clerk of the court"	s. 762(2)	"this Part" [Pt. XXV – Effect and Enforcement of Recognizances (s. 762 to 773)]	<u>Estreatment of Recognizance</u>
"coastal waters of Canada"	s. 339(6)	"this section"	<u>Miscellaneous Offences Against Property</u>
"Commissioner of Firearms"	s. 84(1)	"this Part" [Pt. III – Firearms and Other Weapons (s. 84 to 117.15)]	<u>Persons Exempted from Firearm Offences</u>
"committing an offence"	s. 467.1(3)	"this section and in sections 467.11 to 467.13"	<u>Participating in a Criminal Organization (Offence)</u>
"common betting house"	s. 197	"this Part" [Pt. VII – Disorderly Houses, Gaming and Betting (s. 197 to 213)]	<u>Gambling Offences (Offence)</u>
"common gaming house"	s. 197	"this Part" [Pt. VII – Disorderly Houses, Gaming and Betting (s. 197 to 213)]	<u>Gambling Offences (Offence)</u>
"common-law partner"	s. 2	"this Act"	<u>Definitions of Parties, Persons, Places and Organizations</u>
"communicating"	s. 319(7)	"this section"	<u>Public Incitement of Hatred (Offence)</u>
"company"	s. 400	"this section"	<u>Miscellaneous Fraudulent Offences</u>
"competent authority"	s. 25.1	"this section and sections 25.2 to 25.4"	<u>Authorizations to Commit Illegal Acts</u>
"competent authority"	s. 113(5)	"this section"	<u>Weapons Prohibition Orders</u>
"complainant"	s. 2	"this Act"	<u>Role of the Victim and Third Parties</u>
"computer data"	s. 83.223(11)	"this section"	<u>Warrant to Seize Terrorist Propaganda Publications</u>
"computer data"	s. 342.1	"this section"	<u>Unauthorized Use of Computer (Offence)</u>
"computer data"	s. 430(8)	"this section"	<u>Mischief to Data (Offence)</u>
"computer data"	s. 487.011	"this section and in sections 487.012 to 487.0199" [relating to preservation and production of records]	<u>Definitions for General Documents, Legal Documents and Financial Instruments</u>
"computer password"	s. 342.1	"this section"	<u>Unauthorized Use of Computer (Offence)</u>
"computer program"	s. 342.1	"this section"	<u>Unauthorized Use of Computer (Offence)</u>
"computer service"	s. 342.1	"this section"	<u>Unauthorized Use of Computer (Offence)</u>
"computer system"	s. 83.223(11)	"this section"	<u>Warrant to Seize Terrorist Propaganda Publications</u>

Term	Section	Scope	Related Sections and/or Articles
"computer system"	s. 342.1	"this section"	<u>Unauthorized Use of Computer (Offence)</u>
"conveyance"	s. 320.11	"this Part" [Pt. VIII.1 – Offences Relating to Conveyances (s. 320.11 to 320.4)]	<u>Conveyance Offences</u>
"costs"	s. 809(5)	"this section"	<u>Costs</u>
"counsel"	s. 2	"this Act"	<u>Definitions of Parties, Persons, Places and Organizations</u>
"counsel"	s. 22(3)	"this Act"	<u>Costs</u>
"count"	s. 2	"this Act"	<u>Definitions for General Documents, Legal Documents and Financial Instruments</u>
"counterfeit money"	s. 448	"this Part" [Pt. XII – Offences Relating to Currency (s. 448 to 462)]	<u>Miscellaneous Currency Offences</u>
"counterfeit token of value"	s. 448	"this Part" [Pt. XII – Offences Relating to Currency (s. 448 to 462)]	<u>Miscellaneous Currency Offences</u>
"court"	s. 83.222(8)	"this section"	<u>Warrant to Seize Terrorist Propaganda Publications</u>
"court"	s. 83.223(11)	"this section"	<u>Warrant to Seize Terrorist Propaganda Publications</u>
"court"	s. 164(8)	"this section"	<u>Definition of Judicial Officers and Offices, Seizure and Forfeiture of Obscene or Child Pornographic Materials</u>
"court"	s. 320(8)	"this section"	<u>Definition of Judicial Officers and Offices</u>
"court"	s. 601(10)	"this section"	<u>Amendments to Charges</u>
"court"	s. 672.1(1)	"this Part" [Pt. XX.1 – Mental Disorder (s. 672.1 to 672.95)]	<u>Mental Illness</u>
"court"	s. 715.3(1)	"this Part" [Pt. XXII.1 – Remediation Agreements (s. 715.3 to 715.43)]	<u>Remediation Agreements</u>
"court"	s. 716	"this Part" [Pt. XXIII – Sentencing (s. 716 to 751.1)]	<u>Amendments to Charges</u> <u>Criminal Courts</u>
"court"	s. 752	"this Part" [Pt. XXIV – Dangerous Offenders and Long-Term Offenders (s. 752 to 761)]	<u>Criminal Courts</u>
"court of appeal"	s. 2	"this Act"	<u>Criminal Courts</u>
"court of appeal"	s. 673	"this Part" [Pt. XXI – Appeals – Indictable Offences (s. 673 to 696)]	<u>Criminal Courts</u>
"court of appeal"	s. 696.3(1)	"this section"	<u>Criminal Courts</u>
"court of criminal jurisdiction"	s. 2	"this Act"	<u>Definition of Judicial Officers and Offices, Criminal Courts</u>
"court of criminal jurisdiction"	s. 785	"this Part" [Pt. XXVII – Summary Convictions (s. 785 to 840)]	<u>Criminal Courts</u>
"credit advanced"	s. 347	"this section"	<u>Miscellaneous Offences Against Property</u>
"Credit card"	s. 321	"this Part" [Pt. IX – Offences Against Rights of Property (s. 321 to 378)]	s. 342, 342.01, 347.1. See also <u>Definitions for General Documents, Legal Documents and Financial Instruments</u>
"crew member of a Partner State"	s. 7(2.34)	"this subsection and in subsections (2.3) and (2.31)."	<u>Special Jurisdiction for Offences Committed on Aircrafts or Spacecrafts</u>
"crime of a sexual nature"	s. 490.011(1)	"in this section and in sections 490.012 to 490.032" [relating to SOIRA Orders]	<u>SOIRA Orders</u>
"criminal organization"	s. 2	"this Act"	<u>Criminal Organizations</u>
"criminal organization"	s. 467.1(1)	"this Act"	<u>Criminal Organizations</u>
"criminal organization offence"	s. 2	"this Act"	<u>Criminal Organizations</u>
"criminal rate"	s. 347	"this section"	<u>Miscellaneous Offences Against Property</u>
"cross-bow"	s. 2.1	"this Act"	<u>Definition of Firearms</u>
"cross-bow"	s. 84(1)	"this Part"	<u>Definition of Weapons</u> <u>Weapons Prohibition Orders</u> <u>Careless Use or Storage of a Firearm (Offence)</u> <u>Weapons Trafficking (Offence)</u>
"current"	s. 448	"this Part" [Pt. XII – Offences Relating to Currency (s. 448 to 462)]	<u>Miscellaneous Currency Offences</u> <u>Counterfeiting (Offence)</u>
"custodian"	s. 84(1)	"this Part" [Pt. III – Firearms and Other Weapons (s. 84 to 117.15)]	<u>Definition of Firearms</u>
"custodian"	s. 488.1(1)	"this section"	<u>Definition of Judicial Officers and Offices</u>
D			
"data"	s. 487.011	"this section and in sections 487.012 to 487.0199" [relating to preservation and production of records]	<u>Definitions for General Documents, Legal Documents and Financial Instruments</u>
"data"	s. 488.01(1)	"this section and in section 488.02"	<u>Protection of Journalist Records and Sources</u>
"data"	s. 492.1(8)	"this section"	<u>Tracking Warrant</u>
"data"	s. 492.2(6)	"this section"	<u>Warrant for Transmission Data Recorder</u>
"data"	s. 841	"this section and in sections 842 to 847"	<u>Electronic Documents and Records</u>
"database"	s. 490.011(1)	"in this section and in sections 490.012 to 490.032" [relating to SOIRA Orders]	<u>SOIRA Orders</u>

Term	Section	Scope	Related Sections and/or Articles
"day"	s. 2	"this Act"	<u>Time and Place</u>
"designated justice"	s. 507.1(10)	"this section"	<u>Private Prosecutions</u>
"designated offences"	s. 462.3(1)	"this Part" [Pt. XII.2 – <i>Proceeds of Crime</i> (s. 462.3 to 462.5)]	<u>Forfeiture of Proceeds of Crime</u>
"designated offence"	s. 752	"this Part" [Pt. XXIV – <i>Dangerous Offenders and Long-Term Offenders</i> (s. 752 to 761)]	<u>List of Dangerous Offender Designated Offences</u>
"designated offence"	s. 487.04	"In this section and in sections 487.05 to 487.0911"	<u>DNA Orders</u>
"designated offence"	s. 490.011(1)	"in this section and in sections 490.012 to 490.032" [relating to SOIRA Orders]	<u>SOIRA Orders</u>
"device"	s. 327(4)	"this section"	<u>Telecommunication Offences (Offence)</u>
"device"	s. 342.2(4)	"this section"	<u>Unauthorized Use of Computer (Offence)</u>
"disorderly house"	s. 197	"this Part" [Pt. VII – <i>Disorderly Houses, Gaming and Betting</i> (s. 197 to 213)]	<u>Gambling Offences (Offence)</u>
"disposition"	s. 672.1(1)	"this Part" [Pt. XX.1 – <i>Mental Disorder</i> (s. 672.1 to 672.95)]	<u>Mental Illness</u>
"disposition information"	s. 672.51(1)	"this section"	<u>Review Board Publication Bans</u>
"DNA"	s. 487.04	"In this section and in sections 487.05 to 487.0911"	<u>DNA Orders</u>
"document"	s. 321	"this Part" [Pt. IX – <i>Offences Against Rights of Property</i> (s. 321 to 378)]	<u>Definitions for General Documents, Legal Documents and Financial Instruments</u>
"document"	s. 487.011	"this section and in sections 487.012 to 487.0199" [relating to preservation and production of records]	<u>Definitions for General Documents, Legal Documents and Financial Instruments</u>
"document"	s. 488.01(1)	"this section and in section 488.02"	<u>Protection of Journalist Records and Sources</u>
"document"	s. 488.1(1)	"this section"	<u>Definition of Judicial Officers and Offices</u>
"document of title to goods"	s. 2	"this Act"	<u>Definitions for General Documents, Legal Documents and Financial Instruments</u>
"document of title to lands"	s. 2	"this Act"	<u>Definitions for General Documents, Legal Documents and Financial Instruments</u>
"dual status offender"	s. 672.1(1)	"this Part" [Pt. XX.1 – <i>Mental Disorder</i> (s. 672.1 to 672.95)]	<u>Dual Status Offenders and Mental Illness</u>
"duty"	s. 219(2)	"this Section"	<u>Criminal Negligence (Offence)</u>
"dwelling-house"	s. 2	"this Act"	<u>Definition of Dwelling House</u>
E			
"election document"	s. 377(2)	"this section"	<u>Miscellaneous Offences Against Property</u>
"electro-convulsive therapy"	s. 672.61(2)	"this section"	<u>Review Board Disposition Hearings</u>
"electro-magnetic, acoustic, mechanical or other device"	s. 183	"this Part" [Pt. VI – <i>Invasion of Privacy</i> (s. 183 to 196.1)]	<u>Wiretaps</u>
"electro-magnetic, acoustic, mechanical or other device"	s. 342.1	"this section"	<u>Unauthorized Use of Computer (Offence)</u>
"electronic document"	s. 841	"this section and in sections 842 to 847"	<u>Electronic Documents and Records</u>
"enactment"	s. 6(3)	"this section"	<u>Presumption of Innocence</u> <u>Definitions for General Documents, Legal Documents and Financial Instruments</u>
"environment"	s. 2	"this Act"	<u>Time and Place</u>
"escape"	s. 149(2)	"this section"	<u>Miscellaneous Administration of Justice Offences</u>
"evaluating officer"	s. 320.11	"this Part" [Pt. VIII.1 – <i>Offences Relating to Conveyances</i> (s. 320.11 to 320.4)]	<u>Conveyance Offences</u>
"every one"	s. 2	"this Act"	<u>Definitions of Parties, Persons, Places and Organizations</u>
"evidence"	s. 118	"this Part" [Pt. IV – <i>Offences Against the Administration of Law and Justice</i> (s. 118 to 149)]	<u>Definition of Judicial Officers and Offices</u>
"exchequer bill"	s. 321	"this Part" [Pt. IX – <i>Offences Against Rights of Property</i> (s. 321 to 378)]	<u>Definitions for General Documents, Legal Documents and Financial Instruments</u>
"exchequer bill paper"	s. 321	"this Part" [Pt. IX – <i>Offences Against Rights of Property</i> (s. 321 to 378)]	<u>Definitions for General Documents, Legal Documents and Financial Instruments</u>
"export"	s. 84(1)	"this Part" [Pt. III – <i>Firearms and Other Weapons</i> (s. 84 to 117.15)]	<u>Definition of Firearms</u>
"expose"	s. 214	"this Part" [Pt. VIII – <i>Offences Against the Person and Reputation</i> (s. 214 to 320.1)]	<u>Abandoning Child</u> (s. 218)
"explosive or other lethal device"	s. 431.2(1)	"this section"	<u>Miscellaneous Offences Against Property</u>
"explosive substance"	s. 2	"this Act"	<u>Use or Possession of Explosives (Offence)</u>
F			
"false document"	s. 321	"this Part" [Pt. IX – <i>Offences Against Rights of Property</i> (s. 321 to 378)]	<u>Forgery (Offence)</u>
"fine"	s. 716	"this Part" [Pt. XXIII – <i>Sentencing</i> (s. 716 to 751.1)]	<u>Fines</u>

Term	Section	Scope	Related Sections and/or Articles
"fingerprint examiner"	s. 667(5)	"this section"	<u>Proof of Previous Conviction</u>
"firearm"	s. 2	"this Act"	<u>Definition of Firearms</u>
"firearms officer"	s. 84(1)	"this Part" [Pt. III – Firearms and Other Weapons (s. 84 to 117.15)]	<u>Definition of Firearms</u>
"fixed platform"	s. 78.1(5)	"this section"	<u>Piracy and Offences Against Air and Marine Safety</u>
"flight"	s. 7(8)	"this section"	<u>Special Jurisdiction for Offences Committed on Aircrafts or Spacecrafts</u>
"flight element"	s. 7(2.34)	"this subsection and in subsections (2.3) and (2.31)."	<u>Special Jurisdiction for Offences Committed on Aircrafts or Spacecrafts</u>
"forensic DNA analysis"	s. 487.04	"In this section and in sections 487.05 to 487.0911"	<u>DNA Orders</u>
"form of marriage"	s. 214	"this Part" [Pt. VIII – Offences Against the Person and Reputation (s. 214 to 320.1)]	<u>Miscellaneous Offences Against the Person</u>
"function"	s. 342.1	"this section"	<u>Unauthorized Use of Computer (Offence)</u>
G			
"game"	s. 197	"this Part" [Pt. VII – Disorderly Houses, Gaming and Betting (s. 197 to 213)]	<u>Gambling Offences (Offence)</u>
"gaming equipment"	s. 197	"this Part" [Pt. VII – Disorderly Houses, Gaming and Betting (s. 197 to 213)]	<u>Gambling Offences (Offence)</u>
"genocide"	s. 318(2)	"this section"	<u>Public Incitement of Hatred (Offence)</u>
"genocide"	s. 320(8)	"this section"	<u>Hate Propaganda Warrants and Forfeiture Orders</u>
"goods"	s. 379	"this Part" [Pt. X – Fraudulent Transactions Relating to Contracts and Trade (s. 379 to 427)]	<u>Miscellaneous Fraudulent Offences</u>
"government"	s. 2	"this Act"	<u>Definitions of Parties, Persons, Places and Organizations</u>
"government"	s. 118	"this Part" [Pt. IV – Offences Against the Administration of Law and Justice (s. 118 to 149)]	
"guardian"	s. 150	"this Part" [Pt. V – Sexual Offences, Public Morals and Disorderly Conduct (s. 150 to 182)]	
"guardian"	s. 214	"this Part" [Pt. VIII – Offences Against the Person and Reputation (s. 214 to 320.1)]	
"guardian"	s. 280(2)	"this section and sections 281 to 283"	
H			
"handgun"	s. 2.1	"this Act"	<u>Definition of Firearms</u>
"handgun"	s. 84(1)	"this Part" [Pt. III – Firearms and Other Weapons (s. 84 to 117.15)]	<u>Definition of Firearms</u>
"hate propaganda"	s. 320(8)	"this section"	
"Her Majesty's Forces"	s. 2	"this Act"	<u>Definitions of Parties, Persons, Places and Organizations</u>
"high-risk accused"	s. 672.1(1)	"this Part" [Pt. XX.1 – Mental Disorder (s. 672.1 to 672.95)]	<u>Mental Illness</u>
"highway"	s. 2	"this Act"	<u>Definitions of Parties, Persons, Places and Organizations</u>
"hospital"	s. 672.1(1)	"this Part" [Pt. XX.1 – Mental Disorder (s. 672.1 to 672.95)]	<u>Mental Illness</u>
I			
"identifiable group"	s. 318(4)	"this section"	<u>Public Incitement of Hatred (Offence)</u>
"identifiable group"	s. 319(7)	"this section"	<u>Public Incitement of Hatred (Offence)</u>
"identity information"	402.1	"For the purposes of sections 402.2 and 403"	<u>Identity Theft (Offence)</u>
"imitation firearm"	s. 2.1	"this Act"	<u>Definition of Firearms</u>
"imitation firearm"	s. 84(1)	"this Part" [Pt. III – Firearms and Other Weapons (s. 84 to 117.15)]	<u>Definition of Firearms</u>
"import"	s. 84(1)	"this Part" [Pt. III – Firearms and Other Weapons (s. 84 to 117.15)]	
"indictment"	s. 2	"this Act"	<u>Definitions for General Documents, Legal Documents and Financial Instruments</u>
"indictment"	s. 673	"this Part" [Pt. XXI – Appeals – Indictable Offences (s. 673 to 696)]	
"informant"	s. 785	"this Part" [Pt. XXVII – Summary Convictions (s. 785 to 840)]	<u>Trial Process</u>
"information"	s. 785	"this Part" [Pt. XXVII – Summary Convictions (s. 785 to 840)]	<u>Informations and Indictments</u>
"infrastructure facility"	s. 431.2(1)	"this section"	<u>Miscellaneous Offences Against Property</u>
"inside information"	s. 382.1	"this section"	
"insurance charge"	s. 347	"this section"	<u>Miscellaneous Offences Against Property</u>
"intercept"	s. 183	"this Part" [Pt. VI – Invasion of Privacy (s. 183 to 196.1)]	<u>Wiretaps</u>
"intercept"	s. 342.1	"this section"	<u>Unauthorized Use of Computer (Offence)</u>
"interest"	s. 347	"this section"	<u>Miscellaneous Offences Against Property</u>
"interest"	s. 347.1(1)	"apply in subsection (2)"	<u>Miscellaneous Offences Against Property</u>

Term	Section	Scope	Related Sections and/or Articles
"international cruise ship"	s. 207.1(4)	"this section"	
"internationally protected person"	s. 2	"this Act"	see <u>Definitions of Parties, Persons, Places and Organizations</u>
"intimate image"	s. 162.1(2)	"this section"	<u>Distribution of Intimate Images (Offence)</u>
"intimate image"	s. 164(8)	"this section"	<u>Seizure and Forfeiture of Obscene or Child Pornographic Materials</u>
"intimidate partner"	s. 2	"this Act"	<u>Release by Police on Undertaking</u>
J			
"journalist"	s. 488.01(1)	"this section and in section 488.02"	<u>Protection of Journalist Records and Sources</u>
"journalistic source"	s. 488.01(1)	"this section and in section 488.02"	<u>Protection of Journalist Records and Sources</u>
"judge"	s. 83.05(11)	"this section"	
"judge"	s. 83.222(8)	"this section"	<u>Warrant to Seize Terrorist Propaganda Publications</u>
"judge"	s. 83.223(11)	"this section"	<u>Warrant to Seize Terrorist Propaganda Publications</u>
"judge"	s. 164(8)	"this section"	<u>Seizure and Forfeiture of Obscene or Child Pornographic Materials</u>
"judge"	s. 320(8)	"this section"	<u>Definition of Judicial Officers and Offices</u>
"judge"	s. 462.3(1)	[Pt. XII.2 – <i>Proceeds of Crime</i> (s. 462.3 to 462.5)]	<u>Definition of Judicial Officers and Offices</u>
"judge"	s. 487.011	"this section and in sections 487.012 to 487.0199" [relating to preservation and production of records]	<u>Definition of Judicial Officers and Offices</u>
"judge"	s. 488.1(1)	"this section"	<u>Definition of Judicial Officers and Offices</u>
"judge"	s. 490.2(5)	"this section and sections 490.5 and 490.8"	<u>Definition of Judicial Officers and Offices</u>
"judge"	s. 492.1(8)	"this section"	<u>Tracking Warrant</u>
"judge"	s. 492.2(6)	"this section"	<u>Warrant for Transmission Data Recorder</u>
"judge"	s. 493	"this Part" [Pt. XVI – <i>Compelling Appearance of an Accused Before a Justice and Interim Release</i> (s. 493 to 529.5)]	<u>Definition of Judicial Officers and Offices</u>
"judge"	s. 525(7)	"this section"	
"judge"	s. 552	"this Part" [Pt. XIX – <i>Indictable Offences – Trial Without a Jury</i> (s. 552 to 572)]	<u>Definition of Judicial Officers and Offices</u>
"judicial proceeding"	s. 118	"this Part" [Pt. IV – <i>Offences Against the Administration of Law and Justice</i> (s. 118 to 149)]	
"justice"	s. 2	"this Act"	<u>Definition of Judicial Officers and Offices</u>
"justice system participant"	s. 2	"this Act"	<u>Intimidation of a Justice System Participant (Offence)</u>
K			
"keeper"	s. 197	"this Part" [Pt. VII – <i>Disorderly Houses, Gaming and Betting</i> (s. 197 to 213)]	<u>Gambling Offences (Offence)</u>
L			
"law enforcement animal"	s. 445.01(4)	"this section"	
"law enforcement officer"	s. 445.01(4)	"this section"	
"lawyer"	s. 488.1(1)	"this section"	<u>Definition of Judicial Officers and Offices</u>
"licence"	s. 2.1	"this Act"	<u>Definition of Firearms</u>
"licence"	s. 84(1)	"this Part" [Pt. III – <i>Firearms and Other Weapons</i> (s. 84 to 117.15)]	<u>Definition of Firearms</u>
"licence"	s. 353(5)	"this section"	
"listed entity"	s. 83.01(1)	"this Part" [Pt. II.1 – <i>Terrorism</i> (s. 83.01 to 83.33)]	
"long-term supervision"			
"lottery scheme"	s. 207(4)	"this section"	<u>Exemptions for Lottery Offences</u>
"lottery scheme"	s. 207.1(4)	"this section"	<u>Exemptions for Lottery Offences</u>
"lumber"	s. 339(6)	"this section"	<u>Miscellaneous Offences Against Property</u>
"lumbering equipment"	s. 339(6)	"this section"	<u>Miscellaneous Offences Against Property</u>
M			
"maims"	s. 268(3)	"this section"	<u>Aggravated Assault (Offence)</u>
"mark"	s. 376(3)	"this section"	
"medical assistance in dying"	s. 227(5)	"this section"	<u>Assisted Dying Offences (Offence)</u>
"medical assistance in dying"	s. 241(7)	"this section"	<u>Assisted Dying Offences (Offence)</u>
"medical assistance in dying"	s. 241.1	"this section and in sections 241.2 to 241.4"	<u>Assisted Dying Offences (Offence)</u>

Term	Section	Scope	Related Sections and/or Articles
"medical practitioner"	s. 227(5)	"this section"	
"medical practitioner"	s. 241(7)	"this section"	<u>Assisted Dying Offences (Offence)</u>
"medical practitioner"	s. 241.1	"this section and in sections 241.2 to 241.4"	
"medical practitioner"	s. 672.1(1)	"this Part" [<i>Pt. XX.1 – Mental Disorder (s. 672.1 to 672.95)</i>]	<u>Mental Illness</u>
"member of a force"	s. 62(2)	"this section"	
"mental disorder"	s. 2	"this Act"	<u>Not Criminally Responsible Due to Mental Disorder</u>
"military"	s. 2	"this Act"	<u>Definitions of Parties, Persons, Places and Organizations</u>
"military animal"	s. 445.01(4)	"this section"	
"military forces of a state"	s. 431.2(1)	"this section"	<u>Miscellaneous Offences Against Property</u>
"military law"	s. 2	"this Act"	<u>Definitions of Parties, Persons, Places and Organizations</u>
"Minister"	s. 672.68(1)	"this section and in sections 672.69 and 672.7"	
"motor vehicle"	s. 2	"this Act"	<u>Impaired Driving, Over 80 and Refusal (Offence)</u>
"municipal official"	s. 123(3)	"this section"	
"municipality"	s. 2	"this Act"	<u>Definitions of Parties, Persons, Places and Organizations</u>
N			
"newly-born child"	s. 2	"this Act"	<u>Definitions of Parties, Persons, Places and Organizations</u>
"newspaper"	s. 297	"sections 303, 304 and 308"	<u>Defamatory Libel (Offence)</u>
"newspaper"	s. 478(5)	"this section"	
"night"	s. 2	"this Act"	<u>Time and Place</u>
"non-restricted firearm"	s. 84(1)	"this Part" [<i>Pt. III – Firearms and Other Weapons (s. 84 to 117.15)</i>]	
"nuclear facility"	s. 2	"this Act"	
"nurse practitioner"	s. 227(5)	"this section"	
"nurse practitioner"	s. 241(7)	"this section"	
"nurse practitioner"	s. 241.1	"this section and in sections 241.2 to 241.4"	
O			
"offence"	s. 183	"this Part" [<i>Pt. VI – Invasion of Privacy (s. 183 to 196.1)</i>]	<u>List of Designated Wiretap Eligible Offences</u>
"offence"	s. 715.3(1)	"this Part" [<i>Pt. XXII.1 – Remediation Agreements (s. 715.3 to 715.43)</i>]	<u>Remediation Agreements</u>
"offence-related property"	s. 2	"this Act"	<u>Forfeiture of Offence-related Property</u>
"offender"	s. 2	"this Act"	<u>Definitions of Parties, Persons, Places and Organizations</u>
"offensive weapon"	s. 2	"this Act"	<u>Definition of Weapons</u>
"office"	s. 118	"this Part" [<i>Pt. IV – Offences Against the Administration of Law and Justice (s. 118 to 149)</i>]	
"officer"	s. 488.01(1)	"this section and in section 488.02"	<u>Protection of Journalist Records and Sources</u>
"officer"	s. 488.1(1)	"this section"	<u>Definition of Judicial Officers and Offices</u>
"official"	s. 118	"this Part" [<i>Pt. IV – Offences Against the Administration of Law and Justice (s. 118 to 149)</i>]	
"official fee"	s. 347	"this section"	<u>Miscellaneous Offences Against Property</u>
"Ontario Act"	s. 490.011	"in this section and in sections 490.012 to 490.032" [relating to SOIRA Orders]	<u>SOIRA Orders</u>
"operate"	s. 320.11	"this Part" [<i>Pt. VIII.1 – Offences Relating to Conveyances (s. 320.11 to 320.4)</i>]	<u>Conveyance Offences</u>
"optional conditions"	s. 732.1(1)	"this section and section 732.2"	<u>Terms and Conditions of a Conditional Sentence Order</u>
"order"	s. 462.371(1)	"this section"	<u>Forfeiture of Proceeds of Crime</u>
"order"	s. 785	"this Part" [<i>Pt. XXVII – Summary Convictions (s. 785 to 840)</i>]	
"organization"	s. 2	"this Act"	<u>Definitions of Parties, Persons, Places and Organizations</u>
"organization"	s. 715.3(1)	"this Part" [<i>Pt. XXII.1 – Remediation Agreements (s. 715.3 to 715.43)</i>]	<u>Remediation Agreements</u>
"overdraft charge"	s. 347	"this section"	<u>Miscellaneous Offences Against Property</u>
"owner"	s. 2	"this Act"	<u>Definitions of Parties, Persons, Places and Organizations</u>
P			
"packaged"	s. 121.1(1)	undefined	<u>Miscellaneous Administration of Justice Offences</u>
"pardon"	s. 490.011	"in this section and in sections 490.012 to 490.032" [relating to SOIRA Orders]	<u>SOIRA Orders</u>

Term	Section	Scope	Related Sections and/or Articles
"participant"	s. 715.25(1)	"this section"	<u>Remote Attendance of Counsel or Certain Other Participants</u> <u>Obligation of Accused to be Present During Proceedings</u>
"Partner State"	s. 7(2.34)	"this subsection and in subsections (2.3) and (2.31)."	<u>Special Jurisdiction for Offences Committed on Aircrafts or Spacecrafts</u>
"party"	s. 672.1(1)	"this Part" [Pt. XX.1 – Mental Disorder (s. 672.1 to 672.95)]	<u>Mental Illness</u>
"passport"	s. 57(5)	"this section"	<u>Miscellaneous Offences Against Public Order</u>
"payday loan"	s. 347.1(1)	"apply in subsection (2)"	<u>Miscellaneous Offences Against Property</u>
"peace officer"	s. 2	"this Act"	<u>Peace Officers</u>
"peace officer"	s. 7(8)	"this section"	<u>Special Jurisdiction for Offences Committed on Aircrafts or Spacecrafts</u>
"penalty"	s. 734.8(1)	"this section"	<u>Fines</u>
"person"	s. 2	"this Act"	<u>Definitions of Parties, Persons, Places and Organizations</u>
"personal authentication information"	s. 342(4)	"this section"	<u>Theft and Forgery of a Credit Card (Offence)</u>
"pharmacist"	s. 241(7)	"this section"	<u>Assisted Dying Offences (Offence)</u>
"pharmacist"	s. 241.1	"this section and in sections 241.2 to 241.4"	<u>Assisted Dying Offences (Offence)</u>
"photograph"	s. 491.2(8)	"this section"	<u>Proof of Ownership</u>
"place"	s. 98(2)	"this section"	<u>Definitions of Parties, Persons, Places and Organizations</u>
"place"	s. 197	"this Part" [Pt. VII – Disorderly Houses, Gaming and Betting (s. 197 to 213)]	<u>Definitions of Parties, Persons, Places and Organizations</u> <u>Gambling Offences (Offence)</u>
"place"	s. 244.2(2)	"the purpose of paragraph (1)(a)"	<u>Discharging a Firearm (Offence)</u>
"place"	s. 286.1(5)	"this section"	<u>Definitions of Parties, Persons, Places and Organizations</u> <u>Commodification of Sexual Services (Offence)</u>
"place"	s. 348(3)	"this section and section 351"	<u>Break and Enter</u>
"place of public use"	s. 431.2(1)	"this section"	<u>Miscellaneous Offences Against Property</u>
"placement decision"	s. 672.1(1)	"this Part" [Pt. XX.1 – Mental Disorder (s. 672.1 to 672.95)]	<u>Mental Illness</u>
"police officer"	s. 183	"this Part" [Pt. VI – Invasion of Privacy (s. 183 to 196.1)]	<u>Wiretaps</u>
"police officer"	s. 462.48(17)	"this section"	<u>Proceeds of Crime Disclosure Order</u>
"prescribed"	s. 84(1)	"this Part" [Pt. III – Firearms and Other Weapons (s. 84 to 117.15)]	
"prescribed"	s. 672.1(1)	"this Part" [Pt. XX.1 – Mental Disorder (s. 672.1 to 672.95)]	<u>Mental Illness</u>
"primary designated offence"	s. 487.04	"In this section and in sections 487.05 to 487.0911"	<u>DNA Orders</u>
"principal"	s. 426(4)	"this section"	
"prison"	s. 2	"this Act"	<u>Prison Breach (Offence)</u>
"private communication"	s. 183	"this Part" [Pt. VI – Invasion of Privacy (s. 183 to 196.1)]	<u>Wiretaps</u>
"prize fight"	s. 83(2)	"this section"	
"proceedings"	s. 785	"this Part" [Pt. XXVII – Summary Convictions (s. 785 to 840)]	
"proceeds of crime"	s. 462.3(1)	"this Part" [Pt. XII.2 – Proceeds of Crime (s. 462.3 to 462.5)]	<u>Forfeiture of Proceeds of Crime</u>
"prohibited act"	s. 52(2)	"this section"	
"prohibited ammunition"	s. 2.1	"this Act"	<u>Definition of Firearms</u>
"prohibited ammunition"	s. 84(1)	"this Part" [Pt. III – Firearms and Other Weapons (s. 84 to 117.15)]	<u>Definition of Firearms</u>
"prohibited device"	s. 2.1	"this Act"	<u>Definition of Firearms</u>
"prohibited device"	s. 84(1)	"this Part" [Pt. III – Firearms and Other Weapons (s. 84 to 117.15)]	<u>Definition of Firearms</u>
"prohibited firearm"	s. 2.1	"this Act"	<u>Definition of Prohibited Firearms</u>
"prohibited firearm"	s. 84(1)	"this Part" [Pt. III – Firearms and Other Weapons (s. 84 to 117.15)]	<u>Definition of Prohibited Firearms</u>
"prohibited weapon"	s. 2.1	"this Act"	<u>Definition of Firearms</u>
"prohibited weapon"	s. 84(1)	"this Part" [Pt. III – Firearms and Other Weapons (s. 84 to 117.15)]	<u>Definition of Firearms</u>
"prohibition order"	s. 84(1)	"this Part" [Pt. III – Firearms and Other Weapons (s. 84 to 117.15)]	
"property"	s. 2	"this Act"	<u>Possession of Stolen Property (Offence)</u>
"property"	s. 428	"this Part" [Pt. XI – Wilful and Forbidden Acts in Respect of Certain Property (s. 428 to 447.1)]	<u>Miscellaneous Offences Against Property</u>
"prosecutor"	s. 2	"this Act"	<u>Definition of Crown, Prosecutor and Attorney General</u> <u>Role of the Crown</u>
"prosecutor"	s. 785	"this Part" [Pt. XXVII – Summary Convictions (s. 785 to 840)]	<u>Definition of Crown, Prosecutor and Attorney General</u> <u>Role of the Crown</u>

Term	Section	Scope	Related Sections and/or Articles
"protected statement"	s. 672.21(1)	"this section"	
"provincial court judge"	s. 2	"this Act" (except as set out in s. 111, 487.04)	Definition of Judicial Officers and Offices
"provincial court judge"	s. 111(11)	"this section and sections 112, 117.011 and 117.012" of Code	Definition of Judicial Officers and Offices
"provincial court judge"	s. 487.04	"this section and in sections 487.05 to 487.0911"	Definition of Judicial Officers and Offices
"psychosurgery"	s. 672.61(2)	"this section"	Review Board Disposition Hearings
"public department"	s. 2	"this Act"	Definitions of Parties, Persons, Places and Organizations
"public facility"	s. 2	"this Act"	Definitions of Parties, Persons, Places and Organizations
"public officer"	s. 2	"this Act"	Definitions of Parties, Persons, Places and Organizations
"public officer"	s. 25.1	"this section and sections 25.2 to 25.4"	Authorizations to Commit Illegal Acts
"public officer"	s. 117.07(2)	"this section"	Persons Exempted from Firearm Offences
"public officer"	s. 487.011	"this section and in sections 487.012 to 487.0199" [relating to preservation and production of records]	Definitions of Parties, Persons, Places and Organizations
"public officer"	s. 492.1(8)	"this section"	Tracking Warrant
"public officer"	s. 492.2(6)	"this section"	Warrant for Transmission Data Recorder
"public place"	s. 150	"this Part" [Pt. V – Sexual Offences, Public Morals and Disorderly Conduct (s. 150 to 182)]	
"public place"	s. 197	"this Part" [Pt. VII – Disorderly Houses, Gaming and Betting (s. 197 to 213)]	Definitions of Parties, Persons, Places and Organizations
"public place"	s. 213(2)	"this section"	Solicitation (Offence)
"public place"	s. 286.1(5)	"this section"	Commodification of Sexual Services (Offence) Definitions of Parties, Persons, Places and Organizations
"public place"	s. 319(7)	"this section"	Public Incitement of Hatred (Offence)
"public stores"	s. 2	"this Act"	Definitions of Parties, Persons, Places and Organizations
"public transit operator"	s. 269.01(2)	"this section"	
"public transportation system"	s. 431.2(1)	"this section"	Miscellaneous Offences Against Property
"public switched telephone network"	s. 183	"this Part" [Pt. VI – Invasion of Privacy (s. 183 to 196.1)]	Wiretaps
"publishing"	s. 299	undefined	Defamatory Libel (Offence)
Q			
"qualified medical practitioner"	s. 320.11	"this Part" [Pt. VIII.1 – Offences Relating to Conveyances (s. 320.11 to 320.4)]	Conveyance Offences
"qualified technician"	s. 320.11	"this Part" [Pt. VIII.1 – Offences Relating to Conveyances (s. 320.11 to 320.4)]	Conveyance Offences
R			
"radio-based telephone communication"	s. 183	"this Part" [Pt. VI – Invasion of Privacy (s. 183 to 196.1)]	Wiretaps
"radioactive material"	s. 2	"this Act"	Miscellaneous Offences Against Public Order
"railway equipment"	s. 2	"this Act"	Definitions of Parties, Persons, Places and Organizations Other Persons
"raw leaf tobacco"	s. 121.1(1)	undefined	Miscellaneous Administration of Justice Offences
"recognizance"	s. 2	"this Act"	Release by Police on Undertaking
"record suspension"	s. 490.011	"in this section and in sections 490.012 to 490.032" [relating to SOIRA Orders]	SOIRA Orders
"Registrar"	s. 84(1)	"this Part" [Pt. III – Firearms and Other Weapons (s. 84 to 117.15)]	
"registrar"	s. 673	"this Part" [Pt. XXI – Appeals – Indictable Offences (s. 673 to 696)]	
"registration centre"	s. 490.011	"in this section and in sections 490.012 to 490.032" [relating to SOIRA Orders]	SOIRA Orders
"registration certificate"	s. 2.1	"this Act"	Definition of Firearms
"registration certificate"	s. 84(1)	"this Part" [Pt. III – Firearms and Other Weapons (s. 84 to 117.15)]	Definition of Firearms
"release order"	s. 2	"this Act"	Release by Police on Undertaking
"remediation agreement"	s. 715.3(1)	"this Part" [Pt. XXII.1 – Remediation Agreements (s. 715.3 to 715.43)]	
"replica firearm"	s. 2.1	"this Act"	Definition of Firearms
"replica firearm"	s. 84(1)	"this Part" [Pt. III – Firearms and Other Weapons (s. 84 to 117.15)]	Definition of Firearms
"report"	s. 107(3)	"this section"	Miscellaneous Firearms Offences
"representative"	s. 2	"this Act"	Definitions of Parties, Persons, Places and Organizations

Term	Section	Scope	Related Sections and/or Articles
"required deposit balance"	s. 347	"this section"	<u>Miscellaneous Offences Against Property</u>
"restricted firearm"	s. 2.1	"this Act"	<u>Definition of Restricted Firearms</u>
"restricted firearm"	s. 84(1)	"this Part" [Pt. III – Firearms and Other Weapons (s. 84 to 117.15)]	<u>Definition of Restricted Firearms</u>
"restricted weapon"	s. 2.1	"this Act"	<u>Definition of Firearms</u>
"restricted weapon"	s. 84(1)	"this Part" [Pt. III – Firearms and Other Weapons (s. 84 to 117.15)]	<u>Definition of Firearms</u>
"revenue paper"	s. 321	"this Part" [Pt. IX – Offences Against Rights of Property (s. 321 to 378)]	<u>Definitions for General Documents, Legal Documents and Financial Instruments</u>
"Review Board"	s. 490.011	"in this section and in sections 490.012 to 490.032" [relating to SOIRA Orders]	<u>SOIRA Orders</u>
"Review Board"	s. 672.1(1)	"this Part" [Pt. XX.1 – Mental Disorder (s. 672.1 to 672.95)]	<u>Mental Illness</u>
S			
"schedule"	s. 762(2)	"this Part" [Pt. XXV – Effect and Enforcement of Recognizances (s. 762 to 773)]	<u>Estreatment of Recognizance</u>
"secondary designated offence"	s. 487.04	"In this section and in sections 487.05 to 487.0911"	
"sell"	s. 183	"this Part" [Pt. VI – Invasion of Privacy (s. 183 to 196.1)]	<u>Wiretaps</u>
"senior officer"	s. 2	"this Act"	<u>Definitions of Parties, Persons, Places and Organizations</u>
"senior official"	s. 25.1	"this section and sections 25.2 to 25.4"	
"sentence"	s. 673	"this Part" [Pt. XXI – Appeals – Indictable Offences (s. 673 to 696)]	<u>Right of Appeal by Accused of Verdicts or Sentences for Indictable Offences</u>
"sentence"	s. 785	"this Part" [Pt. XXVII – Summary Convictions (s. 785 to 840)]	<u>Right of Appeal of Verdicts or Sentences for Summary Offences</u>
"serious offence"	s. 2	"this Act"	<u>Criminal Organizations</u>
"serious offence"	s. 467.1(1)	"this Act"	<u>Criminal Organizations</u>
"serious personal injury offence"	s. 752	"This part" [Pt. XXIV – Dangerous Offenders and Long-Term Offenders (s. 752 to 761)]	<u>Serious Personal Injury Offences</u>
"service animal"	s. 445.01(4)	"this section"	<u>Animal Cruelty (Offence)</u>
"ship"	s. 78.1(5)	"this section"	<u>Piracy and Offences Against Air and Marine Safety</u>
"sister"	s. 155	"this section"	<u>Incest (Offence)</u>
"slot machine"	s. 207(4.01)	"In paragraph 4(c)"	<u>Exemptions for Lottery Offences</u>
"solicitor"	s. 183	"this Part" [Pt. VI – Invasion of Privacy (s. 183 to 196.1)]	<u>Wiretaps</u>
"space flight"	s. 7(2.34)	"this subsection and in subsections (2.3) and (2.31)."	<u>Special Jurisdiction for Offences Committed on Aircrafts or Spacecrafts</u>
"Space Station"	s. 7(2.34)	"this subsection and in subsections (2.3) and (2.31)."	<u>Special Jurisdiction for Offences Committed on Aircrafts or Spacecrafts</u>
"stamp"	s. 376(3)	"this section"	<u>Miscellaneous Offences Against Property</u>
"stamped"	s. 121.1(1)	undefined	<u>Miscellaneous Administration of Justice Offences</u>
"statement"	s. 107(3)	"this section"	<u>Miscellaneous Firearms Offences</u>
"statement"	s. 118	"this Part" [Pt. IV – Offences Against the Administration of Law and Justice (s. 118 to 149)]	<u>Definition of Judicial Officers and Offices</u>
"statements"	s. 319(7)	"this section"	<u>Public Incitement of Hatred (Offence)</u>
"steal"	s. 2	"this Act"	<u>Theft (Offence)</u>
"summary conviction court"	s. 785	"this Part" [Pt. XXVII – Summary Convictions (s. 785 to 840)]	<u>Criminal Courts</u>
"summons"	s. 2	"this Act"	<u>Release by Police on Undertaking</u>
"superior court"	s. 84(1)	"this Part" [Pt. III – Firearms and Other Weapons (s. 84 to 117.15)]	<u>Criminal Courts</u>
"superior court of criminal jurisdiction"	s. 2	"this Act"	<u>Definition of Judicial Officers and Offices, Criminal Courts</u>
T			
"territorial division"	s. 2	"this Act"	<u>Definitions of Parties, Persons, Places and Organizations</u>
"terrorism offence"	s. 2	"this Act"	<u>Terrorism Definitions</u>
"terrorist activity"	s. 2	"this Act"	<u>Terrorism Definitions</u>
"terrorist activity"	s. 83.01(1)	"this Part" [Pt. II.1 – Terrorism (s. 83.01 to 83.33)]	<u>Terrorism Definitions</u>
"terrorist group"	s. 2	"this Act"	<u>Terrorism Definitions</u>
"terrorist group"	s. 83.01(1)	"this Part" [Pt. II.1 – Terrorism (s. 83.01 to 83.33)]	<u>Terrorism Definitions</u>
"terrorist propaganda"	s. 83.222(8)	"this section"	<u>Warrant to Seize Terrorist Propaganda Publications</u>
"terrorist propaganda"	s. 83.223(11)	"this section"	<u>Warrant to Seize Terrorist Propaganda Publications</u>

Term	Section	Scope	Related Sections and/or Articles
"testamentary instrument"	s. 2	"this Act"	<u>Definitions for General Documents, Legal Documents and Financial Instruments</u>
"theatre"	s. 150	"this Part" [<i>Pt. V – Sexual Offences, Public Morals and Disorderly Conduct (s. 150 to 182)</i>]	<u>Miscellaneous Sexual and Disorderly Conduct Offences</u>
"three-card monte"	s. 206(2)	"this section"	
"tobacco product"	s. 121.1(1)	undefined	<u>Miscellaneous Administration of Justice Offences</u>
"tracking data"	s. 487.011	"this section and in sections 487.012 to 487.0199"	
"tracking data"	s. 492.1(8)	"this section"	<u>Tracking Warrant</u>
"tracking device"	s. 492.1(8)	"this section"	<u>Tracking Warrant</u>
"personal authentication information"	s. 342(4)	"this section"	
"trade combination"	s. 467(2)	"this section"	
"traffic"	s. 342.1	"this section"	<u>Unauthorized Use of Computer (Offence)</u>
"traffic"	s. 355.1	"the purposes of sections 355.2 and 355.4"	<u>Trafficking in Stolen Property (Offence)</u>
"transfer"	s. 84(1)	"this Part" [<i>Pt. III – Firearms and Other Weapons (s. 84 to 117.15)</i>]	
"transmission data"	s. 487.011	"this section and in sections 487.012 to 487.0199"	
"transmission data"	s. 492.2(6)	"this section"	<u>Warrant for Transmission Data Recorder</u>
"transmission data recorder"	s. 492.2(6)	"this section"	<u>Warrant for Transmission Data Recorder</u>
"trial"	s. 785	"this Part" [<i>Pt. XXVII – Summary Convictions (s. 785 to 840)</i>]	
"trial court"	s. 673	"this Part" [<i>Pt. XXI – Appeals – Indictable Offences (s. 673 to 696)</i>]	
"trustee"	s. 2	"this Act"	<u>Definitions for General Documents, Legal Documents and Financial Instruments</u>
U			
"undertaking"	s. 2	"this Act"	<u>Release by Police on Undertaking</u>
"unfit to stand trial"	s. 2	"this Act"	<u>Fitness to Stand Trial</u>
"United Nations operation"	s. 2	"this Act"	
"United Nations personnel"	s. 2	"this Act"	
"utter"	s. 448	"this Part"	
V			
"valuable mineral"	s. 2	"this Act"	<u>Miscellaneous Fraudulent Offences</u>
"valuable security"	s. 2	"this Act"	<u>Definitions for General Documents, Legal Documents and Financial Instruments</u>
"vehicle"	s. 269.01(2)	"this section"	
"vehicle identification number"	s. 353.1	"For the purpose of this section"	<u>Miscellaneous Offences Against Property</u>
"verdict of not criminally responsible on account of mental disorder"	s. 490.011	"in this section and in sections 490.012 to 490.032" [relating to SOIRA Orders]	<u>SOIRA Orders</u>
"verdict of not criminally responsible on account of mental disorder"	s. 672.1(1)	"this Part" [<i>Pt. XX.1 – Mental Disorder (s. 672.1 to 672.95)</i>]	<u>Mental Illness</u>
"vessel"	s. 320.11	"this Part" [<i>Pt. VIII.1 – Offences Relating to Conveyances (s. 320.11 to 320.4)</i>]	<u>Conveyance Offences</u>
"victim"	s. 2	"this Act"	<u>Role of the Victim and Third Parties</u>
"victim"	s. 715.3(1)	"this Part" [<i>Pt. XXII.1 – Remediation Agreements (s. 715.3 to 715.43)</i>]	<u>Remediation Agreements</u> <u>Role of the Victim and Third Parties</u>
"videoconference"	s. 2	"this Act"	<u>Remote Attendance in Court</u>
"visual recording"	s. 162(2)	"this section"	<u>Seizure and Forfeiture of Obscene or Child Pornographic Materials</u>
"voyeuristic recording"	s. 164(8)	"this section"	<u>Seizure and Forfeiture of Obscene or Child Pornographic Materials</u>
W			
"warrant"	s. 493	"this Part" [<i>Pt. XVI – Compelling Appearance of an Accused Before a Justice and Interim Release (s. 493 to 529.5)</i>]	<u>Warrant Arrests, Release by Police on Undertaking</u>
"weapon"	s. 2	"this Act"	<u>Definition of Weapons</u>
"witness"	s. 118	"this Part" [<i>Pt. IV – Offences Against the Administration of Law and Justice (s. 118 to 149)</i>]	
"wounds"	s. 268(3)	"this section"	<u>Aggravated Assault (Offence)</u>
"wreck"	s. 2	"this Act"	<u>Miscellaneous Offences Against Property</u>
"writing"	s. 2	"this Act"	<u>Definitions for General Documents, Legal Documents and Financial Instruments</u>
Y			
"Young Offenders Act"	s. 487.04	"In this section and in sections 487.05 to 487.0911"	

Term	Section	Scope	Related Sections and/or Articles
"young person"	s. 153(2)	"this section"	
"young person"	s. 487.04	"In this section and in sections 487.05 to 487.0911"	

Controlled Drugs and Substances Act Terms

Term	Section	Scope	Related Sections and/or Articles
"adjudicator"	s. 2	CDSA	
"alternate person in charge"	s. 56.1	"this section"	
"analogue"	s. 2	CDSA	
"analyst"	s. 2	CDSA	
"Attorney General"	s. 2	CDSA	
"controlled substance"	s. 2	CDSA	
"customs office"	s. 2	CDSA	
"designated criminal offence"	s. 56.1	"this section"	
"designated device"	s. 2	CDSA	
"designated drug offence"	s. 56.1	"this section"	
"designated substance offence"	s. 2	CDSA	
"inspector"	s. 2	CDSA	
"judge"	s. 2	CDSA	see s. 522 of the Criminal Code
"justice"	s. 2	CDSA	same as s. 2 of the Criminal Code
"medical emergency"	s. 4.1 CDSA	"this section"	<u>Exemption for Medical Emergency</u>
"Minister"	s. 2	CDSA	
non-chemical offence-related property	s. 2	CDSA	
"offence-related property"	s. 2	CDSA	
"organization"	s. 2	CDSA	
"person"	s. 2	CDSA	
"possession"	s. 2	CDSA	
"practitioner"	s. 2	CDSA	
"precursor"	s. 2	CDSA	
"prescribed"	s. 2	CDSA	
"produce"	s. 2	CDSA	
"provide", "sell" or "traffic"	s. 2	CDSA	
"traffic"	s. 2	CDSA	

Evidence Act

Term	Section	Scope	Related Sections and/or Articles
"business"	s. 30	"In This section"	
"cause"	s. 44	Part II (s. 43 to 51)	
"computer system"	s. 31.8	s. 31.1 to 31.6	<u>Electronic Documents and Records</u>
"copy"	s. 30	"In This section"	<u>Business Records Under the Canada Evidence Act</u>
"corporation"	s. 31	"In This section"	
"Council"	s. 39	s. 39(1)	
"court"	s. 29	"this section"	<u>Financial Institution Records</u>
"court"	s. 30	"In This section"	<u>Business Records Under the Canada Evidence Act</u>
"court"	s. 44	Part II (s. 43 to 51)	
"data"	s. 31.8	s. 31.1 to 31.6	<u>Electronic Documents and Records</u>
"electronic document"	s. 31.8	"this section apply in sections 31.1 to 31.6"	<u>Electronic Documents and Records</u>
"electronic documents system"	s. 31.8	s. 31.1 to 31.6	<u>Electronic Documents and Records</u>
"financial institution"	s. 29	"this section"	<u>Financial Institution Records</u>
"government"	s. 31	"In This section"	
"judge"	s. 38	"this section and in sections 38.01 to 38.15"	<u>National Defence and Security Privilege</u>
"judge"	s. 44	Part II (s. 43 to 51)	
"legal proceedings"	s. 29	"this section"	<u>Financial Institution Records</u>
"legal proceeding"	s. 30	"In This section"	<u>Business Records Under the Canada Evidence Act</u>
"oath"	s. 44	Part II (s. 43 to 51)	
"participant"	s. 38	"this section and in sections 38.01 to 38.15"	<u>National Defence and Security Privilege</u>
"photographic film"	s. 31	"In This section"	
"potentially injurious information"	s. 38	"this section and in sections 38.01 to 38.15"	<u>National Defence and Security Privilege</u>
"proceeding"	s. 38	"this section and in sections 38.01 to 38.15"	<u>National Defence and Security Privilege</u>
"prosecutor"	s. 38	"this section and in sections 38.01 to 38.15"	<u>National Defence and Security Privilege</u>
"record"	s. 30	"In This section"	<u>Business Records Under the Canada Evidence Act</u>
"secure electronic signature"	s. 31.8	s. 31.1 to 31.6	<u>Electronic Documents and Records</u>
"sensitive information"	s. 38	"this section and in sections 38.01 to 38.15"	<u>National Defence and Security Privilege</u>

Youth Criminal Justice Act

Term	Section	Scope	Related Sections and/or Articles
"adult sentence"	s. 2(1)	"this Act"	<u>Youth Criminal Justice</u>
"Attorney General"	s. 2(1)	"this Act"	<u>Youth Criminal Justice</u>
"child"	s. 2(1)	"this Act"	<u>Youth Criminal Justice</u>
"conference"	s. 2(1)	"this Act"	<u>Youth Criminal Justice</u>
"confirmed delivery service"	s. 2(1)	"this Act"	<u>Youth Criminal Justice</u>
"custodial portion"	s. 2(1)	"this Act"	<u>Youth Criminal Justice</u>
"disclosure"	s. 2(1)	"this Act"	<u>Youth Criminal Justice</u>
"extrajudicial measures"	s. 2(1)	"this Act"	<u>Youth Criminal Justice</u>
"extrajudicial sanction"	s. 2(1)	"this Act"	<u>Youth Criminal Justice</u>
"offence"	s. 2(1)	"this Act"	<u>Youth Criminal Justice</u>
"parent"	s. 2(1)	"this Act"	<u>Youth Criminal Justice</u>
"pre-sentence report"	s. 2(1)	"this Act"	<u>Youth Criminal Justice</u>
"provincial director"	s. 2(1)	"this Act"	<u>Youth Criminal Justice</u>
"publication"	s. 2(1)	"this Act"	<u>Youth Criminal Justice</u>
"record"	s. 2(1)	"this Act"	<u>Youth Criminal Justice</u>
"review board"	s. 2(1)	"this Act"	<u>Youth Criminal Justice</u>
"serious offence"	s. 2(1)	"this Act"	<u>Youth Criminal Justice</u>
"serious violent offence"	s. 2(1)	"this Act"	<u>Youth Criminal Justice</u>
"violent offence"	s. 2(1)	"this Act"	<u>Youth Criminal Justice</u>
"young person"	s. 2(1)	"this Act"	<u>Youth Criminal Justice</u>
"youth custody facility"	s. 2(1)	"this Act"	<u>Youth Criminal Justice</u>
"youth justice court"	s. 2(1)	"this Act"	<u>Youth Criminal Justice</u>
"youth justice court judge"	s. 2(1)	"this Act"	<u>Youth Criminal Justice</u>
"youth sentence"	s. 2(1)	"this Act"	<u>Youth Criminal Justice</u>
"youth worker"	s. 2(1)	"this Act"	<u>Youth Criminal Justice</u>

Interpretation Act

Term	Section	Scope	Related Sections and/or Articles
"Act"	s. 35	"every enactment"	
"Bank"	s. 35	"every enactment"	
"British Commonwealth"	s. 35	"every enactment"	
"broadcasting"	s. 35	"every enactment"	
"Canada"	s. 35	"every enactment"	
"Canadian waters"	s. 35	"every enactment"	
"Clerk of the Privy Council" or "Clerk of the Queen's Privy Council"	s. 35	"every enactment"	
"Commonwealth"	s. 35	"every enactment"	
"contiguous zone"	s. 35	"every enactment"	
"continental shelf"	s. 35	"every enactment"	
"contravention"	s. 35	"every enactment"	
"corporation"	s. 35	"every enactment"	
"county"	s. 35	"every enactment"	
"diplomatic or consular officer"	s. 35	"every enactment"	
"exclusive economic zone"	s. 35	"every enactment"	
"Governor", "Governor General" or "Governor of Canada"	s. 35	"every enactment"	
"Governor General in Council" or "Governor in Council"	s. 35	"every enactment"	
"Great Seal"	s. 35	"every enactment"	
"Her Majesty", "His Majesty", "the Queen", "the King" or "the Crown"	s. 35	"every enactment"	
"herein"	s. 35	"every enactment"	
"holiday"	s. 35	"every enactment"	
"internal waters"	s. 35	"every enactment"	
"legislative assembly"	s. 35	"every enactment"	
"lieutenant governor"	s. 35	"every enactment"	
"lieutenant governor in council"	s. 35	"every enactment"	
"local time"	s. 35	"every enactment"	
"military"	s. 35	"every enactment"	
"month"	s. 35	"every enactment"	
"oath"	s. 35	"every enactment"	
"Parliament"	s. 35	"every enactment"	
"person"	s. 35	"every enactment"	
"proclamation"	s. 35	"every enactment"	
"province"	s. 35	"every enactment"	
"radio"	s. 35	"every enactment"	
"regular force"	s. 35	"every enactment"	
"reserve force"	s. 35	"every enactment"	
"security"	s. 35	"every enactment"	
"standard time"	s. 35	"every enactment"	
"statutory declaration"	s. 35	"every enactment"	
"superior court"	s. 35	"every enactment"	
"telecommunications"	s. 35	"every enactment"	
"territorial sea"	s. 35	"every enactment"	
"territory"	s. 35	"every enactment"	
"two justices"	s. 35	"every enactment"	
"United Kingdom"	s. 35	"every enactment"	
"United States"	s. 35	"every enactment"	
"writing"	s. 35	"every enactment"	
"year"	s. 37	<i>not specified</i>	
"Act"	s. 2	Interpretation Act ("this Act")	
"enact"	s. 2	Interpretation Act ("this Act")	
"enactment"	s. 2	Interpretation Act ("this Act")	
"public officer"	s. 2	Interpretation Act ("this Act")	
"regulation"	s. 2	Interpretation Act ("this Act")	
"repeal"	s. 2	Interpretation Act ("this Act")	

Misc Definitions

- "Jurat" - "statement on affidavit of when, where, and before whom it was sworn"[\[2\]](#) see also [\[3\]](#)

Repealed Definitions

Term	Section	Scope	Related Sections and/or Articles
"aircraft"	s. 214	"this Part" [<i>Pt. VIII – Offences Against the Person and Reputation (s. 214 to 320.1)</i>]	s. 244.2, 249, 251 to 254, 255, 255.1, 258, 259, 260
"appearance notice"	s. 493		
"child"	s. 214	"this Part" [<i>Pt. VIII – Offences Against the Person and Reputation (s. 214 to 320.1)</i>]	
"common bawdy-house"	s. 197	"this Part" [<i>Pt. VII – Disorderly Houses, Gaming and Betting (s. 197 to 213)</i>]	<u>Gambling Offences (Offence)</u>
"data"	s. 83.223(11)	"this section"	
"designated drug offence"	s. 462.3(1)	"this Part" [<i>Pt. XII.2 – Proceeds of Crime (s. 462.3 to 462.5)</i>]	
"designated substance offence"	s. 462.3(1)		
"designated substance offence"	s. 462.48(1)	"this section"	
"enterprise crime offence"	s. 462.3(1)		
"entity"	s. 83.01(1)	"this Part" [<i>Pt. II.1 – Terrorism (s. 83.01 to 83.33)</i>]	
"judge"	s. 83.28	Section 83.28 and 83.29	<u>Definition of Judicial Officers and Offices</u>
"magistrate"	s. 552	"this Part" [<i>Pt. XIX – Indictable Offences – Trial Without a Jury (s. 552 to 572)</i>]	
"means"			<u>Abortion (Unconstitutional Offence)</u>
"Minister of Health"			<u>Abortion (Unconstitutional Offence)</u>
"officer in charge"	s. 493	"this Part" [<i>Pt. XVI – Compelling Appearance of an Accused Before a Justice and Interim Release (s. 493 to 529.5)</i>]	
"operate"	s. 214	"this Part" [<i>Pt. VIII – Offences Against the Person and Reputation (s. 214 to 320.1)</i>]	
"promise to appear"	s. 493	"this Part" [<i>Pt. XVI – Compelling Appearance of an Accused Before a Justice and Interim Release (s. 493 to 529.5)</i>]	
"prostitute"	s. 197(1)		
"qualified medical practitioner"			<u>Abortion (Unconstitutional Offence)</u>
"recognizance"	s. 493	"this Part" [<i>Pt. XVI – Compelling Appearance of an Accused Before a Justice and Interim Release (s. 493 to 529.5)</i>]	
"street racing"	s. 2	"this Act"	
"summons"	s. 493	"this Part" [<i>Pt. XVI – Compelling Appearance of an Accused Before a Justice and Interim Release (s. 493 to 529.5)</i>]	
"undertaking"	s. 493	"this Part" [<i>Pt. XVI – Compelling Appearance of an Accused Before a Justice and Interim Release (s. 493 to 529.5)</i>]	
"vessel"	s. 214	"this Part" [<i>Pt. VIII – Offences Against the Person and Reputation (s. 214 to 320.1)</i>]	Referenced in s. 244.2, 249, 250 to 255.1, and 258 to 260.

See Also

- [Criminal Code](#)
- [Interpretation Act](#)
- [Canada Evidence Act](#)

Dictionaries

- [Wiktionary](#)

Procedure and Practice Readings List

< [Procedure and Practice](#)

Further Reading

Annotated Codes, Digests and Reports

- BC Decisions: Criminal Cases Canadian Criminal Cases Criminal Reports Canadian Abridgment: Criminal LawDigest Crankshaw's Criminal Code of Canada Canadian Criminal Cases Criminal Reports Criminal Law Partner (CD-ROM)
- Martin's Criminal Code

- Supreme Court of Canada Decisions Supreme Court Reports
- Tremear's Annual Criminal Code Weekly Criminal Bulletin CLE's Criminal Case Digest Subscription Service Criminal Procedure

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Substantive Law

a. Generally

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- Sinclair-Prowse, Janet A. and Elizabeth Bennett. *Working Manual of Criminal Law*. Toronto: Carswell (looseleaf).
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b. Drinking and Driving

- *Impaired Driving and Driving Under Suspension – 2003*. Vancouver: CLE
- McLeod, R. QC, and Judge J.D. Takach, and M.D. Segal. *Breathalyzer Law in Canada: The Prosecution and Defence of Drinking and Driving Offences*. Toronto: Carswell (looseleaf)
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c. Drugs

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- National Study On Neck Restraints in Policing (June 2007) [4]
- Police Interaction and its Relation to Arrest and Use of Force by Police [5]

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Form	Title	Related Section	Amendments	Related Articles
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Form 22	Warrant of Committal on an Order for the Payment of Money	s. 806	R.S., 1985, c. C-46, Form 22; R.S., 1985, c. 27 (1st Supp.), s. 184.	
Form 23	Warrant of Committal for Failure To Furnish Recognizance To Keep the Peace	s. 810 and 810.1	R.S., 1985, c. C-46, Form 23; R.S., 1985, c. 27 (1st Supp.), ss. 184, 203; 1993, c. 45, s. 12.	
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Form 6 to 30

- [Criminal Code Forms \(Form 6 to 30\)](#)

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- [Criminal Code Forms \(Form 31 to 54\)](#)

See Also

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Misc Procedural Provisions

Part II

Civil remedy not suspended

11 No civil remedy for an act or omission is suspended or affected by reason that the act or omission is a criminal offence.
R.S., c. C-34, s. 10.

– [CCC](#)

Certain acts on holidays valid

20 A warrant, summons, appearance notice, undertaking, release order or recognizance that is authorized by this Act may be executed, issued, given or entered into, as the case may be, on a holiday.
R.S., c. C-34, s. 20; R.S., c. 2(2nd Supp.), s. 2; [2019, c. 25, s. 5](#).

– [CCC](#)

Part XXVII

Fees and Allowances Fees and allowances

840 (1) Subject to subsection (2), the fees and allowances mentioned in the schedule to this Part are the fees and allowances that may be taken or allowed in proceedings before summary conviction courts and justices under this Part.

Order of lieutenant governor in council

(2) The lieutenant governor in council of a province may order that all or any of the fees and allowances mentioned in the schedule to this Part shall not be taken or allowed in proceedings before summary conviction courts and justices under this Part in that province and, when the lieutenant governor in council so orders, he or she may fix any other fees and allowances for any items similar to those mentioned in the schedule, or any other items, to be taken or allowed instead.

R.S., [1985, c. C-46, s. 840](#); [1994, c. 44, s. 83](#); [1997, c. 18, s. 114](#).

– [CCC](#)

Precedents and Checklists

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Note that format and content requirements vary between jurisdictions. See [Rules of Court](#).

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Precedents

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Official Court Forms (includes Notices, Orders, and supporting docs)

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- [Supreme Court Forms, Summary Conviction Appeals, and General Forms](#)

New Brunswick

- [Provincial Court Rules and Forms](#)
- [Court of Queen's Bench Forms](#)

Nova Scotia

- [Nova Scotia Provincial Court Forms and Other Court Documents](#)
- [Nova Scotia Supreme Court Forms \(Google docs\)](#)
 - [summary conviction notice of appeal \[Form 63\]](#)
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Ontario

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- [Forms under the Criminal Proceedings Rules of the Superior Court of Justice](#)

Manitoba

- [Manitoba Courts, Provincial Court forms](#)
 - [Provincial Court Practice Directives](#)
- [Court of Queen's Bench Forms \(Criminal\)](#)

Alberta

- [Provincial Court Practice Directions and Forms](#)
- [Queen's Bench Criminal Forms](#)

British Columbia

- [Provincial Court and Supreme Court \(Criminal\) Forms](#)

Form of Charges

- [Draft Form of Charges](#)

Criminal Code Forms

- [Criminal Code Forms](#)

Tools

- <http://draw.io>
- <https://getgreenshot.org/>
- <http://sheets.google.com>
- <http://docs.google.com>

See Also

- Rules of Court
- Model Examinations (Criminal Law)

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Motions Chart

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Prohibit cross examination by self rep

Videolink testimony

Prior stamens video

Forfeiture Offence related property

Forfeit computer equip

Disclosure

Particulars

Third party records

Pre-Trial and Trial Motions Checklist

< [Criminal Law](#)

Alternate Source: [Google Docs](#) [Google Docs\(2\)](#)

Trial Preparation Checklist

< [Precedents, Court Forms and Checklists](#)

Trial Preparation Checklist

Witness Preparation

General

- ensure witnesses are aware of trial date and purpose by phone, letter or email
- ensure subpoenas for witnesses are issued (consider whether for provincial vs superior court)
 - if national or international subpoena needed, apply to supreme court
 - if international consider whether visas are needed
- make arrangements for out-of-town witnesses (transportation and accommodation)
- copies of criminal record of witnesses (such as CPIC printout)
- provide witnesses with chance to review exhibits (images, documents, records, transcripts)
- notify witnesses of trial booking and likely timeline of trial
- verify whether counsel has any legal conflicts with witness

Interviewing

- give/show copies of statements to witnesses so that they can review in a reasonable amount of time
- where practical, have an observer present at meetings to ensure no dispute on what was discussed
- new information from witness may require the taking of a new statement from that witness
- never suggest an answer to a witness on any essential aspects of evidence, especially eye-witness identification^[1]

Expert Witnesses

- meet with expert at least once to review opinions / familiarize counsel with technical issues
- verify with expert the field of expertise being sought for qualification

Police Witnesses

- Confirm officer has access to their reports and notes. Ensure that they review and bring all their materials with them.

Special Witnesses

- if child or other vulnerable witness, arrange for multiple meetings in the months before to gain comfort with the child and rapport.
- book interpreter for meetings and court (if court is arranging, be sure they have done so)

Preparing Client (Defence Only)

- Notice to Client of Trial Date and duration
- Scheduling of appointments to meet with client

Client's Decision to Testify

- Review client's prior statements
- Ensure client has reviewed evidence, including exhibits, that may be showed to him in trial
- Explain the damaging evidence may be presented in cross-examination
- Warn of risks of putting his character in issue

Preparations for Cross-examination

-

Pre-Trial Applications (Non-Charter)

- Application for Publication Bans
- Application to prohibit self-represented from Cross-examining alleged victim (Crown or Witness only)
- Application for Rowbotham counsel (self-represented only)
- Application for Audio/Video-link testimony

Notices

Legally required notices are in **bold**

<h3>Notice to Opposing Counsel</h3> <ul style="list-style-type: none">▪ <input type="checkbox"/> notice of any outstanding disclosure / completion of disclosure▪ <input type="checkbox"/> notice of expert evidence, including area of qualification, copy of expert's resume, and can-say (30 days)▪ <input type="checkbox"/> notice to admit business documents (7 days)▪ <input type="checkbox"/> notice to admit financial records▪ <input type="checkbox"/> notice to admit court orders (only some <i>require</i> it)▪ <input type="checkbox"/> expert report forwarded to other party (usually approx 30 days)▪ <input type="checkbox"/> notice of charter applications (usually approx 30 days)▪ <input type="checkbox"/> notice to admit wiretap evidence (requires "reasonable notice", see s. 189(5) and <u>Admitting Wiretap Evidence</u>)▪ <input type="checkbox"/> notice of any applications (e.g. amendments to information, accused sitting at counsel table)▪ <input type="checkbox"/> notice seeking agreement on facts▪ <input type="checkbox"/> notice seeking agreement on issues of law (basic elements of proof, continuity, voluntariness of statements, blended voir dices)▪ <input type="checkbox"/> notice of any agreed or uncontested facts▪ <input type="checkbox"/> notice of any agreed / conceded issues of law (basic elements of proof, continuity, voluntariness of statements, blended voir dices)▪ <input type="checkbox"/> notice to witnesses that they should bring certain records or other evidence	<h3>Court</h3> <ul style="list-style-type: none">▪ <input type="checkbox"/> notice to court of A/V equipment needed▪ <input type="checkbox"/> notice to court of extra security needed <h3>Witnesses/3rd Parties</h3> <ul style="list-style-type: none">▪ <input type="checkbox"/> notice for subpoenas have been sent▪ <input type="checkbox"/> ensure that subpoenaed documents have been issued (within reasonable time)▪ <input type="checkbox"/> ensure that witnesses are aware of trial date(s)▪ <input type="checkbox"/> notice to investigator of due date for having all evidence complete and trial date▪ <input type="checkbox"/> notify other 3rd parties of due date and trial dates (e.g. transcribers, experts, or other interested parties)▪ <input type="checkbox"/> notice by crown to police investigator of any dropping of charges with reasons and any considered plea agreements <h3>For Crown</h3> <ul style="list-style-type: none">▪ <input type="checkbox"/> Notify defence of intended use of any inculpatory statements (not legally required)▪ <input type="checkbox"/> Request position on the admissibility of anticipated tendered evidence (not legally required), including CEA notice, voluntariness <h3>For Defence</h3> <ul style="list-style-type: none">▪ <input type="checkbox"/> Request position on what documents (or other any exhibits) are being relied upon to make out offence
---	---

Crown Request for Concessions

Exhibits

<p>Generating</p> <ul style="list-style-type: none"> ▪ <input type="checkbox"/> ensure that any A/V recordings have been sent for transcription with a scheduled completion date ▪ <input type="checkbox"/> have expert send counsel a copy of their resume ▪ <input type="checkbox"/> ensure that experts have due dates on reports being written ▪ <input type="checkbox"/> ensure that any investigators have completed collection of evidence 	<p>Organizing</p> <ul style="list-style-type: none"> ▪ <input type="checkbox"/> review all records, documents and real evidence that may be put to each witness, consider whether they should be exhibits. Consider how each can be authenticated. ▪ <input type="checkbox"/> ensure that there are four copies (original, crown, defence, judge copies) for all potential documents to be used (e.g. transcripts of audio statements, court proceedings, witness statements, police notes, photographs, records, expert's resume) ▪ <input type="checkbox"/> consider making an exhibit book, organized by witness or as one large book.
--	---

Trial Counsel's Materials

<p>Trial Book</p> <ul style="list-style-type: none"> ▪ <input type="checkbox"/> checklist of information to put on the record prior to the commencement of trial (e.g. agreement of facts, non-contested issues, time estimations, order of witnesses, duration of witnesses, number of voir dices, whether voir dices are blended) ▪ <input type="checkbox"/> checklist of motions for prior to the commencement of trial ▪ <input type="checkbox"/> checklist of information that you want to put on the record prior to the close of counsel's evidence (e.g. expectations on rebuttal evidence, time expectation) ▪ <input type="checkbox"/> checklist of motions for prior to the closing of counsel's part of their case ▪ <input type="checkbox"/> briefs on the law and supporting case law ▪ <input type="checkbox"/> list of witnesses with synopsis of their relevant evidence ▪ <input type="checkbox"/> outline of proof for each charge, connection with each witness and exhibit ▪ <input type="checkbox"/> examination outlines for each witness ▪ <input type="checkbox"/> opening/closing outline <p>Stationary</p> <ul style="list-style-type: none"> ▪ <input type="checkbox"/> pads of paper ▪ <input type="checkbox"/> pens, highlighters, markers 	<p>In Court Equipment</p> <ul style="list-style-type: none"> ▪ <input type="checkbox"/> Criminal Code, textbooks ▪ <input type="checkbox"/> laptop + power cable ▪ <input type="checkbox"/> connector for large screen ▪ <input type="checkbox"/> Riser / Stand for materials <p>Out of Court Items</p> <ul style="list-style-type: none"> ▪ <input type="checkbox"/> change for snack machine, parking meter, toll booths, etc. ▪ <input type="checkbox"/> cell phone (for calling office or witnesses) <p>Health Breaks</p> <ul style="list-style-type: none"> ▪ <input type="checkbox"/> snacks, lozenges ▪ <input type="checkbox"/> medications
---	--

At Court Preparation

<p>Court Presentation</p> <ul style="list-style-type: none"> ▪ <input type="checkbox"/> examine technology set-up and test to ensure it is working properly ▪ <input type="checkbox"/> verify all exhibits and trial counsel material are present ▪ <input type="checkbox"/> consider pre-marking exhibits <p>Witnesses</p> <ul style="list-style-type: none"> ▪ <input type="checkbox"/> verify witnesses and interpreters are present and ready ▪ <input type="checkbox"/> canvas with witnesses any potential conflicting obligations that may affect the case (e.g. police officer who is double booked between two trials) ▪ <input type="checkbox"/> notify witnesses of likely timeline of trial ▪ <input type="checkbox"/> review any last minute developments with client / witnesses ▪ <input type="checkbox"/> provide witnesses with last chance to review exhibits (statements, images, documents, records, transcripts)

Preliminary Inquiry

<p>Types of Witnesses Needed (Crown only)</p> <ul style="list-style-type: none"> ▪ <input type="checkbox"/> Necessary witnesses to prove elements of the offence on <i>Sheppard</i> standard ▪ <input type="checkbox"/> Necessary witnesses to prove the continuity of exhibits ▪ <input type="checkbox"/> Necessary witnesses to prove voluntariness of any inculpatory statements beyond a reasonable doubt

Specific Offences

Sexual Offences

- complainant's notified of privacy interest in records
- complainant's notified of right to counsel
- obtain waiver of privacy from complainant

Conveyance Offences

- certificate of analysis

See also

- Baum, *Art of Advocacy: Preparation*
- Manes & Edwards, *Organized Advocacy*, 2d ed. (Toronto: Carswell, 1988) Form 12-2
- F. Lee Bailey, *Fundamentals of Criminal Advocacy* (Rochester: The Lawyers Co-op, 1974)
- F. Lee Bailey, *Investigation and Preparation of Criminal Cases* (Rochester: The Lawyers Co-op, 1985)
- Justice Saunders, *Reflections on the Art ... and Science of Decision-Making* [6]

Theory of the case

- http://www.mcle.org/includes/pdf/1960301B00_S.pdf
- <http://www.pdsdc.org/Resources/summerseries/SS06142011/DevelopingTheory.pdf>
- <http://ambrosecriminallawblog.com/category/cross-examination-science-and-techniques-by-pozner-dodd/page/3/>

Crown File Review Checklist

< [Precedents, Court Forms and Checklists](#)

File Review

FILE CHECKLIST

INITIAL REVIEW

- Review Form of Charges:
 - Range of dates conforms to evidence?
 - Verify Wording of Offence, Section, and Victim(s)
- Election: _____ [] On Record? _____
- Hearing Estimates:
 - Time Estimate Trial: _____ Prelim. _____
- Section 109 Weapons Prohibition Order (If subject to prior Order)
 - Relying on Prior Conviction for 85 to 103, 253, 254, 344 [firearms]; s. 5(3) CDSA
- Pick-up Order? Institution: _____
- Publication Bans

TRIAL POLICE WITNESSES

- Witnesses as found in Crown-sheet
- Additional witnesses

Witness	Involvement	Officer Reports	Notes	Subpoenaed
1				
2				
3				
4				
5				

TRIAL CIVILIAN WITNESSES

- Witnesses as found in Crown-sheet
- Additional witnesses

Witness	Involvement	Statements	Summary	Subpoenaed
1				
2				
3				
4				
5				

NOTICES

- Increased Penalty Notices s. 727 of Code or s. 8 of CDSA:
- Send counsel / self-represented letter giving Business Documents Notice (s. 30 CEA) - 7 days before trial
- Bank Records (s. 29 CEA) No notice needed as long as affidavit available
- Expert Evidence (s. 657.3) - 30 days before trial
- Preliminary Inquiry Hearsay (s. 540(7)) Reasonable notice, s. 540(8) CC
- Certificate of Qualified Technician (s. 258) Reasonable notice, s. 258(7)
- Certificate of Non-appearance (s. 145(9)) Reasonable notice, s. 145(11) CC
- Certified True Copy _____ (s. 24 CEA) 7 days prior to trial, s. 28(2) CEA

Initial Disclosure DOCUMENTS

- Request Certified Documents:
 - [list documents]

[List documents]

- Send counsel / self-represented letter giving Judicial Documents Notice for:

[list documents]

- Expert Witness Notice
- Drafting of Joint Statement of Fact

MISSING DISCLOSURE

- Record: _____
- Date requested
- Date received
- Date disclosed

OTHER TRIAL READINESS ISSUES

- Out of Province Subpoena Applications required for: _____
- Make travel arrangements for: _____
- Interpreter Needed?

- Court notified for booking?

- Video-link Needed?
 - Court notified for booking?

- Order Transcripts of *police statements*: _____
 Needed by: _____

- Order Transcripts of *preliminary inquiry*: _____
 Needed by: _____

- Preparing Exhibits (4 copies Judge alone [W, J, D, and C] or 18 copies for Jury trial [4 + 12 + 2 extra]):
 [list exhibits here]

- Testimonial Aids:
 - Video link out of country
 - Video link out of province
 - Support Person
 - Testimonial Screen
 - Video link for vulnerable witnesses

ISSUES

- Issue:
- Remedy:

TRIAL CANCELLATION

- Call off police/civilian witnesses on file
 Reason: _____

SENTENCING

- Victim Services Referral
- PSR / PDR Notification
- Prohibition Orders:
 - Section 109/110 Weapons Prohibition for _____ years
 - Section 161 for _____ years
 - Driving (259) for _____ years

- Order of Forfeiture of Weapons

CONCLUSION OF FILE

- Print-out electronic files (if necessary)
- Fill out closure forms
- Forward to File Room / Records

Subsequent Appearance

- Do I have the complete file?
- Was disclosure provided? To whom?
- Is there any pending disclosure requests?
- Have victims been identified? Was referral made to Victim Services?
- Does accused have counsel?

- Was an election made? If summary, is it within time?
- What is the trial-time estimate?
- Does a victim need to be given notice?
- If Accused failed to attend, was proper notice provable?
- Has there been any settlement proposal sent to defence?
- In case of snap sentencing, consider penalty and ancillary order?
- How much delay has accrued? Does it warrant request for deemed election/plea?

Organize for easy access

information, summary of facts, release/detention docs, criminal record, can-says, key photos

Disclosure Review

General

- information/indictment
- Crown sheet/brief
- Release Order / Undertaking
- List of witnesses with contact info
- Notice of Intention to Intro. Documents
- Scene Photos
- Injury Photos

Special Records for Specific Offences

- Certificate of Qualified Breath Tech
- Extrapolation Report
- Breath Test Ticket

Civilian Witnesses

Name / Involvement / Statements / Summary

Peace Officers

Name / Involvement / Report / Notes

Outstanding Disclosure

McNeil Requests

Vetting Disclosure

VETTING CHECKLIST

Relevance

- Clearly irrelevant

Privilege

- Informer privilege (usually in communication records)
- Solicitor-client privilege including Crown/police advice (usually in communication records, police reports)
- Investigative technique privilege

Witness safety

- Contact info (address, phone number, email address) for witnesses / alleged victims who are at *specific risk*.

Alleged Victim's Private Records for Certain Sexual Offences

- For certain sexual offences,^[2] any record that attracts reasonable expectation of privacy of the alleged victims.^[3]
 - medical, psychiatric, therapeutic, counselling,
 - education, employment,
 - child welfare, adoption and social services records
 - personal journals and diaries

On-going Investigation

- Records relating to investigative steps in ongoing investigations
- Records identifying suspects to ongoing investigations

- <http://canada.justice.gc.ca/eng/rp-pr/cj-jp/ccr-rc/pmj-pej/pmj-pej.pdf>
- section 151 [sexual interference], 152 [invitation to sexual touching], 153 [sexual exploitation], 153.1 [sexual exploitation of disabled], 155 [incest], 160 [bestiality], 170 [parent or guardian procuring sexual activity], 171 [householder permitting prohibited sexual activity], 172 [corrupting children], 173 [Indecent acts], 213 [stopping or impeding traffic], 271 [sexual assault], 272 [sexual assault with a weapon or

causing bodily harm], 273 [aggravated sexual assault], 279.01 [trafficking in persons], 279.011 [trafficking in persons, under 18], 279.02 [material benefit from trafficking], 279.03 [withholding or destroying docs], 286.1 [obtaining sexual services for consideration], 286.2 [material benefit from sexual services provided] or 286.3 [procuring]

- Production of Records for Sexual Offences

Defence File Review Checklist

< [Precedents, Court Forms and Checklists](#)

File Review

FILE CHECKLIST

FIRST APPEARANCE ISSUES

- Necessary Publication Bans

SUFFICIENCY OF NOTICES

- Increased Penalty Notices s. 727 of Code or s. 8 of CDSA:
 - Section 109 Weapons Prohibition Order (If subject to prior Order)
 - Crown Give Notice to Rely on Prior Conviction for 85 to 103, 253, 254, 344 [firearms]; s. 5(3) CDSA

SUFFICIENCY OF CHARGES

- Review Form of Charges:
 - Range of dates conforms to evidence?
 - Verify Wording of Offence, Section, and Victim(s)

DISCLOSURE REVIEW FOR COMPLETENESS

- List names of people who are mentioned but no statement can be found. Determine whether to confirm whether they were interviewed.
- Determine if any witness is referring to or referencing a document not in disclosure
- Examine all photocopies and handwritten notes. Be sure that they are **legible' and not cut-off** in the copying process.

Seized Exhibits

- Review list of exhibit items seized by police for documents or photographs. Verify that they been included in the disclosure. Consider requesting copies of photographs of the items.
- Review list of exhibit items seized by police that are electronic devices. Verify the status of their examination and likely timeline for any report. Consider whether to request disclosure defence expert.

Relevant Investigative Files

- Does disclosure mention other investigations relevant to the case. Consider whether the contents may have relevant information within it.

Co-Accused Cases

- Request a list of records that are in the possession of the Crown that were disclosed to one co-accused but withheld for irrelevancy to counsel.

DEFENCE DOCUMENTS

- Request Certified Documents:
 - [list documents]
- Expert Witness Notice
- Drafting of Joint Statement of Fact

OTHER TRIAL READINESS ISSUES

- Out of Province Subpoena Applications required for: _____
- Make travel arrangements for: _____
- Interpreter Needed?
 - Court notified for booking?
- Video-link Needed?
 - Court notified for booking?
- Order Transcripts of *police statements*: _____
Needed by: _____
- Order Transcripts of *preliminary inquiry*: _____
Needed by: _____

- Preparing Exhibits (4 copies Judge alone [W, J, D, and C] or 18 copies for Jury trial [4 + 12 + 2 extra]):

[list exhibits here]

- Testimonial Aids:

- Video link out of country
- Video link out of province
- Support Person
- Testimonial Screen
- Video link for vulnerable witnesses

- Hearing Estimates:

- Time Estimate Trial: _____ Prelim. _____

SENTENCING

- Letters of Reference
- PSR / PDR Notification
- Prepare client for s. 726 address to Court

CONCLUSION OF FILE

Draft Informations and Indictments

[< Precedents, Court Forms and Checklists](#) < [Precedents](#)

PRECEDENT TERMS OF USE

All forms, templates and precedents, including anything found on this page, can be used without the need for any attribution.

NB: all charging documents should be in both french and english.

Information

(Form 2)

INFORMATION

FORM 2
Canada,
Province of _____,
(territorial division).

Information
(Sections 506 and 788)

This is the information of [informant's name], of _____, (occupation), hereinafter called the informant.

The informant says that he/she has reasonable grounds to believe and does believe that

[NAME(S) OF ACCUSED PERSONS]

being an adult, a young person

on or about the _____ day of _____ A.D.
_____ ; or

between the _____ day of _____ A.D.

and the _____ day of _____ A.D.

at _____ or near _____

_____ ,
[province] did

[LIST OF ALL CHARGES]

Sworn or affirmed before me this _____ day of _____, A.D. _____,
at _____.

(Signature of Informant)

_____ A Justice of the Peace in and for _____

Note: The date of birth of the accused may be mentioned on the information or indictment.

R.S., 1985, c. C-46, Form 2; R.S., 1985, c. 27 (1st Supp.), s. 184.

Indictment

INDICTMENT

FORM 4 (Sections 566, 566.1, 580 and 591)

C A N A D A

File No

PROVINCE OF [province]
PROVINCE DE [province, french]

IN THE [SUP. LEVEL OF COURT] OF [PROVINCE]
DANS LA [SUP. LEVEL OF COURT, french] DE [PROVINCE, french]

HER MAJESTY THE QUEEN
SA MAJESTÉ LA REINE

against
contre

[NAME OF ACCUSED PERSON 1]
AND
[NAME OF ACCUSED PERSON 2]

[NAME OF ACCUSED 1] of [ADDRESS] in the county of [Region]
de dans le comté de

and
et

[NAME OF ACCUSED 2] of [ADDRESS] in the county of [Region]
de dans le comté de

stands charged
est inculpé(d) d'avoir

THAT he/she/they, between the [date] day of [month], [year] and the [date] day of [month], [year], at or near _____, in the province of _____, did

OR

THAT he/she/they, on or about the [date] day of [month], [year], at or near _____, in the province of _____, did

...[describe the offence] ... (count 1);

AND FURTHERMORE THAT he/she/they ...[describe the offence]... (count 2);

...

DATED at _____, in the Province of _____, this ____ day of _____, 20__.

FAIT LE ____ jour de _____ en l'an de grâce _____ à _____, [province, french].

[Counsel's name]
[Counsel's title]

(Agent of the Attorney General)

IF THE CHARGE IS DONE AS A PREFERRED INDICTMENT

I hereby consent to the preferring of this indictment pursuant to section 577 of the *Criminal Code*.

DATED at _____, in the Province of _____, this ____ day of _____, 20__.

FAIT LE ____ jour de _____ en l'an de grâce _____ à _____, [province, french].

[Name]
[Title]
(Signature of Att. Gen. or other person

designated under s. 577)

A translation into french of the details contained in this document may be obtained upon request.
Une traduction en français des détails de ce document peut être obtenue sur demande.

REVERSE OF INDICTMENT

C A N A D A
PROVINCE OF [PROVINCE]
PROVINCE DE [PROVINCE, french]

IN THE [name of superior court] OF [PROVINCE, french]
DANS LA [name of superior court] DE [PROVINCE, french]

HER MAJESTY THE QUEEN
SA MAJESTÉ LA REINE

against
contre

[ACCUSED 1]
AND
[ACCUSED 2]

INDICTMENT
ACTE D'ACCUSATION

Present: The Honourable
Devant: Son Honneur

with a jury
avec un jury

JURORS
JURÉS

1.	7.
2.	8.
3.	9.
4.	10.
5.	11.
6.	12.

Verdict:

FOREPERSON
PRÉSIDENT(E)

Taken in open court this _____ day of _____ A.D., _____, at
_____, [province].
Prononcé en audience publique le jour de l'an de grâce 20 , à [Province, french].

CLERK OF THE CROWN
PRÉPOSÉ(E) DE LA COURONNE

Bail Checklist

< [Procedure and Practice](#) < [Judicial Interim Release](#)

Initial Steps

- Review case synopsis, consider conflicts regarding self or others;
- have statements of witnesses and complainant;
- have an updated print out of the accused's **criminal record**;
- consider whether any other outstanding release orders should be **revoked under s. 524**.
- consider whether the accused should be assessed for fitness to stand trial under s. 672.11(a);
- collect any available background information on the accused including history of mental illness, drug abuse, employment history, residential history, or
- determine any concerns or safety concerns for the witnesses, complainants or victims;

Primary Grounds

Concerns as a Flight Risk

- Ties to the community
 - friends, family, other community members
 - school, employment, church, volunteering
 - Canadian Citizenship
- Criminal record (esp. those relating to compliance and honesty)
- Other outstanding charges
- History of compliance with police direction.
- Strength of connection to other provinces or other countries

Secondary Grounds

the circumstances of the offence:

- seriousness and nature of the offence
- duration of the offence, number of offences
- surrounding circumstances of the offence and offender
- accused's potential culpability
- involvement of firearms
- degree of planning and deliberation
- mental health issues (observable by witnesses or in video statement)
- addiction issues
- any other issues that suggest dangerousness
- suicidal tendencies
- consciousness of guilt
- physical and emotional impact of the incident upon the victim
- likelihood of lengthy sentence
- strength of the Crown's case^[1]
- risk or harm to victim

- accused's criminal record
- previous outstanding release conditions
- history of abiding by court orders and conditions

Tertiary Grounds

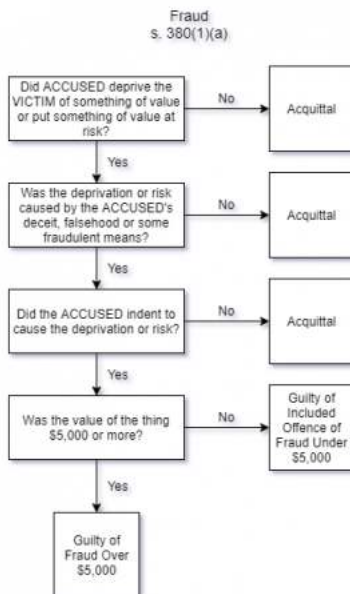
See Also

- [Bail Release Form](#)

Draft Jury Decision Trees

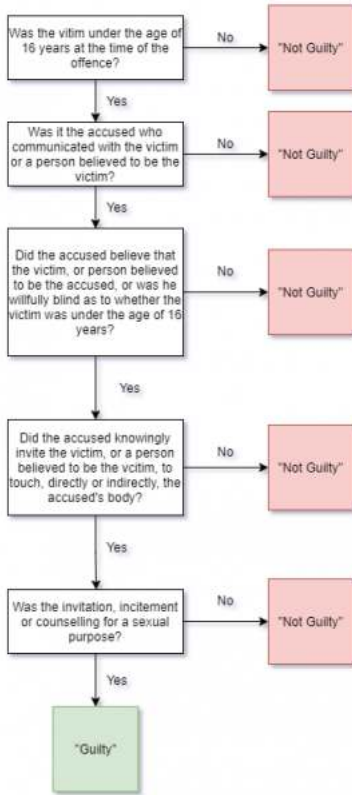


Aggravated Assault^[1]



Fraud Over \$5,000

Invitation to Sexual Touching
s. 152



Invitation to Sexual Touching

1. *R v Adem*, 2018 ABCA 333 (CanLII), *per curiam* (3:0)

See Also

- [Example Jury Instructions](#)

Bail Release Form

< [Precedents, Court Forms and Checklists](#) < [Precedents](#)

Release

See s. 515(4) of the *Criminal Code*

NAME: _____

ADDRESS: _____

DATE: _____

CASE #s: _____

Publication Ban

- Order for ban on publication pursuant to s. 487.4 of the *Criminal Code*

Type of Release

- Undertaking
- Recognizance \$ _____
 - Own \$ _____ Surety \$ _____ \$ Sureties (2) \$ _____

Conditions

The Applicant shall

- keep the peace and be of good behaviour.
- attend court as and when directed.
- report within twenty-four (24) hours of his release from custody, in person, to the _____, and thereafter he shall report as and when directed by _____ and in any event not less than once per week in person.
- reside at _____, and shall not change his address without first obtaining the consent of the Court.
- when first reporting to the Bail Supervisor, provide his phone number to the Bail Supervisor and he shall not change that phone number without first advising the Bail Supervisor.
- obey all rules and regulations of his residence.
- remain within the Province of _____.
- remain within the property upon which his residence is located at all times, except he may leave his residence between the hours of 6:00 a.m. and 8:00 p.m. as follows:
 - while in the company of his mother, _____;
 - while in the company of his counsel; or
 - while in the company of another adult person approved in writing by the Bail Supervisor.
- The present himself at the door of his residence when any Peace Officer or Bail Supervisor attends there for the purpose of determining his compliance with this Order.
- respond personally and immediately to the phone when any Peace Officer or Bail Supervisor makes a phone call to his residence for the purpose of determining his compliance with this Order.
- not leave _____, except with the permission of the Court or the written permission of the Bail Supervisor.
- abstain from communicating, directly or indirectly, and shall have no contact, with [named persons], except as follows:
 - through legal counsel, or
 - while in attendance at court and within the courtroom.
- not attend at or be within fifty (50) meters of any place which he knows to be the residence, school or workplace of any of those persons mentioned in condition 11, except while on a highway in a moving motor vehicle.
- not possess or consume any alcohol or any controlled substance as defined in Section 2 of the Controlled Drugs and Substances Act, except as prescribed for him by a Physician.
- not enter any liquor store, beer and wine store, bar, pub, lounge or other business premise where the primary commodity sold is liquor.
- not possess any pipe, syringe or other drug paraphernalia.
- register the number of any cell phone, pager or portable telecommunication device with the Bail Supervisor.
- not possess any weapon as defined in Section 2 of the Criminal Code, and he shall not reside in a home where any other person keeps or stores any such weapon.
- forthwith surrender for safekeeping to the _____ RCMP Detachment any firearm, cross-bow, prohibited weapon, restricted weapon, prohibited device, ammunition, prohibited ammunition or explosive substance in his possession, together with any authorization or registration certificate for any such item. Except for purposes of making the delivery to the _____ RCMP in accordance with this condition, he shall not possess any of the listed items and he shall not reside in a home where any other person keeps or stores any such item.
- not possess any knife except for the purpose of preparing or eating food.

House Arrest/Curfew

The Applicant shall:

-

Disposition Form

< [Precedents, Court Forms and Checklists](#) < [Precedents](#)

DISPOSITION

NAME: _____

DATE: _____

CASE #s: _____

WHEREAS the accused was charged with _____

AND having considered the purpose and principles of sentence found in s. 718 to 718.2 of the Criminal Code;

AND having considered the circumstances of the offence and the personal circumstances of the offender;

AND having heard submissions of both Crown and defence counsel;

AND having heard the statement of the accused and the statement(s) of the victim(s) OR having been satisfied that the accused and victim(s) were afforded an opportunity to give statements relevant to sentencing;

I find that a fit and proper sentence for this offender is as follows:

CUSTODY

- You are sentenced to [a global period of] _____ to be served in a provincial correctional facility / a federal institution.
- This sentence is to be served:
 - on a straight time basis
 - concurrently to any sentence you are already serving.
 - intermittently between the hours of _____ and _____, beginning on _____
- SEE BELOW for CONDITIONAL SENTENCE ORDERS, INCLUDING TERMS AND CONDITIONS
- The sentence shall be broken down as follows:

Count #	Charge	Period of Custody	Concurrent or Consecutive

DISCHARGE/SUSPENDED SENTENCE

- you are granted a Absolute Discharge
- you are granted a Conditional Discharge, which will become absolute upon successful completion of the period of probation without any new criminal convictions arising.
- your sentence is suspended subject to the successful completion of the period of probation without any new criminal convictions arising.

PROBATION

Form of Order

You shall:

- for a period of _____ beginning on the date of this order;

Terms and Conditions

Mandatory

...comply with the following terms and conditions:

- keep the peace and be of good behaviour
- appear before the court as and when directed;
- notify the court, probation officer or supervisor, in advance, of any change of name, address, employment or occupation.

Optional

...And in addition you shall:

- report to probation services at _____ within _____ days of from [today / date of expiration of your sentence of imprisonment] and thereafter when required, as directed by your probation officer or supervisor.
- remain within the province of Nova Scotia unless you receive written permission from your probation officer;
- not to take or consume alcohol or other intoxicating substances;
- not to take or consume a controlled substance as defined in the *Controlled Drugs and Substances Act* except in accordance with a medical prescription;
- not to own, possess or carry a weapon, ammunition or explosive substance;
- complete _____ hours of community service work as directed by your probation officer by _____;
- participate in the following treatment programs: _____
- have no direct or indirect contact or communication with

except: (a) through a lawyer; (b) in accordance with a written separation agreement or court order for access to a child or children; (c) through _____ for the purpose of access to a child or children; (d) incidental contact in an educational or treatment program or while at work; (e)

_____ (m) do not be on or within _____ meters of the premises known as:

except _____ (n) make reasonable efforts to locate and maintain employment or an educational program as directed by your probation officer;

- attend for mental health assessment and counselling as directed by your probation officer;
- attend for substance abuse assessment and counseling as directed by your probation officer;
- attend for assessment and counseling in anger management as directed by your probation officer;
- attend for assessment and counseling in a violence intervention program as directed probation officer; (spousal or partner related)
- attend for gambling addiction assessment and counseling as directed by your probation officer;
- attend for assessment, counselling or a program as directed by your probation officer;
- participate in and co-operate with any assessment, counseling or program direct by your supervisor;
- not to associate with or be in the company of the following persons:

_____ except incidental contact in an educational or treatment program or while at work;

- make restitution through the Clerk of the Court on or before: _____
- submit for urinalysis or other alcohol or controlled substance screening as directed by your probation officer;
- submit to electronic monitoring as directed by your probation officer;

Curfew

- remain in your residence from _____ until _____ the following day, seven days a week except under the following terms:
 - when at regularly scheduled employment, which your probation officer knows about, and travelling to and from that employment by a direct route;
 - when attending a regularly scheduled education program, which your probation officer knows about, or at a school or educational activity supervised by a principal or teacher, and travelling to and from the education program or the activity by a direct route;
 - when dealing with a medical emergency or in medical appointments involving you or a member of your household and traveling to and from it by a direct route;
 - when attending a scheduled appointment with your lawyer or a probation officer, and traveling to and from the appointment by a direct route;
 - when attending court at a scheduled appearance or under subpoena and traveling to and from court by a direct route;
 - when attending a counselling appointment, a treatment program or a meeting of Alcoholics Anonymous or narcotics anonymous, at the direction of war with the permission of your probation officer, and traveling to and from that appointment, program or meeting, via direct route;
 - when attending a regularly scheduled religious service;
 - when making application for employment or attending job interviews, Monday through Friday, between the hours of 9:00 a.m. and 5:00 p.m.;
 - when in a residential treatment program if your probation officer is told, in advance, where you will be and you agree that the facility can tell your probation officer if you are there, should your probation officer _____

- with written approval of your probation officer given beforehand;

Compliance

- For the duration of the curfew, you must prove compliance with the curfew condition by presenting yourself at the entrance of your residence should a probation officer or a peace officer attend there to check compliance.

CONDITIONAL SENTENCE

- You are sentenced to imprisonment for a period of _____. Whereas the Court is satisfied that should you remain in the community you will not endanger the safety of this community and is satisfied that such a sentence is consistent with the fundamental purpose and principles of sentencing. You shall serve this sentence in the community under the following terms and conditions:

Mandatory Terms

- keep the peace and be of good behaviour;
- appear before the court when required to do so;
- Report to a supervisor at _____ on or before _____ and then as directed thereafter;
- Remain in the province of _____ unless written permission from the Sentence Supervisor is obtained
- Notify promptly of any change in name address, employment or occupation.

Optional Terms

... and in addition, you shall:

- not take or consume alcohol or other intoxicating substances;
- not take or consume a controlled substance as defined in the *Controlled Drugs and Substances Act* except in accordance with a medical prescription;
- not own, possess or carry a weapon, ammunition or explosive substance;
- complete _____ hours of community service work by _____ as directed by your supervisor;
- participate in the following treatment programs:

- attend for mental health assessment and counselling as directed by your supervisor;
- attend for substance abuse assessment and counseling as directed by your supervisor;
- attend for assessment and counselling in anger management as directed by your supervisor;
- submit for urinalysis or other alcohol or controlled substance screening as directed by your supervisor;
- attend for assessment and counselling in a violence intervention program as directed; (spousal or partner related)
- attend for gambling addiction assessment and counselling as directed;
- attend for assessment, counseling or a program as directed by your supervisor;
- participate in and co-operate with any assessment, counseling or program as directed by your supervisor;
- not to associate with or be in the company of the following persons:

except incidental contact in an education or treatment program or while at work;
- have no direct or indirect contact or communication with

except: through a lawyer, in accordance with a written separation agreement or court order for access to a child or children; through _____ for the purpose of access to a child or children, incidental contact in an education or treatment program or while at work; or * _____

House Arrest / Curfew

- remain in your residence at all times beginning at _____ on _____ and ending on _____, inclusive, except on the following terms:
- remain in your residence from _____ until _____ the following day, seven days a week beginning on _____ and ending on _____, inclusive, except on the following terms:

Exceptions

- when at regularly scheduled employment, which your supervisor knows about, and travelling to and from that employment by a direct route;
- when attending a regularly scheduled education program, which your supervisor knows about, or at a school or educational activity supervised by a principal or teacher, and travelling to and from the education program or the activity by a direct route;
- when dealing with a medical emergency or medical appointments involving you or a member of your household and traveling to and from it by a direct route;
- when attending a scheduled appointment with your lawyer, your supervisor or a probation officer, and traveling to and from the appointment by a direct route;
- when attending court at a scheduled appearance or under subpoena, and traveling to and from court by a direct route;
- when attending a counselling appointment, a treatment program or a meeting of Alcoholics Anonymous or Narcotics Anonymous, at the direction of or with the permission of your supervisor, and traveling to and from that appointment, program or meeting, by a direct route;
- when attending a regularly scheduled religious service with permission of your supervisor;
- when making application for employment or attending job interviews, Monday through Friday between the hours of 8 a.m. and 5 p.m. with the permission of your supervisor;
- when in a residential treatment program if your supervisor is told, in advance, where you will be and you agree that the facility can tell your supervisor if you are there, should your supervisor inquire;
- for not more than _____ hours per week, approved in advance by your supervisor, for the purpose of attending to personal needs;

Proof of Compliance

- Prove compliance with the curfew/house arrest conditions by presenting yourself at the entrance of your residence should your supervisor or a peace officer attend there to check compliance.

RESTITUTION ORDERS:

PROHIBITION ORDERS:

- You shall be subject to a
- You shall be subject to a driving prohibition order under s. 259 for a period of _____ beginning _____

FORFEITURE ORDERS:

DNA ORDERS:

SOIRA ORDERS:

Model Examinations

< [Criminal Law](#) < [Model Examinations \(Criminal Law\)](#)

Offences

- [Assault-based Offences](#)
- [Impaired Driving and Over 80](#)
- [Drug Impaired Driving](#)
- [Peer-to-Peer Investigation](#)
- [Sexual Assault](#)

Scenarios

- [Basic Elements of Proof](#)
- [Eye-witnesses](#)
- [Expert Qualification](#)
- [Computer Forensic Analyst](#)
- [Medical Experts](#)

See Also

- [Model Examinations \(Evidence\)](#)
- [Model Examinations \(Procedure and Practice\)](#)

Voir Dire

- [Voluntariness Voir Dire](#)
- [Right to Counsel Voir Dire](#)

Expert Evidence

- [Fire Experts \(Model Examinations\)](#)
- [Dog Tracking Experts \(Model Examinations\)](#)
- [Computer Forensic Analyst \(Model Examinations\)](#)

See Also

- [Model Examinations \(Criminal Law\)](#)
- [Model Examinations \(Procedure and Practice\)](#)

Bail

- [Bail Hearing \(Model Examination\)](#)
- [Bail Variations \(Model Examination\)](#)

See Also

- [Model Examinations \(Criminal Law\)](#)
- [Model Examinations \(Evidence\)](#)

Introduction

Be aware of whether there are any reverse onuses under s. 515(6)(a)to(d).

Form of Hearing

- Crown states its position on bail, including
 - the grounds upon which detention is being sought, if applicable
 - whether bail is being revoked on other charges
 - whether the Crown is relying upon any reverse onuses under s.515(6)
- make any requests for publication bans

Officer

<the summary of the offence will be read into the record or the investigating officer will testify to the circumstances of the offence>

Review of Investigation/Allegations

Review of Pending Investigative Steps

Review Ability to Supervise Accused in Community

- Tell me about what supervision the police can perform to verify accused persons are abiding by their conditions?
- What can be done to monitor the accused's location in the community?
- What can be done to monitor internet or mobile phone use?

Consider any Charter Issues

Consider Weaknesses of Case

Surety

Core Biographical Info

- Your name? (spell last name)
- Your age? Your date of birth?
- Where were you born? If not in Canada, are you a Citizen?

Residence

- Where do you live? What is your address?
- How long have you lived there?
- Do you rent or own?
- What are your prior locations (address, location, duration)?

Professional Circumstances

- What is your level of education? When was that obtained?
- What is your current employment? What is your position?
- What general kind of hours does this work entail? What is your work schedule? How long have you worked there?

Family Circumstances

- What is your marital status? If married, how long have you been married? If common law, how long have you cohabitated?
- Who is your partner? What is their profession?
- Do you have any children? What are their ages? What do they do? Are they in your care?

Criminal Record

- Do you have a criminal record?
- Do you have any outstanding charges?
- Are you a surety for anyone else at the moment?

Pledgable Assets

- Do you own any residential or commercial property? How much equity is there?
- Do you own or rent a vehicle? How much equity is in the vehicle?
- How many bank accounts do you have? What is the balance?
- Are there any other assets you have access to? What is the total value?
- Is any of this property or assets pledged to a court or someone else?
- Are you willing to pledge any amount of these assets to the Court?
- Are you aware that the property may be forfeited to the Court if there is a breach of release conditions?
- Are you aware that conditions may take form of reporting requirements, limitations on contact, possession, and movement?

Ability to Supervise

- As a surety are you aware of your duties as follows:
 - track the accused's court dates and accompany him to them?
 - ensure that the accused is following his conditions at all times?
 - Contact the police, should they fail to follow them?
- If the accused is released, is the accused able to stay at your residence?
- Are the other residents at your place willing to have the accused stay at your place?
- How often are you free to monitor the accused? How would you monitor him while you are at work or otherwise away?
- Where in your house would the accused reside?
- Are you able to monitor him to ensure that he does not breach any of his conditions, including:
 - Stay in residence under house arrest/curfew?
 - Not to possess or consume weapons, alcohol, drugs or electronic devices?
- Are you able to attend court with him? What about escorting him to other things?
- Are you able to abide by these requirements knowing that trial could be 1 or more years away?
- Should you need to attend to unplanned court appearances or similar matters while you are at work, are you able to accommodate this?
- Should you have reason to believe that he breached his conditions are you prepared to call the police?

Knowledge or familiarity of the accused

- surety's connection to the accused (family, work, acquaintance)
- how often are you in contact with the accused? In person? How far away do you live?
- Are you familiar with personal circumstances of accused including
 - drug or alcohol use by accused
 - access to weapons by accused
 - relationship between accused and complainant
- Do you have a good relationship with the accused? Does she listen to you and follow your advice?

Aware of seriousness of circumstances

- outstanding charges
- significant jail consequences if convicted of charge
- accused's prior record / aware of risk of future charges

Prior experience as a surety

- Have you any experience being a surety (generally)?
- Did the accused comply with those conditions? What were they?
- Were there any problems that arose while being a surety?

Accused

<p>Core Biographical Info</p> <ul style="list-style-type: none"> ▪ <input type="checkbox"/> Your name? (spell last name) ▪ <input type="checkbox"/> Your age? Your date of birth? ▪ <input type="checkbox"/> Where were you born? If not in Canada, are you a Citizen? <p>Residence</p> <ul style="list-style-type: none"> ▪ <input type="checkbox"/> Where do you live? What is your address? ▪ <input type="checkbox"/> How long have you lived there? ▪ <input type="checkbox"/> Do you rent or own? ▪ <input type="checkbox"/> What are your prior locations (address, location, duration)? <p>Professional Circumstances</p> <ul style="list-style-type: none"> ▪ <input type="checkbox"/> What is your level of education? When was that obtained? ▪ <input type="checkbox"/> What is your current employment? What is your position? ▪ <input type="checkbox"/> What general kind of hours does this work entail? What is your work schedule? How long have you worked there? <p>Family Circumstances</p> <ul style="list-style-type: none"> ▪ <input type="checkbox"/> What is your marital status? If married, how long have you been married? If common law, how long have you cohabitated? ▪ <input type="checkbox"/> Who is your partner? What is their profession? ▪ <input type="checkbox"/> Do you have any children? What are their ages? What do they do? Are they in your care? <p>Health</p> <ul style="list-style-type: none"> ▪ <input type="checkbox"/> Do you have any mental or physical ailments that have been diagnosed by a medical professional? 	<p>Criminal Record</p> <ul style="list-style-type: none"> ▪ <input type="checkbox"/> Are there any errors in the submitted criminal record? ▪ <input type="checkbox"/> Are there any explanations (or mitigating facts) for specific convictions? ▪ <input type="checkbox"/> Do you have any other outstanding charges? <p>Pledgable Assets</p> <ul style="list-style-type: none"> ▪ <input type="checkbox"/> Do you own any residential or commercial property? How much equity is there? ▪ <input type="checkbox"/> Do you own or rent a vehicle? How much equity is in the vehicle? ▪ <input type="checkbox"/> How many bank accounts do you have? What is the balance? ▪ <input type="checkbox"/> Are there any other assets you have access to? What is the total value? ▪ <input type="checkbox"/> Are you willing to pledge any amount of these assets to the Court? ▪ <input type="checkbox"/> Are you aware that the property may be forfeited to the Court if there is a breach of release conditions? ▪ <input type="checkbox"/> Are you aware that conditions may take form of reporting requirements, limitations on contact, possession, and movement? <p>Need for Release</p> <ul style="list-style-type: none"> ▪ <input type="checkbox"/> What are the reasons you need to be released? <p>Knowledge of familiarity with the surety</p> <ul style="list-style-type: none"> ▪ <input type="checkbox"/> relationship between accused and complainant <p>Connection with other jurisdictions</p> <ul style="list-style-type: none"> ▪ <input type="checkbox"/> do you own any property or assets in another country? ▪ <input type="checkbox"/> do you have any family out of country? Tell me about them. ▪ <input type="checkbox"/> Are you willing to give up your passport to prevent you from leaving the country?
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< Evidence < Model Examinations (Evidence)

Fire Chief or Fire Marshall

The fire chief or fire marshall is a member of a fire department who is trained in analysing fires and their causes.

Qualification

Areas of Questioning	Comments
<ul style="list-style-type: none"> ▪ employed with a regional fire department / position of fire chief or similar ▪ duration of employment ▪ education and training relevant to analysing fires / degree, certificates, or licences received ▪ type of work that he or she does relevant to analysing fires ▪ past experience as an expert witness / whether he or she was qualified in the past 	

Foundation of Opinion

Areas of Questioning	Comments
<ul style="list-style-type: none"> ▪ on <date>, the expert attended the scene of a fire at <location>; ▪ time of arrival ▪ state of scene and structure when arriving / whether any observable signs of ongoing fire ▪ method that the fire was extinguished ▪ whether photographs were taken / diagrams made / enter as exhibit and review with witness ▪ time of entering / inspecting the scene (may have had to wait for safety reasons) ▪ extent of examination / areas examined ▪ notable observations: <ul style="list-style-type: none"> ▪ possible site of origin of fire ▪ observable burn patterns on inside (e.g. floor, wall, or ceiling) or outside (e.g. walls, roof, neighbouring structures) ▪ discovered any items relevant to fire (accelerants, etc.) / seized by police 	

Opinion

Ask for an opinion with reasons for each of the following points:

Areas of Questioning	Comments
<ul style="list-style-type: none">▪ location of fire's origin (inside vs outside, region of origin) / anything notable about region▪ cause of fire▪ source of fire's oxygen (usually source from outside)▪ whether accelerants were involved / notable signs of "spalling" (strong concentrations of burning)▪ speed of fire's progression / manner in which it would have progressed / where fire went▪ how the fire started / what was ignition▪ likelihood of source being electrical malfunctioning▪ likelihood of caused by accident or negligence such as discarded cigarettes or stove left on▪ likelihood of purely natural causes (lightening)▪ likelihood of a person would have started it intentionally	

< [Criminal Law < Model Examinations \(Criminal Law\)](#)

< [Evidence < Model Examinations \(Evidence\)](#)

Voluntariness of Statements of Accused

Proving voluntariness of the accused's statement comes from the evidence of the police officers handling the accused before and during the statement. The evidence should cover the officers interactions and observations with the accused, focusing on the accused's physical and mental state as well as any communications that would suggest inducements to give evidence.

Witnesses used may include:

- arresting officer
- officers with incidental contact
- transporting officers
- jailers / sherriffs
- interviewers / monitors
- officers who strategized the interview
- experts who can speak to physical or mental symptoms of accused

See [Voluntariness](#) for details on the law.

Officers' evidence

Areas of Questioning	Comments
<p>Background</p> <ul style="list-style-type: none"> ▪ identify Cst. by name, current rank, jurisdiction, current assignment, duration of employment as a peace officer ▪ confirm whether working and on duty on offence date and at offence time / confirm specific assignment at the time ▪ officer's training or experience in taking statements from accused <p>Reason to Come in Contact with Accused</p> <ul style="list-style-type: none"> ▪ confirm that officer made contact with an individual by the name of the accused / confirm if person is in court today ▪ determine how officer was able confirm the identity of the accused ▪ the cause of the officer coming into contact with accused ▪ time when first made contact <p>Contact with Accused Prior to the Commencement of the Statement at Issue</p> <ul style="list-style-type: none"> ▪ Discuss what happened at initial contact / details on interaction ▪ was officer in uniform / was accused informed of identity as police / informed accused of reasons for contact (investigation) ▪ total duration of contact with the accused up until the statement ▪ conversations between officer and the accused prior to the statement / made note of them <ul style="list-style-type: none"> ▪ in typical practice, what sort of information do you try to elicit or tell to the accused ▪ other officers present at the time / who / how long / did they interact with accused ▪ conversations between any <i>other</i> officer and the accused prior to the statement / made note of them <p>Cautions Given</p> <ul style="list-style-type: none"> ▪ Did you give any caution or warning (right caution, police warning, secondary warning) / why or why not? / if so, read verbatim into record <p>Condition of the Accused Up to Statement</p> <ul style="list-style-type: none"> ▪ what was the accused attitude like at the time? <ul style="list-style-type: none"> ▪ what was his reactions to you? ▪ did you see any signs that he had difficulty understanding you? ▪ did you see any signs that he had difficulty communicating to you? ▪ noted signs of impairment by drug or alcohol ▪ noted any signs of physical or mental health issues ▪ the anything else of his demeanour / mood / physical condition <p>Inducements or Oppression</p> <ul style="list-style-type: none"> ▪ prior to the accused statement did offer to do anything for the accused? ▪ Was their any request for him to do anything for you? ▪ prior to the accused statement did suggest what would happen to the accused? ▪ duration of time the accused was left in custody? ▪ any requests for food / water / medicine / treatment / heat 	

Oral Statement

Areas of Questioning	Comments
<p>Context of Utterance</p> <ul style="list-style-type: none"> ▪ During the contact with accused did he make any statements to you? / when was the statement made? / were you in uniform at the time? ▪ what was your proximity to the accused? ▪ was anyone else present? ▪ was the statement in response to something said? ▪ was the statement in response to something that happened? ▪ was the statement spontaneous? ▪ [if response to question] <ul style="list-style-type: none"> ▪ what was the question? ▪ what did he say in response? ▪ [if response to an action] <ul style="list-style-type: none"> ▪ what had occurred to prompt the response? <p>If Reduced to Writing</p> <ul style="list-style-type: none"> ▪ upon hearing the statement was it recorded in any way? / when / how accurate ▪ did accused get a chance to review it? / did he offer the accused to sign it? 	

Audio Recorded Statement

Areas of Questioning	Comments
<p>Context of Utterance</p> <ul style="list-style-type: none"> ▪ During the contact with accused did he make any statements to you? ▪ What was the location at time of recording? ▪ Was anyone else present? ▪ What was said before the recorder was started? <p>After Playing the Audio Recording in Court</p> <ul style="list-style-type: none"> ▪ authenticate identities of voices in recording ▪ authenticate questions recorded as questions that were asked ▪ authenticate answers recorded as answers that were asked ▪ confirm of time and date of recording ▪ confirm there were no edits or breaks in the recording 	

Video Recorded Statement

Areas of Questioning	Comments
<p>Context of Utterance</p> <ul style="list-style-type: none"> ▪ During the contact with accused did he make any statements to you? ▪ What was the location at time of recording? ▪ Was anyone else present? / Was anyone else monitoring the interview? ▪ What was said before the recorder was started? ▪ What time was the recorder started? <p>After Playing the Video in Court</p> <ul style="list-style-type: none"> ▪ authenticate identities of persons in recording ▪ authenticate questions recorded as questions that were asked ▪ authenticate answers recorded as answers that were asked ▪ confirm accuracy of time and date of video ▪ confirm there were no edits or breaks in the video 	

<at the end of the voir dire you may wish to seek to have the evidence of the voir dire apply to the trial proper>

Accused's Evidence

- whether he knew that he was talking to a police officer
- whether he knew his statements could be used in court against him
- the demeanour of the officers
- officer's willingness to attend to accused's needs
- whether he was given good, water, clothes, medical attention, blankets, heat, etc.

< [Criminal Law](#) < [Model Examinations \(Criminal Law\)](#)

Impaired

Investigating Officer

Areas of Questioning	Comments
<p>Background</p> <ul style="list-style-type: none"> ▪ identify Cst. by name, current rank, jurisdiction, current assignment, duration of employment as a peace officer ▪ confirm whether working and on duty on offence date and at offence time / confirm specific assignment at the time ▪ officer's training or experience in dealing with impaired drivers <p>Cause for Contact with Accused</p> <ul style="list-style-type: none"> ▪ confirm that officer made contact with an individual by the name of the accused / confirm if person is in court today ▪ how officer first come in contact with accused / reason for stopping accused (pull over, MV collision, response to 911 call) ▪ what the officer knew about the accused before making contact ▪ time when first made contact / others present with officer at the time / others present with accused at the time ▪ Whether the accused was seen driving / time of observation / Make and model of vehicle / Licence plate number ▪ Any observations of the manner in which the Accused drove <p>Contact with accused</p> <ul style="list-style-type: none"> ▪ Discuss what happened at initial contact / details on interaction ▪ confirm whether officer informed the accused of reason for stopping them ▪ determine how officer was able confirm the identity of the accused ▪ the demeanor / mood and physical condition of the accused <p>Reasonable suspicion for Road-side Demand</p> <ul style="list-style-type: none"> ▪ whether there was a decision to make demand / timing of decision ▪ confirm whether the officer formed a reasonable suspicion that <ul style="list-style-type: none"> ▪ the accused was driving and ▪ the accused had alcohol in system within last 3 hours ▪ review the grounds of suspicion <ul style="list-style-type: none"> ▪ at time of decision to demand what was demeanor / mood and physical condition of accused ▪ review signs observed (slurred speech, bloodshot eyes, smell of alcohol from breath/from vehicle, unsteady movements, mumbling, not able to walk straight, falling asleep, poor coordination, etc) ▪ review observations of driving (crossing lines, not obey rules of road, headlights off at night) <p>Making the Demand for roadside test</p> <ul style="list-style-type: none"> ▪ whether the demand was made / wording of demand / timing of demand ▪ review any reasons for delays between decision and demand ▪ whether the suspect understood the demand, including reasons for this belief <p>Administering Roadside test</p> <ul style="list-style-type: none"> ▪ discuss officer administering the roadside test ▪ review procedure of the test / results / timing of each test ▪ review reasons for any delay between the demand and the test / was it most direct route ▪ confirm whether the device was an "approved" device ▪ conclusion of the results <p>Reasonable grounds of impairment</p> <ul style="list-style-type: none"> ▪ opinion on whether the accused's ability to operate the vehicle was impaired: <ul style="list-style-type: none"> ▪ belief of accused driving within last 3 hours ▪ belief of driving ability affected by impairment ▪ belief of impairment due to alcohol <p>Making the Demand for Breathalyser test</p> <ul style="list-style-type: none"> ▪ made demand / read from card / time of reading ▪ signs that the accused understood / accused's answer ▪ advised of right to lawyer (10(b) right) / read from card / time of reading ▪ was accused arrested / timing of arrest <p>Accessing counsel, if requested</p> <ul style="list-style-type: none"> ▪ review the steps that the officer took to facilitate access to counsel ▪ access to phone was private ▪ timing and duration of the phone call 	

Breath Tech (Over 80 charge)

Areas of Questioning	Comments
<p>Background</p> <ul style="list-style-type: none"> ▪ identify Cst. by name, current rank, jurisdiction, current assignment, duration of employment as a peace officer ▪ whether he is a qualified breath tech under the Code / when first certified / by whom ▪ officer's training as a breath tech ▪ officer's experience in dealing with impaired drivers / number of times breath tests been conducted <p>Occurrence</p> <ul style="list-style-type: none"> ▪ confirm whether working and on duty on offence date and at offence time / confirm specific assignment at the time / whether he was a qualified tech at that time ▪ location when first contacted regarding your role in this investigation / if away from station, how long it took to get there ▪ circumstances of meeting with suspect / time / who else present ▪ ID suspect as accused <p>Information Provided</p> <ul style="list-style-type: none"> ▪ whether provided with information from investigating officer (time and place of Operation or Care/Ctrl, ID of suspect, Time of ASD test and results, bodily signs of impairment, circumstances suggesting impairment, time of arrest/charter/caution/demand, notified of charges, whether all understood by accused) ▪ at first encounter what observations of accused's condition and attitude/demeanour were made <p>Making the Demand for Breathalyser test</p> <ul style="list-style-type: none"> ▪ whether officer made demand / read from card / time of reading ▪ signs that the accused understood / accused's answer ▪ advised of right to lawyer (10(b) right) / read from card / time of reading ▪ was accused arrested / timing of arrest <p>Accessing counsel, if requested</p> <ul style="list-style-type: none"> ▪ review the steps that the officer took to facilitate access to counsel ▪ access to phone was private ▪ timing and duration of the phone call <p>Breathalyser test</p> <ul style="list-style-type: none"> ▪ whether he used an approved instrument on that day ▪ identify the model of instrument / whether it is approved / location of instrument ▪ purpose of the instrument <p>Preparing Instrument for Use</p> <ul style="list-style-type: none"> ▪ whether the officer did anything to prepare the machine for use (see procedure manual or form) ▪ whether the device performed any self-check that was observed by the officer ▪ whether training procedure was followed ▪ what solution was used in preparing the machine / at what point was it deposited in instrument ▪ were solutions appropriate for the use of the instrument ▪ what temperature of the instrument <p>Calibration of Machine</p> <ul style="list-style-type: none"> ▪ timing of last calibration / test ▪ method of calibrating test (purged with a blank test followed by an external test) / readings given / whether they were in suitable range ▪ whether he believed that the device was suitable for use after procedure/preparation <p>Breath Tests</p> <ul style="list-style-type: none"> ▪ whether officer took any sample of the suspect's breath during this encounter with him ▪ used new mouth piece / examined for any obstructions or damage, any found ▪ prior to samples demonstrated how to blow / accused appeared to understand ▪ time of first sample began, ended and reading / second sample began, ended and reading / third sample began, ended and reading ▪ how was each sample given (whether "directly" into the instrument) ▪ were you satisfied that the samples were properly taken and suitable for analysis ▪ results of each reading / what quantities and substances do the units express ▪ whether all steps were following training <p>Other Observations</p> <ul style="list-style-type: none"> ▪ throughout the encounter with suspect were there any observations of his demeanor/attitude or condition? <p>Statements by Accused</p> <ul style="list-style-type: none"> ▪ without going into the content, did the suspect say anything ▪ did the officer ask any questions / was the suspect cautioned first / understood caution <p><may need voir dire on voluntariness></p> <ul style="list-style-type: none"> ▪ what questions were asked / what answers were given (read from notes / reports) <p>Sobriety Tests</p>	

- officer asked suspect to perform dexterity tests / instructions on how to do them / notified of voluntariness of tests and cautioned / suspect understood / suspect chose to do them
- what tests were undertaken / what were results

Results

- based on all observations, was an opinion made regarding suspects ability to operate a motor vehicle / what was it / what time was conclusion made
- when did officer release suspect from custody / to whom
- preparation of Certificate of Analysis [make certificate an exhibit]
- preparation of Notice of Intention to Produce
- contents of both documents were reviewed or verified / were any copies made / by whom
- were copies given to any one, including investigating officer / what time
- any conversations with investigating officer regarding documents or suspect
- any contact with suspect after releasing from officer's custody

Refusal

Breath Tech

Areas of Questioning	Comments
<ul style="list-style-type: none"> ▪ gave him a warning of requirement of breath demand / timing of demand / reason for any delay ▪ gave s.10(b) caution / timing of caution / reason for any delay ▪ response to demand and delay / did they understand / was counsel requested ▪ steps taken the facilitate access to counsel ▪ number of times of attempts / timing of first attempt / and time between each / reason for the delay between samples ▪ at time of test what was demeanour / mood; odour of alcohol ▪ was he able to provide a sample / refused using what words or behaviour ▪ explained to him the consequences of refusal <p>Attempts</p> <ul style="list-style-type: none"> ▪ gave instructions: put mouth on, create seal, blow hard as long as possible ▪ he understood ▪ used new mouth piece ▪ put mouth on device properly / created seal / blow hard as possible ▪ hear sound of breath ▪ how much breath is needed ▪ reported any physical reason for failing / see any signs supporting this <p>functionality of the device</p> <ul style="list-style-type: none"> ▪ inspect the mouth piece for obstructions prior to each test ▪ did you calibrate of datamaster for alcohol testing 	

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Qualifying Expert

Counsel will attempt to make two qualifications: the dogmaster in the field of interpreting the actions of the dog, and the dog in tracking human scents or drug scents.

Areas of Questioning	Comments
<ul style="list-style-type: none"> ▪ duration the dogmaster has been member of force / duration the dogmaster has been with dog team / duration the dogmaster has been with <dog> ▪ Dogmaster training course / duration / coverings tracking of human scents or drugs ▪ prior experience qualified giving evidence in court as dogmaster / prior testimony with current dog ▪ dog breed of <dog> / relevance of breed to tracking / ability of breed to track ▪ method of tracking / method of communicating ▪ whether training is needed / history of training of dog / whether with dogmaster or with others ▪ performance on simulated and real cases ▪ how dogmaster learns particular communication style of <dog> ▪ on-going training / frequency ▪ duration <dog> has been tracking / number of investigations used for ▪ success rate / false positives 	

Subject to cross-examination, counsel will then request the dogmaster and dog be qualified as experts.

Methodology

Areas of Questioning	Comments
<ul style="list-style-type: none"> ▪ how dogmaster communicates to dog (types of signals) ▪ how dog communicates with dogmaster (types of signals) ▪ dogs ability to follow scents ▪ effects of environment (terrain, climate, obstacles, persons etc) / types of distractors ▪ possibility of dog losing scent / reasons ▪ possibility of dog catching scent of another track that crosses first track 	

Tracking Evidence

Areas of Questioning	Comments
<ul style="list-style-type: none"> ▪ dogmaster responds to request for services / time of request ▪ time and location that the dog was deployed (use map) ▪ commands or signals communicated to the dog ▪ response from the dog / interpretation of the response ▪ route traveled during tracking (draw on map) ▪ whether there were other people discovered during track ▪ further signals given to dog during tracking ▪ further signals given from dog during tracking ▪ any item(s) or person(s) found / identification of person ▪ opinion of relevance of item or person found / signals from dog relevant to discovery ▪ what happened to item or person 	

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