

Index

Criminal Code — CC
Constitution Act — CA
Controlled Drugs and Substances Act — CSDA
Canada Evidence Act — CEA
Interpretation Act — IA
Youth Criminal Justice Act — YCJA

ABANDONMENT

“Abandon,” **CC 214**
Animal in captivity, **CC 446(1)(b)**
Child under 10, **CC 218**

ABDUCTION

See also Confinement, Kidnapping, Trafficking, Persons
Consent of Attorney General, **CC 283(2)**
Custody order, contravention of, **CC 282**
Custody order, where none, **CC 283(1)**
Defences
 consent of person abducted, **CC 286**
 consent of person having lawful possession, **CC 284**
 escape from harm, **CC 285**
 protection of young person, **CC 285**
Definition of “guardian,” **CC 280(2)**
Internationally protected persons outside Canada, **CC 7(3)**
Person under 14, **CC 281 to 283**
Person under 16, **CC 280(1)**
Recognizance to prevent offence, **CC 810.1**
Removal of child from Canada with intent, **CC 273.3**

ABORIGINAL RIGHTS

Appearance, compelling, **CC 493.1**
Rights and freedoms not affected, **CA Part I 25**

ABSCONDING

See also Presence of Accused, Witness
Accused
 deemed present at trial, **CC 715(3)**
 deemed waiver of jury election, **CC 598**
preliminary inquiry, **CC 544**
trial, **CC 475, 598**

ABSCONDING—Cont’d

Witness
 arrest with warrant, **CC 704**
 detention or release, **CC 706**
 endorsement in another jurisdiction, **CC 528**

ABSOLUTE JURISDICTION

See also Jurisdiction
Generally, **CC 553**

ABSTRACT OF TITLE

Fraudulent concealment, **CC 385(1)**

ABUSE OF PROCESS

Generally, **CC 8, 131; CA Part I 7**

ACCELERATION OF DEATH

Generally, **CC 226**

ACCESSORY AFTER FACT

See also Party to Offence
Defined, **CC 23(1)**
Evidence of conviction or discharge of another person, **CC 657.2(2)**
Indictment of other parties, **CC 23.1, 592**
Murder, **CC 240**
Punishment (general), **CC 463**
 accessory to murder, **CC 240**
Treason or high treason
 delivery of trial documents, **CC 604**

ACCIDENT

Failure to stop at scene, **CC 320.16**

ACCOMMODATION

Fraudulently obtaining, **CC 364**

ACCOUNT

Account entry negating theft, **CC 330(2)**
Falsifying, **CC 397, 399, 400**
Theft by failure to account, **CC 330(1)**

ACCUSED

See Presence of Accused

ACT

See Statutes

ADJOURNMENT (REMANDS)

See also Assessments (Mental Disorder)

Effect on recognizance, **CC 763**

Judicial interim release hearing, **CC 516**

Jury trial

disagreement upon verdict, **CC 653**

Preliminary inquiry

irregularities misleading accused, **CC 547**

witness refusing to testify, **CC 545**

Procedural irregularities, **CC 485,**

686(1)(b)(iv)

Summary conviction

appeal, **CC 824**

trial, **CC 803**

Trial by judge, **CC 571**

Trial by provincial court judge, **CC 669.1**

Trial on indictment

general, **CC 645**

to plead, etc., **CC 606(3)**

to secure documents, **CC 603**

where accused misled, **CC 601(5)**

When no jury summoned, **CC 474**

ADMISSIONS

Dispensing with proof

dangerous offenders, **CC 754(3)**

trial by indictment, **CC 655**

Preliminary inquiry

admission as evidence at inquiry, **CC 541(1), (2)**

evidence of accused, as admission at trial, **CC 657**

non-publication (offence), **CC 542(2)**

Previous admission, **CC 542(1)**

Publication, **CC 542(2)**

Young person, **YCJA 10(4), 149**

ADULT

Generally, **YCJA 2(1)**

ADULTERY

Corrupting child, **CC 172**

ADVERSE WITNESS

Generally, **CEA 9(1)**

Prior inconsistent statement, **CEA 9(2)**

ADVERTISING

Counterfeit money or tokens, **CC 460(1)(a)**

Cure for venereal disease, **CC 163**

Drug to cause miscarriage, **CC 163**

False prospectus, **CC 400**

Invitation to bet on contest, **CC 202**

Lottery scheme, **CC 206(1)(a), 206(7)**

Using likeness of bank note, **CC 457**

AFFIDAVIT

See also Certificate, Certified Copy, Service

General

affirmation in lieu of oath, **CEA 15**

foreign affidavit, **CEA 52 to 54**

Offences?bleed 3.0i .5i 7p 8p

administering oath without authority, **CC 138(a)**

false statements, **CC 131, 134**

perjury, **CC 131**

signing pretended affidavit, **CC 138(a), (c)**

statement, **CC 133, 134**

using pretended affidavit, **CC 138(b)**

Particular affidavits

banking record, proof of entry re, **CEA 39(3), (4)**

business record, proof re, **CC 657, CEA 30(3), (4), (8)**

government record, proof of entry re, **CEA 26**

insurance, proof of loss and, **CEA 42**

ownership and value of property, **CC 657.1(1), (2), (3)**

photographic evidence, **CC 491.2(4)**

photographic print, proof of compliance re, **CEA 31(3), (4)**

proof of service of any document, **CC 4(6) to (7)**

subpoena, proof of service of, **CC 701**
“witness,” **CC 118**

AFFIRMATION

See also Affidavit, Oath

Administered abroad, **CEA 52 to 54**

Affidavit or deposition, **CEA 15**

In lieu of oath, **CEA 14**

Liability for perjury, **CEA 15(2)**

INDEX

AGE

- See also Assault, Consent, Equality, Sexual Assault
- Adult sentence eligibility, **YCJA 64**
- “Child,” **YCJA 2(1)**
- Criminal responsibility, **CC 13**
 - mistake re, **CC 150.1(4) to (6)**
- Determination, **IA 30**
- Proof, **CC 658; YCJA 148**
- Young offenders
 - jurisdiction re age, **YCJA 14**
 - “young person,” **YCJA 2(1)**

AGENT

- See also Power of Attorney
- “Agent,” **CC 426(4)**
- Appearance for accused, **CC 556, 620, 800, 802.1**
 - limitation on use, **CC 802.1**
 - organizational accused, **CC 556, 620, 800(3)**
- Liability for fraud regarding public stores, **CC 418(2)**
- Limitation on use, **CC 802.1**
- Pledge of goods not theft, **CC 325**
- Secret commission, **CC 426**

AGGRAVATED ASSAULT

- See Assault

AGGRAVATED SEXUAL ASSAULT

- See Sexual Assault

AGGRAVATING CIRCUMSTANCES

- Generally, **CC 718.2(a)**
- Driving offences, **CC 320.22**
- Elder abuse, **CC 718.2(a)(iii.1)**
- Fraud offences, **CC 380.1**
- Home invasion offences, **CC 348.1**
- Personation, **CC 130.1**

AGREEMENT OR

ARRANGEMENT&MDASH;SEXUAL OFFENCE AGAINST CHILD

- Defences, limitation on
 - age of intended victim, **CC 172.2(4)**
 - non-existence of victim, re, **CC 172.2(5)(b)**
 - police sting operation, re, **CC 172.2(5)**
- Designated offence for dangerous offender purposes, **CC 752**
- Designated offence for SOIRA purposes, **CC 490.011(1)**

AGREEMENT OR

ARRANGEMENT&MDASH;SEXUAL OFFENCE AGAINST CHILD

—Cont’d

- Forfeiture of things used, **CC 164.2**
 - relief from, **CC 164.3**
- Offence, **CC 172.2(1) to (2)**
- Offence outside Canada, **CC 7(4.1)**
- Presumption re age, **CC 172.2(3)**
- Primary designated offence for DNA purposes, **CC 487.04**
- Prohibition order, **CC 161**
- Recognizance to prevent offence, **CC 810.1**

AIDING AND ABETTING

- See also Accessory after Fact, Counseling, Party to Offence
- Essential elements
 - abetting, **CC 21(1)(c)**
 - aiding, **CC 21(1)(b)**
- Indictment of other parties, **CC 23.1**
- Particular offences
 - betting offences, **CC 202(1)(j)**
 - cruelty to animals, **CC 446**
 - desertion, **CC 54, 56**
 - enemy alien, **CC 50**
 - escape, **CC 146 to 148**
 - prize fight, **CC 83(1)**
 - suicide, **CC 241(1)**
 - treason, **CC 46, 50**

AIRCRAFT

- See also Hijacking, Driving Offences
- Conveyance, as, see Driving Offences
- Deemed in service, **CC 7(9)**
- Defined, **CC 214**
- “Flight,” **CC 7(8)**
- Jurisdiction over accused, **CC 7(5)**
- Jurisdiction over offence, **CC 7(1), (2), 476**
- Offence against internationally protected person, **CC 7(3)**
- Offence outside Canada
 - accessory after the fact, **CC 7(2)(e)**
 - attempt, **CC 7(2)(e)**
 - consent to prosecution, **CC 7(7)**
 - conspiracy, **CC 7(2)(e)**
 - counselling, **CC 7(2)(e)**
 - deemed committed in Canada, **CC 7(1), (2)**

AIRCRAFT—Cont'd

- Offence outside Canada—Cont'd
 - deemed in service, **CC 7(9)**
 - prosecution outside Canada, **CC 7(6)**
- Particular offences
 - act of violence, **CC 77(a), (b)**
 - breaking and entering, **CC 348**
 - causes damage, **CC 77**
 - consent to prosecution, **CC 7(7)**
 - DNA orders, **CC 487.04, 522(1)**
 - endangering safety, **CC 77**
 - false communication, **CC 77(g)**
 - fraud in obtaining transportation, **CC 393(3)**
 - hijacking, **CC 76**
 - hostage taking, **CC 7(3.1)**
 - interim release, **CC 522(1)**
 - murder, first degree, **CC 231(5)**
 - offences outside Canada, **CC 7**
 - overt acts, evidence of, **CC 55**
 - rendering incapable of flight, **CC 77(c)**
 - sabotage, **CC 52**
 - statements in indictments, **CC 581(4)**
 - weapon or explosive on board, **CC 78**
- Pilot as peace officer, **CC 2**
- Space station, **CC 7(2.34)**
 - consent of Attorney General of Canada, **CC 7(2.33)**
 - definitions, **CC 7(2.34)**
 - offence committed by Canadian crew member, **CC 7(2.3)**
 - offence committed by crew member of Partner state, **CC 7(2.31)**
 - proceedings by Attorney General of Canada, **CC 7(2.32)**
- Use of force aboard
 - justified, **CC 27.1**

AIR NAVIGATION FACILITIES

- See also Aircraft
- Interfering with operation, **CC 77(d)**
- Offence outside Canada, **CC 7(2)(c)**

AIRPORT

- See also International Airport
- Endangering safety, **CC 77**
 - DNA order on conviction or discharge, **CC 487.04, 487.051**
- Particular offences
 - act of violence, **CC 77(b)**
 - causes serious damage, **CC 77(f)**

ALARMING THE QUEEN

- Act with intent to alarm
 - evidence of overt acts, **CC 55**
 - statements in indictments, **CC 581(4), 601(9)**

ALBERTA

- Generally, **CC 2, 164(8), 188(4), 320(8), 493, 534, 552, 745.6(3), 812, 814(1)**

ALCOHOLSEEDRIVING OFFENCES

- Conditions of probation
 - abstention, **CC 732.1(3)(c)**

ALIEN

- Assisting enemy alien, **CC 50(1)**
 - evidence of overt acts, **CC 55**
 - statements in indictments, **CC 581(4), 601(9)**
- Consent to prosecution, **CC 7(7), 477(2)**
- Juror
 - challenge for cause, **CC 638(1)(d)**

ALTERNATIVE MEASURES

- See Punishment, see Youth Criminal Justice

AMENDMENT

- See Indictment (Form and Substance)

AMMUNITION

- Defined, **CC 84(1)**
- Prohibited
 - defined, **CC 84(1)**

ANIMALS

- Abandonment, **CC 446(1)(b)**
 - defence, **CC 429(2)**
- Captivity, **CC 445.2**
- “Cattle,” **CC 2**
- Cock-pit, building or keeping, **CC 447**
- Cruelty, **CC 445.1**
 - defence, **CC 429(2)**
- Dolphins, **CC 445.2**
- Injuring or endangering, **CC 445, 445.01**
 - defence, **CC 429(2)**
- Killing, **CC 445.01**
- Law enforcement, **CC 445.01**
- Military, **CC 445.01**
- Ownership custody or cohabitation while
 - prohibited, **CC 447.1(2)**
 - defence, **CC 429(2)**
- Poisoning, **CC 445, 445.1(1)(c)**
 - defence, **CC 429(2)**

INDEX

ANIMALS—Cont'd

- Prohibition order, **CC 447.1**
- Property in wild animal, **CC 322(5)**
- Restitution order, **CC 447.1**
- Sentencing objectives, **CC 718.03**
- Service, **CC 445.01**
- Whales, **CC 445.2**

ANTIQUE FIREARM

- See Firearms

APPEALS (INDICTABLE OFFENCES)

- By accused (to court of appeal)
 - from conviction, **CC 675(1)(a)**
 - from dangerous offender finding, **CC 759(1)**
 - from discharge, **CC 730(3)(a)**
 - from extraordinary remedies, **CC 784(1), (2)**
 - from finding of not criminally responsible, **CC 675(3)**
 - from finding of unfitness, **CC 675(3)**
 - from parole delay order, **CC 675(2.1)**
 - from parole ineligibility order, **CC 675(2), (2.1), (2.3)**
 - from proceeds of crime forfeiture order, **CC 462.44**
 - from sentence, **CC 675(1)(b)**
 - from summary conviction, **CC 675(1.1)**
 - person under 18, **CC 675(2.1)**
- By accused (to Supreme Court of Canada), **CC 691, 692**
 - election if new trial, **CC 695(2)**
 - where acquittal set aside and judge dissents, **CC 691(2)(a)**
 - where acquittal set aside and verdict of guilty entered, **CC 691(2)(b)**
 - where co-accused acquitted, **CC 691(2)(b)**
 - where conviction upheld, **CC 691(1)**
 - where found not criminally responsible, **CC 692(1)**
 - where found unfit, **CC 692(2)**
 - where leave of court, **CC 691(2)(c)**
- By Attorney General (to court of appeal)
 - from acquittal, **CC 676(1)(a), 676(2)**
 - from decision not to make parole ineligibility order, **CC 676(5), (6)**
 - from discharge, **CC 730(3)(b)**
 - from dismissal of dangerous offender application, **CC 759(2)**

APPEALS (INDICTABLE OFFENCES)

—Cont'd

- By Attorney General (to court of appeal)
 - Cont'd
 - from extraordinary remedies, **CC 784(1)**
 - from finding of unfitness, **CC 676(3)**
 - from order quashing or refusing jurisdiction, **CC 676(1)(b)**
 - from order staying proceedings, **CC 676(1)(c)**
 - from parole delay order, **CC 675(2.1)**
 - from parole ineligibility order, **CC 676(4), (5), (6)**
 - from proceeds of crime forfeiture order, **CC 462.44**
 - from sentence, **CC 676(1)(d)**
 - from summary conviction cases, **CC 676(1.1)**
 - from verdict of not criminally responsible on account of mental disorder, **CC 676(1)(a)**
- By Attorney General (to Supreme Court of Canada), **CC 693**
 - as of right, **CC 693(1)(a)**
 - by Attorney General of Canada, **CC 696**
 - where leave given, **CC 693(1)(b), 693(2)**
- Costs, **CC 676.1**
- “Court of appeal,” **CC 673**
- Dissent, specifying grounds of, **CC 677**
- “Indictment,” **CC 673**
- Notice of appeal
 - extension of time, **CC 678(2)**
 - to court of appeal, **CC 678(1)**
 - to Supreme Court of Canada, **CC 694**
- Powers of court of appeal
 - ancillary authority, **CC 683, 684**
 - authority to determine appeals, **CC 685 to 687**
- Powers of Supreme Court of Canada
 - appeal deemed abandoned, **CC 695(2)**
 - assignment of counsel, **CC 694.1**
 - authority to determine appeals, **CC 695(1)**
 - grant leave on terms, **CC 693(2)**
- Release pending appeal
 - arrest after release, **CC 679(6)**
 - conditions of order, **CC 679(5), (5.1)**

APPEALS (INDICTABLE OFFENCES)**—Cont'd**

Release pending appeal—Cont'd
 conditions precedent to release, CC **679(1), (3), (4)**
 form of release, CC **679(5)**
 notice to prosecutor, CC **679(2)**
 order expediting appeal, CC **679(10)**
 pending appeal to court of appeal, CC **679(1)(a), (b), 679(3), 679(4)**
 pending appeal to Supreme Court of Canada, CC **679(1)(c), 679(3), 679(8)**
 pending new trial or hearing, CC **679(1)(a), 679(3), 679(7)**
 review by court of appeal, CC **680**
 Remote appearance of accused, CC **683(2.1), 688(2.1), 715.23 to 715.24**
 Report by judge, CC **682**
 Right of appellant to attend court of appeal, CC **688**
 Supreme Court of Canada, CC **694.2**
 “Sentence,” CC **673**
 Transcript of material, CC **682(2), (4), (5)**
 “Trial court,” CC **673**

APPEALS (PARTICULAR MATTERS)

See also Dispositions and Disposition Hearings (Mental Disorder)
 Canada Evidence Act, pursuant to
 from order re disclosure of information subject to Crown privilege, CEA **37.1 to 37.2**
 from order re disclosure of potentially injurious information, CEA **38.09, 38.1 to 38.12**
 from order re disclosure of sensitive information, CEA **38.09, 38.1 to 38.12**
 Contempt, CC **10**
 Dangerous offender, CC **759**
 Extraordinary remedy, CC **784**
 Forfeiture
 child pornography, CC **164(6)**
 crime comic, CC **164(6)**
 hate propaganda, CC **320(6), 320.1(8)**
 minerals or precious metals, CC **395(3)**
 obscene matter, CC **164(6)**
 things seized pursuant to search warrant, CC **490(17)**

APPEALS (PARTICULAR MATTERS)**—Cont'd**

Forfeiture—Cont'd
 things used in child luring or child pornography, CC **164.2(3) to (5), 689**
 High-risk accused, see High-Risk Accused
 Sex offender information registration compliance orders, CC **490.014**
 exemption orders, CC **490.024**
 termination orders, CC **490.017, 490.029**
 Stay of proceedings, from permanently unfit accused, against, CC **672.852**
 Taking of bodily substances for forensic DNA analysis, on conviction, discharge or NCRMD finding, order for, CC **487.054**
 Third party records, orders re, CC **278.91**
 Young offenders, YCJA **37**

APPEALS (SUMMARY CONVICTION)

Appeals to summary conviction appeal court, CC **812 to 828**
 adjournment, CC **824**
 “appeal court,” CC **812**
 costs, CC **826, 827**
 dismissal for failure to appear or want or prosecution, CC **825**
 extension of time to appeal, CC **815(2)**
 fixing date of hearing, CC **819**
 notice of appeal, CC **815(1)**
 order of new trial, CC **822(2)**
 payment of fine not waiver, CC **820(1)**
 place of hearing, CC **814**
 powers of appeal court, CC **822(1)**
 release pending appeal, CC **816**
 release pending new trial, CC **822(3)**
 rights of appeal, CC **813**
 transmission of trial record, CC **821(1), (3)**
 trial de novo, CC **822(4) to (7)**
 undertaking by prosecutor/appellant, CC **817, 818**
 “Clerk of the appeal court,” CC **785**
 “Informant,” CC **785**
 “Information,” CC **785**
 “Order,” CC **785**
 “Proceedings,” CC **785**

INDEX

APPEALS (SUMMARY CONVICTION)

—Cont'd

“Prosecutor,” CC 785

“Sentence,” CC 785

Summary appeal on transcript or agreed statement of fact, CC 829 to 838

appeal barred, CC 837

“appeal court,” CC 829

costs, CC 834(1)

dismissal for failure to appear or want of prosecution, CC 825, 831

enforcement of order, CC 835

extension of time to appeal, CC 838

fixing date of hearing, CC 819, 831

grounds of appeal, CC 830(1)

powers of appeal court, CC 834

release pending appeal, CC 816, 831, 832(1)

rights of appeal, CC 830(1), (4)

time for appeal, CC 830(3)

transcript or agreed statement, CC 830(2)

undertaking by prosecutor/appellant, CC 817, 818, 831, 832

“Summary conviction court,” CC 785

“Trial,” CC 785

APPEARANCE

See Counsel, see Presence of Accused

APPEARANCE NOTICE

See also Judicial Interim Release

“Appearance notice,” CC Form 9

Cancellation or confirmation by justice, CC 508

Contents, CC 500

Duration, CC 730(2)

Effect after direct indictment, CC 523(1.2)

Effect after remand to other jurisdiction, CC 543(2)(b)

Entering into on holiday, CC 20

Failure to appear, CC 145, (4), 512.2, 803(3)

Form, CC Form 9

Issue by peace officer

no arrest, CC 497

Laying of information, CC 505

Time in force, CC 523, 730

Vacating previous order, CC 523(2)

APPOINTMENT

Influencing appointment, CC 125

Proof of appointment, CEA 21, 22

Selling or purchasing, CC 124

disability on conviction, CC 750(3), (4)

ARBITRARY DETENTION OR IMPRISONMENT

Generally, CA Part I 9

ARMED FORCES

Definitions

“Canadian Forces,” CC 2

“Her Majesty’s Forces,” CC 2

“member of a force,” CC 62(2)

“military,” CC 2

“military justice participant,” CC 423.1(4)

“military law,” CC 2

Enlistment

presumption, CC 421(1)

Jury trial

right to, CA Part I 11(f)

Member as peace officer, CC 2

Military law

effect of Charter, CA Part I 11(f)

effect of Code, CC 5

Military tribunal

effect of Charter, CA Part I 11(f)

Offences

assisting deserter, CC 54

assisting hostile forces, CC 46(1)(c), (4), 47(1)

counselling insubordination, CC 62(1)(b), (c)

essential infrastructure, sabotage, CC 52.1

inciting to mutiny, CC 53

interfering with loyalty, CC 62(1)(a)

overt acts, evidence of, CC 55

presumption of enlistment, CC 421(1)

receiving military stores, CC 420

sabotage, CC 52

statement in indictment, CC 581(4), 601

unlawful use of uniform, etc., CC 419

Riot

command to suppress, CC 32(2)

Weapons, CC 117.08

ARRAIGNMENT

Indictable offences, CC 562, 606

ARRAIGNMENT—Cont'd

Pleas permitted, **CC 606, 607**
Summary conviction offences, **CC 801(1), (2)**

ARREST

See also Execution of Process
By surety, **CC 766(2)**
Citizen's arrest, **CC 494**
Clergyman, upon civil process, **CC 176(1)(b)(ii)**
Duty of person arresting
 delivery to peace officer, **CC 30, 31(2), 494(3)**
 duty not to arrest, **CC 495(2), (3)**
 duty to inform arrested person, **CC 29(2), (b), (3); CA 10(a)**
Dwelling-house, powers to enter, to carry out arrests
 announcement, omission of, **CC 529.4(1)**
 authority to enter without warrant, **CC 529.3(1)**
 authorization to enter, **IA 34.1**
 execution of entry, **CC 529(1), 529.4(2)**
 exigent circumstances, **CC 529.3(2)**
 reasonable terms and conditions, **CC 529.2**
 telewarrant, **CC 529.5**
 warrants, **CC 529.1, Forms 7, 7.1**
Force in arrest
 excessive force, **CC 26**
 permissible force, **CC 25(1), (4), 27, 32**
Offences
 assault with intent to resist, **CC 270(2)**
 failure to assist in, **CC 129(b)**
Preventive, see Terrorism
Private prosecution, in, **CC 507.1**
Protection of persons acting under authority, **CC 25(3), (4), 28, 32(3)**
Rights upon arrest, **CA Part I 10**
Specific arrest authority (offences)
 breach of peace, **CC 31(1)**
 by surety, **CC 766(2)**
 common gaming house, **CC 199(2)**
Warrant
 actions not precluding issue, **CC 512**
 arrest of wrong person, **CC 28**
 circumstances of issue
 absconding accused or witness, **CC 475(1)(b)**

ARREST—Cont'd

Warrant—Cont'd
 circumstances of issue—Cont'd
 commission of offence, **CC 679(6)**
 defaulting witness, **CC 704 to 706**
 failure to attend after adjournment, **CC 485, 803(2)**
 failure to attend review of order of justice, **CC 520(5), 521(5)**
 failure to attend trial, **CC 597, 803(2)**
 indictment presented to court, **CC 578(1)(b)**
 information laid, **CC 507(4), 507.1(2), 512(1)**
 necessary in public interest, **CC 507(4), 512(1)**
 non-compliance with appearance notice, etc., **CC 512(2), 679(6), 803(2)**
 private prosecution, **CC 507.1**
 contents, **CC 511(1), 513**
 defect not affecting validity, **CC 546, 547**
 discretion to postpone execution, **CC 511(3)**
 duty of person arresting, **CC 29**
 endorsement in other jurisdiction, **CC 528(1)**
 endorsement to authorize release, **CC 507(6), 507.1(8)**
 execution, **CC 511(4), 514, 520(6), 528(2)**
 form, **CC 513**
 release when arrested with warrant, **CC 499**
 signing in blank, **CC 507(5), 507.1(8)**
Without warrant
 accused on interim release, **CC 679(6), 680**
 by any person, **CC 494(1)**
 by owner of property, **CC 494(2)**
 by peace officer, **CC 495, 495.1**
 contravention of order, for, **CC 495.1**
 delivery to peace officer, **CC 494(3)**
 detention in custody, **CC 498**
 person about to commit offence, **CC 495(1)(a)**
 release on appearance notice, **CC 497**
 terrorist activity, to prevent, **CC 83.3(4)**

INDEX

ARSON AND OTHER FIRES

See Fire

ASSAULT

See also Sexual Assault, Trafficking,
Persons

Against person reading riot proclamation,
CC 68(a)

Aggravated assault, **CC 268**

excision, **CC 268(3), (4)**

internationally protected person,
outside Canada, **CC 7(3)**

United Nations or associated personnel,
outside Canada, **CC 7(3.71)**

Application of provision, **CC 265(2)**

Apprehended consent, **CC 265(4)**

“Bodily harm,” defined, **CC 2**

Causing bodily harm, **CC 267(b)**

internationally protected person outside
Canada, **CC 7(3)**

United Nations or associated personnel,
outside Canada, **CC 7(3.71)**

Clergyman, **CC 176(1)(b)(i)**

Consent, **CC 265(3), (4)**

apprehended consent, **CC 265(4)**

Definition, **CC 265(1)**

Endangering safety of aircraft, **CC 77(a)**

Endangering safety of airport, **CC 77(b)**

Internationally protected person, outside
Canada, **CC 7(3)**

Offence, **CC 266**

Peace officer, **CC 270(1)**

aggravated assault, **CC 270.02**

assault with a weapon or causing bodily
harm, **CC 270.01**

consecutive sentences, **CC 270.03**

Public transit operator, **CC 269.01**

Punishment, **CC 266**

Queen, **CC 46(1)(a)**

evidence of overt acts, **CC 55**

statement in indictment, **CC 581(4),
601(9)**

Self-defence, **CC 34 to 35**

Threat against internationally protected
person, **CC 7(3), 424**

United Nations or associated personnel,
outside Canada, **CC 7(3.71)**

Unlawfully causing bodily harm, **CC 269**

With intent

to resist distress or seizure causing
death, **CC 231(4)**

ASSAULT—Cont’d

With intent—Cont’d
to steal, **CC 343(c)**

With weapon, **CC 267(a)**

internationally protected person,
outside Canada, **CC 7(3)**

United Nations or associated personnel,
outside Canada, **CC 7(3.71)**

ASSEMBLY

See also Riot

Freedom of peaceful assembly, **CA Part I
2(c)**

Riot, **CC 64, 65**

Unlawful assembly, **CC 63, 66**

ASSESSMENTS (MENTAL DISORDER)

See also Fitness to Stand Trial, Mental
Disorder

Appearance by accused when completed,
CC 672.191

“Assessment,” **CC 672.1(1)**

Assessment orders

application by accused, **CC 672(1),
672.121**

application by prosecutor, **CC
672.12(2), (3), 672.121**

assessment completed, **CC 672.191**

authority to make, **CC 672.12(1),
672.121, 672.851(5)**

contents of order, **CC 672.13(1),
672.16(1.2)**

form of order, **CC 672.13(2), Forms 48
and 48.1**

grounds, **CC 672.11, 672.121**

high-risk accused, see High-Risk
Accused

no treatment on assessment, **CC 672.19**

period of order, **CC 672.14, 672.15**

permanently unfit accused, **CC
672.851(5)**

presumption against custody, **CC
672.16(1), (1.1), (1.2), (3)**

priority over bail hearing, **CC 672.17**

variations of assessment order, **CC
672.18**

Assessment reports

authority to order, **CC 672.2(1)**

distribution of report, **CC 672.2(3), (4)**

filing with court or Review Board, **CC
672.2(2)**

protected statement, **CC 672.2**

ASSESSMENTS (MENTAL DISORDER)**—Cont'd**

“Hospital,” CC 672.1(1)

“Medical practitioner,” CC 672.1(1)

ASSISTANCE

See also Aiding and Abetting, Party to
Offence, Accessory after Fact,
Counselling

Assistance order, CC 487.02

Assisting enemy at war, CC 46(1)(c)

Assisting peace officer, CC 25, 28, 31, 33

Associated Personnel, see United
Nations Personnel

omitting to assist, CC 129(b)

ASSOCIATION

See also Organization

Freedom of, CA Part I 2(d)

ATTEMPT

Elements of attempt, CC 24

Full offence charged, attempt proved, CC
660

Full offence proved on charge of attempt,
CC 661

Jurisdiction of court, CC 468, 469

Jurisdiction of provincial court judge, CC
553(b)

Order for particulars, CC 587(1)(d)

Particular offences

causing another to utter forgery, CC
368(1)(b)

contravene Act of Parliament or regula-
tion, CC 579.1

corruption by judicial officer, CC
119(1)(a)

corruption of municipal official, CC
123(2)

high treason, CC 46(1)(a)

inciting to mutiny, CC 53

murder, CC 239

obstructing justice, CC 139

piratical acts, CC 75(c)

Punishment, CC 463

ATTESTATION

Form

statutory declaration, CEA 41

Proof, CEA 34

ATTORNEY GENERAL, PROVINCIAL

“Attorney General,” CC 2

ATTORNEY GENERAL, PROVINCIAL**—Cont'd**

Consent

dangerous offender application, CC
754(1)(a), 754(4)

prosecution, CC 83.24, 136(3),
164.1(8), 164(7), 166, 172(4),
174(3), 318(3), 319(6), 320(7),
342(1)(e), 385(2), 422(3), 477.2,
478(3)

recognizance, for feared criminal orga-
nization offence, CC 810.01(1)

recognizance, for feared terrorism
offence, CC 810.011

recognizance, for marriage-related
offences, CC 810.02

recognizance, for suspected terrorist
activity, CC 83.3(1)

Licensing

automobile master key, CC 353(2)

Preferring indictment, CC 577

Report on wiretapping authorizations, CC
195(5)

Requiring trial by jury, CC 568, 598(1)(b)

Right of appeal

indictable offences, CC 676, 693, 696

summary conviction, CC 813, (5),
830(1), 839(1)

Stay of proceedings, CC 579(1)

recommencement, CC 579(2)

ATTORNEY GENERAL OF CANADA

See also Attorney General, Provincial

“Attorney General,” CC 2

Consent

court jurisdiction, CC 478(3), 479

prosecution, CC 7(4.2), (3), (7), 54,
119(2), 251, 477.2, 477(2), 478(3)

transfer of probation order, CC 733(1)

Intervention by, CC 579.1

Right of appeal

indictable offence, CC 696

summary conviction, CC 813, 830, 839

AUDIOCONFERENCES

See Video and Audio Evidence

AUDIO EVIDENCE

See Video and Audio Evidence

AUTOMOBILE

See Motor Vehicles

INDEX

AUTREFOIS ACQUIT/CONVICT

See also Plea
Plea, **CC 607 to 610**
Right, **CA Part I 11(h)**

AVAILS

See also Disorderly House
Householder permitting, **CC 171**
“Public place,” **CC 213(2)**
Recognizance to prevent offences, **CC 810.1**

BAIL

See Judicial Interim Release

BAILEE

Theft of things under seizure, **CC 324**

BANK

See also Currency Offences
Application to inspect account, **CEA 29(6)**
“Bank” defined, **IA 35(1)**
“Bank-note” defined, **CC 2**
“Financial institution” defined, **CEA 29(9)**
Fraudulent receipts under Bank Act, **CC 390**
Printing or using likeness of securities, **CC 457**
Production orders: financial information
compulsion by order only, **CEA 29(5)**
copying of records, for, **CEA 29(6)**
inspection of records, for, **CEA 29(6)**
Records as evidence, **CEA 29**
Valuation of securities, **CC 4(2)**
Warrants to search, **CEA 29(7)**

BAWDY-HOUSE

See Disorderly House

BENCH WARRANT

See also Arrest
Execution of, **CC 597(2)**
discretion to postpone execution, **CC 597**
Issuance, **CC 597**

BESETTING

Generally, **CC 423(1)(f), 423(2)**

BESTIALITY

Arena for fighting, offence re, **CC 447(1)**
Breach of order, **CC 160(5)**

BESTIALITY—Cont’d

Compel another to commit, **CC 160(2)**
Defined, **CC 160(6)**
In presence of child, **CC 160(3)**
Offence of, **CC 160(1)**
Order of prohibition, **CC 160(4)(a), 161**
Order of restitution, **CC 160(4)(b)**
Removal of child from Canada with
intent, **CC 273.3(1)(c)**
Sexual activity evidence, see Sexual
Activity Evidence

BETTING AND RELATED OFFENCES

Advertising offer to bet, **CC 202(1)(h), 202(2)**
assisting offence, **CC 202(1)(j)**
Agreeing to purchase or sell information,
CC 202(1)(e), 202(2)
assisting offence, **CC 202(1)(j)**
Agreeing to purchase or sell privileges,
CC 202(1)(e), 202(2)
assisting offence, **CC 202(1)(j)**
Cheating, **CC 209**
Controlling property related to betting,
CC 202(1)(c), 202(2)
assisting offence, **CC 202(1)(j)**
Dealing in betting device, **CC 202(1)(b), 202(2)**
assisting offence, **CC 202(1)(j)**
Engaging in occupation, **CC 202(1)(e), 202(2)**
assisting offence, **CC 202(1)(j)**
Exemptions from offences, **CC 204**
Jurisdiction of provincial judge, **CC 553**
Pari-mutuel system, **CC 204**
lottery provisions not applicable, **CC 207(5)**
violation of provisions, **CC 204(8)**
Permitting use of place for recording bet,
CC 202(1)(a), 202(2)
assisting offence, **CC 202(1)(j)**
Placing bet for others, **CC 203**
Printing or providing information, **CC 202(1)(f), 202(2)**
assisting offence, **CC 202(1)(j)**
Recording or registering bet, **CC 202(1)(d), 202(2)**
assisting offence, **CC 202(1)(j)**
Sending or receiving information, **CC 202(1)(i), 202(2)**
assisting offence, **CC 202(1)(j)**

BIGAMY

See also Procuring
Offence, CC 290, 291

BINDING OVER

See also Witness
Material witness, CC 698(2), 704 to 706
To keep peace, CC 810(3); YCJA 14(2),
20(2)
young persons, YCJA 14(2), 20(2)

BLACKMAIL

See Extortion

BOARDS OF REVIEW

See Review Boards

BOAT

See Vessels, see Ship

BODILY HARM

See also Assault, Sexual Assault
Assault causing, CC 267
Breach of contract, CC 422
Causing, CC 269
by failure to safeguard hole in ice or
excavation, CC 263(3)(b)
by fire or explosion, CC 80(b), 81,
433(b)
unlawfully, CC 7(3), (3.71), 269
with intent, air gun or pistol, CC 244.1
with intent, firearm, CC 244
Criminal negligence causing, CC 221
dangerous operation included offence,
CC 662(5)
duty of persons directing work, CC
217.1
organizational liability for, CC 22.1,
217.1
Defined, CC 2
Duty of persons directing work to
prevent, CC 217.1
Interference with transportation facilities,
CC 248
Internationally protected person outside
Canada, CC 7(3)
Punishment, CC 267
Restitution to victim, CC 738(1)(b), (c),
738(2)
Sureties to keep peace, CC 810; YCJA
14(2), 20(2)
Threatening, CC 423

BODILY HARM—Cont'd

To Queen
evidence of overt acts, CC 55, 581(4),
601(9)
Traps causing or likely to cause, CC 247
United Nations or associated personnel,
outside Canada, CC 7(3.71)

BODILY SUBSTANCE

Analyst
attendance of, requiring, CC 729.1(4),
811.1(4)
certificate of, proof of, CC 729.1(1),
811.1(1)
definition of, CC 729.1(2), 811.1(2)
Certificate, analyst's
notice of intention to produce, CC
729.1(3), 811.1(3)
proof of, CC 729.1(1), 811.1(1)
Conditional sentence, CC 742.3
Probation, CC 732.1
Prohibitions re
exception, CC 732.11(3), 742.31(3),
810.4(3)
offence, CC 732.11(4), 742.31(4),
810.4(4)
results of analysis, disclosure/use of,
CC 732.11(2), 742.31(2), 810.4(2)
sample, use of, CC 732.11(1),
742.31(1), 810.4(1)
Samples
designations, CC 732.1(8) to (9),
742.3(6) to (7), 810.3(1) to (2)
destruction of, CC 732.1(11), 742.3(9),
810.3(4)
notice of, CC 732.1(7), 742.3(5),
810.3(6)
prohibitions re, CC 732.11, 742.31,
810.4
regular intervals, at, CC 732.1(7),
742.3(5), 810.3(6)
regulations re, CC 732.1(12),
742.3(10), 810.3(5)
restriction, CC 732.1(10), 742.3(8),
810.3(3)
specifications, CC 732.1(8), 742.3(6),
810.3(1)
Sex offenders, CC 732.1

BOND

See Peace Bond

INDEX

BOOK-MAKING

See also Betting and Related Offences
Jurisdiction of provincial judge, CC
553(c)(ii)
Offences, CC 202(1)(e) to (g)
Punishment, CC 202(2)

BOUNDARY LINES AND MARKS

Interference with
boundary lines, CC 442
international marks, CC 443(1)
lawful excuse, CC 429(2)
surveyor's exception, CC 443(2)
Jurisdiction over offences near boundary,
CC 476

BREACH OF CONTRACT

Criminal, CC 422(1)
Exception, CC 422(2)
Institution of proceedings, CC 422(3)

BREACH OF PEACE

Arrest by peace officer, CC 31(1)
In presence of Queen
evidence of overt acts, CC 55, 468,
469, 581(4), 601(9)
Interference to prevent, CC 30
Suppression of riot, CC 32

BREACH OF PROBATION

See Probation

BREACH OF TRUST

See also Trust
Criminal, CC 336
Public officer, CC 122

BREAKING AND ENTERING

And committing offence, CC 348(1)(b)
"Break," CC 98(2), 321
Breaking out, CC 98(1)(c), 348(1)(c)
Coin-operated device, CC 352
Dwelling-house, CC 348(1)(d)
"dwelling-house," CC 2
"entrance," CC 350
"place," CC 348(3)
Home invasion, aggravating
circumstance, CC 348.1
Other than dwelling-house, CC 348(1)(e)
Possession of instruments, CC 351(1),
352
Presumption of offence, CC 348(2)(b)

BREAKING AND ENTERING—Cont'd

Punishment/sentence
DNA order on conviction discharge,
CC 487.04, 487.051
general, CC 348(1)(e)
where dwelling-house involved, CC
348(1)(d), 348.1
where firearm stolen, CC 98(4)
where home invasion involved, CC
348(1)(d), 348.1
where intent to steal firearm, CC 98(4)
To steal firearm, CC 98
"entrance," CC 98(3)
"place," CC 98(2)
Unlawfully in a dwelling house, CC
349(1)
presumption of intent, CC 349(2)
With intent to commit offence, CC
348(1)(a)
presumption, CC 348(2)(a)

BREAK-IN INSTRUMENTS

For coin-operated or currency-exchange
devices, CC 352
for place, motor vehicle, vault or safe,
CC 351(1)

BREATH SAMPLE

See Driving Offences

BRIBERY

See also Corruption
Influencing appointment to public office,
CC 125
Judicial officer, CC 119
consent to prosecution, CC 119(2)
superior court jurisdiction, CC 468,
469
Juror, CC 139(3)
Municipal official, CC 123
Peace officer, CC 120
Person administering criminal law, CC
120
Public officer, CC 120, 121
loss of capacity to contract, CC 750(3),
(4)
Secret commission, CC 426
Selling or purchasing office, CC 124
Witness, CC 139(3)(c)

BRITISH COLUMBIA

Generally, CC 2, 188(4), 320(8), 493,
552, 745.6(3), 812, 814(3)

BROADCASTING

See Publication

BROKER

Acquiring stocks or merchandise for purchaser, **CC 383(1)**

Reducing stock by selling for own account, **CC 384**

BUILDING

Damage by occupant, **CC 441**
defence, **CC 429(2)**

BUOYS

Interfering with marine signal, **CC 439**
defence, **CC 429(2)**

BURDEN OF PROOF

Presumption of innocence, **CA Part I 11(d)**

BURGLARS TOOLS

See Break-in Instruments

BURGLARY

See Breaking and Entering

BURIAL

Failure in duty, **CC 182(a)**
Register of burials
defacing or making false entry, **CC 377(1)(a), (b)**

BUSINESS

See also Corporation, Organization
Defined, **CEA 30(12)**
Financial institutions, entry in book or record, **CEA 29(1), (2)**
Record as evidence, **CEA 30**

CABLE

False message, **CC 372(1)**

CANADIAN FORCES

See Armed Forces

CAPACITY

See Criminal Responsibility

CARRIAGE

Cruelty to animals, **CC 446(1)(b)**
defence, **CC 429(2)**
False representation to obtain, **CC 401**
forfeiture of goods, **CC 401(2)**

CASE MANAGEMENT

Application to summary proceedings, **CC 795**

Appointment of judge

application for, **CC 551.1(1)**
conference or hearing re, **CC 551.1(2)**
same judge may try case, **CC 551.1(4)**

Compelling attendance, **CC 482.1(3), (4), 551.7(7)**

Conferences, **CC 551.1(2), 551.7(2)**

Hearings

appointment, re, **CC 551.1(2)**
Charter issues, re, **CC 551.3(2)**
evidentiary issues, re, **CC 551.3(2), 551.7**

joint, **CC 551.7**

severance, re, **CC 551.3(2)**

Joint hearings

adjudication as at trial, **CC 551.7(10)**
application for, **CC 551.7(1)**
considerations, **CC 551.7(3)**
limitation, **CC 551.7(4)**
order for, **CC 551.7(3) to (5)**
powers of judge, **CC 551.7(9)**
prisoner, removal of, **CC 551.7(8)**
procuring attendance at, **CC 551.7(7)**
record, **CC 551.7(5) to (6), (11)**
return of documents, **CC 551.7(11)**

Judge

appointment, **CC 551.1**
decision binding, **CC 551.3(4)**
duties, **CC 551.4**
powers, **CC 551.3, 551.6(2), 551.7(9)**
referral of issues to, **CC 551.6**
role of, **CC 551.2**

Record, trial

decision in joint hearing to be part of, **CC 551.7(11)**
information to be part of, **CC 551.4**
order re joint hearing to be part of, **CC 551.7(5)**
transmission of court record, **CC 551.7(6)**

Rules

approval by lieutenant governor in council, **CC 482.1(5)**
compliance with directions under, **CC 482.1(2)**
power to make, **CC 482.1(1)**
publication, **CC 482(4), 482.1(6)**

INDEX

CASE MANAGEMENT—Cont'd

- Rules—Cont'd
 - regulations to secure uniformity, **CC 482(5), 482.1(6)**
- Trial to proceed continuously, **CC 551.5**

CATTLE

- See also Animals
- “Cattle,” **CC 2**
- Defacing or making false brand, **CC 338(1)(b)**
- Fraudulent taking, **CC 338(1)(a)**
- Injuring or endangering
 - defence, **CC 429(2)**
- Poisoning
 - defence, **CC 429(2)**
- Theft, **CC 338(2)**

CAUSE DISTURBANCE

- See Disturbance

CERTIFICATE

- See also Blood Sample, Notice
- Offences
 - falsifying, **CC 378**
 - fraudulent use, citizenship, **CC 58**
 - fraudulent use, naturalization, **CC 58**
 - unlawful possession, military certificate, **CC 419(c), (d)**
- Types of certificate
 - conviction, **CC 667**
 - defamation in parliamentary papers, **CC 316(3)**
 - default of recognizance, **CC 770**
 - examiner of counterfeit, **CC 461(2), (3), (4)**
 - failure to appear, **CC 145(9)**
 - fingerprint examiner, **CC 667(1)(c)**
 - Imperial certificate, **CEA 20**
 - marriage, **CC 291(2)**
 - non-payment of costs, **CC 827(2)**
 - previous conviction, **CC 667(1); CEA 12(2)**
 - Secretary of State for External Affairs, **CC 7(11)**
 - transcript of evidence at preliminary, **CC 540(5), (6)**
 - weapons, **CC 117.13**

CERTIFIED COPY

- See also Document, Record
- As evidence of documents, **CEA 24**

CERTIFIED COPY—Cont'd

- As evidence of judicial proceedings, **CEA 23**
- Documents
 - banking record, **CEA 29**
 - business record, **CEA 30(3)**
 - conviction or order, **CC 570, 806**
 - notarial act or instrument, **CEA 27**
 - order of discharge, **CC 570(2)**
 - order of dismissal, **CC 808**
- Falsifying, **CC 378**
- Notice of production of copy, **CEA 28**
- Proof of handwriting, **CEA 33(1)**

CERTIORARI

- Appeal, **CC 784(1), (2)**
- Availability
 - appeal as bar, **CC 776**
 - recognizance as condition, **CC 779**
 - to quash warrant of committal, **CC 782**
- Effect of dismissal of application, **CC 780**
- Order for further detention, **CC 775**
- Protection of judicial officials, **CC 783**
- Review of conviction or order, **CC 777, 778**
- Rules of court, **CC 482(3)(c)**
- Want or proof of enactment not ground, **CC 781**

CHALLENGE

- See Jury

CHANGE OF VENUE

- See Venue

CHARACTER EVIDENCE

- And evidence of previous conviction, **CC 666**
- Dangerous offender application, **CC 757**
- Impeaching credit of witness, **CEA 9**
- Of complainant, **CC 277**

CHARTER RIGHTS

- See Legal Rights

CHEATING AT PLAY

- Offence, **CC 209**
 - jurisdiction of provincial court judge, **CC 553(c)(v)**

CHEQUE

- See also False Pretence, Fraud
- “Cheque,” **CC 362(5), 364(3)**
- Proof of “no account,” **CEA 29(3)**

CHEQUE—Cont'd

- Worthless cheque
 - presumption of false pretence, CC 362(4)
 - presumption of fraud, CC 364(2)

CHILD

- See also Abduction, Child Witnesses (Protection of)

Abandonment

- child under 10, CC 214, 218

Abduction

- consent no defence, CC 286
- consent of parent, CC 284
- custody order, CC 282
- defence, CC 285
- no custody order, CC 283
- offences, CC 281 to 3
- protection of child defence, CC 285
- removal from Canada with intent, CC 273.3

Bestiality, CC 160(3)

- removal from Canada with intent, CC 273.3(1)(c)

“Child,” YCJA 2(1); CC 172(3)**Consent of**

- defence, CC 150.1(2) to (2.3), (6)
- no defence, CC 150.1(1)

Correcting, with reasonable force, CC 43**Corruption, CC 172(1)**

- “child,” CC 172(3)

- consent to prosecution, CC 172(4)
- limitation period, CC 152, 172(2)

Criminal responsibility, CC 13**Evidence**

- proof of age, CC 658
- under 14 years, as witness, CEA 16
- videotaped complaint, CC 715.1
- youth justice court proceedings, YCJA 151

Incest, CC 155

- “brother,” CC 155(4)
- “sister,” CC 155(4)

Infanticide, CC 233

- concealing body as included offence, CC 662(4)
- conviction, CC 663
- punishment, CC 237

Necessaries

- duty and failure in duty, CC 215

CHILD—Cont'd**Newly born and unborn**

- becoming human being, CC 223(1)
- concealing body, CC 243
- failure to obtain assistance in birth, CC 242
- killing in act of birth, CC 238
- “newly born child,” CC 2
- pre-natal injuries causing death, CC 223(2)

No conviction where under 12, CC 13**Permitting defilement**

- female under 18, CC 171
- removal from Canada with intent, CC 273.3(1)(c)

Person under 16

- bestiality, CC 160(3)
- invitation to sexual touching, CC 152
- sexual interference, CC 151
- where fear of sexual offence, CC 810.1, 811

Person under 18 removal from Canada with intent, CC 273.3(1)(c)**Procuring defilement, CC 170**

- removal from Canada with intent, CC 273.3(1)(c)

Proof of age, CC 658**Protection of persons correcting, CC 43****Removal from Canada, CC 273.3****Sexual offences outside Canada, CC 7(4.1)****Trafficking, CC 279.011****Young person**

- defined, CC 153(2)
- sexual exploitation of, CC 153(1)

CHILD PORNOGRAPHY**Accessing, CC 163.1(4.1), (4.2)****Aggravating factor, CC 163.1(4.3)****Defences, CC 163.1(5), (6), (7)****Definition, CC 163.1(1)****Deletion from computer system**

- appeal from order, CC 164(6), 164.1(8)
- commencement of order, CC 164.1(5)
- consent to prosecute where order for deletion, CC 164(7), 164.1(8)
- definitions, CC 164(8), 164.1(8)
- destruction of copy, CC 164.1(6)
- ex parte proceeding, CC 164.1(4)
- notice to person who posted, CC 164.1(2)

INDEX

CHILD PORNOGRAPHY—Cont'd

- Deletion from computer system—Cont'd
 - order for deletion of material, CC **164.1(5), (6)**
 - return of material, CC **164.1(7)**
 - right to appear at hearing, CC **164.1(3)**
- Distribution or sale, CC **163.1(3)**
- Exporting, CC **163.1(3)**
- Forfeiture
 - child pornography (in rem), CC **164**
 - things used in child pornography, CC **164.2, 164.3, 689**
- Importing, CC **163.1(3)**
- Making, CC **163.1(2)**
- Making available, CC **163.1(3)**
- Motive irrelevant, CC **163(5), 163.1(7)**
- Order of prohibition, CC **161**
- Possession, CC **163.1(4)**
- Possession for purpose, CC **163.1(3)**
- Recognizance to prevent offence, CC **810.1**
- Seizure
 - electronic documents/publications, CC **164.1(1)**
 - print documents/publications, CC **164(1)**
- Transmitting, CC **163.1(3)**
- Warrant of seizure, CC **164, 164.1**
 - sealing order for information to obtain, CC **487.3**

CHILD WITNESSES (PROTECTION OF)

- Generally, CC **486 to 486.7, 659**
- Accused not to cross-examine, CC **486.3**
- Order restricting publication, CC **486.4, 486.5**
 - offence, CC **486.6**
- Particular offences, CC **486**
- Support person, CC **486.1**
- Testifying outside courtroom or behind a screen, CC **486.2**
- Videotaped evidence, CC **715.1**

CHOKING

- Attempt, CC **246**

CIVIL LAW

- Application of provincial laws, IA **8.1**
- Duality of legal traditions, IA **8.1**
- Terminology, IA **8.2**

CIVIL PROCEEDINGS

- Remedies preserved, CC **11**
- Threat to institute not extortion, CC **346(2)**

CIVIL SERVANT

- See also Bribery, Corruption
- Disabilities on conviction, CC **750(2)**
- vacancy in employment, CC **750(1)**

CLERK OF COURT

- Adjournment in absence of jury and judge, CC **474**
- Certificate of failure to attend, CC **145(9) to (11)**
- Certificate of non-payment of costs, CC **827(2)**
- “Clerk of the court,” CC **2, 762(2)**
- Entry of stay, CC **579**
- Notice of indictment to organization, CC **621(1)**
- Notice to judge before fixing trial date, CC **560(1)**
- “Registrar” as, CC **673**
- Transmission of order for enforcement, CC **828(3)**
- Youth justice court, YCJA **21**

COCK-PIT

- Building or keeping, CC **447(1)**
- Confiscation of birds, CC **447(2)**

COIN

- See Currency Offences

COIN-OPERATED DEVICE

- Possession of instruments to break, CC **352**
- Slugs and tokens, CC **454**

COLLECTIVE BARGAINING

- See also Employment, Industrial Dispute, Trade Union

COLOUR OF RIGHT

- Theft, CC **322**
- Wilful damage to property, CC **429(2)**

COMMISSION EVIDENCE

- Admitting evidence of witness who is ill, CC **711**
- Appointment of commissioner, CC **709, 710**
- evidence of physician, CC **710(2)**

COMMISSION EVIDENCE—Cont'd

- Presence of accused or counsel, **CC 713(1)**
- Process used not contrary to principles of fundamental justice, **CC 713.1**
- Reading in evidence, **CC 711, 712(2), 713.1**
- Return of evidence, **CC 713(2)**

COMMITTAL FOR TRIAL

- See Order to Stand Trial

COMMITTAL TO CUSTODY

- See Warrant, see Preliminary Inquiry

**COMMON BAWDY HOUSE;
COMMON BETTING HOUSE;
COMMON GAMING HOUSE**

- See Disorderly House

COMMON LAW

- Abolition of offences, **CC 9(a)**
- And business records provisions, **CEA 30(11)(b)**
- Defences, see Defences (Common Law)
- Preservation of defences, **CC 8(3)**

COMMON-LAW PARTNER

- Duty to provide necessities, **CC 215(1)(b)**
- Failure to provide necessities, **CC 215(2)**
 - necessaries provided by another no defence, **CC 215(4)(d)**
 - punishment, **CC 215(3)**
- Intimidation, **CC 423(1)(a)**
 - exception, **CC 423(2)**
 - punishment, **CC 423(1)**
- Restitution to, **CC 738(1)(c)**
- Sentencing principles protecting, **CC 718.2(a)(ii)**
- Sureties to protect, **CC 810(1)**

COMMON NUISANCE

- Generally, **CC 180**

COMMUNICATIONS

- See Interception of Private Communications

COMMUNITY IMPACT STATEMENT

- Generally, **CC 722.2(1)**
- Conditions of exclusions, **CC 722.2(4)**
- Copy of statement, **CC 722.2(5)**
- Form, **CC 722.2(2)**
- Presentation of statement, **CC 722.2(3)**

COMPELLABILITY

- See Competence and Compellability, see Privilege

**COMPELLING APPEARANCE OF
ACCUSED**

- See Judicial Interim Release

COMPENSATION AND RESTITUTION

- Amount of loss, **CC 738(1)**
- Appeal of
 - operation suspended, **CC 689(1)**
 - variation on, **CC 689(2)**
- Bodily harm, **CC 738(1)(b), (c), 738(2)**
- Bona fide purchaser, **CC 739**
- Civil remedy, **CC 741.2**
- Default in payment, **CC 741**
- Enforcement, **CC 741**
 - moneys found on offender, **CC 741(2)**
- Joint offenders, **CC 807**
- Moneys found on offender, **CC 741(2)**
- Person aggrieved, **CC 741**
 - notice to, **CC 741.1**
- Priority of payment, **CC 740**
- Property, **CC 738(1)(a), 738(2)**
- Victim fine surcharge, **CC 737(1)**
 - amounts to aid victims, **CC 737(5)**
 - enforcement, **CC 737(7)**
 - exception, **CC 737(2.1) to (2.4), (8)**
 - increase in surcharge, **CC 737(3)**
 - notice, **CC 737(6)**
 - time for payment, **CC 737(4)**

**COMPETENCE AND
COMPELLABILITY**

- See also Privilege
- Accused, **CEA 4(1) CA Part I 11(c)**
- Bank, **CEA 29(5)**
- Interest or crime not affecting, **CEA 3**
- Spouse, of accused, **CEA 4(1), (2)**
- Witness of defective intellect, **CEA 16**
- Witness under 14 years of age, **CEA 16**

COMPLAINANT

- Generally, **CC 2**

**COMPOUNDING INDICTABLE
OFFENCE**

- Generally, **CC 141**

COMPULSION (DURESS)

- As defence (excuse)
 - incest by female, **CC 155(3)**

INDEX

COMPULSION (DURESS)—Cont'd

- As defence (excuse)—Cont'd
- spouse, **CC 18**
- threats, **CC 17**

COMPUTERS

- See also Data, Mischief
- Definitions, **CC 342.1(2), 430(8)**
- mischief in relation to data, **CC 430(1.1), (5)**
- Deletion of child pornography, **CC 164.1**
- Deletion of hate propaganda, **CC 320.1**
- Electronic documents, see Document
- Luring child by means of, **CC 172.1**
- Possession of device to obtain computer system, **CC 342.2**
- Search of computer system, **CC 487**
- Systems administrators
- interception of private communications by, **CC 184(2)(e), (3), 193(2)(d)(iii)**
- Unauthorized use, **CC 342.1**

CONCEALMENT

- Body of child, **CC 243**
- Document, **CC 340**
- Fraudulent concealment, **CC 341**
- Indictable offence, **CC 141**
- Mineral or precious metal, **CC 394(1)**
- Property, to defraud creditors, **CC 392(a)(ii)**
- Title document, **CC 340, 385(1)**
- Wreck, **CC 415(a)**

CONDITIONAL SENTENCE

- Bodily substance, see Bodily Substance
- Breach, **CC 742.6, 742.7**
- Compulsory conditions, **CC 742.3**
- Imposing of, **CC 742.1**
- Imprisonment for new offence, upon, **CC 742.7**
- Prohibitions, **CC 742.2**
- Reading and delivery of order, **CC 742.3(3), (4)**
- Supervisor may propose changes, **CC 742.4**
- Suspension pending appeal, **CC 683(5), (5.1), (6)**
- Transfer of order, **CC 742.5**

CONFESSION

- See also Admissions

CONFESSION—Cont'd

- Admissibility at preliminary, **CC 542(1)**
- publication, **CC 542(2)**
- Young person, **YCJA 10(4), 146, 147**

CONFESSION, OF JUDGMENT

- Acknowledging in false name, **CC 405**

CONFINEMENT

- See also Abduction, Kidnapping
- As primary crime in murder, **CC 231(5)**
- Internationally protected person, outside Canada, **CC 7(3), (5) to (7)**
- Offence, **CC 279(2)**
- Sentencing
- home invasion, aggravating circumstance, **CC 348.1**

CONSENT

- See also Attorney General of Canada
- Aggravated assault, **CC 268(4)**
- Assault and sexual assault
- apprehended, **CC 265(4)**
- non-consent, **CC 265(3)**
- Child (person under 16)
- defence, **CC 150.1(2) to (2.2), (6)**
- no defence, **CC 150.1(1), 153.1(5), 286**
- Child trafficking, **CC 279.011(2)**
- Consent to prosecution, see Attorney General of Canada
- Human trafficking, **CC 279.01(2), 279.011(2)**
- Not affecting criminal responsibility, **CC 14**
- Person with disability
- defence, **CC 153.1(6)**
- no defence, **CC 153.1(5)**
- Preferring indictment, **CC 577**
- Prosecutor
- plea of guilty to other offence, **CC 606(4)**
- Recommencement of proceedings, **CC 485.1**
- Re-election, **CC 561, (3), 561.1, 695(2)**
- Sexual assault
- apprehended consent no defence, **CC 273.2**
- consent, **CC 153.1(2), (3), (4), 273.1(2)**
- Sexual exploitation of person with disability, **CC 153.1(5), (6)**
- Sufficiency of count averring consent, **CC 583(h)**

CONSENT—Cont'd

Theft, forgery of credit card, **CC 342(2)**
 Transfer of probation order, **CC 733(1)**
 Trial by Nunavut court judge, **CC 554**
 Trial by provincial court judge, **CC 554**
 Trial without jury, **CC 473**

CONSIGNMENT

Fraudulent disposition of goods, **CC 389**

CONSPIRACY

Appearance at trial, **CC 465(6)**
 As overt act of treason, **CC 46(4)**
 evidence, **CC 55**
 indictment, **CC 601(9)**
 Jurisdiction in certain offences, **CC 469**
 absolute, **CC 553**
 Order for particulars, **CC 587(1)(d)**
 Particular conspiracies
 commit high treason, **CC 46(2)(c), (e), 47(2)(a)**
 commit indictable offence, **CC 465(1)(c)**
 commit murder, **CC 465(1)(a)**
 commit offence inside Canada, **CC 465(4) to (6)**
 commit offence outside Canada, **CC 7(2)(e), (5), (6), 7(2.1), 7(2.2), 465(3)**
 commit summary conviction offence, **CC 465(1)(d)**
 contravene Act of Parliament or regulation, **CC 579.1**
 innocent person prosecuted, **CC 465(1)(b)**
 overthrow government, **CC 46(2)(c), 47(2)(a)**
 prevent union membership, **CC 425**
 prosecute innocent person, **CC 465(1)(b)**
 restrain trade, **CC 466, 467**
 seditious conspiracy, **CC 59(3)**
 treasonable conspiracy, **CC 46(2)(c), (c), (e), 46(4), 47(2)(b)**

CONTEMPT

See also Disobedience
 Appeal from conviction or sentence, **CC 10**
 Conviction for, **CC Form 38**
 Jurisdiction, **CC 9**

CONTEMPT—Cont'd

Particular contempts
 disobeying order of court, **CC 127(1)**
 failure to attend court, **CC 708(1)**
 non-compliance with order to release exhibit, **CC 605(2)**
 preservation of order in court, **CC 484, (1.1), 486(1)**
 punishment, **CC 708**
 witness, **CC 545, 708(1)**
 Warrant of committal for, **CC Form 25**
 Young offenders, **YCJA 15**

CONTRACT

Criminal breach, **CC 422(1)**

CONTRADICTORY EVIDENCE

Generally, **CC 136**

CONTROLLED DRUGS AND SUBSTANCES ACT

Admissibility of certificate, **CSDA 50(1), (2)**
 Admissibility of certificate of analyst, **CC 729; CSDA 51(1)**
 in proceedings for breach of probation condition, **CC 729(2)**
 Admissibility of certified documents, **CC 729; CSDA 49(1)**
 authentication, **CSDA 49(2)**
 evidence inadmissible, **CSDA 49(3)**
 Analysis
 designation, **CSDA 44**
 report, **CSDA 45(2), (2), 52(1)**
 submission for, **CSDA 45(1)**
 Analyst
 attendance of, **CSDA 51(2)**
 certificate of, **CSDA 51(1), 52**
 designation of, **CSDA 44**
 Authentication of certified documents, **CSDA 49(2)**
 Burden of proving exception etc., **CSDA 48**
 Certificate issued pursuant to regulations, admissibility of, **CSDA 50(1), (2)**
 Compliance with terms and conditions, **CSDA 46.2**
 Continuity of possession, **CSDA 53(1)**
 alternative method of proof, **CSDA 53(2)**

CONTROLLED DRUGS AND

SUBSTANCES ACT—Cont'd

- Contravention of designated regulation, **CSDA 33, 34**
 - determination by adjudicator, **CSDA 41(1), (2)**
 - hearing by adjudicator, **CSDA 36(1), (2) to (4), 40**
 - interim order, **CSDA 35(1), (2), (2)(b), 42(1)**
 - Ministerial orders, **CSDA 41(3), (2)(a), (3) to (4), 42(1)**
 - notice to appear, **CSDA 34, 35(2), 37**
 - offence for contravention of order, **CSDA 43**
 - powers of adjudicator, **CSDA 39**
 - proof of service, **CSDA 38**
- Copies of certified documents, **CSDA 49(1), (2)**
- Copies of records, books or documents, **CSDA 54**
- Deceptive statements, offence for making, **CSDA 46.1**
- Deeming, **CSDA 4.1(5)**
- Defined, **CSDA 4.1(1)**
- Definitions, **CSDA 2(1)**
- Designated regulation, see contravention of designated regulation
- Destruction of plant, **CSDA 29**
- Disposal by Minister where no application, **CSDA 25**
- Disposal following proceedings, **CSDA 27**
- Disposal of controlled substances upon application
 - application for return of substance, **CSDA 24(1)**
 - order to return substance, **CSDA 24(2), (3), (4)**
 - payment compensation in lieu, **CSDA 24(5)**
 - security, health or safety hazard, **CSDA 26**
- Disposal with consent, **CSDA 28**
- Diversion measures, evidence-based, **CSDA 10.1 to 10.7**
- Evidence inadmissible, **CSDA 49(3)**
- Exemption, **CSDA 56 to 56.2**
- Exemptions
 - evidence, **CSDA 4.1(4)**
 - medical emergency, **CSDA 4.1(2)**

CONTROLLED DRUGS AND

SUBSTANCES ACT—Cont'd

- Exemptions—Cont'd
 - persons at the scene, **CSDA 4.1(3)**
- Exporting, **CSDA 6(1)**
 - punishment, **CSDA 6(3), 10(5)**
- False or deceptive statements, offence for making, **CSDA 46.1**
 - to inspector, **CSDA 32(2)**
- Forfeiture of offence-related property
 - declaring interest not affected by forfeiture, **CSDA 20, 22**
 - dwelling house, **CSDA 19.1**
 - in rem forfeiture, application for, **CSDA 17(1), (2), (3), 19, 19.1, 21, 22**
 - order of forfeiture on convictions, **CSDA 16(1), (2), (2.1), (3), 19, 19.1, 22**
 - property outside Canada, **CSDA 16(2.1), 17(5)**
- Importing, **CSDA 6(1)**
 - punishment, **CSDA 6(3), 10(5)**
- Importing anything knowing it will be used to produce ecstasy or methamphetamine, **CSDA 7.1(1)**
 - punishment, **CSDA 7.1(2)**
- Importing anything knowing it will be used to traffic in ecstasy or methamphetamine, **CSDA 7.1(1)**
 - punishment, **CSDA 7.1(2)**
- Importing designated device, **CSDA 46.3**
 - punishment, **CSDA 7.1(2)**
- Inspectors
 - assistance to, **CSDA 31(5)**
 - authority to issue warrant, **CSDA 31(3)**
 - designation, **CSDA 30(1), (2)**
 - false statements to, **CSDA 32(2)**
 - interference, **CSDA 32(3)**
 - notice of seizure, **CSDA 31(7)**
 - obstructing, **CSDA 32(1)**
 - powers, **CSDA 31(1) to (1.2)**
 - return by, **CSDA 31(8)**
 - return or disposal by Minister, **CSDA 31(9)**
 - storage of substances seized, **CSDA 31(6)**
 - use of force, **CSDA 31(4)**
 - warrant required to enter dwelling-house, **CSDA 31(2)**
- Limitation period, **CSDA 47(1)**

**CONTROLLED DRUGS AND
SUBSTANCES ACT—Cont'd**

Mandatory minimum punishments
drug treatment program exception, **CSDA 10(4) to (5)**
exporting, **CSDA 6(3)(a)**
importing, **CSDA 6(3)(a)**
possession for purpose of exporting, **CSDA 6(2), (3)(a), (3)(a.1), 10(5)**
production, **CSDA 7(2)(a) to (b), 7(3)**
review and report to Parliament, **CSDA 9**
trafficking, **CSDA 5(3)(a)**
Medical purpose, exemption for, **CSDA 56.1, 56.2**
Ministerial orders
generally, **CSDA 45.1 to 45.5**
information, provision of, **CSDA 45.1**
measures, **CSDA 45.2**
review, **CSDA 45.3, 45.4**
Statutory Instruments Act, **CSDA 45.5**
Notice, proof of, **CSDA 52(1), (2)**
Obtaining substance, **CSDA 4(2)**
punishment, **CSDA 4(7)**
Paramountcy of Act, **CSDA 58**
Penalty, **CSDA 46**
Possession, continuity of, **CSDA 53(1)**
alternative method of proof, **CSDA 53(2)**
Possession for purpose of exporting, **CSDA 6(2)**
punishment, **CSDA 6(3), 10(5)**
Possession for purpose of trafficking, **CSDA 5(2)**
punishment, **CSDA 5(3) to (5), 10(5)**
Possession of anything knowing it will be used to produce ecstasy or methamphetamine, **CSDA 7.1(1)**
punishment, **CSDA 7.1(2)**
Possession of anything knowing it will be used to traffic in ecstasy or methamphetamine, **CSDA 7.1(1)**
punishment, **CSDA 7.1(2)**
Possession of substance, **CSDA 4(1)**
determination of amount, **CSDA 4(8)**
punishment, **CSDA 4(3) to (6)**
Powers, duties, functions of Minister or Minister of Public Safety and Emergency Preparedness, **CSDA 57**

**CONTROLLED DRUGS AND
SUBSTANCES ACT—Cont'd**

Production of anything knowing it will be used to produce ecstasy or methamphetamine, **CSDA 7.1(1)**
punishment, **CSDA 7.1(2)**
Production of anything knowing it will be used to traffic in ecstasy or methamphetamine, **CSDA 7.1(1)**
punishment, **CSDA 7.1(2)**
Production of substance, **CSDA 7(1)**
punishment, **CSDA 7(2), (3), 10(5)**
Regulation, designated, see contravention of designated regulation
Regulations, **CSDA 51(1)**
paramountcy of, **CSDA 58**
pertaining of law enforcement, **CSDA 55(2) to (2.1)**
Restraint order, **CSDA 14**
application for, **CSDA 14(1)**
application of ss. 489.1 and 490, **CSDA 15(1)**
conditions, **CSDA 14(5)**
content of order, **CSDA 14(3)**
failure to comply, **CSDA 14(10)**
order continues in force, **CSDA 14(9)**
procedure, **CSDA 14(2)**
property outside Canada, **CSDA 14(4)**
recognizance, **CSDA 15(2)**
registration of order, **CSDA 14(8)**
service of order, **CSDA 14(7)**
Sale of anything knowing it will be used to produce ecstasy or methamphetamine, **CSDA 7.1(1)**
punishment, **CSDA 7.1(2)**
Sale of anything knowing it will be used to traffic in ecstasy or methamphetamine, **CSDA 7.1(1)**
punishment, **CSDA 7.1(2)**
Schedules, **CSDA 60, Sch. :Schedule I to VIII**
Search warrant
application of s. 487.1, **CSDA 11(2)**
application of ss. 489.1 and 490, **CSDA 13**
assistance, **CSDA 12**
execution in another province, **CSDA 11(3)**
information for, **CSDA 11(1)**
report to justice, **CSDA 13(4)**

INDEX

CONTROLLED DRUGS AND SUBSTANCES ACT—Cont'd

- Search warrant—Cont'd
 - sealing order for information to obtain, **CC 487.3**
 - search of person and seizure, **CSDA 11(5)**
 - seizure of additional things, **CSDA 11(8)**
 - seizure of things not specified, **CSDA 11(6)**
 - use of force, **CSDA 12**
 - where warrant not necessary, **CSDA 11(7)**
- Sentencing
 - delay for treatment, **CSDA 10(4)**
 - factors to be considered, **CSDA 10(2)**
 - minimum punishment, see also mandatory minimum
 - punishments, **CSDA 9, (5), 10(4)**
 - purpose of, **CSDA 10(1)**
 - reasons, duty to provide, **CSDA 10(3)**
- Trafficking in substance, **CSDA 5(1)**
 - punishment, **CSDA 5(3) to (5), 10(5)**
- Transfers, voidable, **CSDA 18**
- Transitional provisions, **CSDA 61 to 63**
- Validation of prior authorizations, **CSDA 63**
- Venue, **CSDA 47(2)**

CONVERSION

- See also Theft
- As theft, **CC 322(1)**
- By trustee, **CC 336**
- Theft by, **CC 330 to 332**

CONVERSION THERAPY

- Advertising, offence of, **CC 320.103**
- Causing, offence of, **CC 320.102**
- Defined, **CC 320.101**
- Material benefit from, offence of receiving, **CC 320.104**
- Promoting, offence of, **CC 320.103**

CONVEYANCES, OFFENCES INVOLVING

- See Driving Offences

CONVICTION

- See also Appeals (Indictable Offences), Appeals (Summary Conviction), Previous Convictions
- Certiorari to quash, **CC 776 to 777**

CONVICTION—Cont'd

- Evidence of conviction
 - admissibility, **CC 665, 666**
 - manner of proof, **CC 570(4), CEA 12, (6), 667**
- Memorandum of conviction, **CC 806**
- Record of conviction, **CC 570(1), 624(1), 806**
- Subsequent conviction pardon not affecting punishment, **CC 748(4)**

CONVICTION REVIEW

- See Miscarriages of Justice

CORONER

- Inquest
 - no trial, **CC 576(3)**
- Misconduct, **CC 128**

CORPORATION

- Appearance, **CC 538, 556, 620, 800(3)**
 - default, **CC 556(2), 622, 623, 800(3)**
- “Corporation” defined, **CEA 31(1); IA 35(1)**
- Criminal responsibility
 - duty of persons directing work, **CC 217.1**
 - negligence offences, **CC 22.1**
 - other offences, **CC 22.2**
- Enforcement of judgment, **CC 735**
- False prospectus, **CC 400(1)**
 - “company,” **CC 400(2)**
- Greater punishment where previous conviction, **CC 727(4)**
- Notice of indictment, **CC 621**
- Party liability
 - negligence offences, **CC 22.1**
 - other offences, **CC 22.1**
- Punishment, **CC 718.21, 732.1(3.1), 735**
- Records
 - photograph as evidence, **CEA 31**
 - “Representative,” defined, **CC 2**
- Request for preliminary inquiry
 - failure to request, **CC 556(3), (4)**
- “Senior officer,” defined, **CC 2**
- Sentencing
 - finer, **CC 735**
 - general considerations, **CC 718.21**
 - probation conditions, **CC 732.1(3.1), (3.2)**
- Trial and conviction, **CC 623**

CORRECTIONS AND CONDITIONAL RELEASE

Generally, **CC 2, 25(5), 67, 149(2), 743.1(6), 743.5, 746.1, 761**

CORROBORATION

Age of child, **CC 658(2)**
 Children's evidence, **CC 659**
 Feigned marriage, **CC 292(2)**
 Not required (sexual offences), **CC 274**
 Perjury, **CC 133**
 Treason and high treason, **CC 47(3)**

CORRUPTING MORALS

See also Crime Comic, Obscenity
 Defence of public good, **CC 163(3), (4)**
 Obscene material, **CC 163(1), (8)**
 Offences, **CC 163(1), (2)**
 Undue exploitation of sex, **CC 163(8)**

CORRUPTION

See also Bribery
 Corrupting
 agent or employee, **CC 426**
 child, **CC 172**
 government official, **CC 121, 748(3), 750**
 judicial officer, **CC 119**
 juror, **CC 139(3)**
 municipal official, **CC 123**
 peace officer, etc., **CC 120, 128**
 witness, **CC 139(3)**
 Influence appointment, **CC 125**
 Reward or immunity
 receiving, **CC 142**
 Secret commission, **CC 426**
 Selling or purchasing office, **CC 124**
 dealer in offices, **CC 125**
 disability on conviction, **CC 750(3), (4)**
 Taking reward for
 recovery of goods, **CC 142**

COSTS

Adjournment, **CC 601(5)**
 Certificate of non-payment, **CC 827(2)**
 Part payment, **CC 734.8**
 Proceedings by indictment no costs on appeal, **CC 683(3)**
 Remission, **CC 750(2)**
 Summary conviction appeal, **CC 826, 827**
 court of appeal, **CC 839(3)**
 Summary proceedings, **CC 803(4), 809**

COSTS—Cont'd

Writ of fieri facias, **CC 772(2)**

COUNSEL

Address by counsel, **CC 537(1)(h), 651**
 Appearance for accused, **CC 556, 620, 650.01, 650.02, 800**
 organizational accused, **CC 556, 620, 800**
 Assignment of counsel
 appeal, **CC 684, 694.1, 839(2)**
 unfit accused, **CC 672.24**
 Authority in absence of accused, **CC 475(4), 544(4), 650.01**
 "Counsel," **CC 2**
 Designated counsel of record
 designation, **CC 650.01(1), (2)**
 service of summons to accused on, **CC 650.01(4)(a)**
 technological appearance by, **CC 650.02**
 Legal assistance on appeal, **CC 684, 694.1, 839(2)**
 Right to counsel, **CA Part I 10(b)**
 Summary proceedings, **CC 800, 802**
 Young person
 advising of right to counsel, **YCJA 25(2), (3)**
 appointment of counsel, **YCJA 25(5), (11)**
 arresting officer, **YCJA 25(2)**
 assistance by adult, **YCJA 25(7), (11)**
 costs, recovery of, **YCJA 25(10)**
 counsel independent of parents, **YCJA 25(8), (11)**
 exceptions to statutory requirements, age-based, **YCJA 25(11)**
 justice, youth justice court or review board, **YCJA 25(3)**
 release hearing before justice, **YCJA 25(6), 88**
 right to retain counsel, **YCJA 25(1)**
 statement of right to counsel, **YCJA 25(9), (11)**
 where unable to retain counsel, **YCJA 25(4), (11)**

COUNSELLING

See also Party to Offence
 Definition, **CC 22(3)**
 Offence committed, **CC 22(1), (2)**
 Offence not committed, **CC 464**

INDEX

COUNSELLING—Cont'd

- Particular offences
 - contravene Act of Parliament or regulation, **CC 579.1**
 - sexual touching, **CC 152**
 - suicide, **CC 241(1)**
- Principal not convicted, **CC 23.1**

COUNTERFEITING

- See also Currency Offences, Forgery
- Certificate of examiner, **CC 461(2), (3), (4)**
- Completion of counterfeit, **CC 461(1)**
- “Counterfeit money,” **CC 448**
- Government mark, **CC 376(2)**
 - “mark,” **CC 376(3)**
- Government seal, **CC 369(c)**
- Instruments for counterfeiting
 - making, possessing, dealing, **CC 369(b), 376(1), 458, 459**
 - seizure and forfeiture, **CC 462**
- Making counterfeit money, **CC 449**
 - possession, **CC 450**
 - uttering, **CC 452**
- Public seal, **CC 369(c)**
- Slug or token, **CC 454**
- Stamp, **CC 376(1)**
 - “stamp,” **CC 376(3)**

COUNTS

- See Indictment (Form and Substance)

COURT

- See also Summary Conviction Proceedings
- “Appeal court,” **CC 812**
- “Court”
 - application for preventive detention, **CC 752**
 - imposition of punishment, **CC 716**
- “Court of appeal”
 - defined, **CC 2, 673**
 - general powers on appeal, **CC 683, 839(2)**
 - power to make rules, **CC 482(1), 482.1**
- “Court of competent jurisdiction,” **CA Part I 24(1)**
- “Court of criminal jurisdiction”
 - defined, **CC 2**
 - jurisdiction over offences, **CC 469**
 - power to make rules, **CC 482(2)**
- Judge as court of record, **CC 559(1)**

COURT—Cont'd

- “Provincial court judge”
 - absolute jurisdiction, **CC 553**
 - defined, **CC 2**
- Rules of court, **CC 482, 482.1, 745.64**
 - case management, **CC 482.1**
 - review of parole ineligibility, **CC 745.64**
- “Superior court of criminal jurisdiction”
 - defined, **CC 2**
 - jurisdiction over offences, **CC 468**
 - power to make rules, **CC 482(1), (2), 482.1**
- “Trial court,” **CC 673**
- “Youth justice court,” **YCJA 2(1)**
 - as court of record, **YCJA 13(4)**

COURT ORDER

- See Contempt, see Disobedience

CREDIT AND CREDITORS

- See also Criminal Interest Rate
- Disposal of property to defraud creditors, **CC 392**
- False financial statement, **CC 362(1)(c), (d)**
 - punishment, **CC 362(3)**
- False prospectus or statement, **CC 400**
- Falsifying books to defraud creditors, **CC 397(2)**
- Obtaining credit by false pretence or fraud, **CC 362(1)(b)**
 - punishment, **CC 362(3)**

CREDIT CARD

- Defined, **CC 321**
- Evidence at jury trial, **CC 657.1(2)(c.1)**
- Offences
 - forgery, **CC 342(1)(b)**
 - instruments for forging or falsifying credit cards, **CC 342.01**
 - possession of card obtained by crime, **CC 342(1)(c)**
 - theft, **CC 342(1)(a)**
 - unauthorized use of credit card data, **CC 342(3), (4)**
 - use of revoked or cancelled card, **CC 342(1)(d)**
- Trial jurisdiction, **CC 342(2)**

CRIME AGAINST HUMANITY

- Special pleas, **CC 607(6)**
- Superior court jurisdiction, **CC 469(c.1)**

CRIME COMIC

See also Obscenity
Appeal from forfeiture or restoration, CC 164(6)
Consent to prosecute where order of forfeiture, CC 164(7)
Forfeiture, CC 164(3), (4)
Restoration after seizure, CC 164(5)
Seizure, CC 164(1)
Summons, CC 164(2)

CRIMINAL BREACH OF CONTRACT

Exception, CC 422(2)
Institution of proceedings, CC 422(3)
Offence, CC 422(1)

CRIMINAL HARASSMENT

Murder committed being first degree, CC 231(6)
Offence, CC 264(1)
Prohibited conduct, CC 264(2)
Punishment, CC 264(3)
aggravating factors, CC 264(4), (5)

CRIMINAL INTEREST RATE

Generally, CC 347
Non-application, agreements or arrangements, CC 347.01
Payday loan, CC 347.1

CRIMINAL NEGLIGENCE

Causing bodily harm, CC 221
Causing death, CC 220
where firearm used, CC 220(a)
Criminal negligence defined, CC 219
Dangerous driving as included offence, CC 662(5)
Duty of persons directing work, CC 217.1
Flight causing bodily harm or death as included offence, CC 662(5)
Organizational liability for, CC 22.1, 217.1

CRIMINAL ORGANIZATION

Commission of offence for
bail, CC 515(6)(a)(ii)
“commission of offence,” CC 467.1(3)
disclosure of income tax information for investigation of, CC 462.48(1.1)
instructing, CC 467.13
offence, CC 467.12(1)

CRIMINAL ORGANIZATION—Cont’d

Commission of offence for—Cont’d
parole, power of court to delay, CC 743.6(1.2)
proof, Crown burden, CC 467.12(2)
sentence to be served consecutively, CC 467.14
Defined, CC 467.1(1)
Disclosure of income tax information, CC 462.48(1.1)
Electronic surveillance, see generally, see Interception of Private Communications
authorization, CC 185(1.1), 186(1.1)
eligible offences, CC 183
subject notification period, extended, CC 196(5)
Fear of criminal organization offence, CC 810.01; YCJA 14(2), 20(2)
adjudication, CC 810.01(3)
appearances, CC 810.01(2)
conditions, firearms, CC 810.01(5)
refusal to enter recognizance, CC 810.01(4)
variance of conditions, CC 810.01(6)
young person, order against, YCJA 14(2), 20(2)
Forfeiture of offence-related property, CC 490.1, 490.2
see also forfeiture (offence-related property)
Instructing commission of offence for bail, CC 515(6)(a)(ii)
“commission of offence,” CC 467.1(3)
disclosure of income tax information for investigation of, CC 462.48(1.1)
offence, CC 467.13(1)
parole, power of court to delay, CC 743.6(1.2)
proof, Crown burden, CC 467.13(2)
sentence to be served consecutively, CC 467.14
Parole, power of court to delay for offence, CC 743.6(1.1) to (1.2)
Participation in activities of
bail, CC 515(6)(a)(ii)
“commission of offence,” CC 467.1(3)
criteria/factors of “participation”/“contribution,” CC 467.11(3)

INDEX

CRIMINAL ORGANIZATION—Cont'd

- Participation in activities of—Cont'd
 - disclosure of income tax information for investigation of, CC **462.48(1.1)**
 - “facilitation,” CC **467.1(2)**
 - offence, CC **467.11(1)**
 - parole, power of court to delay, CC **743.6(1.2)**
 - proof, Crown burden, CC **467.11(2)**
 - sentence to be served consecutively, CC **467.14**
- Recruitment of members by
 - bail, reverse onus, CC **515(6)(a)(ii)**
 - disclosure of income tax information for investigation of, CC **462.48(1.1)**
 - “facilitation,” CC **467.1(2)**
 - offence, CC **467.111**
 - parole, power of court to delay, CC **743.6(1.2)**
 - primary designated offence, CC **487.04**
 - sentence to be served consecutively, CC **467.14**
 - testimonial aids available, CC **486.2**
- Sentences to be served consecutively, CC **467.14**
- Using explosives in association with murder deemed first degree, CC **231(6.1)**
- Witness protection in cases involving
 - exclusion of public, CC **486**
 - limits on cross-examination by accused, CC **486.3(2) to (5)**
 - obstructed view testimony, CC **486.2(4) to (6)**
 - publication ban, CC **486.5**
 - recognizance, CC **810.01**
 - testimony outside courtroom, CC **486.2(4) to (6)**

CRIMINAL RECORDS

- See Pardon, see Previous Convictions, see Record Suspension, see Youth Criminal Justice

CRIMINAL RESPONSIBILITY

- See also Mental Disorder
- Child
 - under 12 years, CC **13**
- Effect of consent to infliction of death, CC **14**

CRIMINAL RESPONSIBILITY—Cont'd

- Mental disorder, CC **2, 16**
- Obedience to de facto law, CC **15**
- Organization
 - “every one” including organization, CC **2**
- Where one party cannot be convicted, CC **23.1**
- Young persons, YCJA **3(1)**

CROSS-EXAMINATION

- Adverse witness, CEA **9**
- Business record
 - making or contents, CEA **30(9)**
- Certificate of fingerprint examiner, CC **667(3)**
- Certificate of previous conviction, CC **667(3)**
- Previous inconsistent statement, CEA **9 to 11**
- Proof of service of any document, CC **4(7)**

CRUEL AND UNUSUAL TREATMENT OR PUNISHMENT

- Generally, CA **Part I 12**

CULTURAL PROPERTY

- Generally, CC **7(2.01), (2.02)**
- Mischief, CC **430(4.2)**

CURRENCY OFFENCES

- See also Counterfeiting
- Advertising counterfeit money or tokens, CC **460(1)(a)**
- Buying counterfeit money, CC **450**
- Certificate of examiner of counterfeit, CC **461(2), (3), (4)**
- Clipping and uttering clipped coin, CC **455**
- Completion of counterfeiting, CC **461(1)**
- Conveying coining instruments out of mint, CC **459(a)**
- Currency exchange device, possession of instruments for breaking in, CC **352**
- Dealing with counterfeiting instruments, CC **458**
- Defacing or uttering defaced coin, CC **456**
- Forfeiture of counterfeit money and equipment, CC **542**
- Making counterfeit money, CC **449**
- Possession of clippings, CC **451**

CURRENCY OFFENCES—Cont'd

Possession of counterfeit money, **CC 450**
 Printing or using likeness of bank notes,
 etc., **CC 457**
 Seizure of counterfeit money and equip-
 ment, **CC 462(2)**
 Slug or counterfeit token, **CC 454**
 Uttering counterfeit money, **CC 452**

DAMAGE TO PROPERTY

See also Mischief
 Aircraft, **CC 77**
 Breach of contract likely to cause, **CC 422**
 Cargo, etc. of ship, **CC 75(b)**
 Defence to wilful damage, **CC 429(2)**
 Explosion causing damage, **CC 80(b), 81**
 Mischief, **CC 430**
 defence, **CC 429(2)**
 Occupant injuring building, **CC 441**
 defence, **CC 429(2)**
 Order for compensation, **CC 725**
 Owner causing damage, **CC 429(3)**
 Sabotage, **CC 55**
 evidence of overt acts, **CC 55, 581(4)**
 statement in indictment, **CC 581(4)**
 Sureties to keep peace, **CC 810, 20(2), 811; YCJA 14(2)**
 Threatening, **CC 423(1)**

DANGEROUS DRIVING

See Dangerous Operation

DANGEROUS OFFENDERS

Admissions at hearing, **CC 754(3)**
 finding, **CC 753**
 Appeal, **CC 759**
 Application for finding, **CC 753**
 hearing, **CC 754, 758**
 presumption of dangerousness, **CC 753(1.1)**
 Application for new sentence or order
 assessment report, **CC 753.01(3)**
 new long-term supervision, **CC 753.01(6), 755(2)**
 remand for assessment, **CC 753.01(1) to (3)**
 right to bring, **CC 753.01(4)**
 sentence of indeterminate detention,
 CC 753.01(5)
 victim evidence, **CC 753.02**

DANGEROUS OFFENDERS—Cont'd

Application for remand for assessment,
 CC 752.1(1), 753.01(1)
 after imposition of sentence, **CC 753(3)**
 exception re hearing requirements, **CC 754(1)**
 extension of time, **CC 752.1(3), 753.01(3)**
 notice of intention to bring, **CC 752.01, 753(2)**
 report, **CC 752.1(2), 753.01(2)**
 upon post-finding conviction, **CC 753.01**
 “Court,” **CC 752**
 “Designated offence,” **CC 752**
 Evidence of character, **CC 757**
 “Long-term supervision,” **CC 752**
 Negative finding, **CC 753(5)**
 Presumption of dangerousness, **CC 753(1.1)**
 “Primary designated offence,” **CC 752**
 Review for parole, **CC 761**
 Sentence, **CC 753(4), (4.1), (4.2)**
 where post-finding offence, **CC 753.01(4) to (6)**
 “Serious personal injury offence,” **CC 752**
 information where fear of, **CC 810.2(1) to (8), 811**
 Transcripts to Correctional Service, **CC 760**
 Witnesses
 victim, **CC 753.02**

DANGEROUS OPERATION

See also Driving Offences, Motor
 Vehicles
 Definitions
 “motor vehicle,” **CC 2**
 “railway equipment,” **CC 2**
 Manslaughter charged, where, **CC 662(5)**

DANGEROUS SUBSTANCE

See drug, see Noxious Thing, see poison-
 ing

DANGER TO LIFE

Generally, **CC 217, 217.1**
 Impeding attempt to save life, **CC 262**

DATA

See also Computers, Mischief
 Dealing with data in court, **CC 842**

INDEX

DATA—Cont'd

- Defined, CC 430(8), 488.01(1), 841;
CEA 31.8
- Mischief, CC 342(2); 430(1.1)
- Time of filing, CC 843(1)
- Transfer of data, CC 843(1)

DEAD BODY

- Concealing body of child, CC 243
- Failure to perform duty regarding burial,
CC 182(a)
- Interfering with dead body, CC 182(b)

DEALING IN PUBLIC OFFICE

- Offences, CC 124, 125
- disability on conviction, CC 748(3), (4)

DEATH

- See also Infanticide, Manslaughter, Murder
- Accelerating, CC 226
- Consent not affecting liability, CC 14
- Criminal negligence causing, CC 220
- duty of persons directing work, CC 217.1
- organizational liability for, CC 22.1, 217.1
- Failure to guard ice-hole or excavation,
CC 263
- Influence on mind, CC 228
- Interference with transportation facilities
causing, CC 248
- Preventable death, CC 224
- Register of deaths
- destroying or defacing, CC 377
- falsifying entry, CC 378
- Suicide, CC 241(1)
- Traps causing, CC 247(5)
- Treatment of injury causing, CC 225
- Uttering threats of death, CC 264.1(1)(a)
- Within a year and a day, CC 227
- Witness dying, CC 715

DECLARATION

- See Affidavit

DEED

- See Document of Title

DEFAMATORY LIBEL

- Definition of, CC 298
- Exceptions
- answer to inquiry, CC 313

DEFAMATORY LIBEL—Cont'd

Exceptions—Cont'd

- fair comment on public person or work
of art, CC 310
- fair report of parliamentary or judicial
proceeding, CC 307
- fair report of public meeting, CC 308
- giving information to person interested,
CC 314
- judicial proceeding or inquiry, CC 305
- parliamentary papers, CC 306, 316
- publication for public benefit, CC 309,
311
- publication on invitation or in refuta-
tion, CC 312
- publishing in good faith for redress of
wrong, CC 315
- selling book without knowledge, CC
304
- selling newspaper without knowledge,
CC 303(3)
- Extortion by libel, CC 302
- Indictment
- sufficiency of counts, CC 584
- Inquiry into truth of words, CC 612(1)
- “Newspaper,” CC 298
- Newspaper proprietor deemed liable, CC
303
- Offence and punishment, CC 300, 301
- Plea of justification, CC 607(2), 611, 612
- Verdict, CC 317

DEFENCES (COMMON LAW)

- Abuse of process, CC 8, 131; CA Part I
7
- Automatism, CC 16
- Drunkenness (intoxication), CC 8, 16
- Due diligence, CC 8
- Entrapment, CC 8
- Extreme intoxication, CC 33.1
- Honest belief, CC 8
- Necessity, CC 8
- Negligence, violence by, CC 33.1
- Preservation by Code, CC 8(3)
- Res judicata, CC 8, 12

DEFENCES (STATUTORY)

- See also Law Enforcement Immunity
- Abduction
- consent of young person, no defence,
CC 286
- necessary protection, CC 285

DEFENCES (STATUTORY)—Cont'd

Abduction—Cont'd
 parental consent, **CC 284**
 Aircraft, use of force aboard, **CC 27.1**
 Assault and sexual assault
 apprehended consent, **CC 265(4), 273.2**
 consent, **CC 150.1(1) to (2.2), (6), 265(1)(a), 265(3), 273.1**
 Colour of right or lawful excuse, **CC 429(2)**
 Common law defences, **CC 8(3)**
 Compulsion by threats (duress), **CC 17**
 Consent, see Consent
 Defence of property, **CC 35**
 Defence of self or person under protection, **CC 34**
 Defences to libel, **CC 303 to 316**
 Ignorance of law no defence, **CC 19**
 Justification (prevent offence), **CC 27**
 Law enforcement immunity, see Law Enforcement Immunity
 Mental disorder, **CC 16**
 Mistake
 age of V, **CC 150.1(4) to (6)**
 consent, **CC 265(4)**
 Obedience to de facto law, **CC 15**
 Protection of persons in authority
 aircraft, use of force aboard, **CC 27.1**
 correction of child by force, **CC 43**
 excessive force, **CC 26**
 general authority, **CC 25**
 master of ship, **CC 44**
 surgical operation, **CC 45**
 Provocation, **CC 232**
 Public good (obscenity), **CC 163(3), (4)**

DEFINITIONS

“Accused,” **CC 672.1(1), 716**
 “Acoustic device,” **CC 342.1(2)**
 “Act,” **CC 2; CC Reg. 2005 to 30; IA 35(1)**
 “Act or omission,” **CC 7(3.77)**
 “Adjudicator,” **CSDA 2(1)**
 “Adult,” **CC 487.04; YCJA 2(1)**
 “Adult sentence,” **YCJA 2(1)**
 “Advertisement for conversion therapy,” **CC 164(8)**
 “Advertisement of sexual services,” **CC 164(8)**
 “Agent,” **CC 426(4)**

DEFINITIONS—Cont'd

“Agreement,” **CC 7(2.34)**
 “Alternate person in charge,” **CSDA 56.1(1)**
 “Alternative measures,” **CC 716**
 “Ammunition,” **CC 84(1)**
 “Analogue,” **CSDA 2(1)**
 “Analyst,” **CC 320.11; 729(2)**
 “Antique firearm,” **CC 84(1), (3), (3.1)**
 “Appeal court,” **CC 812, 829**
 “Appearance notice,” **CC 2**
 “Applicant,” **CC 696.7**
 “Application for federal employment,” **CC 672.37(1)**
 “Appropriate Chief Justice,” **CC 745.6(3)**
 “Approved container,” **CC 320.11; CC Reg. 85 to 201 generally, 2005 to 37 generally**
 “Approved drug screening equipment,” **CC 320.11**
 “Approved instrument,” **CC 320.11; CC Reg. 85 to 201 generally**
 “Approved screening device,” **CC 320.11; CC Reg. 85 to 200 generally**
 “Assessment,” **CC 672.1(1)**
 “Associated personnel,” **CC 2**
 “Association,” **CC 204(9)**
 “Attorney General,” **CC 2, 507.1(11), 672.1(2), 773(5), 810.01(8), 810.011(14); YCJA 2(1)**
 “Audioconference,” **CC 2**
 “Authorization,” **CC 84(1), 183**
 “Automatic firearm,” **CC 84(1)**
 “Automobile master key,” **CC 353(5)**
 “Bank,” **IA 35(1)**
 “Bank-note,” **CC 2**
 “Barrel length,” **CC 84(2)**
 “Bet,” **CC 197(1)**
 “Bodily harm,” **CC 2**
 “Break,” **CC 98(2), 321**
 “Brother,” **CC 155(4)**
 “Business,” **CEA 30(12)**
 “Canadian,” **CC 83.01(1)**
 “Canadian crew member,” **CC 7(2.34)**
 “Canadian Forces,” **CC 2**
 “Cap,” **CC 672.64(1)**
 “Cartridge magazine,” **CC 84(1)**
 “Cattle,” **CC 2**
 “Cause,” **CEA 44**

INDEX

DEFINITIONS—Cont'd

"Certification authority," CC Reg. 2005 to 30, s. 1
 "Cetacean," CC 445.2(1)
 "Chairperson," CC 672.1(1)
 "Change," CC 732.1, 742
 "Cheque," CC 362(5), 364(3)
 "Chief firearms officer," CC 84(1)
 "Chief Justice," CC 188(4)
 "Child," YCJA 2(1)
 "Child pornography," CC 163.1(1)
 "Civil aircraft," CC 78(2)
 "Clerk of the appeal court," CC 785
 "Clerk of the court," CC 2, 762(2)
 "Coastal waters of Canada," CC 339(6)
 "Commencement," IA 35(1)
 "Commission," CC 696.7
 "Commissioner of Firearms," CC 84(1)
 "Commission of offence," CC 467.1(3)
 "Common betting house," CC 197(1)
 "Common gaming house," CC 197(1), (2), (4)
 "Common-law partner," CC 2
 "Communicating," CC 83.221(2), 319(7)
 "Competent authority," CC 25.1, 113(5)
 "Complainant," CC 2
 "Computer data," CC 2, 83.223(11), 487.011
 "Computer password," CC 342.1(2)
 "Computer program," CC 342.1(2)
 "Computer service," CC 342.1(2); CEA 31.8
 "Computer system," CC 83.223(11), 342.1(2)
 "Conference," YCJA 2(1)
 "Confirmed delivery service," YCJA 2(1)
 "Consent," CC 153.1(2), 273.1(1)
 "Contributing," CC 83.18(3) to (4)
 "Controlled substance," CSDA 2(1)
 "Conversion therapy," CC 320.101
 "Conveyance," CC 320.11
 "Copy," CEA 30(12)
 "Corporation," CEA 31(1); IA 35(1)
 "Council," CEA 39(2)
 "Counsel," CC 2, 22(3)
 "Count," CC 2
 "Counterfeit money," CC 448
 "Counterfeit token of value," CC 448
 "County," IA 35

DEFINITIONS—Cont'd

"Court," CC 83.222(8), 30(12), 44, 83.223(11), 164(8), 320(8), 601(10), 672.1(1), 716, 752; CEA 29(9)
 "Court of appeal," CC 2, 673, 696.3(1); YCJA 2(2)
 "Court of criminal jurisdiction," CC 2
 "Credit advance," CC 347(2)
 "Credit card," CC 321, 342(3)
 "Crew member of a Partner State," CC 7(2.34)
 "Crime of a sexual nature," CC 490.011(1)
 "Criminal organization," CC 2, 467.1(1)
 "Criminal organization offence," CC 2
 "Criminal rate," CC 347(2)
 "Crossbow," CC 84(1)
 "Current," CC 448
 "Custodial portion," YCJA 2(1)
 "Custodian," CC 448.1(1)
 "Data," CC 430(8), 488.01(1), 492.1(8), 492.2(6), 841; CEA 31.8
 "Database," CC 490.011(1)
 "Date," CC 342.1(2)
 "Day," CC 2
 "Designated criminal offence," CSDA 56.1(1)
 "Designated drug offence," CSDA 56.1(1)
 "Designated justice," CC 507.1(10)
 "Designated offence," CC 462.3(1), (2), 487.04, 490.011(1), 672.64(1), 752
 "Designated substance offence," CC 462.48(1); CSDA 2(1)
 "Destroy," YCJA 128(7)
 "Device," CC 2, 52.2(3), 327(4), 342.2(4)
 "Digital signature certificate," CC Reg. 2005 to 30, s. 1
 "Disclosure," YCJA 2(1)
 "Disorderly house," CC 197(1)
 "Disposition," CC 672.1(1), 672.64(5)
 "Disposition information," CC 672.51(1)
 "Distinguishing mark," CC 417(3)
 DNA, CC 487.04
 "Document," CC 241.4(4), 321, 488.01(1); CEA 39.1(1), 489.011
 "Document of title to goods," CC 2
 "Document of title to lands," CC 2
 "Dual status offender," CC 672.1(1)
 "Duty," CC 219(2)

DEFINITIONS—Cont'd

“Dwelling-house,” CC 2
 “Electro-convulsive therapy,” CC 672.61(2)
 “Electromagnetic, acoustic, mechanical or other device,” CC 183, 342.1(2)
 “Electronic document,” CC 841; CEA 31.8
 “Electronic documents system,” CEA 31.8
 “Enactment,” CC 6(3)
 “Entity,” CC 83.01(1); CC Reg. 2005 to 30, s. 1
 “Entrance,” CC 98(3), 350
 “Environment,” CC 2
 “Escape,” CC 149(2)
 “Essential infrastructure,” CC 52.1(2)
 “Evaluating officer,” CC 320.11
 “Every one,” CC 2
 “Evidence,” CC 118, 136(2)
 “Exchequer bill,” CC 321
 “Exchequer bill paper,” CC 321
 “Explosive substance,” CC 2
 “Export,” CC 84(1)
 “Expose,” CC 214
 “Extrajudicial measures,” YCJA 2(1)
 “Extrajudicial sanction,” YCJA 2(1)
 “Facilitation,” CC 83.01(2), 83.19(2), 467.1(2)
 “False document,” CC 321
 “False pretence,” CC 361
 “Federal proceeding,” CEA 38.2
 “Financial institution,” CEA 29(9)
 “Fine,” CC 716
 “Fingerprint examiner,” CC 667(4)
 “Firearm,” CC 2, 2.1
 “Firearm part,” CC 84
 “Firearms officer,” CC 84(1)
 “Fishing zone of Canada,” CC 477(1)
 “Fixed platform,” CC 79
 “Flight,” CC 7(8)
 “Flight element,” CC 7(2.34), (2.38)
 Forensic DNA analysis, CC 487.04
 “Form of marriage,” CC 214
 “Function,” CC 342.1(2)
 “Game,” CC 197(1)
 “Gaming equipment,” CC 197(1)
 “Genocide,” CC 318(2), 320(8)
 “Goods,” CC 379
 “Government,” CC 118; CEA 31(1)

DEFINITIONS—Cont'd

“Government or public facility,” CC 2
 “Guardian,” CC 150, 214, 280(2)
 “Handgun,” CC 84(1)
 “Hash function,” CC Reg. 2005 to 30, s. 1
 “Hate propaganda,” CC 320(8)
 “Health professional,” CC 423.2(5)
 “Her Majesty’s Forces,” CC 2
 “High-risk accused,” CC 672.1(1)
 “Highway,” CC 2
 “Holder,” CC 84(4)
 “Holiday,” IA 35
 “Identifiable group,” CC 318(4), 319(7)
 “Illicit substance,” CSDA 56.1(1)
 “Imitation firearm,” CC 84(1)
 “Import,” CC 84(1)
 “Indictment,” CC 2, 673; YCJA 2(2)
 “Informant,” CC 785
 “Information,” CC 785
 “Inside information,” CC 382.1(4)
 “Insurance charge,” CC 347(2)
 “Intercept,” CC 183, 342.1(2)
 “Interest,” CC 347.1(1)
 “International cruise ship,” CC 207.1(4)
 “Internationally protected person,” CC 2
 “Intimate image,” CC 162.1(2), 164(8)
 “Intimate partner,” CC 2
 “Journalist,” CC 488.01(1); CEA 39.1(1)
 “Journalistic source,” CC 488.01(1); CEA 39.1(1)
 “Judge,” CC 83.05(11); CEA 38, 38.2; CSDA 2(1); CC 44
 “Judicial proceeding,” CC 118
 “Justice,” CC 2; CSDA 2(1); YCJA 2(2)
 “Justice system participant,” CC 2
 “Keeper,” CC 197(1)
 “Key pair,” CC Reg. 2005 to 30, s. 1
 “Key staff members,” CSDA 56.1(1)
 “Law enforcement animal,” CC 445.01(4)
 “Law enforcement officer,” CC 445.01(4)
 “Lawyer,” CC 488.1(1)
 “Legal proceeding,” CEA 29(9), 30(12)
 “Licence,” CC 84(1), 353(5)
 “Listed entity,” CC 83.01(1)
 “Local government,” CSDA 56.1(1)
 “Long-term supervision,” CC 752
 “Lottery scheme,” CC 207(5), 207.1(4)

INDEX

DEFINITIONS—Cont'd

“Lumber,” CC 339(6)
“Lumbering equipment,” CC 339(6)
“Magistrate,” CC 2, 552
“Mark,” CC 376(3)
“Mechanical device,” CC 342(2)
“Medical assistance in dying,” CC 227(5), 241.1, 241(7), 245(3)
“Medical practitioner,” CC 227(5), 241.1, 241(7), 245(3), 672.1(1)
“Member of a force,” CC 62(2)
“Mental disorder,” CC 2
“Military animal,” CC 445.01(4)
“Military justice participant,” CC 423.1(4)
“Military law,” CC 2
“Minister,” CC 672.68(1), 696.7; CSDA 2(1);
“Motor vehicle,” CC 2
“Municipality,” CC 2; CSDA 56.1(1)
“Municipal official,” CC 123(3)
“Newly-born child,” CC 2
“Newspaper,” CC 297, 517(3), 539(4), 542(3), 648(3)
“Night,” CC 2
“Non-governmental party,” CEA 38.2
“Non-restricted firearm,” CC 84(1)
“Nuclear facility,” CC 2
“Nuclear material,” CC 2
“Nurse practitioner,” CC 227(5), 241.1, 241(7), 245(3)
“Oath,” CEA 44
“Offence,” CC 183; YCJA 2(1)
“Offence-related property,” CC 2; CSDA 2(1)
“Offensive weapon,” CC 2
“Office,” CC 118
“Officer,” CC 488.1(1), 488.01(1)
“Official,” CC 118, 269.1(2); CEA 36.1
“Official fee,” CC 347(2)
“Ontario Act,” CC 490.011(1)
“Operate,” CC 320.11
“Optional conditions,” CC 742
“Order,” CC 785
“Organization,” CC 2; CSDA 2(1)
“Overdraft,” CC 347(2)
“Owner,” CC 2
“Pardon,” CC 490.011(1)
“Parent,” YCJA 2(1)

DEFINITIONS—Cont'd

“Participant,” CC 715.25(1); CEA 38, 38.2
“Participating,” CC 83.18(3) to (4)
“Partner State,” CC 7(2.34), (2.38)
“Party,” CC 672.1(1)
“Passport,” CC 57(5)
“Payday loan,” CC 347.1(1)
“Peace officer,” CC 2, 7(8)
“Penalty,” CC 734.8(1)
“Person,” CC 2; CSDA 2(1); IA 35
Personal authentication information, CC 342(4)
“Person in authority,” YCJA 146(9)
“Pharmacist,” CC 241(7), 241.1
“Photograph,” CC 491.2(8)
“Photographic film,” CEA 30(12), 31(1)
“Place,” CC 98(2), 197(1), 286.1(5), 348(3)
“Placement decision,” CC 672.1(1)
“Police officer,” CC 183, 462.48(17)
“Possession,” CSDA 2(1)
Potentially injurious information, CEA 38, 38.2
“Practitioner,” CSDA 2(1)
“Precursor,” CSDA 2(1)
“Prescribed,” CSDA 2(1); CC 84(1), 672.1(1)
“Pre-sentence report,” YCJA 2(1)
“Primary designated offence,” CC 487.04, 752
“Principal,” CC 426(4)
“Private communication,” CC 183
“Private key,” CC Reg. 2005 to 30, s. 1
“Prize fight,” CC 83(2)
“Proceeding,” CEA 38
“Proceedings,” CC 785
“Proceeds of crime,” CC 462.3(1)
“Produce,” CSDA 2(1)
“Progress report,” YCJA 88
“Prohibited act,” CC 52(2)
“Prohibited ammunition,” CC 84(1); CC Reg. 98 to 462, Sched. Part 5, s. 6
“Prohibited device,” CC 84(1); CC Reg. 98 to 462, Sched. Part 4, s. 5
“Prohibited firearm,” CC 84(1); CC Reg. 98 to 462, Sched. Part 1, s. 2
“Prohibited weapon,” CC 84(1); CC Reg. 98 to 462, Sched. Part 3, s. 4
“Prohibition order,” CC 84(1)
“Property,” CC 2, 4(2), 428, 430(4.101)

DEFINITIONS—Cont'd

“Prosecutor,” CC 2, 785; CEA 38
 “Protected statement,” CC 672.21(1)
 “Provide,” CSDA 2(1)
 “Provincial court judge,” CC 111(11), 487.04
 “Provincial director,” YCJA 2(1)
 “Psycho-surgery,” CC 672.61(2)
 “Publication,” YCJA 2(1)
 “Public department,” CC 2
 “Public facility,” CC 2
 “Public key,” CC Reg. 2005 to 30, s. 1
 “Public officer,” CC 2, 25.1, 117.07(2); 492.1(8), 492.2(6); CC Reg. 98 to 466 generally
 “Public place,” CC 150, 197(1), 286.1(5), 319(7)
 “Public stores,” CC 2
 “Public transit operator,” CC 269.01(2)
 “Qualified medical practitioner,” CC 320.11
 “Qualified person,” YCJA 34(14)
 “Qualified technician,” CC 320.11
 “Railway equipment,” CC 2
 “Recognizance,” CC 2
 “Record,” CC 278.1; CEA 30(12); YCJA 2(1)
 “Record suspension,” CC 490.011(1)
 “Registrar,” CC 84(1), 673
 “Registration centre,” CC 490.011(1)
 “Registration certificate,” CC 84(1)
 “Release from imprisonment,” CC 109(4), 110(4)
 “Release order,” CC 2
 “Remediation agreement,” CC 715.3(1)
 “Replica firearm,” CC 84(1)
 “Report,” CC 107(3)
 “Representative,” CC 2
 “Required deposit balance,” CC 347(2)
 “Responsible person in charge,” CSDA 56.1(1)
 “Restricted firearm,” CC 84(1); CC Reg. 98 to 462, Sched. Part 2, s. 3
 “Restricted weapon,” CC 84(1)
 “Revenue paper,” CC 321
 “Review board,” YCJA 2(1), 88
 “Review Board,” CC 490.011(1), 672.1(1); YCJA 141(12)
 “Schedule,” CC 762(2)
 “Secondary designated offence,” CC 487.04

DEFINITIONS—Cont'd

“Secure electronic signature,” CEA 31.8; CEA Reg. 2005 to 30, s. 2
 “Seditious intention,” CC 59(4)
 “Sell,” CC 183; CSDA 2(1)
 “Senior officer,” CC 2
 “Senior official,” CC 25.1
 “Sensitive information,” CEA 38, 38.2
 “Sentence,” CC 673, 785
 “Serious offence,” CC 2, (4); YCJA 2(1); CC 467.1(1); CC Reg. 2010 to 161
 “Serious personal injury offence,” CC 672.81(1.3), 752
 “Serious violent offence,” YCJA 2(1)
 “Service animal,” CC 445.01(4)
 “Sexually explicit material,” CC 171.1(5)
 “Sexual offence,” CC 487.055(3)
 “Ship,” CC 79
 “Significant threat to safety of public,” CC 672.5401
 “Sister,” CC 155(4)
 “Solicitor,” CC 183
 “Space flight,” CC 7(2.34), (2.38)
 “Space Station,” CC 7(2.34)
 “Special counsel,” CEA 38, CEA38.2
 “Stamp,” CC 376(3)
 “Statement,” CC 83.221(2), 107(3)
 “Statements,” CC 319(7)
 “Steal,” CC 2
 “Subsequent offence,” CC 84(5), (1.3), (2.2), (3) to (4), (6), 239(2), 244(3), 272(3), 273(3), 279(1.2), 279.1(2.1), 344(2)
 “Summary conviction court,” CC 785; YCJA 2(2)
 “Summons,” CC 2
 “Superior court,” CC 84(1), 829
 “Superior court of criminal jurisdiction,” CC 2; YCJA 2(2)
 “Supervised consumption site,” CSDA 56.1(1)
 “Supervisor,” CC 742
 “Territorial division,” CC 2
 “Terrorism offence,” CC 2
 “Terrorist activity,” CC 83.01(1), (1.1), (1.2)
 “Terrorist group,” CC 83.01(1)
 “Terrorist propaganda,” CC 83.222(8)
 “Testamentary instrument,” CC 2
 “Theatre,” CC 150

INDEX

DEFINITIONS—Cont'd

- “Three-card monte,” CC 206(2)
- “Torture,” CC 269.1(2)
- “Tracking data,” CC 492.1(8)
- “Tracking device,” CC 492.1(8)
- “Trade combination,” CC 467(2)
- “Traffic,” CC 342(4), 342.1(2), 355.1; CSDA 2(1)
- “Transfer,” CC 84(1)
- “Transmission data,” CC 492.2(6)
- “Transmission data recorder,” CC 492.2(6)
- “Trial,” CC 785
- “Trial court,” CC 673
- “Trustee,” CC 2
- “Undertaking,” CC 2
- “Undue hardship,” CC 737(2.2)
- “Unfit to stand trial,” CC 2
- “United Nations operation,” CC 2
- “United Nations personnel,” CC 2
- “Utter,” CC 448
- “Valuable mineral,” CC 2
- “Valuable security,” CC 2
- “Vehicle,” CC 269.01(2)
- “Vehicle identification number,” CC 354(3)
- “Verdict of not criminally responsible on account of mental disorder,” CC 672.1(1)
- “Vessel,” CC 320.11, 335
- “Victim,” CC 2, 715.3(1); YCJA 2(2)
- “Videoconference,” CC 2
- “Violent offence,” YCJA 2(1)
- “Voyeuristic recording,” CC 164(8)
- “Warrant,” CC 493
- “Weapon,” CC 2; 270.1(2)
- “Witness,” CC 118
- “Wreck,” CC 2
- “Writing,” CC 2, 844
- “Young Offenders Act,” CC 487.04
- “Young person,” CC 153(2), 487.04; YCJA 2(1)
- “Youth custody facility,” YCJA 2(1)
- “Youth justice court,” YCJA 2(1)
- “Youth justice court judge,” YCJA 2(1)
- “Youth sentence,” YCJA 2(1), 95
- “Youth worker,” YCJA 2(1)

DEPOSITION

- See also Affidavit
- Affirmation in lieu of oath, CEA 14, 15

DEPOSITION—Cont'd

- Preliminary inquiry, CC 540(2), (3)
- Proof of signing, CEA 10(2)

DETENTION

- See also Dangerous Offenders, Judicial Interim Release
- Rights on arrest or detention, CA Part I 10
- Seized property, CC 490, 491.1
- To prevent breach of peace, CC 30
- Young person
 - authorization of provincial authority, YCJA 30(8)
 - care of responsible person, YCJA 31
 - Criminal Code, application of, YCJA 28
 - designated place, YCJA 30(1), (2)
 - determination by provincial authority, YCJA 30(9)
 - exceptions, YCJA 30(2), (5), (7)
 - offences, YCJA 139
 - order respecting detention or release, YCJA 33
 - separate from adults, YCJA 30(3)
 - transfer by provincial director, YCJA 30(6)
 - transfer to adult facility, YCJA 30(4)

DIRECTORS AND OFFICERS

- Broker reducing stock by selling for own account, CC 384
- Criminal liability generally, CC 22.1, 217.1
- Duty of persons directing work, CC 217.1
- Liability for fraud regarding public stores, CC 418(2)
- “Senior officer,” defined, CC 2
- Theft from company, CC 328(e)

DISARMING PEACE OFFICER

- See Peace Officer

DISCHARGE

- See also Probation
- Absolute and conditional
 - appeal, CC 730(3)
 - breach of probation order, CC 730(4)
 - circumstances for granting, CC 730(1)
 - process in force until discharge, CC 730(2)
 - report by probation officer, CC 721(1)

DISCHARGE—Cont'd

Absolute and conditional—Cont'd
 restitution to victim of offences, **CC 738(1)**
 “sentence” including discharge, **CC 673, 785**
 victim impact statement, **CC 722.1**
 see also Victim Impact Statement
 Order of, **CC Form 39**
 Preliminary inquiry, **CC 548(1)(b)**

DISCLOSURE

See also Personal Record of Complainant,
 Production Orders
 Defence, by
 expert evidence, **CC 657.3(3) to (7)**
 Expert evidence, **CC 657.3(3) to (7)**
 General, **CC 603**
 Government information
 confidences of Queen’s Privy Council
 for Canada, **CEA 39**
 income tax information, **CC 462.48**
 international relations, relating to, see
 sensitive information
 national defence and security, relating
 to, see sensitive information
 potentially injurious information, see
 sensitive information
 return information, **CC 83.06**
 right to, **CA Part I 7**
 right to sealed packet contents, **CC 187**
 sensitive information
 agreement to disclose, **CEA 38.031,**
 38.04(6) to (7), 38.24
 appeals from orders concerning,
 CEA 38.04(7), 38.1, 38.3,
 38.09, 38.11, 38.12, 38.28,
 38.31
 applications to Federal Court re,
 CEA 38.03, 38.04, 38.06,
 38.11, 38.12
 Attorney General of Canada, motion,
 CEA 38.25
 authorization by Attorney General of
 Canada, **CEA 38.03, 38.23**
 certificate prohibiting disclosure,
 CEA 38.13, 38.17, 38.41,
 38.42, 38.131
 conditions of disclosure, **CEA**
 38.06(2)
 court records, **CEA 38.04(4),**
 38.12(2), 38.31(2)

DISCLOSURE—Cont'd

Government information—Cont'd
 sensitive information—Cont'd
 defined, **CEA 38**
 entities, designated, **CEA 38.01(6),**
 Sched., (8), 38.02(1.1)
 exceptional circumstance, **CEA**
 38.09(3)
 fiat of Attorney General taking over
 prosecution, **CEA 38.15, 38.17**
 judge seized, **CEA 38.32**
 limitation periods for appeals, **CEA**
 38.09(2), 38.1, 38.29
 military proceedings, in, **CEA**
 38.01(5), 38.03(2)
 notice to Attorney General of Can-
 ada, **CEA 38.01, 38.02(1.1) to**
 (2), 38.03(3), 38.21
 order for, **CEA 38.06, 38.07, 38.08**
 prohibited, **CEA 38.02, 38.06(3),**
 38.22
 prohibition, order confirming, **CEA**
 38.06(3), 38.07
 regulations concerning, power to
 make, **CEA 38.16, 38.43**
 report relating to proceedings, **CEA**
 38.05
 review of orders concerning,
 automatic, **CEA 38.04(7), CEA**
 38.08
 right to fair trial, protection of, and,
 CEA 38.14
 rule, **CEA 38.45**
 special counsel, **CEA 38.34**
 disclosure and communication
 prohibited, **CEA 38.39**
 fairness, **CEA 38.4**
 immunity, **CEA 38.36**
 obligation to provide information,
 CEA 38.37
 restrictions on communications,
 CEA 38.38
 role and responsibilities, **CEA**
 38.35
 when determination takes effect,
 CEA 38.06(3.01)
 specified public interest, information
 protected by
 appeals of orders relating to, **CEA**
 37.1, 37.2
 disclosure order, **CEA 37(4.1) to (5),**
 (8) to (9), 37.3, 38.26

INDEX

DISCLOSURE—Cont'd

- Government information—Cont'd
 - specified public interest, information protected by—Cont'd
 - limitation periods for appeals and objections, **CEA 37(4), 37.1(2), 37.2**
 - notice of order, **CEA 38.27**
 - objection to disclosure, **CEA 37, 37.3**
 - prohibition order, **CEA 37(6)**
 - right to fair trial, protection of, **CEA 37.3**
 - undisclosed information, federal proceeding, **CEA 38.33**
- Journalistic sources, **CEA 39.1**
- Medical records, **CC 278.1 to 278.7**
- Personal record of complainant, **CC 278.1 to 278.7**
- Police records, **CC 717.2(2), (3), 717.4**
- Terrorist group property
 - civil and criminal immunity for disclosure, **CC 83.08**
 - duty to disclose, **CC 83.1(1)**
- Third party records, **CC 278.1 to 278.7**

DISGUISE

- With intent to commit offence, **CC 351(2)**

DISGUSTING OBJECT

- Exhibiting, **CC 163(2)(b)**
 - motive irrelevant, **CC 163(5)**
 - punishment, **CC 169**
 - service of public good as defence, **CC 163(3), (4)**

DISOBEDIENCE

- See also Contempt
- Disobeying court order, **CC 127**
- Disobeying statute, **CC 126**

DISORDERLY CONDUCT

- Causing disturbance, **CC 175(1)(a)**
 - evidence of peace officer, **CC 175(2)**
- Disturbing occupants of dwelling-house, **CC 175(1)(d)**
 - evidence of peace officer, **CC 175(2)**
- Disturbing religious worship, **CC 176(2), (3)**
- Indecent acts, **CC 173(1)**
- Indecent exhibition, **CC 175(1)(b)**
- Loitering, **CC 175(1)(c)**

DISORDERLY CONDUCT—Cont'd

- Nudity, **CC 174**
 - consent to prosecution, **CC 174(3)**
- Obstructing officiating clergyman, **CC 176(1)**
- Trespassing at night, **CC 177**

DISORDERLY HOUSE

- Common bawdy-house
 - arrest, **CC 199**
 - “disorderly house,” **CC 197(1)**
 - jurisdiction of provincial court judge, **CC 553(c)(viii)**
 - offences, **CC 197(1), 810.1**
 - search, **CC 199**
- Common betting house
 - arrest, **CC 199**
 - “bet,” **CC 197(1)**
 - “common betting house,” **CC 197(1)**
 - exemptions from offences, **CC 204**
 - offences, **CC 197(1), 201**
 - search and seizure, **CC 199**
- Common gaming house
 - arrest, **CC 199**
 - “common gaming house,” **CC 197(1)**
 - exemptions from offences, **CC 204**
 - “game,” **CC 197(1)**
 - “gaming equipment,” **CC 197(1)**
 - offences, **CC 197(1), 201**
 - Search and seizure, **CC 199**

DISPOSITIONS AND DISPOSITION HEARINGS (MENTAL DISORDER)

- See also Fitness to Stand Trial, Mental Disorder, Review Boards
- By court
 - authority, **CC 672.45(1)**
 - “court,” **CC 672.1(1)**
 - transcript to review Board, **CC 672.45(1.1)**
 - when to be made, **CC 672.45(2)**
- By Review Board
 - authority, **CC 672.47**
 - determination of fitness, **CC 672.48**
 - “Review Board,” **CC 672.1(1)**
 - status quo pending hearing, **CC 672.46**
- Dual status offenders, see Dual Status Offenders
- High-risk accused, see High-Risk Accused

DISPOSITIONS AND DISPOSITION HEARINGS (MENTAL DISORDER)—Cont'd

Procedure on hearing

appearance of accused by video links, **CC 672.5(13)**
 assignment of counsel, **CC 4(d), 672.5(8) to (8.2)**
 attendance of witnesses, **CC 672.5(12)**
 determination of condition, **CC 672.5(13.2)**
 disposition information, **CC 672.51**
 effect of procedural irregularities, **CC 672.53**
 exclusion of public, **CC 672.5(6)**
 informality, **CC 672.5(2)**
 inquiry by court re VIS, **CC 672.5(15.2)**
 notice of hearing, **CC 672.5(5)**
 notice of sex offender information registration order, **CC 490.018(3)**
 parties, **CC 672.5(3), (4)**
 presence of accused, **CC 672.5(9)**
 record of proceedings, **CC 672.5(2)**
 removal of accused, **CC 672.5(10)**
 rights of the parties, **CC 672.5(11)**
 rights of victims, **CC 672.5**
 rights to counsel, **CC 672.5(7)**
 victim impact statement, **CC 672.5(14) to (15.3)**

Review of dispositions

by court of appeal, **CC 672.72 to 672.78**
 by Review Board, **CC 672.5, 672.81, 672.82, 672.85**

Stay of proceedings

appeal, **CC 672.852**
 court inquiry, **CC 672.851(4)**
 review board recommendation, **CC 672.851(1)**
 stay, **CC 672.851(7)**

Terms of dispositions

effective date, **CC 672.63**
 general authority, **CC 672.54, 672.5401**
 “no contact” condition, **CC 672.542**
 period of disposition, **CC 672.54(c), 672.55(2)**
 public safety paramount, **CC 672.54, 672.5401**
 safety and security conditions, **CC 672.542**

DISPOSITIONS AND DISPOSITION HEARINGS (MENTAL DISORDER)—Cont'd

Terms of dispositions—Cont'd

“significant threat” etc., **CC 672.5401**
 treatment not a term, **CC 672.55(1)**
 variation of restrictions, **CC 672.54(b), (c), 672.56?page 1624**

victim impact statement, **CC 672.541**

Treatment dispositions (unfit)

authority, **CC 672.58; CC Reg. 92 to 665**

consent required, **CC 672.62**

criteria, **CC 672.59(1)**

effective date, **CC 672.63**

evidence required, **CC 672.59(2)**

exceptions, **CC 672.61**

notice to accused, **CC 672.6**

Warrant of committal, **CC 672.54(c), Form 49, 672.57**

arrest without warrant, **CC 672.91**

execution of warrant, **CC 672.9**

release, **CC 672.92, 672.93**

DISTINGUISHING MARK

Applying or removing, **CC 417(1)**

Dealing in public stores, **CC 417(2)**

“Distinguishing mark,” **CC 417(3)**

Prescription, **CC 416**

Presumption, **CC 421(2)**

DISTRESS

See also Execution of Process, Search and Seizure

Obstructing lawful distress, **CC 129(c)**

DISTURBANCE

See also Riot

Causing disturbance, **CC 175(1)(a)**

Discharging firearm, **CC 175(1)(d)**

Disturbing occupants of dwelling-house, **CC 175(1)(d)**

Disturbing religious worship or meeting, **CC 176(2), (3)**

Evidence of peace officer, **CC 175(2)**

Unlawful assembly, **CC 63**

DNA ANALYSIS

See Forensic DNA Analysis

DOCUMENT

See also Document of Title, Record, Testamentary Instrument

INDEX

DOCUMENT—Cont'd

- Attestation
 - when proof not required, **CEA 34**
- Definition, **CC 321**
- Deposition, see Affidavit, see Deposition
- Documentary evidence, **CEA 54**
- Electronic documents
 - authenticity, **CEA 31.1**
 - best evidence rule, **CEA 31.2(1)**
 - copies, **CC 847**
 - data, **CC 842, 843**
 - definitions, **CC 841; CEA 31.8**
 - oaths, **CC 846**
 - presumption of integrity, **CEA 31.3**
 - presumptions regarding secure electronic signatures, **CEA 31.4**
 - printouts, **CEA 31.2(2)**
 - proof by affidavit, **CEA 31.6**
 - rules of laws relating to admissibility, **CEA 31.7**
 - signatures, **CC 845; CEA 31.4**
 - writing requirements satisfied by, **CC 844**
- Impounding of forgery, **CEA 35**
- Inspection, **CC 603**
- Judicial notice, **CEA 17, 18**
- Offences
 - damage or destruction, **CC 340, 377**
 - “false document,” **CC 321**
 - false document drawing, **CC 374(a)**
 - forgery, see Forgery
 - making, **CC 366**
 - register, **CC 378**
 - using false name, **CC 374, 405**
 - uttering, **CC 374(b)**
- Production
 - foreign proceedings, **CEA 46, 50(2)**
 - treason and high treason, **CC 603, 604**
- Proof of document
 - banking record, **CEA 29**
 - business record, **CEA 30**
 - certified copy as proof, **CEA 21(c), 22(1)(c), 24**
 - copies or extracts, **CEA 33**
 - Gazette copy as proof, **CEA 20(b), 21(a), 22(2), 32(2)**
 - government appointment, **CEA 21, 22**
 - Imperial document, **CEA 20**
 - judicial record, **CEA 23**
 - photograph as proof, **CEA 31**

DOCUMENT—Cont'd

- Proof of document—Cont'd
 - Queen's Printer copies, **CEA 19, (c), 20(c), 21(b)**
 - statute not in derogation of existing law, **CEA 36**
- Proof of service, **CC 4(6) to (7)**

DOCUMENT OF TITLE

- Destroying, etc., **CC 340**
- “Document of title to goods,” **CC 2**
- “Document of title to lands,” **CC 2**
- Fraudulent concealment, **CC 385**
- Fraudulent registration of title, **CC 386**
- Pledge or lien given by agent, **CC 325**
- Valuation, **CC 4(2)(a), (b)**

DOUBLE JEOPARDY

- See also pleas permitted, Autrefois Acquit/Convict, Res Judicata
- More than one act, **CC 12**
- Rights, **CA Part I 11(h)**

DRIVING OFFENCES

- Accident, failure to stop after, **CC 320.16**
- Aggravating factors for sentencing, **CC 320.22**
- Analyst, definition of, **CC 320.11**
- Approved container, definition of, **CC 320.11**
- Approved drug screening equipment, definition of, **CC 320.11**
- Approved instrument
 - definition of, **CC 320.11**
 - printouts from, **CC 320.33**
- Approved screening device, definition of, **CC 320.11**
- Attorney General
 - approvals of, **CC 320.39**
 - designations of, **CC 320.4**
- Blood samples, **CC 320.28, 320.31**
- Blood tests, **CC 320.3**
- Bodily harm, punishment if, **CC 320.2**
- Bodily substances
 - disclosure of results, unauthorized, **CC 320.36**
 - samples of, **CC 320.28, 320.31**
 - uses, unauthorized, **CC 320.36**
- Breath samples, **CC 320.28, 320.31**
- Certificates, **CC 320.32**
- Conveyance, definition of, **CC 320.11**
- Dangerous operation, **CC 320.13**

DRIVING OFFENCES—Cont'd

Death, punishment if, **CC 320.21**
 Declaration, **CC 320.12**
 Definitions, **CC 320.11**
 Delay of sentencing, **CC 320.23**
 Demand, failure/refusal to comply with, **CC 320.15**
 Disclosure of information, **CC 320.34**
 Drug, types of, **CC 320.28(5)**
 Evaluating officer, definition of, **CC 320.11**
 Evidentiary matters, **CC 320.31 to 320.35**
 Fines, minimum, **CC 320.19(3), (4)**
 Flight from peace officer, **CC 320.17**
 Hybrid offences, **CC 320.19(1), (5)**
 Investigative matters, **CC 320.27 to 320.3**
 Offences, **CC 320.13 to 320.18**
 Offences, earlier or later, **CC 320.26**
 Operate, definition of, **CC 320.11**
 Operation, presumption of, **CC 320.35**
 Operation while impaired, **CC 320.14**
 Operation while prohibited, **CC 320.18**
 Opinion evidence, **CC 320.31(5)**
 Presumptions, **CC 320.31(4), (6), 320.35**
 Printouts from approved instruments, **CC 320.33**
 Prohibition orders, **CC 320.24**
 Punishment, **CC 320.19 to 320.25**
 Qualified medical practitioner, definition of, **CC 320.11**
 Qualified technician, definition of, **CC 320.11**
 Recognition, **CC 320.12**
 Refusal to take sample, **CC 320.37**
 Regulations, **CC 320.38**
 Samples as evidence, **CC 320.31**
 Samples of breath or blood or bodily substances, taking, **CC 320.28**
 Statements, admissibility of, **CC 320.31(9)**
 Stays pending appeals, **CC 320.25**
 Summary conviction, **CC 320.19(2)**
 Testing blood, **CC 320.3**
 Testing for presence of alcohol or drug, **CC 320.27**
 Vessel, definition of, **CC 320.11**
 Warrants to obtain samples, **CC 320.29**

DRUG IMPAIRED DRIVING

See Driving Offences

DRUG OFFENCES

See also Controlled Drugs and Substances Act, Proceeds of Crime, illicit drug use, instruments, Literature For
 Absolute jurisdiction of PCJ, **CC 553(c)(x) to (xi)**
 Stupefying drug
 administering to aid commission of offence, **CC 246**
 victim fine surcharge, **CC 737**

DUAL STATUS OFFENDERS

See also Dispositions and Disposition Hearings (Mental Disorder), Review Boards
 “Dual status offender,” **CC 672.1(1)**
 Placement decision by Review Board, **CC 672.68(2)**
 detention as part of term, **CC 672.71**
 effect of, **CC 672.68(5)**
 factors considered, **CC 672.68(3)**
 notice of discharge, **CC 672.7**
 review, **CC 672.69(2), (3)**
 time for, **CC 672.68(4)**
 Priority
 custodial disposition, **CC 672.67(2)**
 probation order, **CC 672.71(2)**
 sentence of imprisonment, **CC 672.67(1)**
 Review of placement decision
 by appeal to court of appeal, **CC 672.72 to 672.78**
 by Review Board, **CC 672.69**

DUELLING

Consent not affecting liability, **CC 14**

DURESS

See compulsion of

DWELLING-HOUSE

Arrest, powers to enter, to carry out
 authority to enter dwelling without warrant, **CC 529.3**
 authorization to enter dwelling-house, **CC 529, 529.2, 529.4; IA 34.1**
 warrant to enter dwelling-house, **CC 529, Form 7.1, 529.1, 529.2, 529.4, 529.5**
 Defence of dwelling, **CC 63(3)**
 “Dwelling-house,” **CC 2**
 Exceptions to offences
 mischief, **CC 430(7)**

INDEX

DWELLING-HOUSE—Cont'd

Exceptions to offences—Cont'd
sabotage, CC 52(4)

unlawful assembly, CC 63(3)

Forfeiture

criteria/factors to be considered, CC
83.14(9), 490.41(4); CSDA
19.1(4)

non-forfeiture of property, CC
83.14(6), CSDA 19.1(3),
490.41(3)

notice requirements, CC 83.14(7),
CSDA 19.1(1) to (2), 490.41(1) to
(2)

Home invasion, sentencing
considerations, CC 348.1

Offences

breaking and entering, CC 348

disturbing occupants, CC 175

entering with intent, CC 349, 350

occupant damaging, CC 429(2), 441

possession of house-breaking instru-
ments, CC 351(1)

sentencing, CC 348.1

trespassing at night, CC 177

unlawfully in, CC 349

watching or besetting, CC 423

ELDER ABUSE

Aggravating factor in sentencing, CC
718.2(a)(iii.1)

ELECTION (MODE OF TRIAL)

Before judge of Nunavut Court of Justice,
CC 554(2), 555.1

holding preliminary, CC 555.1, 567.1

trial by judge alone (after preliminary
inquiry), CC 536.1(2), 558,
566.1(2)

trial by judge and jury, CC 555.1(2),
(3), (5), 565

trial by judge of Nunavut Court of
Justice, CC 536.1(2), 555.1

Before justice, CC 536(2) to (4.3),
536.1(2) to (4.2)

endorsement on information, CC
536(4.1), 536.1(4)

more than one accused, CC 567, 567.1

putting accused to election, CC 536(2),
536.1(2)

request for preliminary inquiry, CC
536(4) to (4.3), 536.1(3) to (4.2)

ELECTION (MODE OF TRIAL)

—Cont'd

Before justice, CC 536(2) to (4.3),

536.1(2) to (4.2)—Cont'd

trial by judge alone, CC 536(4),

536.1(4.1), 558, 566.1(2), 566(2)

trial by judge and jury, CC 536(2), (4)
to (4.2), 536.1(2) to (4.1), 565

trial by provincial court judge, CC555,
555.1, 565

Before provincial court judge, CC 554,
555

failure to elect, CC 565

more than one accused, CC 567

trial by judge alone, CC 536(2), 558,
566(2)

trial by judge and jury, CC 555(2), (3),
(3)(a), (5), 555.1(2), 565

trial by provincial court judge, CC
536(2), 554, 555, 565

In writing, CC 536.2

Re-election

general rules, CC 536.2, (3), 561,
695(2)

in writing, CC 536.2

Nunavut, CC 561.1

on election of trial by judge alone, CC
561, 561.1, 563, 563.1

on election of trial by judge of Nunavut
Court of Justice, CC 561.1

on election of trial by jury, CC 558,
561, 561.1, 566, 566.1

on election of trial by provincial court
judge, CC 561(2)

on re-trial ordered by SCC, CC 695(2),
(3)

Trial by jury

Attorney General requiring, CC 568,
569

deemed election, CC 565

waiver upon failure to attend, CC 598

Written, CC 536.2

Young persons, YCJA 67

ELECTION OFFENCES

Contractor subscribing to election fund,
CC 121(2)

disability on conviction, CC 750(3), (4)

Destroying or defacing document, CC
377(1)(c), (d)

ELECTRICITY

Theft, CC 326

ELECTRONIC DOCUMENTS

See Document

EMPLOYMENT

Duty of persons directing work, CC 217.1

Employee's liability for fraud relating to public stores, CC 418(2)

Falsification of record, CC 398

Intimidation to prevent union membership, CC 425

Refusal to employ union members, CC 425

Retaliation against employees, CC 425.1

Secret commission, CC 426

Threats against employees, CC 425.1

Whistle-blower protection, CC 425.1

Work stoppage

and criminal breach of contract, CC 422(2)

and mischief, CC 430(6)

and sabotage, CC 52(3)

essential infrastructure, sabotage, CC 52.1

not conspiracy, CC 467(1)

ENCUMBRANCE

See also Document of Title

Fraudulent concealment, CC 385(1)(a)

Fraudulent registration, CC 386

Fraudulent sale of real property, CC 387

ENDANGERING LIFE

See also Assault, Sexual Assault

Abandoning child, CC 218

Assault endangering life, CC 268(1)

By omission where duty to act, CC 217, 217.1

Duty in medical or surgical treatment, CC 216

Duty of persons directing work, CC 217.1

Sexual assault endangering life, CC 268(1)

ENDORSEMENT

Indictment

amendment, CC 601

Offences

false name, CC 374

obtaining by false pretence, CC 363

ENDORSEMENT—Cont'd

Recognizance, CC 764(4), (4), 766(3), 770

Warrant

DNA warrant, CC 487.05

for arrest, CC 528

general warrant, CC 487.01

number recorder, CC 492.2, 632

search warrant, CC 487

tracking, CC 482.1

ENEMY

See Alien

ENFORCEMENT

See also Execution of Process

Fines, CC 734.6, 734.7

Order for compensation, CC 738, 741

Recovery of penalties, CC 734.6

finances on organizations, CC 735

Use of force in enforcement, CC 25

excessive, CC 26

ENGLISH CRIMINAL LAW

See also Defences (Common Law)

Abolition of offences, CC 9(b)

Application of, CC 8(2), (3)

ENTRAPMENT

Generally, CC 8

EQUALITY

Affirmative action programs, CA Part I 6(4), Part I 15(2)

Age, CA Part I 15(1), (2)

Colour, CA Part I 15(1), (2)

Equality before and under law, CA Part I 15(1)

Fundamental freedoms for everyone, CA Part I 2

Mental or physical disability, CA Part I 15(1), (2)

Military, CA Part I 11

Mobility rights

affirmative action programs, CA Part I 6(4)

limitations on, CA Part I 6(3)

rights to move and gain livelihood, CA Part I 6(2)

National or ethnic origins, CA Part I 15(1), (2)

Postponement of rights under Charter, CA Part I 32(2)

INDEX

EQUALITY—Cont'd

- Race, **CA Part I 15(1), Part I 25, (2)**
- Religion, **CA Part I 15(1), (2)**
- Rights guaranteed equally to both sexes, **CA Part I 28**
- Right to equal protection and equal benefit of the law, **CA Part I 15(1)**
- Sex, **CA Part I 15(1), (2)**

ESCAPE AND RESCUE

- See also Unlawfully at Large
- Assisting escape, **CC 146, 147(a)**
- Assisting prisoner of war, **CC 148**
- Escape from lawful custody, **CC 145(1)**
- Failure to appear, **CC 145**
- Failure to comply with process, **CC 145**
- Permitting escape, **CC 146(a), 147**
- Prison breach, **CC 144**
- Rescue from lawful custody, **CC 147(a)**
- Sentence for escape, **CC 149**
- “escape,” **CC 149**
- Unlawfully at large, **CC 145(1)**

EVIDENCE

- See Specific topics

EXAMINER OF COUNTERFEIT

- Certificate, **CC 461(2), (3), (4)**

EXCAVATION, DUTY TO SAFEGUARD

- Generally, **CC 263(2), (3)**

EXCHEQUER BILL

- Defined, **CC 321**
- Making or possessing paper, **CC 369(a)**

EXCLUSION OF PUBLIC

- See also Publicity, Sexual Activity Evidence
- Application, **CC 486(1.1)**
- Child witnesses, protection of
 - accused not to cross-examine, **CC 486.3**
 - support person, **CC 486.1**
- Criminal organization and terrorism offence cases
 - obstructed view testimony, **CC 486.2(4) to (6)**
 - testimony outside courtroom, **CC 486.2(4) to (6)**
- General rule of openness, **CC 486(1)**
- adverse inference, whether, **CC 486(4)**
- general exceptions, **CC 486(1)**

EXCLUSION OF PUBLIC—Cont'd

- General rule of openness, **CC 486(1)**
 - Cont'd
 - non-disclosure of witness's identity, **CC 486.31**
 - sexual offence exception, **CC 486(3)**
- Obstructed view testimony, **CC 486.2(4) to (6)**
- Protecting identity
 - complainant, **CC 486.4, 112, 486.5; YCJA 111**
 - justice system participant, **CC 486.5**
 - witness, **CC 486.5; YCJA 111, 112**
 - witness under 18, **CC 486(3) to (4.9); YCJA 111, 112**
 - young person, **YCJA 65, 75, 110, 112**
- Sequestered testimony, **CC 486.2**
- Testimony outside court room where person under 18, **CC 486.2**

EXCUSE

- See defences

EXECUTION OF PROCESS

- See also Arrest, Endorsement, Search and Seizure, Subpoena
- Authorization, **CC 188.1**
- Duty to produce process, **CC 29(1)**
- Execution justified notwithstanding defect, **CC 25(2)**
- Execution on holiday, **CC 20**
- Misconduct in execution, **CC 128**
- Obstruction, **CC 129(c)**
- Process issued by court of appeal, **CC 683(4), 839(2)**
- Use of force, **CC 25**
 - excessive, **CC 26**

EXHIBITS

- Detention of things seized, **CC 490**
- Inspection, **CC 603**
- Power of court of appeal, **CC 683(1)(a), 839(2)**
- Release for testing, **CC 605(1)**
- Rules of court, **CC 482(2)**

EXPERT EVIDENCE

- See also Physician
- Disclosure and production
 - adjournment to address, **CC 657.3(4)(a), 657.3(5)(a)**
 - notice of intention to call witness, **CC 657.3(3)(a)**

EXPERT EVIDENCE—Cont'd

Disclosure and production—Cont'd
 particulars, order for, **CC 657.3(3)**
 production of opinion or report, **CC 657.3; CA Part I 7**
 remedies for incomplete or non-disclosure, **CC 657.3(4), (5)**
 use of material by prosecution, **CC 657.3(6)**
 Limit on number of witnesses, **CEA 7**
 Notice of intention to call witness, **CC 657.3(3)(a)**

EXPLORATION

Taking specimens of ore or minerals, **CC 333**

EXPLOSIVES

See also Fire, Firearms
 Causing death, **CC 80**
 Causing injury with intent, **CC 81**
 Delivery to specified government/public facilities, **CC 431.2**
 definitions, **CC 431.2(1)**
 DNA order on conviction or discharge, **CC 487.04, 487.051**
 exception, armed forces, **CC 431.2(3)**
 offence, **CC 431.2(2)**
 offence outside Canada, **CC 7(3.72), (5) to (7)**
 Detonation in specified government/public facilities, **CC 431.2**
 definitions, **CC 431.2(1)**
 DNA order on conviction or discharge, **CC 487.04, 487.051**
 exception, armed forces, **CC 431.2(3)**
 offence, **CC 431.2(2)**
 offence outside Canada, **CC 7(3.72), (5) to (7)**
 Discharge in specified government/public facilities, **CC 431.2**
 definitions, **CC 431.2(1)**
 DNA order on conviction or discharge, **CC 487.04, 487.051**
 exception, armed forces, **CC 431.2(3)**
 offence, **CC 431.2(2)**
 offence outside Canada, **CC 7(3.72), (5) to (7)**
 Duty of care, **CC 79, 80**
 “Explosive or other lethal device,” **CC 431.2**
 “Explosive substance,” **CC 2**

EXPLOSIVES—Cont'd

Placement in specified government/public facilities, **CC 431.2**
 definitions, **CC 431.2(1)**
 DNA order on conviction or discharge, **CC 487.04, 487.051**
 exception, armed forces, **CC 431.2(3)**
 offence, **CC 431.2(2)**
 offence outside Canada, **CC 7(3.72), (5) to (7)**
 Possession while prohibited, **CC 82**
 explosive, **CC 82(1)**
 possession in association with criminal organization, **CC 82(2)**
 sentences to be served consecutively, **CC 82.1**
 Taking on board aircraft, **CC 78**
 Using, **CC 81**
 DNA order on conviction or discharge, **CC 487.04, 487.051**
 in association with criminal organization, **CC 231(6.1)**

EXPORTING

Counterfeit money, **CC 452(b)**
 False representation to obtain carriage, **CC 401(1)**
 Proceeds of property obtained by crime in rem prohibition, **CC 355.3**
 Property obtained by crime in rem prohibition, **CC 355.3**

EXPOSURE

See also Indecency, Obscenity
 Indecent act, **CC 173(1)**
 Nudity, **CC 174**
 Of sexual organs
 age-related exceptions to consent, **CC 150.1(2) to (4), (6)**
 no prosecution of 12 or 13 year old, **CC 150.1(3)**
 to child under 16, **CC 173(2)**

EXPRESSION

Freedom of, **CA Part I 2(b)**

EXTENSION OF TIME

See also appeal
 Generally, **CC 839(2)**
 Application for leave, **CC 678(2)**
 Dangerous offender assessment application, **CC 752.1(3), 753.01(3)**

INDEX

EXTORTION, CC 346

- Extortion by libel, **CC 302**
- Punishment/sentence
 - general, **CC 346(1.1)(b)**
 - where firearm used, **CC 346**
 - where home invasion involved, **CC 348.1**

EXTRAORDINARY REMEDIES

- Appeal, **CC 784**
- Application of Code provisions, **CC 774**
- Certiorari
 - appeal, **CC 784**
 - availability, **CC 776, 779, 782**
- Effect of dismissal of application, **CC 780**
 - appeal, **CC 784**
 - no re-application without fresh evidence, **CC 784(3)**
 - order for further detention, **CC 775**
 - review of warrant of committal, **CC 782**
 - want of proof of enactment, **CC 781**
- Order for further detention, **CC 781**
- Protection of judicial officials, **CC 783**
- Review of conviction or order, **CC 777, 778**
- Rules of court, **CC 482(3)(c)**
- Want of proof of enactment not ground, **CC 781**

EXTRA-PROVINCIAL OFFENCES

- Jurisdiction of court, **CC 478**
 - aircraft offences, **CC 7**
 - breach of probation order, **CC 733, 733.1**
 - guilty plea in court of criminal jurisdiction, **CC 478(3)**
 - newspaper libel, **CC 478(2)**

FABRICATING EVIDENCE

- Offence, **CC 137**
- Order for particulars, **CC 587**
- Sufficiency of counts, **CC 585**

FAILURE TO APPEAR (ATTEND)

- Appearance notice, under, **CC 512.2**
- For ICA purposes, **CC 145(3), (4)**
- Non-compliance with process, **CC 145(2)**
- Section 524, under, **CC 512.3**
- Summons, under, **CC 512.1**
- Undertaking, under, **CC 512.2**

FAILURE TO COMPLY

- Generally, **CC 145(3), (4), (5)**

FAILURE TO TESTIFY (COMMENT)

- Generally, **CEA 4(6)**

FALSE ALARM OF FIRE

- Defence, **CC 429(2)**
- Offence, **CC 437**

FALSE INFORMATION

- Endangering safety of aircraft, **CC 77(e)**

FALSE MESSAGES

- See Telephone

FALSE OATH

- See False Statement, see Perjury

FALSE PRETENCE

- See also Fraud
- Defined, **CC 361**
- False financial statement, **CC 362(1)(c), (d)**
 - punishment, **CC 362(3)**
- Jurisdiction of provincial court judge, **CC 553, 555(2)**
- Obtaining credit, **CC 362(1)(b)**
 - punishment, **CC 362(3)**
- Obtaining execution of valuable security, **CC 363**
 - “valuable security,” **CC 2**
- Obtaining food or lodging, **CC 364(1)**
 - presumption of fraud, **CC 364(2)**
- Obtaining goods
 - presumption from dishonoured cheque, **CC 362(4)**
- Obtaining property, **CC 320(1), 362(1)(a)**
 - punishment, **CC 362**
- Order for particulars, **CC 587(1)(b)**

FALSE PROSECUTION

- See also Perjury
- Conspiracy to prosecute falsely, **CC 465(1)(b)**
- Public mischief, **CC 140**

FALSE PROSPECTUS

- Generally, **CC 380.1, 400**

FALSE STATEMENT

- See also Affidavit, False Pretence, Falsification, Mischief, Oath, Perjury
- Acknowledgment in false name, **CC 405**
- Books and documents, **CC 397**

FALSE STATEMENT—Cont'd

By agent, **CC 426**
 Employment record, **CC 398**
 Extra-judicial proceedings, **CC 131, 134**
 Indictment
 particulars, **CC 587**
 sufficiency of counts, **CC 585**
 Passing off, **CC 408**
 Prospectus or statement of account, **CC 400**
 Receipt under Bank Act, **CC 390**
 Registration of title, **CC 386**
 To induce police investigation, **CC 140(1)**
 To obtain carriage, **CC 401**

FALSIFICATION

See also False Statement
 Book or document, **CC 397**
 Employment record, **CC 398**
 Pedigree, **CC 385(1)**
 Register, **CC 377**
 extract, **CC 378**
 Trademark, **CC 406, 407**
 forfeiture, **CC 412(2)**
 punishment, **CC 412(1)**
 Valuable security, **CC 397**
 “valuable security,” **CC 2**

FARE

Failure to collect, **CC 393**
 jurisdiction of provincial court judge,
 CC 553(c)(viii)
 Slug or token, **CC 454**

FEES AND ALLOWANCES

Summary conviction proceedings, **CC 840**

FIERI FACIAS

Writ on forfeiture of recognizance, **CC 771(3.1)**
 deficiency, **CC 773**
 levy, **CC 772**

FINANCIAL INSTITUTION

See Bank

FINANCIAL STATEMENT

False pretence, **CC 362(1)(c), (d)**
 punishment, **CC 362(3)**
 False statement, **CC 400**

FINE

See also Punishment, Sentence

FINE—Cont'd

And other punishment, **CC 734(4), (5)**
 Default of payment
 imprisonment in default, **CC 718.3, 719, 734, 734.8, 787**
 warrant of committal, **CC 734.7(1) to (2.1)**
 Discretion of court, **CC 718.3, 734.7**
 Disposition of proceeds, **CC 734.4**
 Fine option program, **CC 736**
 In addition to other punishment, **CC 734(1)**
 In lieu of forfeiture order, **CC 462.37(3), (4)**
 In lieu of imprisonment, **CC 734(1)**
 Licences, permits, etc., **CC 734.5**
 Organizational accused, **CC 735**
 Partial payment, **CC 734.8**
 Payment not waiver of appeal, **CC 820(1)**
 Recovery
 fine on organization, **CC 735**
 Remission, **CC 748.1**
 Suspending payment pending appeal, **CC 683(5), (5.1), (6)**
 Time for payment, **CC 734.1**
 Victim fine surcharge (VFS), **CC 737; YCJA 42(2)(d), 53(1), 54(2)**
 Young offenders, **YCJA 42(2)(d), (10), 50(2), 53, 54(1) to (3)**

FINGERPRINTING AND FINGERPRINTS

See also Identification of Criminals
 Failure to appear, **CC 145(3), (4)**
 Proof of
 previous convictions, **CC 667**
 Requirement to appear, **CC 509(5)**
 Warrant to obtain fingerprints, **CC 487.092**
 Young persons, **YCJA 113**

FIRE

Arson, **CC 433 to 436**
 colour of right as defence, **CC 429(2)**
 presumption of intent to defraud, **CC 435**
 By negligence, **CC 436(1)**
 defence, **CC 429(2)**
 inference from non-compliance with prevention laws, **CC 436(2)**
 organizational liability for, **CC 22.1**

INDEX

FIRE—Cont'd

- Damage to property
 - not wholly owned, **CC 434**
 - wholly or partially owned, **CC 434.1**
- Defence of colour of right, **CC 429(2)**
- Disregard for human life, **CC 433**
- False alarm of fire, **CC 437**
 - defence, **CC 429(2)**
- For fraudulent purpose, **CC 435(1)**
 - inference from insurance, **CC 435(2)**
- Possession of incendiary material, device or explosive substance, **CC 436.1**
 - explosive substance defined, **CC 2**

FIREARMS

- Access, orders re limitations on, **CC 117.0101**
- Amnesty, **CC 117.14; CC Reg. 2006 to 95, 2014 to 56**
- Appeal
 - order, **CC 117.11, 117.05(7) to (9)**
 - prohibition orders, **CC 111(8) to (10)**
- Authorization to carry
 - as evidence, **CC 117.12**
 - restoration of, **CC 117.06(2)**
 - revocation, **CC 116, 117.04(4)**
- Authorization to transfer
 - as evidence, **CC 117.12**
 - definitions re, **CC 2.1**
 - restoration, **CC 117.06(2)**
 - revocation, **CC 116, 117.04(4)**
- Authorization to transport, see also authorization to carry
- Certificate of analyst, **CC 117.13**
- Exempted persons
 - armed forces, **CC 117.08**
 - employees, **CC 117.09**
 - public officer, **CC 117.07, 117.08; CC Reg. 98 to 466 generally**
- Non-restricted
 - defined, **CC 84(1)**
 - prohibited, distinct from, **CC 117.15(3)**
 - restricted, distinct from, **CC 117.15(3)**
- Offences
 - altering cartridge magazine offence, **CC. 104.1**
 - careless use or storage, **CC 86**
 - carrying concealed weapon, **CC 90**
 - carrying while attending public meeting, **CC 89**
 - computer data offence, **CC 102.1**

FIREARMS—Cont'd

- Offences—Cont'd
 - destroying, **CC 106**
 - discharging firearm—recklessness, **CC 244.2**
 - discharging in public place, **CC 175, 244**
 - export or import, **CC 84(5), (6), 103, 104**
 - false statements, **CC 107**
 - losing or finding, **CC 105**
 - making automatic firearm, **CC 102**
 - pointing, **CC 87**
 - possession, **CC 84, 88, 93, 95, 96, 100, 117.01**
 - tampering, **CC 107, 108**
 - trafficking, **CC 84, 99, 100**
 - transfer without authority, **CC 101**
 - unauthorized possession, **CC 91, 92, 94, 108**
 - use in commission of offence, **CC 84(5), (6), 85**
 - using firearm in commission of offence, **CC 85(1)**
- Onus, **CC 117.11**
- Orders
 - access, re limitations on, **CC 117.0101, 117.012**
 - access to information, denying, **CC 110.2, 117.0102**
 - emergency prohibition order, **CC 110.1**
 - identifying information, to delete, **CC 110.3, 117.0103**
 - prohibition, **CC 111**
 - see also prohibition order
 - subsection 111(5), under, **CC 110.4**
 - subsection 117.011(3), under, **CC 117.012**
- Prohibited firearms
 - non-restricted, distinct from, **CC 117.15(3)**
 - restricted, distinct from, **CC 117.15(4)**
- Prohibition orders
 - appeal, **CC 111(8) to (10)**
 - application for, **CC 111(1) to (7)**
 - application of Criminal Code, **YCJA 51(7)**
 - authorizations revoked or amended, **CC 116**
 - defined, **CC 84(1)**
 - discretionary, **CC 110; YCJA 51(3)**

FIREARMS—Cont'd

- Prohibition orders—Cont'd
 - emergency, **CC 110.1, 112**
 - forfeiture, **CC 115, (5), 117.05(4)**
 - lifting of, **CC 113**
 - mandatory, **CC 109; YCJA 51(1), (2)**
 - reasons for, **YCJA 51(5), (6)**
 - records, **YCJA 119(3), (10)**
 - reporting of, **YCJA 51(8)**
 - requirement to surrender, **CC 114**
 - return to owner, **CC 117**
 - review, **YCJA 52**
 - revocation of, **CC 112**
 - subsection 111(5), under, **CC 110.4, 112**
- Registration certificates
 - defined, **CC 84(1)**
- Regulation, **CC 117.15**
- Search and seizure, warrant re, **CC 117.04**

FITNESS TO STAND TRIAL

- See also Assessments (Mental Disorder), Dispositions and Disposition Hearings (Mental Disorder), Review Boards
- Appeals from finding of unfitness
 - by accused, **CC 675(3)**
 - by Attorney General, **CC 676(3)**
- Disposition hearings, see disposition hearings
- Presumption of fitness, **CC 672.22**
- Subsequent inquiry as to adequacy of case
 - burden of proof, **CC 672.33(3)**
 - evidence on inquiry, **CC 672.33(4)**
 - procedure on inquiry, **CC 672.33(5)**
 - requirement, **CC 672.33(1), (2)**
 - where prima facie case not made, **CC 672.33(6)**
- Trial of issue
 - appointment of counsel, **CC 672.24**
 - burden of proof, **CC 672.23(2)**
 - by whom issue tried, **CC 672.26, 672.27**
 - direction of trial of issue, **CC 672.23(1)**
 - finding of fitness, **CC 672.28, 672.29**
 - finding of unfitness, **CC 672.31, 672.32, 672.851, 672.852**
 - permanently unfit accused, **CC 672.851, 672.852**
 - “Unfit to stand trial,” **CC 2**

FIXED PLATFORMS

- Offence inside Canada
 - act of violence, **CC 78.1(2)(a)**
 - destroys or causes damage, **CC 78.1(2)(b)**
 - destroys or causes damage to maritime navigational facility, **CC 78.1(2)(c)**
 - DNA order on conviction or discharge, **CC 487.04, 487.051**
 - places anything likely to cause damage, **CC 78.1(2)(d)**
 - seizes or exercises control, **CC 78.1(1)**
 - threats likely to endanger safety, **CC 78.1(4)**
- Offence outside Canada
 - accessory after the fact, **CC 7(2.1), (2.2)**
 - attempt, **CC 7(2.1), (2.2)**
 - consent to prosecution, **CC 7(7)**
 - conspiracy, **CC 7(2.1), (2.2)**
 - counselling, **CC 7(2.1), (2.2)**
 - deemed committed in Canada, **CC 7(2.1), (2.2)**
 - DNA order on conviction or discharge, **CC 487.04, 487.051**
 - prosecution outside Canada, **CC 7(6)**

FLIGHT

- Police, from, **CC 320.17**

FOLLOWING PERSON

- With intent to intimidate, **CC 423(1)(c), (e)**

FORCE (USE OF)

- See also Defences (Statutory)
- Defence against provoked assault, **CC 35**
- Defence against unprovoked assault, **CC 34**
- Use of force
 - excess force, **CC 26**
 - in execution of process, **CC 25, 26**
 - to correct child, **CC 43**
 - to defend self, **CC 34, 35**
 - to enforce law, **CC 25, 26**
 - to maintain discipline on vessel, **CC 44**
 - to prevent assault, **CC 37**
 - to prevent breach of peace, **CC 30**
 - to prevent commission of offence, **CC 27**
 - to prevent escape, **CC 25(4), (5)**

INDEX

FORCE (USE OF)—Cont'd

Use of force—Cont'd
to suppress riot, **CC 32**

FORCIBLE CONFINEMENT

See Confinement

FORCIBLE DETAINER

Generally, **CC 72(2), 73**

FORCIBLE ENTRY

Generally, **CC 72(1), 73**

FOREIGN STATE

Communications prejudicial to
conspiracy, **CC 46(2)(e)**
defence, **CC 46(2)(b)**
punishment, **CC 47(2)(b), (c)**

FORENSIC DNA ANALYSIS

Arrest warrant, **CC 487.0551, Form 5.062**

Authorization for second collection of
bodily substances where profile not
derived from initial collection, **CC 487.091**

execution of, **CC 487.0551(2), 487.07, 487.056 to 487.058, 487.071, 703(2)**

summons to person not in custody, **CC 487.091(3), Form 5.061**

Authorization for taking of bodily substances from offender serving sentence

attempted murder, offender convicted of, **CC 487.055(1)(c.1), (2)**

certificate required, **CC 487.055(2)**

collection of additional bodily substances where profile not derived from initial collection under, **CC 487.091**

collection of bodily substances under, **CC 487.056(1)**

conspiracy to commit murder, offender convicted of, **CC 487.055(1)(c.1), (2)**

criteria for determining whether authorization should issue, **CC 487.055(3)**

dangerous offenders, **CC 487.055(1)(a), (b), (2)**

execution of, **CC 487.0551(2), Form 5.062, 487.07, 487.056 to 487.058, 487.071, 487.091, 703(2)**

FORENSIC DNA ANALYSIS—Cont'd

Authorization for taking of bodily substances from offender serving sentence—Cont'd

form of application, **Form 5.05**

form of authorization, **Form 5.06**

manner of appearance at hearing, **CC 487.055(3.01), Form 5.07, 487.057, 487.071, 498.058**

manslaughter, offender convicted of, **CC 487.055(1)(e)**

murderers, **CC 487.055**

procuring attendance at hearing, **CC 487.055, Forms 5.061, 5.062, 487.0551**

sex offenders, **CC 487.055**

Bodily substances

collection, pursuant to court order or authorization, **CC 487.056 to 487.058, 487.07, 487.091**

destruction, **CC 487.09**

investigative procedures, **CC 487.06**

limitation on uses, **CC 487.08**

offence of misuse, **CC 487.08(4)**

transmission of analysis results, **CC 487.071(1)**

transmission of unused, **CC 487.071(2)**

Court order for taking of bodily substances on conviction, discharge, or NCRMD finding

appeal from, **CC 487.054**

criteria for determining whether order should issue, **CC 487.051**

discretion of court, **CC 487.051(2) to (3), 487.053**

exception, **CC 487.051(2), (3)**

execution of, **CC 487.0551(2), Forms 5.062, 5.07, 487.07, 487.08, 487.056 to 487.058, 487.071, 487.091, 703(2)**

form of, **Form 5.03, 5.04**

primary designated offence, **CC 487.051, Forms 5.03, 5.04**

secondary designated offence, **CC 487.051(3), Form :From 5.04**

timing of, **CC 487.053**

where not required, **CC 487.051(2), 487.053**

Court order to offender to report for sampling

arrest warrant where non-compliance, **CC 487.0551, Form 5.062**

FORENSIC DNA ANALYSIS—Cont'd

- Court order to offender to report for sampling—Cont'd
 - form of, **CC Form 5.041**
 - non-compliance with, offence, **CC 487.0552**
 - power to make, **CC 487.051(4), 487.055(3.11)**
- Defective orders/authorizations
 - review by AG, **CC 487.091**
- Definitions, **CC 487.04, 487.055(3)**
- Designated offences, **CC 487.04**
- Destruction of bodily substances, etc., **CC 487.09**
- Execution of warrant, **CC 407.0551(2), 487.07, 703(2)**
- Investigative procedures, **CC 487.06**
- Limitations on use of bodily substances, **CC 487.08**
 - failure to comply with order or summons, **CC 487.0552**
 - misuse of substances and results, **CC 487.08(3), (4)**
- Results
 - limitation on uses, **CC 487.08**
 - offence of misuse, **CC 487.08(4)**
 - transmission of, **CC 487.071**
- Summons to report for sampling
 - form of, **CC Form 5.061**
 - non-compliance with, offence, **CC 487.0552**
 - power to issue, **CC 487.055(4), 487.091(3)**
 - warrant on non-compliance, **CC 487.0551**
- Warrant to obtain bodily substances
 - criteria, **CC 487.05(2)**
 - detention of person named, **CC 487.07(2)**
 - execution, **CC 487.07, 487.057, 487.058**
 - form of, **Form 5.02**
 - information to obtain warrant, **CC 487.05, Form 5.01, 487.3**
 - respect of privacy, **CC 487.07(3)**
 - terms and conditions, **CC 487.06(2)**
 - use of substances and analysis results, **CC 487.08**
- Young person, **CC 487.04**

FORFEITURE

- See also Child Pornography, Forfeiture (Offence-Related Property), Proceeds of Crime, Recognizance
- Disposition of proceeds, **CC 723**
- Effect of proceeds of crime
 - provisions, **CC 462.49**
- Order for forfeiture, **CC 491.1**
- Recovery by civil proceedings, **CC 724**
- Remission, **CC 750(1)**
- Things forfeited
 - child pornography, **CC 164(4), (5)**
 - counterfeit money, token or equipment, **CC 462**
 - crime comic, **CC 164(4), (5)**
 - device to obtain computer system, **CC 342.2(2), (3)**
 - device to obtain telecommunications service, **CC 327(2), (3)**
 - explosive, **CC 492(2), (3)**
 - FDA, **CC 27, 43, 44**
 - goods unlawfully carried, **CC 401(2)**
 - hate propaganda, **CC 319, 320**
 - instruments for forging or falsifying credit cards, **CC 342.01(2), (3)**
 - interception device, **CC 192**
 - lottery or gaming material, **CC 199, (6), 206(5)**
 - mineral or precious metal, **CC 394, 395**
 - obscene matter, **CC 164(4), (5)**
 - offence-related property, **CC 490.1; CSDA 20**
 - things seized pursuant to search warrant, **CC 490(9)**
 - things used for child luring, **CC 164.2**
 - things used for child pornography, **CC 164.2**
 - things used for movie piracy, **CC 432(3), (4)**
 - trademarked goods, **CC 412(2)**
 - used goods, **CC 412(2)**
 - weapon, **CC 491**

FORFEITURE (OFFENCE-RELATED PROPERTY)

- Dwelling house
 - criteria/factors to be considered, **CC 490.41(4), CSDA 19.1(4)**
 - non-forfeiture of property, **CC 490.41(3), CSDA 19.1(3)**

FORFEITURE (OFFENCE-RELATED PROPERTY)—Cont'd

- Dwelling house—Cont'd
 - notice requirements, CC 490.41(1) to (2), CSDA 19.1(1) to (2)
- In rem forfeiture, application for, CC 490.2(1); CSDA 17(1)
- “Judge” defined, CC 490.2(5)
- Management order
 - appointment of Minister to manage, CC 490.81(2)
 - destruction of property pursuant to, CC 490.81(4) to (7)
 - duration of, CC 490.81(8)
 - power of court, CC 490.81(1), (7)
 - power to manage, CC 490.81(1), (3) to (4)
 - variation of, CC 490.81(9)
- Notice of application, CC 490.4(1); CSDA 19(1)
 - manner of giving notice, CC 490.4(2); CSDA 19(2)
- Order declaring interest not affected by forfeiture, CC 490.5(4); CSDA 20(4)
 - appeal from order, CC 490.5(5); CSDA 20(5)
 - application for order, CC 490.5(1); CSDA 20(1)
 - fixing date for hearing, CC 490.5(2); CSDA 20(2)
 - notice of application, CC 490.5(3); CSDA 20(3)
 - return of property, CC 490.5(6); CSDA 20(6)
 - suspension of order pending appeal, CC 490.7; CSDA 22
- Order of forfeiture of property, CC 490.2(2); CSDA 17(2)
 - absconded accused, CC 490.2(3); CSDA 17(2), (3)
 - appeals from orders, CC 490.6; CSDA 21
 - dwelling house
 - criteria/factors to be considered, CC 490.41(4); CSDA 19.1(4)
 - non-forfeiture of property, CC 490.41(3); CSDA 19.1(3)
 - notice requirements, CC 490.41(1) to (2); CSDA 19.1(1) to (2)

FORFEITURE (OFFENCE-RELATED PROPERTY)—Cont'd

- Order of forfeiture of property, CC 490.2(2); CSDA 17(2)—Cont'd
 - property outside Canada, CC 490.1(2.1), 490.2(4.1); CSDA 16(2.1)
 - suspension of order pending appeal, CC 490.7; CSDA 22
 - who may dispose of forfeited property, CC 490.2(4); CSDA 17(4)
- Order of forfeiture on conviction, CC 490.1(1); CSDA 16(1)
 - appeal from order, CC 490.1(3); CSDA 16(3)
 - dwelling house
 - criteria/factors to be considered, CC 490.41(4); CSDA 19.1(4)
 - non-forfeiture of property, CC 490.41(3); CSDA 19.1(3)
 - notice requirements, CC 490.41(1) to (2); CSDA 19.1(1) to (2)
 - property outside Canada, CC 490.1(2.1); CSDA 16(2.1)
 - property related to other offences, CC 490.1(2); CSDA 16(2)
 - suspension of order pending appeal, CC 490.7; CSDA 22
- Property outside Canada, CC 490.1(2.1), 17(5), 490.2(4.1); CSDA 16(2.1)
- Recognizance, CC 490.9(2); CSDA 15(2)
- Restoration of property, CC 490.4(3); CSDA 19(3)
- Restraint order, CC 490.8; CSDA 14
 - application for, CC 490.8(1); CSDA 14(1)
 - conditions, CC 490.8(4); CSDA 14(2)
 - management order pending restraint, CC 490.81
 - order, CC 490.8(3) to (3.1); CSDA 14(3) to (4)
 - continues in force, CC 490.8(8); CSDA 14(9)
 - contravention of, CC 490.8(9); CSDA 14(10)
 - in writing, CC 490.8(5); CSDA 14(6)
 - property outside Canada, CC 490.8(3.1); CSDA 14(4)
 - registration of, CC 490.8(7); CSDA 14(8)

FORFEITURE (OFFENCE-RELATED PROPERTY)—Cont'd

Restraint order, **CC 490.8; CSDA 14**
 —Cont'd
 order, **CC 490.8(3) to (3.1); CSDA 14(3) to (4)**—Cont'd
 service of, **CC 490.8(6); CSDA 14(7)**
 procedure, **CC 490.8(2); CSDA 14(2)**
 Sections 489.1 and 490 applicable, **CC 490.9(1); CSDA 15(1)**
 Transfers, voidable, **CC 490.3; CSDA 18**

FORGERY

See also Counterfeiting, Uttering
 Credit card, **CC 342(1)(b)**
 Elements of offence
 definition, **CC 366(1)**
 “make false document,” **CC 366(2)**
 when complete, **CC 366(3)**
 Exchequer bill paper, public seals, **CC 369**
 Impounding forged instrument, **CEA 35**
 Obtaining property by instrument based on forgery, **CC 375**
 Passport, **CC 57**
 Public seal, **CC 369(c)**
 Punishment for forgery, **CC 367**
 Trademark, **CC 406, 407**
 forfeiture, **CC 412(2)**
 possession of instrument, **CC 409**
 punishment, **CC 412(1)**
 Uttering forged document, **CC 368**

FORMS

Deemed good and sufficient, **CC 849(1)**
 No seal required, **CC 849(2)**
 Official languages, **CC 849(3)**

FRAUD

See also False Pretence
 Aggravating circumstances, **CC 380.1(1) to (1.1)**
 Indictment
 sufficiency of counts, **CC 583, 586**
 Non-mitigating factors, **CC 380.1(2)**
 Offences
 affecting public market, **CC 380(2)**
 aggravating circumstances, **CC 380.1(1) to (1.1)**
 non-mitigating factors, **CC 380.1(2)**

FRAUD—Cont'd

Offences—Cont'd
 affecting public market, **CC 380(2)**
 —Cont'd
 record of sentencing factors, **CC 380.1(3)**
 artificial securities transactions, **CC 382**
 aggravating circumstances, **CC 380.1(1) to (1.1)**
 non-mitigating factors, **CC 380.1(2)**
 record of sentencing factors, **CC 380.1(3)**
 bottling under another's mark or name, **CC 410(b)**
 forfeiture, **CC 412(2)**
 punishment, **CC 412(1)**
 broker reducing stock by selling for own account, **CC 384**
 cheating at play, **CC 209**
 concealment of title document, **CC 385**
 consignment sale, fraudulent disposition, **CC 389**
 defacing trademark or name, **CC 410(a)**
 forfeiture, **CC 412(2)**
 punishment, **CC 412(1)**
 defrauding creditors
 false financial statement, **CC 362**
 false prospectus, **CC 400**
 aggravating circumstances, **CC 380.1(1) to (1.1)**
 non-mitigating factors, **CC 380.1(2)**
 record of sentencing factors, **CC 380.1(3)**
 falsifying book or document, **CC 397**
 fraudulent conveyance, **CC 392**
 defrauding public or person, **CC 380(1)**
 aggravating circumstances, **CC 380.1(1) to (1.1)**
 jurisdiction of provincial court judge, **CC 553(a)(iv), 555(2)**
 minimum punishment, **CC 380(1.1)**
 non-mitigating factors, **CC 380.1(2)**
 prohibition order, **CC 380.2**
 record of sentencing factors, **CC 380.1(3)**
 restitution order, **CC 738, Form 34.1, 739**

INDEX

FRAUD—Cont'd

Offences—Cont'd

- false prospectus, **CC 400**
 - aggravating circumstances, **CC 380.1(1) to (1.1)**
 - non-mitigating factors, **CC 380.1(2)**
 - record of sentencing factors, **CC 380.1(3)**
- falsifying book or document, **CC 397**
- falsifying pedigree, **CC 385**
- fare or toll collection, **CC 393**
 - trial jurisdiction, **CC 553(c)(viii)**
- forgery, **CC 375**
- forgery of trademark, **CC 406, 407**
- fraud by government official, **CC 122**
- fraud generally, **CC 380(1)**
 - punishment
 - aggravating circumstances, **CC 380.1(1) to (1.1)**
 - minimum punishment, **CC 380(1.1)**
 - non-mitigating factors, **CC 380.1(2)**
 - not exceeding 01675,000, **CC 380(1)(b)**
 - over 01675,000, **CC 380(1)(a), 380(1.1)**
 - prohibition order, **CC 380.2**
 - record of sentencing factors, **CC 380.1(3)**
 - restitution order, **CC 738, Form 34.1, 739**
- fraud in relation to mineral or precious metal, **CC 394**
- fraud in relation to public stores, **CC 418**
- fraudulent concealment, **CC 341**
 - title documents, **CC 385**
- fraudulent conveyance, **CC 392**
- fraudulent receipt under Bank Act, **CC 390**
- fraudulent registration of title, **CC 386**
- fraudulent sale of land, **CC 386, 387**
- fraudulent use of citizenship certificate, **CC 58**
- fraud upon government, **CC 121**
 - loss of capacity to contract, **CC 748(3), (4)**
- gaming in stocks or merchandise, **CC 383**

FRAUD—Cont'd

Offences—Cont'd

- general offence and punishment, **CC 380(1), (1.1)**
- insider trading, prohibited, **CC 382.1**
 - aggravating circumstances, **CC 380.1(1) to (1.1)**
 - non-mitigating factors, **CC 380.1(2)**
 - record of sentencing factors, **CC 380.1(3)**
- jurisdiction of provincial court judge, **CC 553(a)(iv), 555(2)**
- obtaining credit by fraud, **CC 362(1)(b)**
 - punishment, **CC 362(3)**
- obtaining execution of valuable security, **CC 363**
- obtaining food and lodging, **CC 364(1)**
- obtaining transportation, **CC 393**
 - jurisdiction of provincial court judge, **CC 553(c)(viii)**
- passing off, **CC 408**
 - forfeiture, **CC 412(2)**
 - punishment, **CC 412(1)**
- purported receipt, **CC 388**
- salting mine or sample, **CC 396**
- title documents
 - fraudulent registration, **CC 386**
 - using mails to defraud, **CC 381**
 - uttering counterfeit or noncurrent coin, **CC 453**
- Order for particulars, **CC 587**
- Prohibition order, **CC 380.2**
 - breach offence, **CC 380.2(4)**
 - duration, **CC 380.2(2)**
 - power to make, **CC 380.2(1)**
 - variation, **CC 380.2(3)**

FRAUDULENT CONCEALMENT

- Generally, **CC 341**
- Mineral or precious metal, **CC 394(1)**
- Registration of title, **CC 386**
- Title document, **CC 385(1)**

FRAUDULENT CONVEYANCE

- Generally, **CC 392**

FRAUDULENT MISREPRESENTATION

- Generally, **CC 361**

“FREE AND DEMOCRATIC SOCIETY”

- Generally, **CA Part I 1**

FREEDOM OF ASSOCIATION

Generally, **CA Part I 2(d)**

FREEDOM OF CONSCIENCE AND RELIGION

Generally, **CA Part I 2(a)**

FREEDOM OF PEACEFUL ASSEMBLY

Generally, **CA Part I 2(c)**

FREEDOM OF PRESS AND OTHER MEDIA OF COMMUNICATIONS

Generally, **CA Part I 2(b)**

FREEDOM OF THOUGHT, BELIEF, OPINION AND EXPRESSION

Generally, **CA Part I 2(b)**

FUNDAMENTAL FREEDOMS

Generally, **CA Part I 2**

FUNDAMENTAL JUSTICE

Generally, **CA Part I 7**

GAMBLING

See also Betting, Gaming, Lottery

Controlling property for gambling, **CC 202(1)(c)**

assisting offence, **CC 202(1)(j)**

Dealing in or keeping gambling device, **CC 202(1)(b)**

assisting offence, **CC 202(1)(j)**

Exemptions from offences, **CC 204**

Importing information, **CC 202(1)(g)**

assisting offence, **CC 202(1)(j)**

Punishment, **CC 202(2)**

GAMING

See also Betting, Disorderly House, Gambling, Lottery

Agreeing to purchase or sell privileges, **CC 202(1)(e)**

assisting offence, **CC 202(1)(j)**

exemption from offence, **CC 204(1)**

punishment, **CC 202(2)**

Buying lots; cards or tickets, **CC 206(4)**

Cheating at play, **CC 192**

Conducting game, **CC 206(1)(d) to (f)**
exception for agricultural fair, **CC 206(3)**

Dealing in lots, cards or tickets, **CC 206(1)(b)**

Exceptions for joint property, bank premiums

calls of securities, **CC 206(8)**

GAMING—Cont'd

Forfeiture of property, **CC 206(5), (6)**

Gaming in stocks or merchandise, **CC 383(1)**

Inducing stake, **CC 206(1)(g)**
exception for agricultural fair, **CC 206(3)**

Jurisdiction of provincial court judge, **CC 553(c)(i) to (v)**

Making or advertising scheme, **CC 206(1)(a)**

Sending device or scheme, **CC 206(1)(c)**

Three-card monte
conducting game, **CC 206(1)(h)**
defined, **CC 206(2)**

permitting game, **CC 206(1)(j)**

receiving bets, **CC 206(1)(i)**

GAS

Theft, **CC 326**

GENERAL WARRANT

Generally, **CC 487.01**

Information to obtain warrant, **CC 487.01**
sealing order for, **CC 487.3**

GENOCIDE

See also Hate Propaganda

Advocating genocide, **CC 318(1)**

consent to prosecution, **CC 318(3)**

“Genocide,” **CC 318(2)**

“Identifiable group,” **CC 318(4)**

GIFT

To defraud creditors, **CC 392**

GOVERNMENT

Appointment, proof, **CEA 21, 22**

Conduct of lotteries, **CC 207**

Disclosure of information, see Disclosure

“Government,” **CC 118**

Offences

corruption

breach of trust by official, **CC 122**

bribery of official, **CC 121**

loss of capacity to contract, **CC 748(3), (4)**

contractor subscribing to

election fund, **CC 121(2)**

loss of capacity to contract, **CC 748(3), (4)**

“official,” **CC 118**

INDEX

GOVERNMENT—Cont'd

Offences—Cont'd

- counterfeiting
 - government mark, **CC 376(2)**
 - “mark,” **CC 376(3)**
 - proclamation, **CC 420**
 - seal, **CC 369**
- fraud by official, **CC 122**
 - “official,” **CC 118**
- fraud upon government, **CC 121**
 - loss of capacity to contract, **CC 748(3), (4)**
- influencing appointments, **CC 125**
 - “office,” **CC 118**
 - “official,” **CC 118**
- printing or using likeness of securities, **CC 457**
- records and documents
 - certified copy as evidence, **CEA 24, 25, 26(1)**
 - notice of production of copy, **CEA 28**
 - photograph as evidence, **CEA 31**
 - record as evidence, **CEA 26**
 - young offenders, **YCJA 116(1)**
- sedition, **CC 59 to 62**
- selling or purchasing office, **CC 124, 125**
 - loss of capacity to contract, **CC 750**
- tobacco, relating to, **CC 121.1**
- treason, see **Treason**

GOVERNOR IN COUNCIL

- Direction for payment of penalty, **CC 734.4(3)(b)**
- Order prohibiting drilling, **CC 70**
- Order restoring capacity to contract, **CC 750(4)**
- Pardon
 - grant, **CC 748**
- Prescription of distinguishing marks, **CC 416**
- Remission of penalties, **CC 750**
- Uniform rules of court, **CC 482(5)**

GUARDIAN

- See **Abduction**, see **Parent or Guardian**

HABEAS CORPUS

- Appeal, **CC 784(3), (4), (5)**
- Arrest or detention, **CA Part I 10(c)**

HABEAS CORPUS—Cont'd

- Availability
 - defect in form, **CC 782**
 - review of warrant of committal, **CC 782**
- No re-application without fresh evidence, **CC 784(3)**
- Nunavut, **CC 573.2**
- Order for further detention, **CC 775**
- Presence of accused mandatory on application, **CC 650.01(3)(a)(iii), 774.1**
- Protection of judicial officer, **CC 783**
- Rules of court, **CC 482(2)(c)**
- Want of proof of enactment not ground, **CC 781**

HANDWRITING

- Proof, **CEA 8**

HARASSING COMMUNICATIONS

- Generally, **CC 372(3)**

HARBOUR

- See also **Accessory after Fact**
- Removing natural bar, **CC 440**
- defence, **CC 429(2)**

HATE PROPAGANDA

- See also **Genocide**
- Advocating genocide, **CC 318(1)**
 - consent of attorney general required, **CC 318(3)**
 - “genocide,” **CC 318(2)**
 - “identifiable group,” **CC 318(3)**
- Forfeiture on conviction, **CC 319(4)**
- Public incitement of hatred, **CC 319(1)**
 - “communicating,” **CC 319(7)**
 - “identifiable group,” **CC 319(7)**
 - “public place,” **CC 319(7)**
 - “statements,” **CC 319(7)**
- Warrant of seizure, **CC 320, 320.1**
- Wilful promotion of hatred, **CC 319(2)**
 - “communicating,” **CC 319(7)**
 - consent of attorney general required, **CC 319(6)**
 - defence, **CC 319(3)**
 - “identifiable group,” **CC 319(7)**
 - “statements,” **CC 319(7)**

HATRED

- See **Hate Propaganda**, **Incitement of Hatred**

HIGH-RISK ACCUSED

Appeal
 decision of court, **CC 672.64(4)**
 decision of Review Board, **CC 672.81(1.5), 672.84(6)**
 Appeal, see also review of finding
 Application to court
 appeal of decision, **CC 672.64(4)**
 detention order, **CC 672.64(3)**
 factors considered, **CC 672.64(2)**
 finding, **CC 672.64(1), 672.64(5)**
 Assessment order
 by court, **CC 672.11(d.1)**
 by Review Board, **CC 672.121(c)**
 Defined, **CC 672.1(1)**
 Detention of, **CC 672.64(3)**
 Detention order
 by court, **CC 672.64(3)**
 Disposition hearing
 exceptions, **CC 672.47(4)**
 extension of time for, **CC 672.47(5)**
 mandatory review of disposition by Board, **CC 672.81**
 notice to victim: referral to court, **CC 672.5(13.3)**
 procedure generally, **CC 672.5**
 protective conditions, **CC 672.542**
 “significant threat to safety of public,” **CC 672.5401**
 victim impact statements, **CC 672.5(14) to (15.3), 672.541**
 Factors to consider, **CC 672.64(2)**
 Findings, **CC 672.64(1)**
 Protected statements
 admissibility, **CC 672.21(3)(c)**
 Review proceedings
 appeal re finding, **CC 672.84(6)**
 extension of time, **CC 672.81(1.31) to (1.32)**
 hearing and disposition, **CC 672.84(4)**
 referral to court, **CC 672.84(1)**
 review of conditions by Board, **CC 672.84(2), 672.84(5)**
 review of dispositions by Board, mandatory, **CC 672.81**
 review of finding by court, **CC 672.84(3)**
 Transfer of proceedings, **CC 672.88, 672.89**
 Variation of restrictions, **CC 672.56(1.1), 672.64(3)**

HIGH TREASON

See also Treason
 Conspiracy to commit, **CC 46(2)(c)**
 Corroboration, **CC 47(3)**
 Delivery of trial documents, **CC 604**
 Indictment
 specific charge, **CC 582**
 statement of overt acts, **CC 581(4), 601(9)**
 Judicial review of parole ineligibility, **CC 745.6**
 Offence defined, **CC 46(1), (3)(a)**
 Overt acts
 evidence, **CC 55**
 statement in indictment, **CC 581(4), 601(9)**
 Punishment, **CC 47(1), 745(a)**
 Trial jurisdiction, **CC 468, 469(a)(i)**
 accessory after fact, **CC 469(b)**
 attempt, **CC 469(d)**
 conspiracy, **CC 469(e)**

HIGHWAY

Defined, **CC 2**
 Obstructing, **CC 423(1)(g)**

HIJACKING

See also Aircraft
 Consent to prosecution, **CC 7(7)**
 Interim release, **CC 522(1)**
 Offence of hijacking, **CC 76**
 DNA order on conviction or discharge, **CC 487.04, 487.051**
 outside Canada, **CC 7(7)**

HOAX REGARDING TERRORIST ACTIVITY

Generally, **CC 83.231**

HOLIDAY

Issue and execution of process, **CC 20**
 Taking of verdict, **CC 654**

HOME INVASION

Sentencing, aggravating circumstance, **CC 348.1**

HOMICIDE

See also Death, Infanticide, Manslaughter, Murder
 Causing death
 acceleration of death, **CC 226**
 death from injury treatment, **CC 225**

INDEX

HOMICIDE—Cont'd

- Causing death—Cont'd
 - preventable death, **CC 224**
- Culpable homicide
 - defined, **CC 222(4), (5)**
 - not by influence on mind, **CC 228**
- Homicide
 - defined, **CC 222(1)**
 - exception re false evidence, **CC 222(6)**
 - kinds, **CC 222(2)**
- Non-culpable homicide, **CC 222(2), (3)**

HOSTAGE TAKING

- See also Abduction, Hostage Taking, Kidnapping, Trafficking, Persons
- Culpable homicide constituting murder, **CC 231(5)(f)**
- Defences
 - compulsion (no defence), **CC 17**
- Defined, **CC 279.1(1)**
- DNA order on conviction or discharge, **CC 487.04, 487.051**
- Internationally protected person, outside Canada, **CC 7(3)**
- Offence outside Canada, **CC 7(3), (3.1), (3.71)**
- Punishment
 - general, **CC 279.1(2)**
 - threat against internationally protected person, **CC 7(3), 424**
 - where firearm used, **CC 279.1(2)(a), (a.1)**
 - subsequent offences, **CC 279.1(2.1), (2.2)**
- United Nations or associated personnel, outside Canada, **CC 7(3.71)**

HUMAN TRAFFICKING

- See Trafficking, Persons

ICE, DUTY TO SAFEGUARD OPENING IN

- Generally, **CC 263(1), (3)**

IDENTIFICATION OF CRIMINALS

- See also Fingerprinting and Fingerprints; Forensic DNA Analysis
- Failure to appear, for purposes of, **CC 145(3), (4), (8), (9)**
- Order to appear, **CC 515.01, Form 11.1**
- Summons, **CC 485.2, Forms 6.1, 6.2**

IDENTITY THEFT AND IDENTITY FRAUD

- Definition of identity information, **CC 402.1**
- Identity fraud, **CC 403**
- Identity theft, **CC 402.2**
- Trafficking in identity information, **CC 402.2(2)**

IGNORANCE OF LAW

- No defence, **CC 19**

IMPAIRED OPERATIONDRIVING OFFENCES

- See also Motor Vehicles

IMPORTING

- Anything knowing it will be used to produce ecstasy or methamphetamine, **CSDA 7.1**
- Anything knowing it will be used to traffic in ecstasy or methamphetamine, **CSDA 7.1**
- Child pornography, **CC 163.1(3)**
- Controlled substances, **CSDA 6(1), (3)**
- Information promoting gambling, **CC 202(1)(g)**
 - assisting offence, **CC 202(1)(j)**
 - punishment, **CC 202(2)**
- Presumption from port of shipment, **CC 414**
- Proceeds of property obtained by crime in rem prohibition, **CC 355.3**
- Prohibited weapon, **CC 103, 104**
- Property obtained by crime, **CC 355.3, 357**
 - in rem prohibition, **CC 355.3**
- Restricted weapon, **CC 103, 104**
- Weapon, by serviceman, officer, museum, **CC 117.07, 117.08; CC Reg. 98 to 466 generally**

IMPRESSION WARRANT

- Generally, **CC 487.092**

IMPRISONMENT

- See Punishment, see Sentence

INCEST

- Generally, **CC 155**
- No corroboration required, **CC 274**
- Order of prohibition, **CC 161**
- Removal of child from Canada with intent, **CC 273.3(1)(c)**

INCEST—Cont'd

Sexual activity evidence, see Sexual
Activity Evidence

INCITEMENT OF HATRED

Generally, CC 319

INCITEMENT TO MUTINY

Generally, CC 53

Evidence of overt acts, CC 55
statement in indictment, CC 581(4),
601(9)
Superior court jurisdiction, CC 468,
469(a)(iv)

INCLUDED OFFENCES

Plea of guilty, CC 606(4) to (4.4)
Specified included offences
in break, enter and commit, CC 662(6)
in break, enter and steal firearm, CC
662(6)
in criminal negligence causing death/
bodily harm, CC 662(5)
in first degree murder, CC 662(2)
in infanticide/child murder, CC 662(4)
in manslaughter, CC 662(5)
in murder, CC 662(3), (4)

INDECENCY

See also Exposure, Obscenity
Exposure to person under 16, CC 173(2)
Indecent act, CC 173(1)
Indecent communications, CC 372(2)
Indecent exhibition, CC 175(1)(b)
Indecent matter
delivery by mail, CC 168
punishment, CC 169
Indecent show, CC 163(2)(b)
motive irrelevant, CC 163(5)
punishment, CC 169
service of public good as defence, CC
163(3), (4)
Indecent theatrical performance
presenting or allowing, CC 168(1)
punishment, CC 169
taking part, CC 167(2)
Sexual activity evidence, see Sexual
Activity Evidence

INDECENT ACT

See Indecency

INDEMNIFICATION OF SURETY

Acceptance by surety, CC 139(1)(b)
Of surety, CC 139(1)(a)

**INDICTMENT (FORM AND
SUBSTANCE)**

See also Joinder of Accused and Counts
Amendment, CC 601(2), (3)
adjournment where prejudice, CC
601(5)
as question of law, CC 601(6)
at preliminary inquiry, CC 601(11)
considerations on amendment, CC
601(4)
“court,” CC 601(10)
defect in form or substance, CC
601(3)(b), (c)
endorsement, CC 601(7)
indictment under wrong Act, CC
601(3)(a)
objection by motion to quash, CC
601(1)
record of amended indictment, CC
601(7), 625
Conviction of included offence, CC 662
Form of indictment, CC 566(1), Form
:Form 4, 580
mistake in heading, CC 601(8)
Organizational accused
notice of indictment, CC 621
Particulars, CC 587
amendment of indictment to conform,
CC 587(3)(c)
consideration of evidence taken, CC
587(2)
endorsement in record, CC 587(3)(b)
general authority, CC 587(1)
provision to accused, CC 587(3)(a)
Specific offences
theft from mails, CC 356(2)
theft of oysters, CC 323(2)
Sufficiency of counts
general provisions
application of provisions, CC 581(6)
detail of circumstances, CC 581(3),
583
headings, mistakes not material, CC
601(8)
no reference to prior convictions, CC
664

INDEX

INDICTMENT (FORM AND SUBSTANCE)—Cont'd

- Sufficiency of counts—Cont'd
 - general provisions—Cont'd
 - omissions not ground for objection, **CC 583**
 - single transaction, **CC 581(1), 590**
 - statement of offence, **CC 581(1), (2), (5)**
 - specific rules
 - fabricating evidence, **CC 585**
 - first degree murder, **CC 582**
 - fraud and false pretences, **CC 586**
 - high treason, **CC 582**
 - libel, **CC 584**
 - perjury and false statement, **CC 585**
 - reasonable offences, **CC 581(4), 601(9)**

INDICTMENT (PREFERMENT OF)

- Authority to prefer, **CC 574, 577**
 - after deemed election
 - where no preliminary requested, **CC 574(1.1), (1.2)**
 - after election
 - where no preliminary requested, **CC 574(1.1), (1.2)**
 - after order to stand trial
 - by prosecutor, **CC 574(1), (1.2)**
 - consent in private prosecutions, **CC 574(3)**
 - consent to inclusion of other charges, **CC 574(2)**
 - judge alone trials, **CC 566(3), 566.1**
 - after re-election
 - where no preliminary requested, **CC 574(1.1), (1.2)**
 - where discharge at preliminary, consent required, **CC 577(a), (b)**
 - where no preliminary, consent required, **CC 577(a), (b)**
 - where no preliminary requested, **CC 574(1.1), (1.2)**
 - where preliminary has commenced, consent required, **CC 577(a), (b)**
 - where preliminary not yet requested, consent required, **CC 577(a), (b)**
- Bail, effect on, **CC 523(1.2)**
- Form of indictment, **CC 566(2), Form 4, 566.1(2), 580**
- No preferment except as provided, **CC 576(1)**

INDUSTRIAL DISPUTE

- Watching or besetting, **CC 423**
- Work stoppage
 - and criminal breach of contract, **CC 422(2)**
 - and mischief, **CC 430(6)**
 - and sabotage, **CC 52(3)**
 - not conspiracy, **CC 467(1)**

INFANTICIDE

- See also Homicide
- Concealing body as included offence, **CC 662(4)**
- Conviction barring charge of manslaughter or murder, **CC 610(2), (4)**
- Conviction unless act or omission not wilful, **CC 663**
- Definition, **CC 233**
- Punishment, **CC 237**

INFERENCES

- See Presumptions and Inferences

INFORMANT

- Defined, **CC 785**
- Hearing of allegations, **CC 507, 507.1**

INFORMATION

- See also Disclosure, Indictment (Form and Substance), Private Prosecution
- After arrest or appearance notice, **CC 505**
 - cancelling or confirming process, **CC 508(1)(b)**
 - no laying except as provided, **CC 576(2)**
- Arrest or detention, on, **CA Part I 10**
- Certified copy, **CC 808**
- Confirmation by designated justice/provincial court judge, **CC 579.1**
- Endorsement
 - committal on consent, **CC 549(2)**
 - conviction or order, **CC 570(1)**
 - election of accused, **CC 555(3), 555.1(3)**
- Form of information, **CC 506**
- Hearing by justice, **CC 507**
 - issue of process, **CC 507(1)(b), 507(4), 507(5)**
 - refusal to issue, **CC 507(2)**
 - release of accused, **CC 507(6), (7)**
- Inspection, **CC 603**

INFORMATION—Cont'd

- Joinder of accused, see Joinder of Accused and Counts
- Joinder of counts, see Joinder of Accused and Counts
- Laying before justice, **CC 504**
 - laying otherwise than in person, **CC 508.1**
 - no laying except as provided, **CC 576(2)**
 - referral in private prosecution, **CC 579.1**
 - young offenders, **YCJA 10(6)**
- Motion to quash, **CC 601**
 - adjournment, **CC 606(3)**
- Preferring indictment, see Indictment (Preferment of)
- Private prosecution, in, **CC 579.1**
- Reasons for arrest or detention, **CA Part I 10(a)**
- Referral in private prosecution, **CC 579.1**
- Severance of counts or accused, **CC 591(3)**
- Specific offence charged, **CA Part I 11(a)**
- Variance between charge and evidence, **CC 601(2)**
- Variance not affecting validity, **CC 546**
 - adjournment if accused misled, **CC 547**
- Where injury or damage feared, **CC 810; YCJA 14(2), 20(2)**

INNOCENCE, PRESUMPTION OF

- Generally, **CC 6(1)(a); CA Part I 11(d)**

INSANE PERSONS AND INSANITY

- See Assessments (Mental Disorder), see Dispositions and Disposition Hearings (Mental Disorder), see Fitness to Stand Trial, see Interprovincial Transfers, see Review Boards

INSANITY AS DEFENCE

- See Mental Disorder

INSIDER TRADING

- Generally, **CC 380.1, 382.1**

INSPECTION OF DOCUMENTS

- Banking record, **CEA 29(6), (7)**
- Business record, **CEA 30(7)**
- Trial by indictment, **CC 603**

INSTRUMENT

- See also Document, Testamentary Instrument
- Acknowledgement in false name, **CC 405**
- For forging or falsifying credit cards, **CC 342.01**
- Obtain by forged document, **CC 375**

INSURANCE

- Presumption against insured setting fire, **CC 435**
- Proof of loss, **CEA 42**

INTERCEPTION OF PRIVATE COMMUNICATIONS

- Agent of state, **CC 184.1**
- Authorization
 - application, **CC 185**
 - confidentiality, **CC 187**
 - exception for criminal organizations and terrorist groups, **CC 185(1.1)**
- assistance order, **CC 487.02**
- both private communications and radio-based telephone communications, **CC 184.6**
- consent, **CC 184.2, 184.3**
- contents, **CC 186(4)**
 - disclosure, **CC 187**
- designation of persons, **CC 186(5)**
- emergency, **CC 188**
 - subsequent authorization admissibility of evidence, **CC 188(5)**
- execution in another province, **CC 188.1**
- installation and removal of device, **CC 186(5.1)**
- notification by Attorney General, **CC 196**
 - accompanied by affidavit, **CC 196(4)**
 - application to delay, **CC 196(3)**
 - exception for criminal organizations and terrorist groups, **CC 196(5)**
- removal, **CC 186(5.1), (5.2)**
- renewal, **CC 186(6), (7)**
- requirements, **CC 186(1)**
 - exception for criminal organizations and terrorism offences, **CC 186(1.1)**
- time limitation in relation to criminal organizations and terrorism offences, **CC 186.1**

INTERCEPTION OF PRIVATE COMMUNICATIONS—Cont'd

- Authorization—Cont'd
 - where interception with consent, CC **184.2, 184.3**
- Consent to interception, CC **183.1, 184(2)(a)**
- Definitions, CC **183**
- Disclosure of packet contents, CC **187**
- Evidence (primary)
 - admissibility, CC **184.1(2), 188(5)**
 - notice of intention to adduce, CC **189(5)**
 - particulars, CC **190**
 - privileged information, CC **189(6)**
- Immediate interception, imminent harm, CC **184.4**
 - annual report re, CC **195(1)(c), 195(2.1), 195(3), 195(5)(c)**
 - notice to object of interception, CC **196.1**
 - extension of notice period, CC **196.1(2) to (5)**
- Interception to prevent bodily harm, CC **184.1, 184.4**
- No civil or criminal liability, CC **188.2**
- Offences
 - possession of device, CC **191(1)**
 - exceptions, CC **191(2), (3)**
 - forfeiture, CC **192**
 - unlawful disclosure, CC **193(2), 193.1**
 - damages, CC **194**
 - exceptions, CC **193(2), (3)**
 - unlawful interception, CC **184(1)**
 - damages, CC **194**
 - exceptions, CC **184(2), (3)**
 - forfeiture, CC **192**
 - radio-based telephone communications, CC **184.5, 184.6**
 - report, annual, CC **195**
- Packet opening and disclosure, CC **187**

INTEREST (CRIMINAL RATE)

- Agreement re, CC **347.01(1)**
 - arrangement re, CC **347.01(1)**
 - offence, CC **347**
 - regulations, CC **347.01(3)**

INTERNATIONAL AIRPORT

- See also Airport
- Offence inside Canada, CC **77(f)**

INTERNATIONAL AIRPORT—Cont'd

- Offence outside Canada, CC **7(2)(d)**
 - consent to prosecution, CC **7(7)**
 - deemed committed in Canada, CC **7(2)**
 - prosecution outside Canada, CC **7(6)**

INTERNATIONAL LAW

- Protection of persons under, CC **7(10)**
- Retroactive offence, CA **Part I 11(g)**

INTERNATIONALLY PROTECTED PERSON

- Attack on premises, CC **431**
 - defence, CC **429(2)**
 - DNA order on conviction or discharge, CC **487.04, 487.051**
- Consent to prosecution, CC **7(7)**
- Hostage taking outside Canada, CC **7(3.1)**
- Offences against outside Canada, CC **7(3), (5) to (7)**
- Proof of status
 - certificate as evidence, CC **7(10)**
- Threatening, CC **424**

INTERNATIONAL MARITIME NAVIGATION

- See Maritime Navigation, International

INTERNET

- See also Child Pornography, Computers, Data
- Child pornography
 - deletion order, CC **164.1(5)**
 - destruction of electronic copies, CC **164.1(6)**
 - forfeiture, CC **164.2**
 - mandatory reporting, see Child Pornography
 - seizure, CC **164.1**
- Hate propaganda, warrant of forfeiture, CC **320.1**
- Luring child, CC **172.1**
- Prohibition order, CC **161(1)(d), 161(1.1) to (4)**
- Service providers
 - interception of private communications by
 - authorized disclosure, CC **193(2)(d)(iii)**
 - authorized interception, CC **184(2)(e)**

INTERNET—Cont'd

Service providers—Cont'd
 interception of private communications
 by—Cont'd
 authorized retention and use, **CC 184(3)**

INTERPRETATION

See also Definitions, Statutes

Affirmative resolutions, **IA 39(1)**
 as part of enactment amended, **IA 42(3)**
 at same session of Parliament in which
 enactment passed, **IA 42(2)**
 effect of, **IA 45(2), (4)**
 power reserved to parliament, **IA 42(1)**

Application of, **IA 3**

Application of provincial laws, **IA 8.1**

Civil law, **IA 8.1 to 8.2**

Common law, **IA 8.1 to 8.2**

Definitions

for purposes of act itself, **IA 2**
 for purposes of interpreting other acts,
IA 35 to 37

Demise of Crown

continuation of proceedings, **IA 46(2)**
 effect of, **IA 46(1)**

Duality of legal traditions, **IA 8.1**

form of, **IA 4(1)**
 order of, **IA 4(2)**

Indigenous peoples, **IA 8.3**

Negative resolutions, **IA 39**

Operation of legislation

day fixed for commencement or repeal
 judicial notice of, **IA 6(3)**
 operation when date fixed, **IA 6(1)**
 operation when no date fixed, **IA 6(2)**

regulation prior to commencement, **IA 7**

royal assent

commencement date, **IA 5(2)**
 commencement provision, **IA 5(3)**
 commencement when no date fixed,
IA 5(4)

Property and civil rights

application of provincial laws, **IA 8.1**
 duality of legal traditions, **IA 8.1**
 terminology, **IA 8.2**

Repeal of legislation

at same session, **IA 42(2)**
 effect of, **IA 43, 44, 45(1), 45(3)**

INTERPRETATION—Cont'd

Repeal of legislation—Cont'd

power reserved to Parliament, **IA 42(1)**
 rule of construction relating to power,
IA 31(4)

Rules of construction

ancillary powers, **IA 31(2)**

common names, **IA 38**

corporations, **IA 21**

banking business, authority to carry
 on, **IA 21(3)**

names of, **IA 21(2)**

powers vested in, **IA 21(1)**

Crown, application of enactment to, **IA 17**

definitions, application of, **IA 15(1)**

descriptive cross-references, **CC 3**

enactments remedial, **IA 12**

evidence, **IA 25**

forms, **IA 32**

gender, **IA 33(1)**

grammatical forms, **IA 33(3)**

historical references, **IA 14**

imperative and permissive construction,
IA 11

interpretation provisions, **IA 15**

law always speaking, **IA 10**

liberal construction of YCJA, YCJA
3(2)

majorities, **IA 22(1)**

marginal notes, **IA 14**

number, **IA 33(2)**

oaths, **IA 19**

offences, **IA 34**

parts of speech, **IA 33(3)**

preambles, **IA 13**

private acts, **IA 9**

proclamations, **IA 18**

public officers

appointment

commencement of, **IA 23(5)**

effective day of, **IA 23(2), 23(3)**

implied powers respecting, **IA 24**

powers of

generally, **IA 24(5)**

acting minister, successor, or dep-
 uty, **IA 24(1) to (4)**

remuneration, **IA 23(4)**

retirement

commencement of, **IA 23(5)**

INDEX

INTERPRETATION—Cont'd

- Rules of construction—Cont'd
 - public officers—Cont'd
 - term of office, deemed, **IA 23(1)**
 - quorum, **IA 22(2)**
 - references to specified functionaries or officers, **IA 31**
 - regulations, words in, **IA 16**
 - repeal power, **IA 31(4)**
 - reports to parliament, **IA 20**
 - statutory powers, **IA 24, 31**
 - “telegraph,” **IA 37**
 - time, computation of, **IA 26 to 30**
 - after specified day, **IA 27(4)**
 - beginning and ending of prescribed periods, **IA 27(3)**
 - clear days, **IA 27(1)**
 - holidays, and, **IA 26**
 - not clear days, **IA 27(2)**
 - period of months after or before specified day, **IA 28**
 - time of day, **IA 29**
 - time when specified age attained, **IA 30**
 - words and expressions in, **YCJA 2(2)**
 - words and expressions in other acts, **CC 4(4)**
 - year, **IA 37**
- Substitution
 - effect of, **IA 43, 44**
- Territorial operation, **IA 8**

INTERPRETER

- Deaf person, **CA Part I 14**
- Person not knowing language, **CA Part I 14**

INTER-PROVINCIAL TRANSFERS (MENTAL DISORDER)

- Authority, **CC 672.86**
- Delivery and detention of accused, **CC 672.87**
- Jurisdiction of Review Board, **CC 672.88, 672.89**

INTERVENING BY ATTORNEY GENERAL OF CANADA

- Generally, **CC 579.1, 579.01**

INTIMATE IMAGES

- See also Voyeurism
- Defence, **CC 162.1(3)**

INTIMATE IMAGES—Cont'd

- Definition, **CC 162.1(2), 164(8)**
- Fact, question of, **CC 162.1(4)**
- Law, question of, **CC 162.1(4)**
- Motive, **CC 162.1(4)**
- Offence, **CC 162.1(1)**
- Prohibition order, **CC 162.2**

INTIMIDATING PARLIAMENT OR LEGISLATURE

- Offence, **CC 51**
 - evidence of, **CC 55**
 - overt acts, **CC 55**
 - statement in indictment, **CC 581(4), 601(9)**
- Superior court jurisdiction, **CC 468, 469(a)(iii)**

INTIMIDATION

- Offence relating to justice system participant, **CC 423.1**
 - bail conditions, **CC 515(4.1) to (4.2)**
 - murder during deemed first degree, **CC 231(6.2)**
 - recognizance to prevent, **CC 810.01**
 - witness protections in cases involving, **CC 486 to 486.31, (6), 486.5, 515(4.1) to (4.2)**
 - Offence simpliciter, **CC 423**
 - bail conditions, **CC 515(4.1) to (4.2)**
 - murder during deemed first degree, **CC 231(6.2)**
 - offence relating to journalist, **CC 423.1**
 - recognizance to prevent, **CC 810.01**
 - witness protections in cases involving, **CC 486 to 486.31, (6), 486.5, 515(4.1) to (4.2)**
 - Offences relating to health services
 - generally, **CC 423.2**
 - defence, **CC 423.2(4)**
 - “health professional,” **CC 423.2(5)**
 - interference with access, **CC 423.2(2)**
 - obstruction, **CC 423.2(2)**
 - punishment, **CC 423.2(3)**
- ### INTOXICATION, DEFENCE OF
- Generally, **CC 8, 16**
 - Extreme, **CC 33.1**
 - Negligence, violence by, **CC 33.1**

INVASION OF PRIVACY

- See Interception of Private Communications

INVITATION TO SEXUAL TOUCHING

See Sexual Touching (Invitation to)

ISSUE ESTOPPEL

Generally, **CC 8, 12; CA Part I 11(h)**

JOINDER OF ACCUSED AND COUNTS

See also Indictment (Form and Substance)

Of accused

accessory after fact, **CC 592**

possession of property obtained by crime, **CC 593**

Of counts, **CC 591(1)**

consent of accused, **CC 566(3), 574(2), 589**

each count separate indictment, **CC 591(2)**

on indictment for murder, **CC 589**

severance (separate trials)

delayed enforcement, **CC 591(4.1)**

effect on prior Charter decisions, **CC 591(4.2)**

effect on prior evidentiary decisions, **CC 591(4.2)**

effect on verdict, **CC 591(4), (5)**

of accused, **CC 591(3)(b)**

of counts, **CC 591(3)(a)**

JOINT TRIALS

See Joinder of Accused and Counts

JOY-RIDING

Generally, **CC 335**

JUDGMENT

Acknowledgment in false name, **CC 405**

JUDICIAL ACTS

Effect of, **CC 3.1**

JUDICIAL INTERIM RELEASE

See also Appearance Notice, Promise to Appear, Recognizance, Summons, Undertaking

“Accused,” **CC 493**

By justice

aboriginal accused, **CC 515(14)**

alternative to physical presence, **CC 515(2.2), (2.3)**

appearance of accused before justice, **CC 502.1, 503(1)**

authority, **CC 515(1)**

community's safety and security, **CC 515(13)**

JUDICIAL INTERIM RELEASE

—Cont'd

By justice—Cont'd

conditions, additional, **CC 515(4.1), (4.2)**

detention, re-evaluation of, **CC 503(1.1)**

form of order, **CC 515(2) to (4)**

inquiries to be made by justice, **CC 518**

inquiry for copies, **CC 515(14.1)**

justification for detention, **CC 515(10)**

order re no communication, **CC 515(12)**

release of accused, **CC 519(1), (2)**

reverse onus, **CC 515(5) to (8)**

victim's safety and security, **CC 515(13)**

vulnerable populations, **CC 515(14)**

By superior court judge

authority, **CC 522(1), (6)**

detention order, **CC 522(2), (2.1)**

form of order, **CC 522(3)**

order re no communication, **CC 522(2.1)**

release of accused, **CC 522(5)**

reverse onus, **CC 522(2)**

undertaking, **CC 522(3)**

Considerations, see principles and considerations

Direct indictment, effect on, **CC 523(1.2)**

Expediting proceedings, **CC 526**

Failure to comply with conditions

generally, **CC 523.1, 524**

cancellation, **CC 524(3)**

circumstances, **CC 523.1(2), 524(2)**

detention, **CC 524(4), 525**

dismissal of charge, **CC 523.1(4)**

hearing, **CC 524(1)**

judicial referral hearing, **CC 523.1(1)**

powers of judge/justice, **CC 523.1(3), (5)**

reasons, **CC 524(6)**

release, **CC 524(7)**

release order, **CC 524(5)**

review, **CC 524(9), (10), 525**

Hearing

appearance of accused, **CC 515(2.1)**

evidence, **CC 518**

inquiries by justice, **CC 518**

JUDICIAL INTERIM RELEASE

—Cont'd

- Hearing—Cont'd
 - non-publication order, CC 517
 - failure to comply, CC 517(2)
 - remand, CC 516
- “Judge,” CC 493
- Order for detention, CC 515(5), (6), (10), (11)
 - conditions, CC 515(12)
- Pending appeal, see Appeals (Indictable Offences), see Appeals (Summary Conviction)
- Principles and consideration
 - generally, CC 493.1, 493.2
 - Aboriginal accused, CC 493.2
 - restraint, CC 493.1
 - vulnerable populations, CC 493.2
- Procedure on hearing before justice
 - adjournment, CC 516
 - appearance of accused, CC 515(2.2)
 - detention order, CC 519(3), (12)
 - effect of order after direct indictment, CC 523(1.2)
 - evidence and inquiries, CC 518(1)
 - form of release, CC 515(2) to (4)
 - grounds for detention, CC 515(10)
 - non-publication order, CC 517(1)
 - onus, CC 515(1)
 - period of order, CC 523(1), (1.1), (1.2)
 - release of accused, CC 519(1), (2)
 - reverse onus, CC 515(6) to (8)
 - review of order, CC 520, 521
- Procedure on hearing before superior court judge, CC 517, (6), 518(1), 519, 522(5)
- Release by judge, CC 522
 - conditions, CC 522(2.1)
 - form, CC Form 11
- Review of order made by justice, CC 520, (3), 521, 523(2)
 - adjournment of hearing, CC 520(4), 521(4)
 - authority to apply, CC 520(1), 521(1), 523(2)?page 1639
 - detention of accused, CC 519(3), (8)(e), 520(7)(d), 521(6), 523(3)
 - disposition, CC 520(7)(d), (e), 521(8)(d), 523(3)
 - evidence and inquiries, CC 518, 520(7)(a) to (c), 520(9), 521(8)(a)

JUDICIAL INTERIM RELEASE

—Cont'd

- Review of order made by justice, CC 520, (3), 521, 523(2)—Cont'd
 - to (c), 521(10), 523(3)
 - further applications, CC 520(8), 521(9)
 - non-publication order, CC 517, 520(9), 521(10), 523(3)
 - notice, CC 520(2), 521(2)
 - presence of accused, CC 520(3), (5), (6), 521(3)
 - release of accused, CC 519, 520(7)(e), 520(9), 521(8)(d), 521(10), 523(3)
- Review of order made by superior court judge, CC 522(4), (iii), 523(2)(c)(ii), 680
- Trial delay review hearings, CC 525
 - application, timing of, CC 525(1)
 - cancellation of hearing, CC 525(3)
 - conduct of hearing, CC 517 to 519
 - “judge” defined in Quebec, CC 525(7)
 - order to be made, CC 525(4)
 - progress of proceedings, CC 525(4)
 - release order, CC 525(5)
 - surety, declaration of, CC 515.1
 - timing of application, CC 525(1)
 - waiver, CC 525(1.1)
- Variation of release order, CC 519.1
- Victim’s safety and security, CC 515(13)
- “Warrant,” CC 493

JUDICIAL NOTICE

- See also Statutes
- Acts of Imperial Parliament, CEA 17
- Acts of Parliament, CEA 18
- Acts of provincial legislature, CEA 17
- Rules, regulations, by-laws, CC 781(2)

JUDICIAL OFFICER

- Bribery, CC 119

JUDICIAL PROCEEDING

- Certified copy as evidence, CEA 23
- Defined, CC 118
- Evidence previously taken, CC 715, 822(5)

JURISDICTION

- See also adjournment, Nunavut Court of Justice, Venue
- Accused not present, CC 485(1.1)
- Adjournments, see Adjournment (Remands)

JURISDICTION—Cont'd

- Continuation of proceedings, **CC 669.2**
- Court of appeal, see Appeals (Indictable Offences)
- Court of criminal jurisdiction
 - “court of criminal jurisdiction,” **CC 2**
 - jurisdiction over person, **CC 470**
 - offence jurisdiction, **CC 469**
 - rule-making authority, **CC 482(2), (3)**
- Defects in jurisdiction
 - defects in jury process, **CC 670 to 672**
 - procedural irregularities, **CC 485**
- Provincial court judge
 - absolute jurisdiction, **CC 553**
 - consent jurisdiction, **CC 536(3)**
 - decide to hold preliminary inquiry, **CC 555**
 - jurisdiction over person, **CC 470**
 - “provincial court judge,” **CC 2**
- Summary conviction court, see Summary Conviction Proceedings
- Superior court of criminal jurisdiction
 - exclusive jurisdiction, **CC 469, 473**
 - general jurisdiction, **CC 468**
 - jurisdiction over person, **CC 470**
 - rule-making authority, **CC 482(1), (3)**
 - “superior court of criminal jurisdiction,” **CC 2**
- Territorial (offence) jurisdiction
 - breach of probation, **CC 733.1**
 - consent of Attorney General, **CC 477.2**
 - conspiracy in or out of Canada, **CC 465(5)**
 - credit card offences, **CC 342(2)**
 - defamatory libel, **CC 478(2), (5)**
 - newspaper libel, **CC 478(2)**
 - offence between territorial divisions, **CC 476(a), (b)**
 - offence elsewhere in province, **CC 479**
 - offence in, above or beyond continental shelf, **CC 477.1**
 - offence in aircraft in flight, **CC 476(d)**
 - offence in fishing zone, **CC 477.1(b)**
 - offence in territorial waters, **CC 477, 477.2**
 - offence in unorganized territory, **CC 480**
 - offence in vehicle or vessel, **CC 476(c)**
 - offence not in province, **CC 481**
 - offence re delivery of mail, **CC 476(e)**

JURISDICTION—Cont'd

- Territorial (offence) jurisdiction—Cont'd
 - offences outside Canada, **CC 6(2), 7, 477.1, 481.2**
 - sexual offences against children outside Canada, **CC 7(4.1), (4.2)**
- Trial judge appointed to another court, **CC 669.3**
- Trial judge dies or unable to continue, **CC 669.2**
- Youth court justice, see Youth Criminal Justice

JURY

- Additional jurors, see empanelling jury
- Adjournment when no jury summoned, **CC 474**
- Alternate jurors, see empanelling jury
- Challenges
 - challenge for cause, **CC 638**
 - challenge in writing, **CC 639, Form 41**
 - denial of challenge, **CC 639(3)**
 - grounds, **CC 638**
 - trial of challenge, **CC 640**
- challenge to array, **CC 629**
 - direction to return new panel, **CC 630**
 - trial of challenge, **CC 630**
- peremptory challenges
 - of mixed jury, **CC 627, 635**
 - order of challenge, **CC 635**
- Discharge of jurors
 - alternate jurors, **CC 642.1(2)**
 - from verdict on severed count, **CC 591(4)**
 - of juror during trial, **CC 644(1), (2)**
 - of jury on disagreement, **CC 653(1)**
- Disclosure of proceedings, **CC 649**
- Effect of noncompliance, **CC 643(3)**
- Empanelling jury
 - additional jurors
 - power to order, **CC 631(2.2)**
 - reduction of number to 12, **CC 652.1(2)**
 - alternate jurors
 - calling persons who have stood by, **CC 641(1)**
 - cards to be drawn, **CC 631(3) to (3.1)**
 - discharge of, **CC 642.1(2)**

INDEX

JURY—Cont'd

- Empanelling jury—Cont'd
 - alternate jurors—Cont'd
 - drawing additional names, CC 631(5)
 - limit on access/use of information, CC 631(6)
 - power to order, CC 631(2.1)
 - publication ban, CC 631(6)
 - separation of names, CC 643(1.1)
 - substitution of, CC 642.1(1)
 - summoning other jurors when panel exhausted, CC 642(1)
 - swearing of, CC 631(4)
 - automated means, CC 631.1
 - by sheriff, before swearing, CC 631
 - calling persons who have stood by, CC 641
 - challenges, see challenges
 - composition of jury, ultimate, CC 643(1)
 - defect in process
 - judgment not stayed, CC 670
 - electronic means, CC 631.1
 - excusing, by judge, CC 632
 - irregularities not affecting verdict, CC 670, 671
 - presiding judge, CC 626.1
 - protection of juror identity, CC 631(3.1), (6)
 - publication ban to protect jurors, CC 631(6)
 - separation of names, CC 643(1.1)
 - summoning additional jurors when panel exhausted, CC 642
- Evidence on trial
 - admissions at trial, CC 655
 - character evidence, CC 666
 - children's evidence, CC 659
 - of stealing ores or minerals, CC 656
 - previous conviction, CC 664, 665, 667
 - proof of age, CC 658
 - proof of ownership and value of property, CC 657.1
 - statement of accused, CC 657
- Influencing juror, CC 139(3)(b), (c)
- Limit on access/use of information re, CC 631(6)
- Powers of court preserved, CC 672
- Presence of accused during trial, CC 650(1) to (2), 650.01, 650.02

JURY—Cont'd

- Publication ban to protect, CC 631(6)
- Qualification of jurors, CC 626
- Reduction of number to 12, CC 652.1(2)
- Refreshment, food and lodging, CC 647(5)
- Separation of jurors, CC 647(1)
 - restriction on publication, CC 648
 - failure to comply, CC 648(2)
- Sequestration, CC 647(2)
- Stand bys
 - by judge, CC 633
 - calling persons who have stood by, CC 641
- Support for juror with physical disability, CC 627
- Treason or high treason
 - copy of panel delivered to accused, CC 604
- Trial by jury compulsory, CC 471
 - exception, CC 473
- Trial of issues, CC 643(2), 652.1
- Trial without jury on consent, CC 473
- Verdict
 - defect in process not ground for quashing, CC 671
 - disagreement upon verdict, CC 653
 - recommendation in murder by young person, CC 745.3
 - recommendation in second degree murder, CC 745.2, 745.3, 745.21
 - recommendation where multiple murders, CC 745.21
 - review of parole ineligibility, CC 745.6
 - taking on Sunday, CC 654
- View by jury, CC 652
- Warning concerning children's evidence, CC 659

JUSTICE SYSTEM PARTICIPANT

- Bail conditions to protect, CC 515(4.1) to (4.2)
- Defined, CC 2
- Exclusion of public to protect, CC 486
- Intimidation of, CC 423.1
 - see also Intimidation
 - murder during deemed first degree, CC 231(6.2)
 - recognizance, to prevent, CC 810.01
- Protection of, CC 486 to 486.3, 486.5, 810.01

JUSTICE SYSTEM PARTICIPANT

—Cont'd

Publication ban to protect, **CC 486.5(2) to (9)**

Recognizance, to protect, **CC 810.01**
Remote attendance by, **CC 715.21 to 715.26**

Revise, application to, **CC 486.51**
Testimony outside courtroom, **CC 486.2(2) to (6)**

Vary, application to, **CC 486.51**

JUSTIFICATION

See also defences

In offences requiring wilfulness, **CC 429(2)**

Plea in defamatory libel, **CC 611, 612**

KIDNAPPING

See also Abduction, Confinement,
Hostage Taking

Causing death, **CC 231(5)(a)**

Internationally protected person outside
Canada, **CC 7(3)**

outside Canada, **CC 7(5) to (7)**

threat to kidnap, **CC 424**

Offence, **CC 279(1)**

Punishment where firearm used, **CC 279(1.1)(a), (a.1)**
subsequent offences, **CC 279(1.2), (1.3)**

Punishment where victim under 16, **CC 279(1.1)(a.2), 279(1.21)**

factors to consider, **CC 279(1.21)**

United Nations or associated personnel,
outside Canada, **CC 7(3.71)**

LANGUAGE OF COURT

Generally, **CA Part I 19**

And provincial laws, **CC 532**

Change of venue, **CC 531**

Coming into force, **CC 534**

Jury

mixed jury in Quebec, **CC 627**

Language used in proceeding, **CC 530.2**

Regulations, **CC 533**

Review of provisions, **CC 533.1**

Right of accused, **CC 530 to 530.1**

Translation of documents, **CC 530.01**

LAUNDERING PROCEEDS OF CRIME

See also Proceeds of Crime

Generally, **CC 462.31**

LAUNDERING PROCEEDS OF CRIME

—Cont'd

Controlled drug offences, **CSDA 7**

LAW ENFORCEMENT IMMUNITY

Authorization to commit unlawful acts or
omissions

civilian oversight, **CC 25.1(3.1)**

controlled drugs and substances
offences, **CC 25.1(14)**

definitions, **CC 25.1(1)**

designation of public officers, **CC 25.1(3) to (7)**

designation of senior officials, **CC 25.1(5)**

justification for acts and omissions, **CC 25.1(8), (10)**

limitation on, **CC 25.1(11), (13) to (14)**

notification of affected parties, **CC 25.4**

principle, **CC 25.1(2)**

reporting requirements, **CC 25.2, 25.3**
requirements for certain acts, **CC 25.1(9)**

General protection, **CC 25(1), (2)**

citizen's arrest, **CC 494(4)**

exception, **CC 25(3)**

Regulations relating to, **CSDA 55(2) to (2.1)**

Use of force, authorized

aircraft, aboard, **CC 27.1**

arrest, in course of, generally, **CC 25(4)**

arrest of wrong person, **CC 28**

escape from penitentiary, in case of,
CC 25(5)

limits upon, **CC 26**

preventing breach of peace, **CC 30**

preventing commission of offence, **CC 27, 27.1**

suppressing riots, **CC 32, 33**

LEGAL ASSISTANCE

On appeal, **CC 684, 694.1, 839(2)**

LEGAL RIGHTS

Arbitrary detention or imprisonment
prohibited, **CA Part I 9**

Arrest or detention, rights on, **CA Part I 10**

Bail, **CA Part I 11(e)**

Compellability, **CA Part I 11(c)**

INDEX

LEGAL RIGHTS—Cont'd

- Cruel and unusual treatment or punishment prohibited, **CA Part I 12**
- Double jeopardy prohibited, **CA Part I 11(h)**
- Interpreter, **CA Part I 14**
- Life, liberty and security of the person, **CA Part I 7**
- Presumption of innocence, **CA Part I 11(d)**
- Retroactive offences prohibited, **CA Part I 11(g)**
- Self-incrimination, protection against, **CA Part I 13**
- Specific information when charged with offence, **CA Part I 11(a)**
- Trial by jury, **CA Part I 11(f)**
- Trial within reasonable time, **CA Part I 11(b)**
- Unreasonable search or seizure prohibited, **CA Part I 8**
- Variation of penalty benefit of any, **CA Part I 11(i)**

LETHAL DEVICES

- Delivery to specified government/public facilities, **CC 431.2**
 - definitions, **CC 431.2(1)**
 - DNA order on conviction or discharge, **CC 487.04, 487.051**
 - exception, armed forces, **CC 431.2(3)**
 - offence, **CC 431.2(2)**
 - offence outside Canada, **CC 7(3.72), (5) to (7)**
- Detonation in specified government/public facilities, **CC 431.2**
 - definitions, **CC 431.2(1)**
 - DNA order on conviction or discharge, **CC 487.04, 487.051**
 - exception, armed forces, **CC 431.2(3)**
 - offence, **CC 431.2(2)**
 - offence outside Canada, **CC 7(3.72), (5) to (7)**
- Discharge in specified government/public facilities, **CC 431.2**
 - definitions, **CC 431.2(1)**
 - DNA order on conviction or discharge, **CC 487.04, 487.051**
 - exception, armed forces, **CC 431.2(3)**
 - offence, **CC 431.2(2)**
 - offence outside Canada, **CC 7(3.72), (5) to (7)**

LETHAL DEVICES—Cont'd

- “Lethal device,” **CC 431.2**
- Placement in specified government/public facilities, **CC 431.2**
 - definitions, **CC 431.2(1)**
 - DNA order on conviction or discharge, **CC 487.04, 487.051**
 - exception, armed forces, **CC 431.2(3)**
 - offence, **CC 431.2(2)**
 - offence outside Canada, **CC 7(3.72), (5) to (7)**

LETTERS ROGATORY

- Generally, **CEA 51(2)**

LIBEL

- See Blasphemous Libel, see Defamatory Libel, see Sedition

LICENSING

- Automobile master key, **CC 353(2)**
- Imperial licence, proof, **CEA 20**
- Interception device, **CC 191(2)(d), 191(3)**
- Lottery, **CC 207**
- Proof of non-issuance of licence, **CEA 26(2)**

LIEUTENANT-GOVERNOR

- See also applicable transitional provisions
- Direction for payment of penalties, **CC 734.4(3)(a)**

LIFE

- Duty of persons undertaking acts dangerous to life, **CC 216**
- Endangering life by abandoning child, **CC 218**
- Impeding attempt to save, **CC 263**

LIFE IMPRISONMENT

- See Parole

LIMITATION

- Recovery of penalty, **CC 734.6(2)**
- Summary convictions, **CC 786(2)**
- Treason, **CC 48**
- Trial within a reasonable time, **CA Part I 11(b)**
- Young persons, **YCJA 14(3), 142(4)**

LIVING ON AVAILS

- See Avails

LOAN

- See also Credit

LOAN—Cont'd

False statement to procure, **CC 400**

LOITERING

Public place, **CC 175(1)(c)**

Trespassing at night, **CC 177**

LONG-TERM OFFENDERS

Appeal, **CC 759**

Application for finding, **CC 753.1(1)**

Application for remand for assessment,
CC 752.1(1)

after imposition of sentence, **CC 753(3)**
exception re hearing requirements, **CC 754(1)**

extension of time, **CC 752.1(3)**

notice of intention to bring, **CC 752.01**
report, **CC 752.1(2)**

Evidence of character, **CC 757**

Finding, **CC 753.1(3.1)**

exception, **CC 753.1(3.1), 755(1)**

negative, **CC 753.1(6)**

“Substantial risk,” **CC 753.1(2)**

Supervision, **CC 753.2(1)**

application for reduction in period, **CC 753.2(3)**

notice to Attorney General, **CC 753.2(4)**

breach, **CC 753.3(1)**

trial and punishment, **CC 753.3(2)**

concurrent sentences and, **CC 753.2(2)**
defined, **CC 752**

exception where life sentence imposed,
CC 755(1)

maximum length, **CC 755(2)**

where new offence, **CC 753.4**

Transcripts to Correctional Service, **CC 760**

Witnesses

victim, **CC 753.02**

LOTTERY

Buying tickets, **CC 206(4)**

Conducting lottery, **CC 206(1)(d)**

Dealing in tickets, **CC 206(1)(b)**

Foreign lottery, **CC 206(7)**

Forfeiture of property, **CC 206(5), (6)**

Jurisdiction of provincial court judge, **CC 553(c)(iv)**

Making or advertising scheme, **CC 206(1)(a)**

LOTTERY—Cont'd

Permitted lottery, **CC 207**

on international cruise ship, **CC 207.1**

participation from outside province,
CC 207(3) to (4.1)

Provisions not applicable to pari-mutuel
system, **CC 207(5)**

Sending lottery device or scheme, **CC 206(1)(c)**

LUMBER

Dealing in lumbering equipment without
consent, **CC 339(2)**

Registered mark as evidence of property,
CC 339(4)

Search, **CC 339(3)**

Taking possession or defacing mark of
drift timber, **CC 339(1)**

LURING CHILD

Defence, **CC 172.1(4)**

Designated offence for dangerous
offender purposes, **CC 752**

Designated offence for SOIRA purposes,
CC 490.011(1)

Forfeiture on conviction, **CC 164.2**

Offence, **CC 172.1(1)**

Offence outside Canada, **CC 7(4.1)**

Presumption re age, **CC 172.1(2)**

Primary designated offence for DNA
purposes, **CC 487.04**

Prohibition order, **CC 161**

Punishment, **CC 172.1(2)**

Recognizance to prevent offence, **CC 810.1**

Relief from, **CC 164.3**

MAIL

Jurisdiction over offences, **CC 476(e)**

Letter conveying false message, **CC 372(1)**

Obscene material, **CC 168, 169**

Possession of stolen mail, container or
key, **CC 356(1)(b)**

joinder of accused, **CC 593**

Proof of government mailing, **CEA 26(3)**

Stopping with intent to rob or search, **CC 345**

Theft of mail, container or key, **CC 356(1)(a)**

Using mails to defraud, **CC 381**

**MAKING SEXUALLY EXPLICIT
MATERIAL AVAILABLE TO
CHILD**

- Defence re age of victim, limitation on, **CC 171.1(4)**
- Definition of “sexually explicit material,” **CC 171.1(5)**
- Designated offence for SOIRA purposes, **CC 490.011(1)**
- Offence, **CC 171.1(1) to (2)**
- Offence outside Canada, **CC 7(4.1)**
- Presumption re age, **CC 171.1(3)**
- Primary designated offence for DNA purposes, **CC 487.04**
- Prohibition order, **CC 161**
- Recognizance to prevent offence, **CC 810.1**

MANAGEMENT ORDERS

- Offence-related property
 - appointment of Minister to manage, **CC 490.81(2)**
 - destruction of property pursuant to, **CC 490.81(4) to (7)**
 - duration of, **CC 490.81(8)**
 - power of court, **CC 490.81(1), (7)**
 - power to manage, **CC 490.81(1), (3) to (4)**
 - variation of, **CC 490.81(9)**
- Proceeds of crime
 - appointment of Minister to manage, **CC 462.331(2)**
 - destruction of property pursuant to, **CC 462.331(4) to (7)**
 - duration of, **CC 462.331(8)**
 - power of court, **CC 462.331(1), (7)**
 - power to manage, **CC 462.331(1), (3) to (4)**
 - variation of, **CC 462.331(9)**
- Terrorist group property
 - appointment of manager, **CC 83.13(2) to (3)**
 - appointment of Minister to manage, **CC 83.13(3)**
 - destruction of property pursuant to, **CC 83.13(4) to (8)**
 - duration of, **CC 83.13(9)**
 - power of court, **CC 83.13(2) to (3), (8)**
 - power to manage, **CC 83.13(2), (4) to (5)**
 - procedure, **CC 83.13(11) to (12)**
 - variation of, **CC 83.13(12)**

MANDAMUS

- Appeal from grant or refusal, **CC 784(1), (2)**
- Rules of court re, **CC 482(3)(c)**

MANITOBA

- Generally, **CC 2, 160(11), 164(8), 188(4), 320(8), 493, 552, 745.6(3), 812, 814(1)**

MANSLAUGHTER

- See also Homicide
- Coroner’s warrant, **CC 529**
- Culpable homicide as, **CC 222(4), (5), 234**
- Dangerous operation as included offence, **CC 662(5)**
- Failure to safeguard ice-hole or excavation, **CC 263(1), (2), (3)(a)**
- Flight causing bodily harm or death as included offence, **CC 662(5)**
- Indictment barred, **CC 610(2), (4)**
- In operation of motor vehicle, vessel or aircraft
 - included offence, **CC 662(5)**
- Internationally protected person outside Canada, **CC 7(3), (5) to (7)**
- Punishment, **CC 236**
 - use of firearm, **CC 236(a)**
- United Nations or associated personnel, outside Canada, **CC 7(3.71)**

MARINE SIGNAL

- Interfering with signal, **CC 439**
- defence, **CC 429(2)**

**MARITIME NAVIGATION,
INTERNATIONAL**

- Offence outside Canada
 - accessory after the fact, **CC 7(2.1), (2.2)**
 - attempt, **CC 7(2.1), (2.2)**
 - consent to prosecution, **CC 7(7)**
 - conspiracy, **CC 7(2.1), (2.2)**
 - counselling, **CC 7(2.1), (2.2)**
 - deemed committed in Canada, **CC 7(2.1)**
 - prosecution outside Canada, **CC 7(6)**

MARK

- See also Trademark
- Counterfeiting government mark, **CC 376(2)**



MARK—Cont'd

“Mark,” CC 376(3)

MARRIAGE

Age of 16 years, CC 293.2

Bigamy, CC 290, 291(1)

marriage certificate as evidence, CC 291(2)

Fear of domestic violence, CC 810.03

Forced, CC 293.1

“Form of marriage,” CC 214

Polygamy, CC 293

Pretending to solemnize marriage, CC 294(a)

Procuring feigned marriage, CC 292(1)
corroboration, CC 292(2)

Procuring pretended solemnization, CC 294(b)

Publication of reports of proceedings, CC 166

punishment, CC 169

Recognizance

generally, CC 810.02(1)

adjudication, CC 810.02(3)

appearances, CC 810.02(2)

conditions, CC 810.02(6) to (9)

duration extended, CC 810.02(4)

firearms, CC 810.02(7)

refusal to enter into, CC 810.02(5)

surrender, etc., CC 810.02(8)

variances, CC 810.02(9)

Register of marriages

defacing or making false entry, CC 377(1)

Solemnization contrary to law, CC 295

MEDICAL AND PSYCHOLOGICAL REPORTS

See also Assessments (Mental Disorder)

Young persons, YCJA 34

MEDICAL ASSISTANCE IN DYING

Clarification, CC 241(5.1), 241.2(9)

Code s. 14, non-application of, CC 227(4)

Defined, CC 227(5), 241.1, 241(7), 245(3)

Documents

defined, CC 241.4(4)

destruction of, CC 241.4

punishment, CC 241.4(3)

Eligibility, CC 241.2(1)

MEDICAL ASSISTANCE IN DYING**—Cont'd**

Exemptions

generally, CC 227(1)

administering noxious thing, CC 245(2)

patient, person aiding, CC 241(5)

pharmacist, person aiding, CC 241(4)

practitioner, person aiding, CC 227(2), 241(3)

suicide and, CC 241(2)

Filing information, CC 241.31

Forgery

generally, CC 241.4(1)

punishment, CC 241.4(3)

Medical practitioner

defined, CC 227(5), 241.1, 241(7), 245(3)

filing information, CC 241.31

independence of, CC 241.2(6)

person aiding, CC 227(2), 241(3)

Mistaken belief, reasonable but, CC 227(3), 241(6)

Nurse practitioner

defined, CC 227(5), 241.1, 241(7), 245(3)

filing information, CC 241.31

independence of, CC 241.2(6)

person aiding, CC 227(2), 241(3)

Pharmacist

defined, CC 241(7), 241.1

filing information, CC 241.31

informing, CC 241.2(8)

person aiding, CC 241(4)

Reasonable but mistaken belief, CC 227(3), 241(6)

Reasonable knowledge, care and skill, CC 241.2(7)

Safeguards

generally, CC 241.2(3)

comply with, failure to, CC 241.3

death foreseeable, CC 241.2(3)

death not foreseeable, CC 241.2(3.1)

Sign, inability to, CC 241.2(4)

Witness, independent, CC 241.2(5), (5.1)

MENTAL DISORDER

See also Assessments (Mental Disorder),
Dispositions and Disposition Hear-
ings (Mental Disorder), Fitness to

INDEX

MENTAL DISORDER—Cont'd

- Stand Trial, Firearms, Review Boards
- Burden of proof, **CC 16(3)**
- Dispositions and disposition hearings, see Dispositions and Disposition Hearings (Mental Disorder)
- Exemption from criminal responsibility, **CC 16(1)**
- High-risk accused, see High-Risk Accused
- Presumption against, **CC 16(2)**
- Special verdict
 - appeals by accused from, **CC 675(3)**
 - effect of, **CC 672.35**
 - on application for federal employment, **CC 672.37**
 - form of special verdict, **CC 672.34**
 - not a previous conviction, **CC 672.36**
- Young persons, **YCJA 141**

MERCY

- See also Miscarriages of Justice, Pardon
- Royal prerogative, **CC 749, 751**

MILITARY LAW

- See also Armed Forces
- Effect of Charter, **CA Part I 11(f)**
- Effect of Code, **CC 5**

MILITARY STORES

- Receiving, **CC 420**
- presumption of enlistment, **CC 421(1)**

MILITARY TRIBUNAL

- See Armed Forces

MILITARY UNIFORM

- Unlawful use, **CC 419**
- presumption of enlistment, **CC 421(1)**

MINE

- Salting, **CC 396(1)**

MINERALS

- Forfeiture, **CC 394(6), 394.1(4), 395(2)(b)(ii)**
- Fraud, **CC 394(1)**
- Fraudulent concealment, **CC 394(1)**
- Possession as proof of theft, **CC 656**
- Possession of stolen or fraudulently obtained, **CC 394.1**
- Purchase of, **CC 394(3), (4)(b)**
- Sale of, **CC 394(2), (4)(a)**

MINERALS—Cont'd

- Salting mine or sample, **CC 396(1)**
- Search and seizure, **CC 395**
- Taking for scientific purpose not theft, **CC 333**

MINT

- Conveying coining instruments out of mint, **CC 459**

MISCARRIAGE

- See Abortion, see Procuring

MISCARRIAGES OF JUSTICE

- Application for ministerial review
 - considerations upon decision by Minister, **CC 696.4**
 - determination by court of appeal, **CC 696.3(3)(a)(ii)**
 - dismissal by Minister, **CC 696.3(3)(a)(i)**
 - finality of decision, **CC 696.3(4)**
 - form of, **CC 696.1(2)**
 - referrals to court of appeal, **CC 696.3(2), (3)(a)(ii)**
 - review by Minister, **CC 696.2, 696.3, 696.4**
 - right to bring, **CC 696.1(1)**
- Commission
 - Annual report, **CC 696.87**
 - outreach, **CC 696.81**
 - policies, **CC 696.83**
 - powers, **CC 696.84**
 - powers, duties and functions
 - accessibility, **CC 696.8**
 - security requirements, **CC 696.85**
 - staff, **CC 696.86**
 - transparency, **CC 696.82**
- Commissioners
 - diversity, **CC 696.73**
 - full or part time, **CC 696.74**
 - Knowledge and experience, **CC 696.75**
 - meetings, **CC 696.79**
 - remuneration, **CC 696.78**
 - role of chief commissioner, **CC 696.76**
 - term of office, **CC 696.77**
- Court of appeal
 - defined, **CC 696.3(1)**
 - determination of applications, **CC 696.3(3)(a)(ii)**
 - referrals to, **CC 696.3(2), (3)(a)(ii)**

MISCARRIAGES OF JUSTICE—Cont'd

- Court of appeal—Cont'd
 - release pending determination of reference, **CC 679(7)**
- Establishment and mandate commission, **CC 696.71, 696.72**
- Minister of Justice
 - duties of Minister
 - annual report, **CC 696.4**
 - considerations on applications, **CC 696.4**
 - review applications, **CC 696.2(1), 696.4**
 - powers of Minister
 - delegation, **CC 696.2(2)**
 - investigation, **CC 696.2(2)**
 - order for new hearing, **CC 696.2(3)**
 - referral to court of appeal, **CC 696.3(2), (3)(a)(ii)**
- Regulations
 - power to make, **CC 696.6**
- Release pending determination of reference, **CC 679(7)**

MISCHIEF

- Data, mischief re, **CC 342.2, (5), (5.1), (8), 430(1.1)**
- Property, mischief to, **CC 430**
 - cultural property, **CC 430(4.2)**
 - defence, **CC 429(2)**
 - defined, **CC 430(1)**
 - educational institution, **CC 430(4.1)**
 - endangering life, **CC 430(2)**
 - exceptions, **CC 430(6), (7)**
 - religious property, **CC 430(4.1)**
 - war memorial, **CC 430(4.11)**
 - where property not testamentary instrument or value over 01675,000, **CC 430(4), (5.1)**
 - where property testamentary instrument, **CC 430(3)**
 - where property value over 01675,000, **CC 430(3), (5.1)**
- Public mischief, **CC 140**

MISLEADING JUSTICE

- Compounding indictable offence, **CC 141**
- Conspiring to cause false prosecution, **CC 465(1)(b)**
- Fabricating evidence, **CC 137**
- False accusation, **CC 140**
- False statement, **CC 134**

MISLEADING JUSTICE—Cont'd

- Giving contradictory evidence, **CC 136**
- Obstructing justice, **CC 139**
- Perjury, **CC 131, 132**
- Pretended affidavit, **CC 138**
- Public mischief, **CC 140**
- Taking reward for recovery of goods, **CC 142**

MISTAKE

- See also Defences
- Apprehended consent, **CC 265(4)**
- Ignorance of law, **CC 19**
- Mistake of fact, **CC 8**
- Money, see Currency Offences
- Officially induced error, **CC 19**

MISTRIAL

- Trial rulings binding at new trial, **CC 653.1**

MORTGAGE

- See also Document of Title
- Fraudulent concealment, **CC 385**
- Fraudulent registration, **CC 386**
- Fraudulent sale of property, **CC 387**

MOTOR VEHICLES

- See also Driving Offences
- Joy-riding, **CC 335**
- Master keys, **CC 353**
- Possession with identification number removed, **CC 354(2), (3)**
- Prohibited weapon in, **CC 90(2)**
- Theft of, **CC 353.1**

MOTOR VEHICLE TRANSPORT ACT

- Drug impaired driving, see Drug Impaired Driving

MOVIE PIRACY

- Forfeiture on conviction, **CC 432(3), (4)**
- Unauthorized recording of movie for purpose of sale, etc., **CC 432(2)** simpliciter, **CC 432(1)**

MUNICIPALITY

- See also Organization
- Municipal corruption, **CC 123**
- “Municipality,” **CC 2**
- Right to proceeds of penalties, **CC 734.4(3)**
- Service on, **CC 703.2(a)**

INDEX

MURDER

- See also Homicide, Infanticide, Manslaughter
- Accessory after fact, **CC 240**
- Attempt, **CC 239**
- Classification, **CC 231(1), (7)**
 - first degree murder, **CC 231(2) to (6.2)**
 - constructive, **CC 231(5)**
 - contract, **CC 231(3)**
 - criminal harassment, **CC 231(6)**
 - criminal organization, **CC 231(6.1)**
 - form of indictment, **CC 582**
 - indictment for second degree murder barred, **CC 610(3)**
 - intimidation of journalist or justice system participant, **CC 231(6.2)**
 - jury recommendation re youths, **CC 743.1**
 - of police officer, prison guard or employee, **CC 231(4)**
 - order made, **CC 744.1**
 - parole ineligibility, **CC 747, 745.3, 745.21, 745.51**
 - planned and deliberate, **CC 231(2)**
 - sentence, **CC 745(a), 745.5**
 - terrorist activity, **CC 231(6.01)**
 - verdict where second degree proved, **CC 662(2)**
 - second degree murder
 - defined, **CC 229(a), (b), 231(7)**
 - indictment for first degree barred, **CC 610(3)**
 - parole ineligibility order
 - appeal regarding order, **CC 675(2) to (2.3), 676(4) to (6)**
 - consecutive, **CC 745.21, 745.51**
 - jury recommendation, **CC 745.2, 745.3, 745.21**
 - order made, **CC 745.4, 745.5, 745.51**
 - parole ineligibility, **CC 746.1(2), (3), 745.2 to 745.3, 745.51**
 - sentence, **CC 745(b), (b.1), 745.4, 745.5**
- Compulsion by threats, no defence, **CC 17**
- Consent not affecting liability, **CC 14**
- Conspiracy, **CC 465(1)(a)**
- Conviction barring charge of manslaughter or infanticide, **CC 610(2)**
- Coroner's warrant, **CC 529**

MURDER—Cont'd

- Definition, **CC 229**
- Indictment
 - joinder of counts, **CC 589**
 - severance of counts, **CC 591(3)(a)**
- Infanticide as included offence, **CC 662(3), (4)**
- Internationally protected person outside Canada, **CC 7(3), (5) to (7)**
- Judicial review of parole ineligibility, **CC 745.6(2)**
- Manslaughter as included offence, **CC 662(3)**
- Multiple
 - consecutive parole ineligibility orders judge's order, **CC 745.51**
 - jury recommendation, **CC 745.21**
 - judicial review of parole ineligibility, **CC 745.6(2)**
- Provocation reducing to manslaughter, **CC 232**
- Punishment, **CC 235, 745.1, 745.3**
 - attempt, where use of firearm, **CC 239(1)(a), (3), 239(1)(a.1), 239(2)**
 - multiple murders, **CC 745.21, 745.51**
 - persons under 18, **CC 745.1**
 - persons under 16 at time of offence, **CC 745.3**
- Threat against internationally protected person, **CC 7(3), 424**
- United Nations or associated personnel, outside Canada, **CC 7(3.71)**

MUSEUM

- Employee handling firearms, **CC 117.09(4), (5)**
- Transfers of weapons, **CC 117.07, 117.09**

MUTINY

- Encouraging mutiny, **CC 62(1)(b), (c)**
- Incitement to mutiny, **CC 53**
 - evidence, **CC 55**
 - indictment, **CC 581(4), 602**
 - overt acts, **CC 55**
- Mutiny on Canadian ship, **CC 75(c)**

NARCOTIC OFFENCES

- See Drug Offences

NECESSARIES OF LIFE

- Duty to provide, **CC 215(1)**
- Failure to provide, **CC 215(2)**
- presumptions, **CC 215(4)**

NECESSARIES OF LIFE—Cont'd

Failure to provide, **CC 215(2)**—Cont'd
punishment, **CC 215(3)**

Support as condition of probation, **CC 732.1(3)(e)**

NEW BRUNSWICK

Generally, **CC 2, Part I 17(2), Part I 18(2), Part I 19(2), Part I 20(2), 164(8), 188(4), 320(8), 552, 745.6(3), 812; CA Part I 16(2)**

NEWFOUNDLAND

Generally, **CC 2, 164(8), 188(4), 320(8), 483, 534, 552, 745.6(3), 812**

NEWSPAPER

See also Defamatory Libel, Publicity
“Newspaper,” **CC 297, 478(5)**

NEW TRIAL

See Appeals

NON-COMMUNICATION ORDER

Failure to comply with, **CC 743.21(2)**
Power to issue, **CC 743.21(1)**

NORTHWEST TERRITORIES

“Appeal court,” **CC 812**
Application of Code provisions, **CC 8(1)**
“Appropriate Chief Justice,” **CC 745.6(3)**
“Court of appeal,” **CC 2**
Empanelling jury
 challenge for cause, **CC 638**
Forfeiture of recognizance, **CC 762(1)**
“Judge” under Part XIX, **CC 552**
“Judge” under Part XVI, **CC 493**
Preferring indictment, **CC 577**
“Superior court of criminal jurisdiction,”
 CC 2
Venue for summary conviction appeal,
 CC 814(4)

NORTHWEST TERRITORIES ACT

Generally, **CC 8(1)**

NOTARIAL ACT OR INSTRUMENT

Copy as proof, **CEA 27**

NOTICE

Notice of appeal
 court of appeal, **CC 678, 839(2)**
 election for new trial, **CC 686(5)**

NOTICE—Cont'd

Notice of appeal—Cont'd
 summary conviction appeal court, **CC 815(1), 830(3)**
 notification of clerk of court, **CC 821(1)**

Supreme Court of Canada, **CC 694**

Notice of application
 inspection of bank account, **CEA 29(6)**
 interception of communication, **CC 185**

leave to appeal, **CC 678, 839(2)**

 election for new trial, **CC 686(5)**

preventive detention, **CC 754(1)**

release of exhibits, **CC 605(1)**

release pending appeal or new trial, **CC 679(2)**

review of order for release, **CC 521(2)**

Notice of expert testimony, **CC 657.3(3) to (7)**

Notice of hearing

 forfeiture of recognizance, **CC 771(1)(b)**

 for sureties to show cause, **CC 773(2)**

Notice of indictment of organization, **CC 621**

Notice of intention to produce

 business record or affidavit, **CEA 30(7)**

 certificate of examiner of counterfeit,
 CC 461(3)

 certificate of failure to appear, **CC 145(11)**

 certificate of fingerprint examiner, **CC 667(4)**

 copy of document, **CEA 28**

 transcript of intercepted communica-
 tion, **CC 189(5)**

Notice of intention to re-elect

 non-jury trial, **CC 565(3)**

 provincial court judge, **CC 561(3), (4), 561.1(4) to (7)**

Notice of intention to seek greater punish-
ment, **CC 83.27, 665**

Notice of intention to tender “credible
and trustworthy” evidence at prelim,
CC 540(8)

Notice of obligation to comply with sex
offender registration requirements,
CC 490.02

Notice of prescribing distinguishing mark,
CC 416

INDEX

NOTICE—Cont'd

- Notice of recommencement of proceedings, **CC 579(2)**
- Notice of sex offender information registration order, **CC 490.018**
- Notice to person posting child pornography, **CC 164.1(2)**
- Proof of service, **CC 4(6) to (7)**; **CEA 40**
- Sheriff's notice
 - of trial, **CC 560(3)**
 - that accused in custody, **CC 560(1), (2)**

NOVA SCOTIA

- Generally, **CC 2, 188(4), 493, 534, 552, 745.6(3), 812**

NOXIOUS THING

- Administering, **CC 245(1)**

NUCLEAR TERRORISM

- Alteration of device or material
 - with intent to compel/inhibit act, **CC 82.4**
 - with intent to damage/harm/kill, **CC 82.3**
- Armed forces exception to offences, **CC 82.7**
- Commission of indictable offence
 - with intent to obtain access to facility, **CC 82.5**
 - with intent to obtain device/material, **CC 82.5**
- Definition of "device," **CC 82.2**
- DNA order on conviction
 - primary designated offences, **CC 487.04**
- Making of device, **CC 82.3**
- Offence outside Canada, committed, **CC 7(2.21)**
- Possession, etc. of device/material, **CC 82.3**
- Serious disruption of facility's operations
 - with intent to compel/inhibit act, **CC 82.4**
 - with intent to damage/harm/kill, **CC 82.3**
- Serious interference with facility
 - with intent to compel/inhibit act, **CC 82.4**
 - with intent to damage/harm/kill, **CC 82.3**
- Threats, **CC 82.6**

NUCLEAR TERRORISM—Cont'd

- Use of device/material
 - with intent to compel/inhibit act, **CC 82.4**
 - with intent to damage/harm/kill, **CC 82.3**
- Wiretap for, **CC 183 "offence" (a)(xii.01) to (xii.03)**

NUDITY

- Generally, **CC 174**

NUISANCE

- See also Mischief
- Common nuisance, **CC 180**
- Failure to perform duty in burial, **CC 182(a)**
- Interference with dead body, **CC 182(b)**

NUNAVUT

- "Appeal court," **CC 812(2), 829(2)**
- Application of Code provisions, **CC 8(1)**
- "Appropriate Chief Justice," **CC 745.6(3)**
- "Attorney General," **CC 2**
- "Court of appeal," **CC 2**
- Election, **CC 536.1(2) to (4.2), 536.2, 561.1, 565(2), 567.1, 569**
- Indictment, preferment of, **CC 566.1, 577**
- "Judge" under Part XIX, **CC 552**
- "Judge" under Part XVI, **CC 493**
- Preliminary inquiry
 - agreement to limit scope, **CC 536.5, 549(1.1)**
 - general, **CC 555.1**
 - jurisdiction, **CC 536.1(5)**
 - pre-inquiry hearing, **CC 536.4**
 - remand, **CC 536.1(1)**
 - request for, **CC 536.1(3) to (4.2), (1.2), 556(4), 574(1.1), 577**
- Re-election, **CC 536.2, 561.1, 562.1, 563.1**
- "Superior court of criminal jurisdiction," **CC 2**
- Venue for summary conviction appeal, **CC 814(4)**

NUNAVUT COURT OF JUSTICE

- Applications for review of decisions of appeal from decision made on review, **CC 573.1(7)**
- grounds of review, **CC 573.1(3)**
- limitation, **CC 573.1(2)**

NUNAVUT COURT OF JUSTICE**—Cont'd**

Applications for review of decisions of
 —Cont'd
 orders subject to review, **CC 573.1(1), (2)**
 powers of reviewing judge, **CC 573.1(4), (5)**
 rules governing, **CC 573.1(6)**
 Election procedures in, **CC 536.1, 555.1, 565, 567.1, 569, 598**
 on retrial, **CC 686(5.1), (5.2)**
 Habeas corpus
 availability, in respect of orders and warrants of, **CC 573.2**
 Jurisdiction, **CC 536.1(5), 553, 554, 557, 558, 560, 573**
 Preferred indictment in, **CC 566.1**
 Preliminary inquiry in
 agreement to limit scope, **CC 536.5, 549(1.1)**
 continuation of proceedings as, where subject matter is testamentary instrument or value exceeds 01675000, **CC 555.1(2), (3)**
 decision to hold, where appears offence should be prosecuted by indictment, **CC 555.1**
 pre-inquiry hearing, **CC 536.4**
 request for, **CC 536.1(3) to (4.2), (1.2), 556(4), 574(1.1), 577**
 Re-election procedures in, **CC 536.2, 561.1, 562.1, 563.1, 565, 567.1, 569, 598**
 Trial procedures in
 mode of trial where multiple accused, **CC 567.1**
 mode of trial where new trial ordered following appeal, **CC 686(5), (5.01)**
 taking of evidence on trial by judge alone, **CC 557**

OATH

See also Affidavit, Affirmation, Perjury
 Administration, **CEA 13**
 without authority, **CC 138**
 Affirmation in lieu, **CEA 15**
 Child, **CEA 16(1), 16.1**
 Contradictory evidence, **CC 136**
 Electronic, **CC 846**

OATH—Cont'd

False statement under oath, **CC 133**
 order for particulars, **CC 587(1)(a)**
 sufficiency of counts, **CC 585(b)**
 Oath administered abroad, **CEA 52 to 54**
 Perjury, **CC 131**
 order for particulars, **CC 587(1)(a)**
 sufficiency of counts, **CC 585(a)**
 Refusal to be sworn, **CC 545(1)**
 Requirement of sworn evidence
 preliminary inquiry, **CC 540(1)(a)**
 Where mental capacity challenged, **CEA 16(1)**
 Witness in foreign proceedings, **CEA 49**

OBEDIENCE TO DE FACTO LAW

Generally, **CC 15**

OBSCENITY

See also Crime Comic
 Appeal from forfeiture or restoration, **CC 164(6)**
 Consent to prosecute where order of forfeiture, **CC 164(7)**
 Delivering by mail, **CC 168**
 punishment, **CC 169**
 Exposing to public view, **CC 163(2)(a)**
 consent to prosecution, **CC 164(7)**
 motive irrelevant, **CC 163(5)**
 presumption of obscenity, **CC 163(8)**
 punishment, **CC 169**
 service of public good as defence, **CC 163(3)**
 Forfeiture, **CC 164(3), (4)**
 Mailing, **CC 168, 169**
 Obscene theatrical performance
 presenting or allowing, **CC 167(1)**
 punishment, **CC 169**
 taking part, **CC 167(2)**
 Publishing
 consent to prosecution, **CC 164(7)**
 ignorance no defence, **CC 163(6)**
 motive irrelevant, **CC 163(5)**
 presumption of obscenity, **CC 163(8)**
 punishment, **CC 169**
 service of public good as defence, **CC 163(3), (4)**
 Restoration after seizure, **CC 164(5)**
 Sale, **CC 163(2)(a)**
 consent to prosecution, **CC 164(7)**
 motive irrelevant, **CC 163(5)**

INDEX

OBSCENITY—Cont'd

- Sale, **CC 163(2)(a)**—Cont'd
 - presumption of obscenity, **CC 163(8)**
 - punishment, **CC 169**
 - service of public good as defence, **CC 163(3), (4)**
- Summons, **CC 164(2)**
 - punishment, **CC 169**
- Warrant of seizure, **CC 164(1)**

OBSTRUCTION

- Execution of process, **CC 129(c)**
- Highway, **CC 423(1)(g)**
- Justice, **CC 139**
- Officiating clergyman, **CC 176(1)**
- Peace officer, **CC 129(a)**
- Public officer, **CC 129(b)**
- Saving of vessel, **CC 438(1)**
- Saving of wreck, **CC 438(2)**
- Use of property, **CC 430(1)(c), (d)**

OFFENCE

- See also Jurisdiction
- Abolition of common law offences, **CC 9**
- Included offences, **CC 662**
- No conviction of child under 12, **CC 13**
- Offence under more than one Act, **CC 12**
- Rights of persons charged with, **CA Part I 11**

OFFENDER

- Definition, **CC 2**

OFFENSIVE WEAPON

- See Weapon

OFFICER, PEACE

- See also Judicial Interim Release
- Release or detention of accused, **CC 498, 499**

OFFICIAL

- See also Bribery, Corruption, Official Documents
- Certified copy as evidence, **CEA 24**
- Destruction etc., **CC 340**

OFFICIAL DOCUMENTS

- Identity documents, **CC 56.1**
 - definition of identity document, **CC 56.1(3)**
 - exceptions, **CC 56.1(2)**
 - punishment, **CC 56.1(4)**

OIL WELL

- Arson, **CC 433, 434**
- Salting, **CC 396**

ONTARIO

- Generally, **CC 2, 184(4), 493, 552, 745.6(3), 812**

OPERATE

- See also Motor Vehicles
- Definition, **CC 214**

ORDER TO STAND TRIAL

- Generally, **CC 548(1)(a), 549**

ORE

- See also Minerals
- Possession as proof of theft, **CC 656**
- Taking for scientific purpose, not theft, **CC 333**

ORGANIZATION

- Appearance, **CC 538, 556, 620, 800(3), 802.1**
 - default, **CC 556(2), 622, 623, 800(3)**
- Attributing liability to
 - duty of persons directing work, **CC 217.1**
 - “every one” includes, **CC 2**
 - negligence offences, **CC 22.1**
 - other offences, **CC 22.2**
- Criminal, see Criminal Organization
- Criminal responsibility
 - duty of persons directing work, **CC 217.1**
 - “every one” includes, **CC 2**
 - negligence offences, **CC 22.1**
 - other offences, **CC 22.2**
- Duty of persons directing work, **CC 217.1**
- Enforcement of judgment, **CC 735**
- Greater punishment where previous conviction, **CC 727(4)**
- Notice of indictment, **CC 621**
- “Organization” defined, **CC 2; CSDA 2(1)**
- Party liability
 - negligence offences, **CC 22.1**
 - other offences, **CC 22.1**
- “Person” defined, **CSDA 2(1)**
- Punishment, **CC 718.21, (3.2), 732.1(3.1), 735**
- “Representative,” defined, **CC 2**

ORGANIZATION—Cont'd

Request for preliminary inquiry
failure to request, CC 556(3), (4)
“Senior officer,” defined, CC 2
Sentencing
fines, CC 735
general considerations, CC 718.21
probation conditions, CC 732.1(3.1),
(3.2)
Service of process on, CC 703.2
Terrorist, see Terrorist Group
Trial and conviction, CC 623

ORGANIZATIONAL LIABILITY

See Organization

ORGANS, TRAFFICKING IN HUMAN

Financial transactions, CC 240.1(2)
Punishment, CC 240.1(3)
Removal without consent, CC 240.1(1)

**OVERCOMING RESISTANCE TO
COMMISSION OF OFFENCE**

Generally, CC 246

OWNER

“Owner,” CC 2
Ownership of property, CC 588
Theft by owner or joint owner, CC
328(a), (d)

OYSTER BED AND OYSTERS

Description in indictment, CC 323(2)
Presumption of ownership, CC 323(1)

PARDON

See also Record Suspension
Removal of disabilities, CC 750(2)
Royal prerogative of mercy, CC 748
Trial outside Canada, CC 465(7)

PARENT OR GUARDIAN

See also Abduction
Abandoning child under 10, CC 218
Attending youth court, YCJA 27
Correction of child by force, CC 43
liability for excessive force, CC 26
Duty to provide necessities, CC
215(1)(a)
Failure to provide necessities, CC 215(2)
necessaries provided by another no
defence, CC 215(4)(d)
presumption of failure, CC 215(4)(c)

PARENT OR GUARDIAN—Cont'd

Failure to provide necessities, CC 215(2)
—Cont'd
presumption of parentage, CC
215(4)(b)
punishment, CC 215(3)
Notice to parent, YCJA 26
Procuring sexual activity, CC 170
Sexual activity evidence, see Sexual
Activity Evidence
Sexual exploitation, CC 153(1)

PAROLE

See also Murder
Corrections and Conditional Release Act,
Schedules, CC 743.6, II, Sched. I
Dangerous offenders, CC 761
Eligibility in life imprisonment, CC 745
to 746.1
day parole, CC 746.1(2)
young offenders convicted of mur-
der, CC 746.1(3)
early parole prohibited, CC 746.1(1)
information in respect of parole, CC
745.01
review of eligibility, CC 745.6
information provided by victim, CC
745.63(1.1)
temporary absence, CC 746.1(2)
young offenders convicted of mur-
der, CC 746.1(3)
Eligibility in scheduled offences, CC
743.6
Multiple murders, CC 745.21, 745.51
Second degree murder
recommendation by jury, CC 745.2,
745.3, 745.21
sentence by judge, CC 745.4, 745.5

PARTICULARS

See also Indictment
Amendment at trial, CC 601(2)
Order for particulars, CC 587

PARTNER

Theft by, CC 328(d)

PARTNERSHIP

See Organization

PARTY TO OFFENCE

See also Accessory after Fact, Aiding and
Abetting, Counselling

INDEX

PARTY TO OFFENCE—Cont'd

- Accessory after fact, **CC 23**
 - defined, **CC 23(1)**
 - indictment of other parties, **CC 23.1, 592**
 - murder, **CC 240**
 - punishment, **CC 240, 463**
 - treason or high treason
 - delivery of trial documents, **CC 604**
- Aiding or abetting
 - abettor party to offence, **CC 21(1)(c)**
 - aider party to offence, **CC 21(1)(b)**
 - particular offences
 - betting offences, **CC 202(1)(j)**
 - cruelty to animals, **CC 446**
 - desertion, **CC 54, 56**
 - enemy alien, **CC 50**
 - escape, **CC 146 to 148**
 - feigned marriage, **CC 292**
 - prize fight, **CC 83(1)**
 - suicide, **CC 241(1)(b)**
 - treason, **CC 46, 50**
- Common intention to effect unlawful purpose, **CC 21(2)**
- Counselling
 - general
 - offence committed, **CC 22(1), (2)**
 - offence not committed, **CC 464**
 - particular offences
 - insubordination by serviceman, **CC 62**
 - piratical acts, **CC 75**
 - sexual touching, **CC 152**
 - suicide, **CC 241(1)**
- Defined, **CC 22(3)**
- Indictment of other parties, **CC 23.1**
- Organizations
 - negligence offences, **CC 22.1**
 - other offences, **CC 22.2**
- Party to offence defined, **CC 21 to 22.2**
- Principal, **CC 21(1)(a)**
- Sexual assault party to, **CC 272(1)(d)**

PASSING OFF

- Forfeiture, **CC 412(2)**
- Offence, **CC 408**
- Punishment, **CC 412(1)**

PASSPORT

- Appearance at trial, **CC 57(7)**

PASSPORT—Cont'd

- Deposit as condition of release, **CC 515(4)(f)**
- False statement to procure, **CC 57(2)**
- Forging or uttering, **CC 57(1)**
 - forgery generally, **CC 366**
 - “false document,” **CC 57(4)(b), 321**
- Jurisdiction, **CC 57(6)**
- “Passport,” **CC 57(5)**
- Possession of forged passport, **CC 57(3)**

PEACE BOND

- Generally, **CC 810 to 811; YCJA 14(2), 20(2)**

PEACE OFFICER

- See also Public Officer, Release from Custody
- Assault on, **CC 270(1)(a)**
 - aggravated assault, **CC 270.02**
 - assault with a weapon or causing bodily harm, **CC 270.01**
- Bribery, **CC 120**
- Delivery of arrested person to officer, **CC 494(3)**
- Disarming, **CC 270.1**
- Failure to assist officer, **CC 129(b)**
- Inducing investigation by false statement, **CC 140**
- Murder as first degree, **CC 231(2)**
- Obstruction in execution of duty, **CC 129(a)**
- Obstruction in execution of process, **CC 129(c)**
- Officer permitting escape, **CC 146, 147**
- “Peace officer,” **CC 2**
 - “flight,” **CC 7(8)**
- Personation, **CC 130, 130.1**
- “Police officer,” **CC 462.48(17)**
- Protection, **CC 25**
 - arrest without warrant, **CC 495(3)**
 - offence, **CC 503(4)**
- Use of force, **CC 25**
 - excessive force, **CC 26**
- Weapons, **CC 117.07, 117.08; CC Reg. 98 to 466 generally**
- Wilful misconduct in execution of process, **CC 128**

PEDIGREE

- False pedigree of title, **CC 385(1)(a)**

PENALTY

See also Fine, Punishment, Sentence
 Application of money paid, **CC 734.8(5)**
 Imprisonment in lieu, **CC 734(1)**
 reduction on part payment, **CC 734.8**
 Payment to provincial treasurer, **CC 734.4(1)**
 “Penalty,” **CC 734.8(1)**
 Recovery by action, **CC 734.6**
 Variation of, **CA Part I 11(i)**

PENITENTIARY

Preventing escape from, **CC 25(5)**
 Unlawful assemblies and riots
 reading proclamation, **CC 67**

PERJURY

See also Contradictory Evidence
 Evidence
 answers to incriminating questions,
 CEA 5(2); CA Part I 13
 corroboration, **CC 133**
 Indictment
 sufficiency of counts, **CC 585(a)**
 Liability in case of affirmation, **CEA 15(2)**
 Offence of perjury, **CC 131**
 Order for particulars, **CC 587(1)(a)**
 Privilege against self-incrimination, **CEA 5(2); CA Part I 11(c)**
 Punishment, **CC 132**
 Statement not permitted or authorized by
 law, **CC 131(3), 134(1)**
 Video links, **CC 131(1.1)**

PERSONAL RECORD OF COMPLAINANT

Admissibility, re, **CC 278.92 to 278.98**
 Appeal from order, re, **CC 278.91**
 Application for production
 content and form, **CC 278.3(3)**
 costs orders, **CC 278.3(3)**
 counsel, right to, **CC 278.4(2.1)**
 forum, **CC 278.3(1), (2)**
 grounds, insufficient, **CC 278.3(4)**
 hearing in camera, **CC 278.4(1)**
 persons who may appear, **CC 278.4(2)**
 service of application and subpoena,
 CC 278.3(5), (6)
 Application of legislation, **CC 278.1**
 Definition of “record,” **CC 278.1**

PERSONAL RECORD OF COMPLAINANT—Cont’d

Production to accused
 conditions on production, **CC 278.7(3)**
 copy to prosecutor, **CC 278.7(4)**
 factors considered, **CC 278.7(2)**
 power of court to order, **CC 278.7(1)**
 publication ban, **CC 278.9**
 reasons for decision, **CC 278.8**
 retention of record by court, **CC 278.7(6)**
 use limited to proceedings, **CC 278.7(5)**
 Production to court for review
 duty of court upon review, **CC 278.6(1)**
 factors considered, **CC 278.5(2)**
 hearing in camera, **CC 278.6**
 power of court to order, **CC 278.5(1)**
 publication ban, **CC 278.9**
 reasons for decision, **CC 278.8**
 retention of record by court, **CC 278.7(6)**
 Publication ban, **CC 278.9**
 offence re, **CC 278.9(2)**

PERSONATION

Acknowledgment in false name, **CC 405**
 Aggravating circumstance, **CC 130.1**
 Peace officer, **CC 130, 130.1**
 Public officer, **CC 130, 130.1**

PHOTOGRAPH

See also Search and Seizure
 As evidence of record or instrument,
 CEA 30(3), 31
 Photographic evidence, **CC 491.2**

PHYSICIAN

Duty of care in surgical or medical treat-
 ment, **CC 216**
 Presence at prize fight, **CC 83(1)(c)**
 Protection from prosecution, **CC 45**
 causing child’s death at birth, **CC 238(2)**

PIRACY

Compulsion by threats no defence, **CC 17**
 Piracy by law of nations, **CC 74**
 Piratical acts, **CC 75**
 DNA order on conviction or discharge,
 CC 487.04, 487.051
 Superior court jurisdiction, **CC 468, (vii), 469(a)(vi)**

INDEX

PLEA

- See also Defences
- Adjournment to plead, **CC 606(3)**
- By organization, **CC 621(2), 622**
- Duty to inform, **CC 606(4.3)**
- Guilty or not guilty, **CC 606(1)**
 - after special plea, **CC 607(4)**
 - conditions for accepting guilty, **CC 606(1.1)**
 - consent jurisdiction for guilty plea, **CC 478(3), 479**
 - defences under plea of not guilty, **CC 613**
 - guilty to other offence, **CC 606(4)**
 - validity of guilty, **CC 606(1.2)**
 - young persons, **YCJA 36(1), (2)**
- Inquiry
 - indictable offences, **CC 606(4.2)**
 - murder, **CC 606(4.1)**
 - serious personal injury offence, **CC 606(4.1)**
- Presence of accused for, **CC 650(1)**
- Refusal to plead, **CC 606(2)**
- Special pleas, **CC 606(1)**
 - autrefois acquit/convict, **CC 607**
 - allowance of plea, **CC 609**
 - conviction of attempt, **CC 661(2)**
 - discharge in previous proceedings, **CC 735**
 - evidence of identity of charges, **CC 608**
 - indictment adding circumstances of aggravation, **CC 610(1)**
 - infanticide and manslaughter, **CC 610(4)**
 - murder and manslaughter or infanticide, **CC 610(2)**
 - first and second degree, **CC 610(3)**
 - right, **CA Part I 11(h)**
 - justification, **CC 607(2), 611, 612**
 - combined with plea of not guilty, **CC 612(2)**
 - pardon, **CC 607**
- Validity of, **CC 606(4.4)**

POINTING A FIREARM

See Firearms

POLICE

See Peace Officer, see Public Officer

POLYGAMY

Offence, **CC 293**

POOL-SELLING

- Exemptions from offences, **CC 204(1)**
- Offences, **CC 202(1)**
- Punishment, **CC 202(2)**
- Search warrant, **CC 199(1)**

PORNOGRAPHY

See Child Pornography

POSSESSION

- See also Firearms
- Elements of possession, **CC 4(3)**
 - when complete, **CC 358**
- Offences
 - anything knowing it will be used to produce ecstasy or methamphetamine, **CSDA 7.1**
 - anything knowing it will be used to traffic in ecstasy or methamphetamine, **CSDA 7.1**
 - armed forces certificate or identification, **CC 419(c), (d)**
 - automobile master key, **CC 353**
 - clippings of current coin, **CC 451**
 - controlled substance, **CSDA 4(1), 5(2), 6(2)**
 - counterfeiting instruments, **CC 376(1)(c), 458**
 - counterfeit mark, **CC 376(2)(b)**
 - counterfeit money, **CC 450**
 - counterfeit stamp, **CC 376(1)(b)**
 - device to obtain telecommunication service, **CC 32**
 - explosive substance, **CC 436.1**
 - fraudulently obtained valuable minerals, **CC 394.1**
 - incendiary device or material, **CC 436.1**
- instruments
 - breaking and entering
 - coin-operated device, **CC 352**
 - house-breaking, **CC 351(1)**
 - counterfeiting, **CC 376(1)(c), 458**
 - forgery, **CC 369(b)**
 - trademark, **CC 409, 412**
 - to obtain telecommunication service, **CC 326**
- interception devices, **CC 191**
- ore or mineral, **CC 656**

POSSESSION—Cont'd**Offences—Cont'd**

paper to make bank note, **CC 369(a)**
 proceeds of property obtained by crime
 for purpose of trafficking, **CC**
355.4, 355.5

prohibited weapon, **CC 91, 92**
 property obtained by crime for purpose
 of trafficking, **CC 355.4, 355.5**
 restricted weapon, **CC 91, 92**
 slug or counterfeit token, **CC 454**
 stolen valuable minerals, **CC 394.1**
 weapon, for dangerous purpose, **CC 88**
 wreck, **CC 415**

“Possession,” **CC 4(3)**

Property obtained by crime, **CC 354, 355,**
355.4, 355.5

compensation to purchaser, **CC 726**
 credit card, **CC 342(1)(c)**
 for purpose of trafficking, offence, **CC**
355.4, 355.5

joinder of accused, **CC 593**

jurisdiction of provincial court judge,
CC 553, 555(2)

mail, container or key, **CC 356(1)(b)**

mineral or precious metal, **CC 394**

offence outside Canada, **CC 357**

presumption where vehicle identifica-
 tion

number removed, **CC 354(2), (3)**

proof of ownership or value, **CC**
657.1(1)

punishment, **CC 355, 355.5**

for purpose of trafficking, **CC 355.5**

not exceeding 01675,000, **CC 355(b)**

over 01675,000, **CC 355(a)**

**POSSESSION FOR PURPOSE OF
TRAFFICKING**

Anything knowing it will be used to traf-
 fic in ecstasy or methamphetamine,
 offence, **CSDA 7.1**

Controlled substance, offence, **CSDA 5(2)**

Proceeds of property obtained by crime,
 offence, **CC 355.4, 355.5**

Property obtained by crime, offence, **CC**
355.4, 355.5

POSTAGE STAMP

As chattel, **CC 4(1)**

As property, **CC 2**

Counterfeit, **CC 376(1)**

POSTAGE STAMP—Cont'd

Value, **CC 4(1)**

POSTAL CARD

As chattel, **CC 4(1)**

As property, **CC 2**

Value, **CC 4(1)**

POWER OF ATTORNEY

Theft by holder, **CC 331, 332**

PRECIOUS METALS

Forfeiture, **CC 394, 395**

Fraud, **CC 394**

Fraudulent concealment, **CC 394**

Presumption from possession, **CC 656**

Search and seizure, **CC 395**

Tampering with mine sample, **CC 396**

PRE-HEARING CONFERENCES

Generally, **CC 482(3)(c), 625.1**

PRELIMINARY INQUIRY

Absconding accused, **CC 544**

Absence of accused, authorized
 admission of evidence, **CC 715**
 permission to be absent, **CC**

537(1)(j.1)

warning to accused re admissibility of
 evidence, **CC 537(1.01)**

Address

by prosecutor, **CC 537(1)(h)**

to accused, **CC 541(1)**

Adjournment, **CC 537(1)(a)**

early resumption of inquiry, **CC**
537(1)(e)

irregularity misleading accused, **CC**
547

witness refusing to testify, **CC 545**

Adjudication, **CC 548**

Admission or confession by accused, **CC**
542

Agreement to limit scope, **CC 536.5,**
549(1.1)

Appearance by organization, **CC 538, 556**

Appearance of accused by counsel or
 closed-circuit television, **CC**
537(1)(j)

Committal for trial, **CC 548**

by consent, **CC 549**

endorsement of information, **CC**
548(2)

fix date for trial, **CC 548(2.1)**

PRELIMINARY INQUIRY—Cont'd

Committal for trial, **CC 548**—Cont'd
 offence charged, **CC 548(1)(a)**
 other indictable offence in respect of
 same transaction, **CC 548(1)(a)**
 transmission of record, **CC 551**
 Discharge of accused, **CC 548(1)(b)**
 Election by accused, **CC 536(2), 536.1(2)**
 Evidence
 confession, **CC 542(1)**
 “credible and trustworthy”
 appearance of witness for examina-
 tion, **CC 540(9)**
 notice of intention to tender, **CC**
540(8)
 power to receive, **CC 540(7)**
 reading in at trial prohibited, **CC**
715(4)
 for accused, **CC 541**
 hearsay, admissibility of, **CC 540(7) to**
(9)
 non-publication order, **CC 539, 542(2)**
 power to receive, **CC 540**
 reading at trial, **CC 715**
 exception, **CC 715(4)**
 reply evidence, **CC 537(1)(g)**
 statement by accused, **CC 541(3)**
 taking of evidence, **CC 540**
 transcript, **CC 715.01**
 variance not affecting validity, **CC**
546(c), 547
 where inquiry limited by agreement,
CC 536.5, 549(1.1)
 Exclusion of public or witnesses, **CC**
537(1)(h)
 Fitness of accused, see *Fitness to Stand*
Trial
 Inability of justice to continue, **CC 547.1**
 Inappropriate questioning, limiting, **CC**
537(1.1)
 Inquiry by justice, **CC 535**
 Irregularity not affecting validity, **CC 546**
 adjournment, **CC 547**
 Jurisdiction, **CC 535, 536.1(5), 543, 548**
 Place of inquiry, **CC 537(1)(a)**
 Powers of justice, **CC 537, 548**
 Pre-inquiry hearing, **CC 536.4**
 Prosecutor
 address, **CC 537(1)(f)**
 agreement to limit scope of inquiry, **CC**
536.5

PRELIMINARY INQUIRY—Cont'd

Prosecutor—Cont'd
 reply evidence, **CC 537(1)(g)**
 request for preliminary inquiry, **CC**
536(4), 536.1(3)
 statement of issues and witnesses, **CC**
536.3
 Reading evidence at trial, **CC 715**
 Regulation by justice, **CC 537(1)(i)**
 Remand
 to custody, **CC 537(1)(c)**
 bringing accused before justice, **CC**
537(1)(e)
 for purposes of ICA, **CC 537(1)(b)**
 to justice of another jurisdiction, **CC**
543(1)
 transmission of evidence, **CC 543(2)**
 to Nunavut Court Judge, **CC 536.1(1)**
 to provincial court judge, **CC 536(1),**
(3)
 Request for
 accused organization, failure to request,
CC 556(3), (4)
 duty of court where not made, **CC**
536(4.3), (4), 536.1(4.2), 556(3)
 endorsement on information, **CC**
536(4.1), 536.1(4)
 notice of right to, **CC 536(2), 536.1(2)**
 Nunavut, in, **CC 536.1(3) to (4.2)**
 preferred indictment where not made,
CC 574(1.1), (1.2), 577
 requirement, **CC 536(4), 536.1(3)**
 where multiple accused, **CC 536(4.2),**
536.1(4.1)
 Statement of issues and witnesses, **CC**
536.3
 Transcript
 transmission to clerk, **CC 551**
 transmission to justice having jurisdic-
 tion, **CC 543(2)**
 Trial of issue of fitness, **CC 672.23(1),**
(2)(a), 672.25(1), 672.27(b)
 Variance not affecting validity, **CC 546**
 adjournment, **CC 547**
 Witnesses
 application of general Code provision,
CC 697
 deposition, **CC 540**
 exclusion, **CC 537(1)(h)**
 inappropriate questioning of, limiting,
CC 537(1.1)

PRELIMINARY INQUIRY—Cont'd

Witnesses—Cont'd

- prisoner as witness, **CC 527**
- recognizance to testify at trial, **CC 550**
- refusal to testify, **CC 545**
- witness for accused, **CC 541(1), (4), (5)**
- where accused absent but counsel present, **CC 544(5)**

Witnesses, see also Witness

Young persons, **YCJA 67(7), (8)**

PRESENCE OF ACCUSED

See also Absconding

Accused absconding

- accused deemed present, **CC 715(3)**
- at preliminary inquiry, **CC 544**
- at trial, **CC 475**

Appeal, **CC 650.01, 650.02, 683(2.1), 688, 822, 839(2)**

Appearance by designated counsel of record, **CC 650.01, 650.02**

Appearance by organization, **CC 538, 556, 620, 623, 800, 802.1**

Appearing personally, accused not, **CC 485(1.1)**

Bail hearing, **CC 515(2.2), (2.3)**

Conditions for remote appearance, **CC 715.23 to 715.24**

Dangerous offender application, **CC 650.01, 650.02, 758?page 1650**

Disposition hearing, **CC 672.5(13)**

Fitness of accused, see Fitness to Stand Trial

Habeas corpus application, **CC 650.01(3)(a)(iii), 774.1**

Plea of guilty, **CC 650(1) to (2), 650.01(3)(c)**

Preliminary inquiry, **CC 537(1)(j) to (k), 650.01, 650.02**

admission of evidence, **CC 715**

permission to be absent, **CC 537(1)(j.1)**

warning to accused re admissibility of evidence, **CC 537(1.01)**

Remote appearance

- generally, **CC 715.23 to 715.24**
- appeals, **CC 683(2.1), 688(2.1), 822, 839(2)**

bail hearing, **CC 515(2.2), (2.3)**

disposition hearing, **CC 672.5(13)**

PRESENCE OF ACCUSED—Cont'd

Remote appearance—Cont'd

- preliminary inquiry, **CC 537(1)(j) to (k)**
- trial, **CC 650(1)**

Summary conviction trial, **CC 650.01, 650.02, 800, 802.1**

Summons re Identification of Criminals Act, **CC 485.2, Forms 6.1, 6.2**

Trial requirement of, **CC 650(1) to (2), 650.01, 650.02**

PRESERVATION (OF DATA)

Demand

- generally, **CC 487.012(1)**
- assistance order, **CC 487.02**
- conditions for making, **CC 487.012(2)**
- conditions within, **CC 487.012(5)**
- destruction of data, **CC 487.0194(1), 487.0199**

expiry, **CC 487.012(4)**

further demand, no, **CC 487.012(6)**

limitation, **CC 487.012(3)**

offence, **CC 487.0197, 487.0199**

revocation, **CC 487.012(4)**

self-incrimination, **CC 487.0196**

Order

- generally, **CC 487.013(1)**
- account open or active, **CC 487.0131, Form 5.0032**

assistance order, **CC 487.02**

conditions for making, **CC 487.013(2)**

conditions in, **CC 487.019**

destruction of data, **CC 487.0194(2), 487.0199**

expiry, **CC 487.013(6)**

form, **CC 487.013(4)**

limitation, **CC 487.013(5)**

offence, **CC 487.0198, 487.0199**

offence against law of foreign state, **CC 487.013(3)**

particulars, production of, **CC 487.0192**

prohibiting disclosure, **CC 487.0191**

self-incrimination, **CC 487.0196**

Report, **CC 487.021(2)**

Review, **CC 487.021(1)**

PRESERVATION OF ORDER IN COURT

See also Contempt

Application, **CC 486(1.1)**

PRESERVATION OF ORDER IN COURT—Cont'd

Exclusion of public, **CC 486(1)**

Power to preserve, **CC 484**

PRESUMPTIONS AND INFERENCES

Age, **CC 171.1(3), 172.1(3), 172.2(3), 658(2)**

Agreement or arrangement—offence against child, **CC 172.2(3)**

Arson, intent to defraud, **CC 435(2)**

Baiting animals, **CC 446(4)**

Breaking and entering, **CC 348(2)(a)**

Breaking out, **CC 348(2)(b)**

Cattle theft, **CC 338(3)**

Cheque dishonoured, **CC 362(4), (5)**

Distinguishing mark on public stores, **CC 421(2)**

Document as conclusive evidence, **IA 25**

Failure to provide necessities, **CC 215(4)**

False pretence, dishonoured cheque, **CC 362(4)**

Firearm serial number defaced, **CC 108(1)(a)**

Fire set negligently, **CC 436(2)**

Fraud by holder of fire insurance, **CC 435(2)**

Fraud in obtaining food and lodging, **CC 364(2)**

Importation, port of shipment, **CC 414**

Indictable or summary conviction, **IA 34**

Innocence, **CA Part I 11(d), Part I 6(1)(a)**

Intent to affect assay, **CC 396(2)**

Intent to commit offence in dwelling-house, **CC 349(2)**

Luring child, **CC 172.1(3)**

Making sexually explicit material available to child, **CC 171.1(3)**

Newspaper proprietor and defamatory libel, **CC 303**

Ownership of property, **CC 588**

Parentage, **CC 215(4)(b)**

Proceeds of crime, **CC 462.39**

Property in lumber or equipment, **CC 339(4)**

Sanity, **CC 16**

Seditious intention, **CC 59(4)**

Summary conviction not appealed, **CC 820**

Theft of ore or minerals, **CC 656**

PRESUMPTIONS AND INFERENCES—Cont'd

Unlawfully in dwelling house, **CC 349(2)**

Vehicle identification number removed, **CC 354(2), (3)**

Wilfulness, **CC 429(1)**

PREVENTION OF CRIME

Use of force, **CC 27**

excessive force, **CC 26**

PREVENTIVE DETENTION

See dangerous offender

PREVIOUS CONVICTIONS

See also Character Evidence

Adducing evidence

accused not appearing, **CC 665**

in answer to evidence of good character, **CC 666**

in support of greater punishment, **CC 665**

notice, **CC 665**

Bar to prosecution, **CC 610, 661(2)**

Certificate, **CEA 12(2)**

Greater punishment for subsequent offences

gaming and betting, **CC 202(2)**

motor vehicle offence, **CC 255(4)**

use of firearm in commission of offence, **CC 84(5), (6), 85(3)(b)**

Indictment, information, to contain no reference, **CC 664, 789(2)**

Manner of proving, **667 CEA 12(2)**

PRINCE EDWARD ISLAND

Generally, **CC 2, 164(8), 188(4), 320(8), 493, 534, 552, 745.6(3), 812**

PRIOR INCONSISTENT STATEMENT

(Aaa)Generally, **CEA 9 to 11**

PRISON

See also Escape and Rescue, Prisoner

Delivery of prisoner, **CC 744**

Employee as peace officer, **CC 2**

Murder of keeper as first degree, **CC 231(4)(b)**

Protection of authorities, **CC 28(2)(b)**

Riot, **CC 67**

Sentence to penitentiary, **CC 731**

PRISONER

See also Escape and Rescue, Prison

PRISONER—Cont'd

Assisting escape, prisoner of war, **CC 148**
 Delivery to prison, **CC 744**
 Employee as peace officer, **CC 2**
 Murder of keeper as first degree, **CC 231(4)(b)**
 Procuring attendance, **CC 527**
 form of order, **CC 527(3) to (5)**
 Protection of authorities, **CC 28**
 Riot, **CC 67**
 Sentence to penitentiary, **CC 743.1**
 Statement of conviction on delivery, **CC 744**
 Transfer of prisoner, **CC 527(7) to (9)**

PRIVACY

See also Interception of Private Communications
 Business record, **CEA 30(10)(a)(ii), (iii)**
 Communications within marriage, **CEA 4(3)**
 Documentary evidence for foreign proceedings, **CEA 50(2)**

PRIVATE PROSECUTION

Confirmation hearing
 appearance of Attorney General, **CC 507.1(4)**
 court shopping prohibited, **CC 507.1(7)**
 exemptions, **CC 507.1(9)**
 information deemed not laid, **CC 507.1(5), (6)**
 issuance of process, **CC 507(2) to (8), 507.1(2) to (8)**
 new evidence for new hearing, **CC 507.1(7)**
 procedure when witnesses attend, **CC 507(2), 507.1(8)**
 referral of information, **CC 507.1(1)**
 “Designated justice,” **CC 507.1(10)**
 Intervention by Attorney General, **CC 579.1, 579.01**
 Laying information, **CC 504**
 Preferred indictment in, **CC 574(3), 577(b)**
 Recommencement as public prosecution, **CC 579(2), 579.1(2)**
 Referral of information, **CC 507.1(1)**
 Stay by Attorney General, **CC 579(1), 579.1(2)**

PRIVATE PROSECUTION—Cont'd

Summons or warrant to compel attendance
 conditions for issuance, **CC 507.1(3)**
 endorsement authorizing release, **CC 507(6), 507.1(8)**
 undertaking or appearance notice deemed confirmed, **CC 507(7), 507.1(8)**
 information deemed not laid, **CC 507.1(5), (6)**
 power to issue, **CC 507(4), (8), 507.1(2)**
 procedure when witnesses attend, **CC 507(2), 507.1(8)**
 process compulsory, **CC 507(2), 507.1(8)**
 process in blank prohibited, **CC 507(5), 507.1(8)**
 Young persons, against, **YCJA 24**

PRIVILEGE

Documents in possession of lawyer, **CC 488.1**
 Foreign proceedings, **CEA 50(2)**
 Intercepted communications, **CC 189(6)**
 Public interest immunity (Crown privilege)
 confidences of Queen's Privy Council for Canada, **CEA 39**
 international relations, see sensitive information
 national defence and security, see sensitive information
 potentially injurious information, see sensitive information
 sensitive information
 agreement to disclose, **CEA 38.031, 38.04(6) to (7), 38.24**
 appeals from orders concerning, **CEA 38.04(7), 38.1, 38.09, 38.11, 38.12, 38.28, 38.31**
 applications to Federal Court re Attorney General of Canada, by, **CEA 38.04(1)**
 confidentiality of, **CEA 38.04(4)**
 evidence admissible to determine, **CEA 38.06(3.1)**
 ex parte representations, public hearing, **CEA 38.3, 38.11(2)**
 general, **CEA 38.04(2)**
 procedure, **CEA 38.04(5)**

PRIVILEGE—Cont'd

Public interest immunity (Crown privilege)—Cont'd
sensitive information—Cont'd
applications to Federal Court re
—Cont'd
protective order, **CEA 38.12, 38.31**
special rules, **CEA 38.3, 38.11(1), 38.11(1.1)**
termination, **CEA 38.04(7)**
Attorney General of Canada, motion, **CEA 38.25**
authorization by Attorney General of Canada, **CEA 38.03, 38.23**
certificate prohibiting disclosure, **CEA 38.13, 38.41, 38.42, 38.131**
annual report re, **CEA 38.17, 38.44**
review of certificate, **CEA 38.41, 38.42, 38.131**
court records, **CEA 38.04(4), 38.12(2), 38.31(1)**
defined, **CEA 38**
disclosure conditions, **CEA 38.06(2)**
disclosure order, **CEA 38.06, 38.07, 38.08**
disclosure prohibited, **CEA 38.02, 38.06(3), 38.22**
prohibition, order confirming, **CEA 38.06(3), 38.07**
entities, designated, **Sched., (8), 38.01(6), 38.02(1.1)**
fiat of Attorney General taking over prosecution, **CEA 38.15**
annual report re, **CEA 38.17**
Judge seized, **CEA 38.32**
limitation, person charged with offence, **CEA 38.09(1)**
limitation periods for appeals, **CEA 38.09(2), 38.1, 38.29**
military proceedings, in, **CEA 38.01(5), 38.03(2)**
notice to Attorney General of Canada, **CEA 38.01, 38.02(1.1) to (2), 38.03(3), 38.21**
exceptions, **CEA 38.01(6) to (8), 38.02(2)**
regulations concerning, power to make, **CEA 38.16, 38.43**

PRIVILEGE—Cont'd

Public interest immunity (Crown privilege)—Cont'd
sensitive information—Cont'd
report relating to proceedings, **CEA 38.05**
review of orders concerning, automatic, **CEA 38.04(7), 38.08**
right to fair trial, protection of, and, **CEA 38.14**
rules, **CEA 38.45**
special counsel, **CEA 38.34**
disclosure and communication prohibited, **CEA 38.39**
fairness, **CEA 38.4**
immunity, **CEA 38.36**
obligation to provide information, **CEA 38.37**
restriction on communication, **CEA 38.38**
roles and responsibilities, **CEA 38.35**
undisclosed information, federal proceeding, **CEA 38.33**
when determination takes effect, **CEA 38.06(3.01)**
specified public interest
appeals of orders relating to, **CEA 37.1, 37.2**
disclosure order, **CEA 37(4.1) to (5), (8) to (9), 37.3, 38.26**
limitation periods for appeals and objections, **CEA 37(4), 37.1(2), 37.2**
notice of order, **CEA 38.27**
objection to disclosure on basis of, **CEA 37(1)**
application to Federal Court for determination, **CEA 37(3)(a), 37(4)**
body other than superior court, to, **CEA 37(3)**
evidence admissible to determine, **CEA 37(6.1), (9)**
obligation of court, person or body, **CEA 37(1.1)**
right to fair trial, protection of, **CEA 37.3**
superior court, to, **CEA 37(2), (3)(b)**
when determination effective, **CEA 37(7)**

PRIVILEGE—Cont'd

Public interest immunity (Crown privilege)—Cont'd
 specified public interest—Cont'd
 person charged with offence, limitation, **CEA 37(1.1)**
 prohibition order, **CEA 37(6)**
 right to fair trial, protection of, **CEA 37.3**
 Self-incrimination, **CEA 5; CA Part I 11(c), Part I 13**

PRIZE FIGHT

Attending, **CC 83(1)(c)**
 Engaging in prize fight, **CC 83(1)(a)**
 "Prize fight," **CC 83(2)**
 Promoting, **CC 83(1)(b)**

PROBATION

Bodily substance, see Bodily Substance
 Conditions, **CC 732.1(2) to (3.2)**
 change in circumstances, **CC 732.2(3)**
 compelling appearance of accused, **CC 732.2(6)**
 organizations, for, **CC 732.1(3.1), (3.2)**
 relief or change in conditions after conviction of offence, **CC 732.2(5)**
 restitution, **CC 738(1)**
 Conviction while under probation, **CC 732.2(5)**
 Order
 breach, **CC 733.1**
 duration, **CC 732.2(2)**
 effective date, **CC 732.2(1)**
 form, **CC 732.1(4)**
 making of order, **CC 731(1)**
 reading and delivery of order, **CC 732.1(5), (6)**
 suspension pending appeal, **CC 683(5), (5.1), (6)**
 transfer, **CC 733(1)**
 court unable to act, **CC 733(2)**
 Organizations, for, **CC 732.1(3.1), (3.2)**
 Pre-sentence report, **CC 721(1)**
 Report by probation officers, **CC 721**
 content of report, **CC 721(3)**
 copy of report, **CC 721(5)**
 Victim impact statement, **CC 722(1)**
 see also Victim Impact Statement
 copies, **CC 722.1**

PROCEEDS OF CRIME

Defined, **CC 462.3(1)**
 Designated offences
 defined, **CC 462.3(1) to (2); CC Reg. 2002 to 63**
 regulations defining, power to make, **CC 462.3(2)**
 Disclosure
 income tax information, **CC 462.48**
 informants, immunity of, **CC 462.47**
 order for disclosure, **CC 462.48(3) to (5)**
 Forfeiture
 derived from other offences, **CC 462.37(2)**
 designated offence, committed in relation to, **CC 462.37(1)**
 notice of application, **CC 462.41**
 fine in lieu of, **CC 462.37(3) to (5)**
 inference from value of property, **CC 462.39**
 in rem hearing, **CC 462.38**
 appeal from order, **CC 462.44**
 application for forfeiture, **CC 462.38(1)**
 notice of application, **CC 462.41**
 orders for forfeiture, **CC 462.38(2) to (2.1)**
 property outside Canada, **CC 462.38(2.1)**
 person deemed absconded, **CC 462.38(3)**
 particular circumstances, **CC 462.37(2.01)**
 pattern of criminal activity, **CC 462.37(2.04), (2.05)**
 property outside Canada, order respecting, **CC 462.37(2.1), 462.38(2.1)**
 relief from, **CC 462.42**
 restitution, **CC 689**
 voidable transfers, **CC 462.4**
 From commission of drug offences, **CSDA 18**
 Income tax information, disclosure of, **CC 462.48**
 Informants, immunity of, **CC 462.47**
 Laundering, **CC 462.31**
 Management order
 appointment of Minister to manage, **CC 462.331(2)**

INDEX

PROCEEDS OF CRIME—Cont'd

- Management order—Cont'd
 - destruction of property pursuant to, CC **462.331(4) to (7)**
 - duration of, CC **462.331(8)**
 - power of court, CC **462.331(1), (7)**
 - power to manage, CC **462.331(1), (3) to (4)**
 - variation of, CC **462.331(9)**
- Regulations, CC **462.5**
- Restraint order
 - generally, CC **462.33**
 - application, CC **462.33(1)**
 - automatic expiry of, CC **462.35**
 - copies of documents, CC **462.46**
 - disposal of property restrained, CC **462.43**
 - appeal from order, CC **462.44**
 - property outside Canada, CC **462.43(2)**
 - forwarding to clerk of trial court, CC **462.36**
 - management order pending restraint, CC **462.331**
 - property outside Canada, CC **462.33(3.1)**
 - review of, CC **462.34**
 - suspension pending appeal, CC **462.45**
- Special search warrant
 - generally, CC **462.32**
 - automatic expiry of, CC **462.35**
 - disposal of property seized, CC **462.43**
 - appeal from order, CC **462.44**
 - property outside Canada, CC **462.43(2)**
 - execution of warrant, CC **462.32(2.1), (3)**
 - detention of property, CC **462.32(4)(a)**
 - management order post seizure, CC **462.331**
 - report to judge of property seized
 - forwarding to clerk of trial court, CC **462.36**
 - provided to owner, CC **462.32(4)(c)**
 - requirement for, CC **462.32(4)(b)**
 - return of proceeds, CC **462.32(4.1)**
 - review of, CC **462.34**

PROCLAMATION

- Judicial notice of, CC **781(2)**

PROCLAMATION—Cont'd

- Order to prohibit drilling, CC **70(1)**
- Proof, CEA **21, 22**
 - Imperial proclamation, CEA **20**
- Riot proclamation, CC **67, 68**

PROCURING

- See also Avails, Counselling
- Commission of offence
 - offence committed, CC **22(1), (2)**
 - offence not committed, CC **464**
- “Counsel” includes, CC **22(3)**
- Feigned marriage, CC **292(1)**
- Offence
 - generally, CC **286.3(1)**
 - 18 years of age, sexual services from, CC **286.3(2)**

PRODUCTION OF RECORDS

- See also Disclosure, Production Orders
- Banking record, CEA **29(6)**
- Business record, CEA **30(3) to (5)**
- Certified copy, CEA **28(1)**
- Copy of record in proceedings, CEA **28**
- Foreign proceedings, CEA **46, 50(2)**
- Orders for, see Production Orders
- Power of court on appeal, CC **683(1)(a), 839(2)**
- Records of automobile master key sales, CC **353(3), (4)**
- Witness statements, written, CEA **10(1)**

PRODUCTION ORDERS

- Appeal court, power to make, CC **683(1)(a), 839(2)**
- Application for review of, CC **487.0193**
 - keep account open or active order, CC **487.01921**
- Banking records, for, CEA **29(6)**
- Business records, for, CEA **30(3), (5)**
- Commercial information, for
 - copies of business records, for, CEA **30(3)**
 - part of business record, for, CEA **30(5)**
 - right of court to examine record, CEA **30(6)**
- Destruction of data, CC **487.0194(1), 487.0199**
- Financial information, for
 - generally, CC **487.018(1)**
 - compulsion by order only, CEA **29(5)**
 - conditions for making, CC **487.018(3)**

PRODUCTION ORDERS—Cont'd

Financial information, for—Cont'd
 conditions in, **CC 487.019**
 copying of records, for, **CEA 29(6)**
 form, **CC 487.018(4)**
 identification of person, **CC 487.018(2)**
 inspection of records, for, **CEA 29(6)**
 limitation, **CC 487.018(5)**
 Foreign proceedings, re
 power to order production, **CEA 46**
 self-crimination protection, **CEA 50**
 General order
 generally, **CC 487.014(1)**
 conditions for making, **CC 487.014(2)**
 conditions in, **CC 487.019**
 form, **CC 487.014(3)**
 limitation, **CC 487.014(4)**
 specific dates, **CC 487.0141, Form 5.0051**
 Offence, **CC 487.0198**
 Personal record of complainant, for
 appeal from order re, **CC 278.91**
 application for production
 content and form, **CC 278.3(3)**
 costs orders, **CC 278.3(3)**
 forum, **CC 278.3(1), (2)**
 grounds, insufficient, **CC 278.3(4)**
 hearing in camera, **CC 278.4(1)**
 persons who may appear, **CC 278.4(2)**
 publication ban, **CC 278.9**
 offence re, **CC 278.9(2)**
 service of application and subpoena, **CC 278.3(5), (6)**
 application of legislation, **CC 278.1**
 definition of “record,” **CC 278.1**
 production to accused
 conditions on production, **CC 278.7(3)**
 copy to prosecutor, **CC 278.7(4)**
 factors considered, **CC 278.7(2)**
 power of court to order, **CC 278.7(1)**
 publication ban, **CC 278.9**
 reasons for decision, **CC 278.8**
 retention of record by court, **CC 278.7(6)**
 use limited to proceedings, **CC 278.7(5)**

PRODUCTION ORDERS—Cont'd

Personal record of complainant, for
 —Cont'd
 production to court for review
 duty of court upon review, **CC 278.6(1)**
 factors considered, **CC 278.5(2)**
 hearing in camera, **CC 278.6**
 power of court to order, **CC 278.5(1)**
 publication ban, **CC 278.9**
 reasons for decision, **CC 278.8**
 retention of record by court, **CC 278.7(6)**
 publication ban, **CC 278.9**
 Related orders
 assistance, **CC 487.02**
 particulars, production of, **CC 487.0192**
 prohibiting disclosure, **CC 487.0191**
 Report, **CC 487.021(2)**
 Review, **CC 487.021(1)**
 Sealing order re information to obtain, **CC 487.3**
 Self-incrimination, **CC 487.0196**
 Sentencing court, power to make, **CC 723(3)**
 Third party records, see personal record of complainant, for
 Tracing specified communications, for
 generally, **CC 487.015(1)**
 conditions for making, **CC 487.015(2)**
 conditions in, **CC 487.019**
 form, **CC 487.015(3)**
 limitation, **CC 487.015(5)**
 report, **CC 487.015(6)**
 service, **CC 487.015(4)**
 Tracking data, for
 generally, **CC 487.017(1)**
 conditions for making, **CC 487.017(2)**
 conditions in, **CC 487.019**
 form, **CC 487.017(3)**
 limitation, **CC 487.017(4)**
 Transmission data, for
 generally, **CC 487.016(1)**
 conditions for making, **CC 487.016(2)**
 form, **CC 487.016(3)**
 limitation, **CC 487.016(4)**
 Witness statements, written, for, **CEA 10(1)**

INDEX

PROHIBITION

See Extraordinary Remedies

PROHIBITION ORDER

See also Firearms

Attending public park frequented by children, **CC 161**

Attending public swimming pool frequented by children, **CC 161**

Breach offence, **CC 380.2(4)**

Communication or contact with child, **CC 161**

Employment involving authority over property, re, **CC 380.2**

Fraud, **CC 380.2**

Internet access, **CC 161**

Volunteering with children, **CC 161**

Working with children, **CC 161**

PROMISE TO APPEAR

See also Judicial Interim Release

Confirmation or cancellation by justice, **CC 508(1)**

Effect after direct indictment, **CC 523(1.2)**

Effect after remand to another jurisdiction, **CC 543(2)(b)**

Failure to appear, **CC 145(3)**

Giving on holiday, **CC 20**

Time in force, **CC 523, 735**

Warrant may issue, **CC 512**

PROMISSORY NOTE

See also Valuable Security

Photograph as evidence, **CEA 31(2)**

PROOF OF SERVICE

See Service

PROPERTY

See defence, see Fire, see Mischief, see Possession

PROPERTY AND CIVIL RIGHTS

Application of provincial laws, **IA 8.1**

Duality of legal traditions, **IA 8.1**

Terminology, **IA 8.2**

PROPERTY OBTAINED BY CRIME

See also Possession

Bringing into Canada, offence, **CC 357**

Exportation prohibited in rem, **CC 355.3**

Importation prohibited in rem, **CC 355.3**

PROPERTY OBTAINED BY CRIME

—Cont'd

Possession for purpose of trafficking, **CC 355.4, 355.5**

Trafficking in, **CC 355.2, 355.5**

PROSPECTUS

False, **CC 400**

PROTECTION OF PERSONS ENFORCING LAW

See also Defence

Judicial officers

no proceedings when conviction quashed, **CC 783**

Master of ship, **CC 44**

Parent or schoolteacher, **CC 43**

Person enforcing law, **CC 25(1)**

as included offence, **CC 662(5)**

assisting peace officer, **CC 25(1), 28, 31**

execution of process, **CC 25(2), 28, 29(3)**

lawful arrests, **CC 25(4)**

preventing escape, **CC 25(5)**

from a penitentiary, **CC 25(5)**

suppressing riot, **CC 32, 33**

use of force, **CC 25(3), 27**

deadly force, **CC 25(3), (4), (5)**

excessive force, **CC 26**

self-preservation, **CC 25(3)**

Public officers, **CC 25**

Surgeon performing operation, **CC 45**

PROTECTION OF PRIVACY

See Interception of Private Communications

PROVINCIAL COURT JUDGE (FORMERLY MAGISTRATE)

(Aaa)Generally, **CC 2, 483, 553, 554(1)**

PROVINCIAL LAWS

Application of, **IA 8.1**

Language of court and, **CC 582**

Proof of service and, **CC 4(6.1)**

Service in accordance with, **CC 701.1**

PROVOCATION

See also Manslaughter

Illegal arrest and provocation, **CC 232(4)**

Provoked assault, **CC 35**

PROVOCATION—Cont'd

Reduction of murder to manslaughter, CC 232(1)

What constitutes, CC 232(2)

PROWLING AT NIGHT

(Aaa)Generally, CC 177

PSYCHIATRIC OBSERVATION

See Assessments (Mental Disorder)

PUBLIC

See exclusion of public and publicity

PUBLICATION

See also Libel, Obscenity

Admission or confession at preliminary, CC 542(2)

Ban on, see Publicity

Defamatory libel, CC 299

see also Defamatory Libel

Evidence from preliminary, CC 539, 542(2)

Obscene matter, CC 163

consent to prosecution after seizure, CC 164(7)

punishment, CC 169

Prohibitions

evidence taken at preliminary inquiry, CC 539

evidence taken at show cause hearing, CC 517

identity of complainant or witness, CC 486.4, 486.5, 810.5

sexual activity of complainant, CC 276

when jury separated, CC 648

Publishing judicial proceedings

not defamatory libel, CC 305

Punishment, CC 169

restriction when jury separated, CC 648

Rules of court, CC 482(4)

Seditious libel, CC 59

sufficiency of counts, CC 584

Sexual offences

identity of complainant, CC 486.4

PUBLICATION BAN

See Publicity

PUBLIC CONVEYANCE

Fraud in fare collection, CC 393(1)

jurisdiction of provincial court judge, CC 553(c)(viii)

PUBLIC CONVEYANCE—Cont'd

Fraudulently obtaining transportation, CC 393(3)

Interfering with transportation facilities, CC 248

PUBLIC DOCUMENT

Certified copy as evidence, CEA 24, 25

PUBLIC INTEREST IMMUNITY

See Privilege

PUBLICITY

Non-disclosure of witness's identity, CC 486.31

Order restricting publication

application, CC 486.4, 486.5, 672.501(5), 810.5

factors to be considered, CC 486.5, 672.501(3)

for certain offences, CC 486.4, 486.5

juror identity, to protect, CC 631(6)

Prohibition (ban) re

child pornography, CC 672.501(2)

evidence at preliminary inquiry, CC 539, 542(2)

evidence at show cause hearing

judicial interim release, CC 517, 520(9), 521(10)

identity of complainant, CC 486.4, 112, 486.5, 810.5; YCJA 111

identity of juror, CC 631(6)

not criminally responsible, CC 672.501(3)

sexual offence, CC 672.501(1)

trial information where jury not present, CC 648

witness under, CC 18, 112, 486.3; YCJA 111

young offenders, YCJA 69, 75, 110, 112

PUBLIC MISCHIEF

(Aaa)Generally, CC 140

PUBLIC OFFICER

See also Police Officer

Assault on, CC 270(1)(a)

Authorization to commit unlawful acts and omissions, see Law Enforcement Immunity

Breach of trust, CC 122

Bribery, CC 120

Disability on conviction, CC 748(2)

INDEX

PUBLIC OFFICER—Cont'd

- Failure to assist, **CC 129(b)**
- False return, **CC 399**
- Misconduct executing process, **CC 128**
- Obstructing, **CC 129(a)**
- Personation, **CC 130, 130.1**
- Protection, **CC 25**
- “Public officer,” **CC 2**
- Use of force, **CC 25**
 - excessive force, **CC 26**
- Vacancy in office on conviction, **CC 748(1)**
- Weapons, **CC 117.07; CC Reg. 98 to 466 generally**

PUBLIC PEACE

- See Breach of Peace

PUBLIC PLACE

- Offences in public place
 - causing disturbance, **CC 175(1)(a)**
 - indecent act, **CC 173(1)**
 - indecent exhibition, **CC 163(2)(b), 175(1)(c)**
 - loitering, **CC 175(1)(c)**
 - nudity, **CC 174(1)(a)**
 - soliciting, **CC 213**
- “Public place,” **CC 150, 197(1), 319(7)**

PUBLIC REVENUE

- False statement or return, **CC 399**

PUBLIC SEAL

- Forgery, **CC 369(c)**

PUBLIC STORES

- Distinguishing mark
 - applying or removing, **CC 417(1)**
 - prescription, **CC 416**
- Military stores
 - receiving, **CC 420**
- “Public stores,” **CC 2**
- Selling defective stores, **CC 418(1)**
 - loss of capacity to contract, **CC 750(3), (4)**
- Unlawful transactions, **CC 417(2)**
 - presumption, **CC 421(2)**

PUBLIC TRANSIT OPERATOR

- Assault against
 - aggravating factor, **CC 269.01(1)**
 - definitions re, **CC 269.01(2)**
- Defined, **CC 269.01(2)**

PUBLIC UTILITY

- Breach of contract likely to interrupt, **CC 422**

PUNISHMENT

- See also Sentence, Youth Criminal Justice
- Alternative measures
 - defined, **CC 716**
 - disclosure of records, **CC 717.4**
 - government records, **CC 717.3**
 - police records, **CC 717.2**
 - records of persons dealt with, **CC 717.1**
 - when may be used, **CC 717(1)**
 - admissions not admissible in evidence, **CC 717(3)**
 - laying of information, etc., **CC 717(5)**
 - no bar to proceedings, **CC 717(4)**
 - restriction on use, **CC 717(2)**
- Certiorari to review, **CC 777(2)**
- Conditional sentence, **CC 742.1**
- Degrees of punishment, **CC 718.3**
- Fine
 - and other punishment, **CC 734(4), (5)**
 - default in payment
 - imprisonment in default
 - commencement of term, **CC 719(1), (5)**
 - consecutive terms, **CC 718.3(4)**
 - cumulative punishments, **CC 718.3(5)**
 - limit on terms, **CC 718.3(3), (5), 734(4), 787(2)**
 - reduction on part payment, **CC 734.8**
 - sentence by summary conviction court, **CC 787(2)**
 - warrant of committal, **CC 734.7(1) to (2)**
 - discretion of court, **CC 718.3, 734.7**
 - disposition of proceeds, **CC 734.4**
 - fine option program, **CC 736**
 - in lieu of other punishment, **CC 734(1)**
 - licences, permits, **CC 734.5**
 - organizational accused, **CC 735**
 - partial payment, **CC 734.8**
 - payment not waiver of appeal, **CC 820(1)**
- recovery
 - fine on organization, **CC 735**
- remission, **CC 748.1**

PUNISHMENT—Cont'd

Fine—Cont'd

stay of payment, **CC 683(5), (5.1), (6), 822(1)**

time for payment, **CC 734.1**

victim fine surcharge, **CC 737**

Greater punishment for subsequent offence

gaming and betting, **CC 202(2)**

pardon not affecting, **CC 748(4)**

use of firearm in commission of offence, **CC 84(5), (6), 85(3)(b)**

Greater punishment for terrorist activity, **CC 83.27**

notice to offender, **CC 83.27(2)**

Imprisonment

calculation of term, **CC 735**

commencement of term, **CC 719(3) to (5)**

conditional sentence

compulsory conditions, **CC 742.3**

firearm, etc., prohibitions, **CC 742.2**

imposing of, **CC 742.1**

procedure on breach of condition, **CC 742.6**

reading and delivery of order, **CC 742.3(3), (4)**

supervisor may propose changes to conditions, **CC 742.4**

suspension pending appeal, **CC 683(5), (5.1), (6)**

transfer of order, **CC 742.5**

where person imprisoned for new offence, **CC 742.7**

fine in lieu, **CC 734**

organizations, **CC 735**

intermittent, **CC 732(1)**

legality of detention, **CC 775**

life imprisonment, **CC 745**

see also Parole

prison or penitentiary, **CC 743.1**

sentence served according to regulations, **CC 743.3**

where no other provision, **CC 743**

Liability limited, **CC 6(1)(b)**

Minimum punishment, **CC 718.3(2), 734**

Non-communication order, **CC 743.21**

Organizations, **CC 727(4), 734.6, 735**

Parole ineligibility, **CC 743.6, 745 to 745.51**

PUNISHMENT—Cont'd

Principles of sentence

fundamental principle, **CC 718.1**

other sentencing principles, **CC 718.2**

Procedure and evidence

copies of documents, **CC 722.1**

information accepted, **CC 724**

disputed facts, **CC 724(3)**

relevant information, **CC 726.1**

where jury, **CC 724(2)**

inquiry by court, **CC 726.3**

offender may speak to sentence, **CC 726**

other offences, **CC 725**

previous convictions, **CC 727**

proof of certificate of analyst, **CC 729**

reasons for sentence, **CC 726.2**

report by probation officer, **CC 721**

sentence justified by any court, **CC 728**

sentencing proceedings, **CC 720**

submissions on facts, **CC 723**

victim impact statement, **CC 722**

Purpose of sentencing, **CC 718**

Restitution order, see also Restitution

generally, **CC 737.1(1)**

adjournment, **CC 737.1(3)**

form, **CC 737.1(4)**

inquiry by court, **CC 737.1(2)**

reasons, **CC 737.1(5)**

Subsequent conviction

pardon not affecting punishment, **CC 748(4)**

Terrorism

additional, for "terrorist activity," **CC 83.27**

notice to offender, **CC 83.27(2)**

aggravating circumstance, **CC 718.2(a)(v)**

sentences served consecutively, **CC 83.26**

sentencing principles, **CC 718.2(a)(v)**

PYRAMID SELLING

(Aaa)Generally, **CC 206(1)(e)**

QUEBEC

(Aaa)Generally, **CC 2, 8.2, 164(8), 183, 188(4), 320(8), 488.1(1), 493, 534, 552, 745.6(3), 772(2), 812; IA 8.1**

INDEX

QUEEN

- Alarming the Queen
 - evidence of overt acts, **CC 55**
 - statement in indictment, **CC 581(4), 601(9)**
- Bodily harm or assassination, **CC 46(1)(a)**
 - evidence of overt acts, **CC 55**
 - statement in indictment, **CC 581(4), 601(9)**
 - punishment, **CC 47(1), (4)**
 - specific charge of high treason, **CC 582**
- Demise of Crown, **IA 46**

RACE

- See Equality

RADIO

- See also Telecommunication Service
- False message, **CC 372(1)**

RAILWAY EQUIPMENT

- Breach of contract likely to delay, **CC 422(1)(e)**
- Fraud in obtaining transportation, **CC 393(3)**
- Interfering with safety of persons, **CC 248**

REAL PROPERTY

- Fraudulent concealment of title documents, **CC 385(1)**
- Fraudulent registration of title, **CC 386**
- Ownership, **CC 588**

REASONS FOR JUDGMENT

- Furnishing to court of appeal, **CC 682(2)**
- Grounds of dissent on appeal, **CC 677**
- Reserving decision, **CC 645(4)**

RECEIPT

- Fraudulent receipt under Bank Act, **CC 390**
- Photograph as evidence, **CEA 31(2)**
- Purported receipt, **CC 388**
- Valuation, **CC 4(3)**

RECEIVER GENERAL

- Payment of penalties, **CC 723(2)**

RECEIVING

- See Possession

RECOGNIZANCE

- See also Judicial Interim Release, Terrorism

Acknowledgment in false name, **CC 405**

Arrest not vacating, **CC 765**

Arrest of accused

on another charge, **CC 765**

on application of surety, **CC 766, 767**

Before officer in charge

confirmation or cancellation by justice, **CC 508**

failure to appear, **CC 145**

laying of information, **CC 505**

Conditions in, **CC 810(3.02)**

Default

application for forfeiture, **CC 771(1)**

endorsement, **CC 770**

Deposit of money or other valuable security

transfer on forfeiture, **CC 771(4)**

transmission to clerk on default, **CC 770(4)**

Effect after direct indictment, **CC 523(1.2)**

Effect of remand to another jurisdiction, **CC 453(b)**

Entering into on holiday, **CC 20**

Forfeiture

application, **CC 762(1)**

committal of sureties, **CC 773**

payment of penalties, **CC 734.4**

Form, **CC Form 32**

Offences, to prevent, see peace, to keep

On certiorari application, **CC 779**

On release pending appeal or new trial, **CC 679(5)**

arrest after release, **CC 679(6)**

On summary conviction appeal, **CC 816, 817, 818**

Peace, to keep

breach of, **CC 811**

criminal organization offence feared, **CC 810.01**

damage feared, **CC 810**

forced marriage, **CC 810.02**

forms, **Forms 23, 32**

injury feared, **CC 810**

intimidation of justice system

participants feared, **CC 810.01**

marriage under age of 16 years, **CC 810.02**

RECOGNIZANCE—Cont'd

Peace, to keep—Cont'd
 serious personal injury offence feared,
CC 810.02

sexual offence feared, **CC 810.1**
 terrorism offence feared, **CC 810.011**
 terrorist activity feared, **CC 83.3**
 young persons, against, **YCJA 14(4), 20(2)**

Recognizance of witness at preliminary,
CC 550

default, **CC 705(2)**
 recognizance after arrest, **CC 706**

Refusal to enter into, **CC 810(3.01)**
 Sheriff's certificate of committal, **CC 766(3)**

Sureties

additional sureties, **CC 764(2)**
 application for relief, **CC 766**
 arrest of accused, **CC 766(2)**
 committal on forfeiture, **CC 73**
 discharge, **CC 764(3)**
 render of accused, **CC 766, 767**
 rights reserved, **CC 768**

Terrorist activity/offences to prevent, see
 Terrorism

Time in force, **CC 523, 735, 763, 764**

Transfer of order, **CC 810.22**

Vacating, **CC 523(2), 766**
 not vacated by arrest on other charge,
CC 765

Video conference, appearance via, **CC 810.21**

RECORD

See also Document, Register
 Automobile master key sales, **CC 353(3)**
 Bank record as evidence, **CEA 29**
 Business record as evidence, **CEA 30**
 False extract or copy, **CC 378**
 Imperial record
 proof, **CEA 20**
 Judicial proceeding
 custody of record, **CC 559(2)**
 entering of particulars, **CC 587(3)(b)**
 entitlement of Minister of Justice, **CC 682(5)**
 entitlement of parties to appeal, **CC 682(4)**
 entry of stay of proceedings, **CC 579(1)**

RECORD—Cont'd

Judicial proceeding—Cont'd
 furnishing to court of appeal, **CC 682(2)**
 indictment amended, **CC 625**
 transmission, **CC 543, 570, 599, 682(2), 821**
 change of venue, **CC 599(3), (4)**
 preliminary inquiry, **CC 551**

RECORD SUSPENSION

Civil disabilities, removal of, **CC 750(2)**
 Record of conviction
 removal of disabilities, **CC 750(2)**
 royal prerogative of mercy, **CC 748, 749**
 SOIRA orders and
 domestic offenders, **CC 490.015(3), (5)**
 international offenders, **CC 490.026(5)**

REDUCTION OF IMPRISONMENT ON PARTIAL PAYMENT

See Compensation and Restitution

RE-ELECTION

See Election (Mode of Trial)

REGISTER

Destroying or defacing, **CC 377(1)**
 False extract, **CC 378**
 Fraudulent registration of title, **CC 386**

REGISTRAR

Referral of appeal for summary determination, **CC 685**

REGULATIONS

“Designated offence,” defining, **CC 462.3(2)**
 Law enforcement, concerning, **CSDA 55(2) to (2.1)**
 Miscarriages of justice, respecting, **CC 696.6**
 Proof
 judicial notice, **CC 781(2); CEA 21, 22**
 “Serious offence,” defining, **CC 467.1(4)**
 Service of sentence according to regulations, **CC 732(1)**
 Young offenders, **YCJA 154**

RELEASE FROM CUSTODY

See also Judicial Interim Release

INDEX

RELEASE FROM CUSTODY—Cont'd

- By peace officer
 - where arrested without warrant, CC 498(1)
 - where arrested with warrant, CC 499
- Contents of
 - appearance notice, CC 500, Form 9
 - undertaking, CC 501

RELIGIOUS WORSHIP

- Disturbance, CC 176

REMAND

- See Adjournment (Remands)

REMAND FOR OBSERVATION

- See Assessments (Mental Disorder)

REMEDATION AGREEMENTS

- Admissions as evidence, CC 715.33(2), 715.34(2)
- Completion, order declaring successful, CC 715.4
- Conditions for, CC 715.32(1)
- Conflicts of interest re monitor, CC 715.35
- Considerations/factors, CC 715.32(2), (3)
- Contents
 - mandatory, CC 715.34(1)
 - optional, CC, 715.34(3)
- Court
 - approval, application for, CC 715.37
 - definition of, CC 715.3(1)
 - order for approval, CC 715.37(6)
- Deadline, CC 715.41
- Definition of, CC 715.3(1)
- Definitions, CC 715.3
- Evidence, admissions as, CC 715.33(2), 715.34(2)
- Inform, duty to, CC 715.36
- Monitor, independent, CC 715.35
- Negotiation, invitation for, CC 715.33(1)
- Notice to organization, CC 715.33(1)
- Offence, definition of, CC 715.3(1)
- Organization, definition of, CC 715.3(1)
- Publication, CC 715.42
- Purpose, CC 715.31
- Regulations, CC 715.43
- Stays of proceedings, CC 715.37(7), 715.4, 715.39(3)
- Termination orders, CC 715.39
- Variation orders, CC 715.38

REMEDATION AGREEMENTS

—Cont'd

- Victim
 - acting on behalf of, CC 715.3(2)
 - consideration re approval, CC 715.37(3)
 - definition of, CC 715.3(1)
 - duty to inform, CC 715.36
 - impact statement, CC 715.37(4)
 - surcharge, CC 715.37(5)

REMOTE ATTENDANCE

- Accused, CC 715.23 to 715.243
- Attendance, CC 715.21
- Audioconference provisions, CC 715.22
- Cessation, CC 715.222
- Judge, CC 715.26
- Juries, CC 715.27
- Justice, CC 715.36
- Participants, CC 715.25
- Principles, CC 715.21, 715.22
- Reasons, CC 715.221
- Videoconference provisions, CC 715.22

RESCUE

- See Escape and Rescue

RESIDENTIAL PREMISES

- See Dwelling-House

RESISTING ARREST

- Assault with intent, CC 270(1)(b)
- Causing death
 - first degree murder, CC 231(4)

RES JUDICATA

- See also Plea
- (Aaa)Generally, CC 8, 12; CA Part I 11(h)

RESTITUTION

- Ability to pay, CC 739.1
- Bodily harm, CC 738(1)(b), (c), 738(2)
- Civil remedy not affected, CC 741.2
- Claim form, CC Form 34.1
- Condition of probation, CC 738(1), (2)
- Fraud offences, for, CC Form 34.1
- More than one person, CC 739.3
- Notice of orders, CC 741.1
- Order for restitution, CC 491.1
- Payment under order, CC 739.2
- Person acting in good faith, to, CC 739

RESTITUTION—Cont'd

- Powers of court on appeal, CC 689(1), 822(1), 839(2)
- Priority to forfeiture order, CC 740
- Property, CC 738(1)(a), 738(2)
- Public authority, CC 739.4
- Rules of court, CC 482(3)(d)(iv)
- Seized property, CC 489.1
- Suspension of order, CC 683(5), (5.1), (6), 822(1), 839(2)

RESTRICTED DRUGS

- See Drug Offences

RETROACTIVITY

- Prohibition against laws, CA Part I 11(g)

RETURN

- False return by public officer, CC 399
- Sheriff's return, CC 773

REVENUE PAPER

- Defined, CC 321
- Making or possessing, CC 369

REVIEW BOARDS

- See also Dispositions and Disposition Hearings (Mental Disorder), Fitness to Stand Trial
- Appeals from, see Dispositions and Disposition Hearings (Mental Disorder)
- Assessment orders, see Assessments (Mental Disorder)
- Composition
 - chairperson, CC 672.4(1)
 - members, CC 672.39
 - quorum, CC 672.41(1)
 - transitional, CC 672.4(2), 672.41(2)
- Dispositions and disposition hearings, see Dispositions and Disposition Hearings (Mental Disorder)
- Establishment of, CC 672.38
- Inter-provincial transfers, see Inter-Provincial Transfers (Mental Disorder)
- Powers, CC 672.43
- "Review Board," CC 672.1(1)
- Review of dispositions, see Dispositions and Disposition Hearings (Mental Disorder)
- Rules, CC 672.44

REVIEW BOARDS—Cont'd

- Sex offender information registration
 - duty to notify subject of discharge, CC 490.02915(2)
 - duty to notify subject of order, CC 490.018, 490.02915(2)
 - entitlement to copy of order, CC 490.018(1)(d)(i)
- Stay of proceedings—permanently unfit accused
 - notice to accused, CC 672.851(2)
 - power to recommend, CC 672.851(1)

REWARD

- Recovery of goods obtained by crime, CC 142

RIGHT NOT TO BE ARBITRARILY DETAINED OR IMPRISONED

- (Aaa)Generally, CA Part I 9

RIGHT TO COUNSEL

- See Counsel

RIGHT TO LIFE AND LIBERTY

- Generally, CA Part I 7

RIOT

- Duty to disperse or arrest, CC 33
 - neglect of duty, CC 69
- Failure to disperse, CC 68(b), (c)
- Hindering reading of proclamation, CC 68(a)
- Proclamation, CC 67, 68
- Protection of persons enforcing law, CC 32, 33
- Punishment, CC 65
 - where identity concealed, CC 65(2)
- Riot defined, CC 64
- Use of force to suppress, CC 32

ROBBERY

- Armed robbery, CC 343(d)
- Offences, CC 98.1, 343
- Punishment/sentence
 - DNA order on conviction discharge, CC 487.04, 487.051
 - general, CC 344(1)(b)
 - where firearm stolen, CC 98.1
 - where firearm used, CC 344(1)(a), (a.1)
 - subsequent offences, CC 344(2), (3)
 - where home invasion involved, CC 348.1

INDEX

ROBBERY—Cont'd

- Punishment/sentence—Cont'd
 - where intent to steal firearm, **CC 98.1**
- Stopping mail with intent, **CC 345**
- To steal firearm, **CC 98.1**

ROYAL CANADIAN MOUNTED POLICE

- Assisting deserter, **CC 56**

ROYAL PREROGATIVE OF MERCY

- (Aaa)Generally, **CC 749, 751**

RULES OF COURT

- General, **CC 482**
- Judicial notice, **CC 781(2)**
- Power to make, **CC 482(1), (2), 482.1**
- Publication, **CC 482(4)**
- Review of parole eligibility, **CC 745.64**
- Subject-matter, **CC 482(3)**
- Taking of commission evidence, **CC 714**
- Uniform rules, **CC 482(5)**

SABOTAGE

- Device, **CC 52.2**
- Essential infrastructure, **CC 52.1**
- Mischief, **CC 430**
- Offence, **CC 52**
 - Attorney Generals' consent, **CC 52.3**
 - evidence of overt acts, **CC 55**
- Statement in indictment, **CC 581(4)**

SAFE-BREAKING

- See also Breaking and Entering, Break-in Instruments
- Possession of instruments, **CC 351(1)**

SANITY

- See also Mental Disorder
- Presumption of, no mental disorder, **CC 16(2)**

SASKATCHEWAN

- (Aaa)Generally, **CC 2, 164(8), 188(4), 320(8), 493, 552, 745.6(3), 812, 814(1)**

SCHOOLTEACHER

- Correction of pupil, **CC 43**
- excessive force, **CC 26**

SCURRILOUS MATTER

- Delivery by mail, **CC 168**
- punishment, **CC 169**

SEAL OF COURT

- Forms not requiring, **CC 849(2)**
- sealing order, **CC 487.3**

SEARCH AND SEIZURE

- See also Forfeiture, Proceeds of Crime, Search Warrants, Terrorist Group
- Assistance order, **CC 487.02**
- Banking record, **CEA 29(7)**
- Cocks in cock-pit, **CC 447(2)**
- Counterfeit and equipment, **CC 462(2)**
- Crime comic, **CC 164**
- Detention of things seized, **CC 490**
- Disorderly house, **CC 199**
- Disposition of things seized, **CC 117.05, (11), 490(9)**
- Drugs, **CSDA 11 to 13**
- Explosives, **CC 492**
- Firearms
 - forfeiture of seized thing, **CC 117.03(3)**
 - no finding or application, **CC 117.06**
 - return of seized thing, **CC 117.03(2)**
 - seizure on failure to produce authorization, **CC 117.03(1)**
 - without warrant, **CC 117.02, (3), 117.04(2)**
- General warrant, **CC 487.01**
 - electronic surveillance, **CC 487.01(4), (5)**
- Hate propaganda, **CC 320(2) to (7), 320.1**
- Management of seized property
 - destruction of property pursuant to order, **CC 490.81(4) to (7)**
 - duration of order, **CC 490.81(8)**
 - power of court to order, **CC 490.81(1), (7)**
 - power to manage, **CC 490.81(1), (3) to (4)**
 - variation of order, **CC 490.81(9)**
- Minerals and precious metals, **CC 395**
- Obscene matter, **CC 164**
- Photographic evidence of property, **CC 491.2(1)**
 - admissibility, **CC 491.2(2)**
 - attendance for examination, **CC 491.2(6)**
 - certificate, **CC 491.2(3)**
 - notice of intention to produce, **CC 491.2(5)**
 - production of property, **CC 491.2(7)**
 - secondary evidence, **CC 491.2(4)**

SEARCH AND SEIZURE—Cont'd

Preservation of things seized, **CC 490**
 Report by peace officer, **CC 489.1(1)(b)**
 Restitution of seized property, **CC 489.1(1)(a)**
 Terrorist property, see Terrorist Group
 Theft by bailee, **CC 324**
 Transmittal to clerk of court, **CC 490**
 Warrant, see Search Warrants

SEARCH WARRANTS

See also Search and Seizure, Telewarrants
 Application for, **CC 117.04(1)**
 Assistance order, **CC 487.02**
 Detention of things seized, **CC 490**
 appeal from disposition order, **CC 490(17)**
 basis for detention, **CC 490(1)**
 copies of returned documents, **CC 490(13), (14)**
 detention pending appeal, **CC 490(12)**
 disposal of seized items, **CC 490(9), (11), 490.01**
 examination by person interested, **CC 490(15), (16)**
 further detention, **CC 490(2), (3)**
 return of seized property, **CC 490(5) to (11), 490.01**
 Execution of warrant
 execution by day unless otherwise provided, **CC 488**
 execution in another territorial division, **CC 487(2), Form 28, (4)**
 journalistic sources, **CC 488.01 to 488.02**
 seizure of explosives, **CC 492**
 seizure of items not specified, **CC 489**
 Form of warrant, **CC 487(3), Form 5**
 Information to obtain warrant
 form, **CC Form 1**
 requirement, **CC 487(1)**
 sealing order, **CC 487.3**
 Management of seized property, see Search and Seizure
 Report by peace officer
 form, **CC 489.1(3), Form 5.2**
 requirement, **CC 489.1(1), (3)**
 Restriction on publicity, **CC 487.2**
 Return of things seized, **CC 489.1(1), 490.01, 490(1)(a), 490(5) to (11)**
 Seizure of things not specified, **CC 489**

SEARCH WARRANTS—Cont'd

Solicitor-client claims, see Solicitor-Client Privilege
 Specialized warrants
 controlled substances, **CSDA 11(1)**
 counterfeit, **CC 462(2)**
 disorderly houses, **CC 199**
 drugs, **CSDA 11(1)**
 hate propaganda, **CC 320(1), 320.1**
 lumber or lumbering equipment, **CC 339(3)**
 obscene material, **CC 164(1)**
 precious metals, **CC 395**
 proceeds of crime, **CC 462.32, 489**
 telewarrants, **CC 487.1**

SECOND-HAND GOODS

Sale without disclosure, **CC 411**
 forfeiture, **CC 412(2)**
 punishment, **CC 412(1)**

SECRET COMMISSION

(Aaa)Generally, **CC 426**

SECURE ELECTRONIC SIGNATURES

Admissibility, **CC 845**
 Certification authority, **CEA Reg. 2005 to 30, ss. 1, 4**
 Definitions, **CEA 31.8; CEA Reg. 2005 to 30, ss. 1, 2**
 Digital signature certificate, **CEA Reg. 2005 to 30, ss. 1 to 3**
 Presumptions re, **CEA 31.4; CEA Reg. 2005 to 30, s. 5**
 Process, prescribed, **CEA Reg. 2005 to 30, ss. 2 to 5**
 Technology, prescribed, **CEA Reg. 2005 to 30, ss. 2 to 5**

SECURITIES

Affecting public market, **CC 380(2)**
 aggravating circumstances, **CC 380.1(1) to (1.1)**
 non-mitigating factors, **CC 380.1(2)**
 record of sentencing factors, **CC 380.1(3)**
 Broker selling for own account, **CC 384**
 Defrauding public or person of valuable security, **CC 380(1)**
 aggravating circumstances, **CC 380.1(1) to (1.1)**
 minimum punishment, **CC 380(1.1)**
 non-mitigating factors, **CC 380.1(2)**

INDEX

SECURITIES—Cont'd

Defrauding public or person of valuable security, **CC 380(1)**—Cont'd
prohibition order, **CC 380.2**
restitution order, **CC 738, Form 34.1, 739**

Destruction of valuable security, **CC 340(b)**

False prospectus, **CC 400**

aggravating circumstances, **CC 380.1(1) to (1.1)**
non-mitigating factors, **CC 380.1(2)**
record of sentencing factors, **CC 380.1(3)**

Falsification or destruction, **CC 397(1)**

Gaming in stocks, **CC 383(1)**

Insider trading, **CC 382.1**

aggravating circumstances, **CC 380.1(1) to (1.1)**
non-mitigating factors, **CC 380.1(2)**
record of sentencing factors, **CC 380.1(3)**

Manipulating exchange transactions, **CC 382**

aggravating circumstances, **CC 380.1(1) to (1.1)**
non-mitigating factors, **CC 380.1(2)**
record of sentencing factors, **CC 380.1(3)**

Printing or using likeness of bank or government securities, **CC 457(1), (2)**

Tipping, **CC 382.1(2)**

aggravating circumstances, **CC 380.1(1) to (1.1)**
non-mitigating factors, **CC 380.1(2)**
record of sentencing factors, **CC 380.1(3)**

“Valuable security,” **CC 2**
valuation, **CC 4(2)**

SEDITION

Armed forces, **CC 62**

Punishment, **CC 61**

Seditious conspiracy, **CC 59(3)**

Seditious intention, **CC 59(4)**
exception, **CC 60**

Seditious libel, **CC 59(2)**

proof, **CC 584(3)**
sufficiency of counts, **CC 584(1), (2)**
Seditious words, **CC 59(1)**

SEDITION—Cont'd

Superior court jurisdiction, **CC 468, 469(a)(v)**

SEIZURE

See Search and Seizure, see Search Warrants, see Telewarrants, see Solicitor-Client Privilege

SELF DEFENCE

See also Defences (Statutory)
(Aaa)Generally, **CC 34 to 35**

SELF-INCRIMINATION

Answers to incriminating questions, **CEA 5(2); CA Part I 13**

Non-compellability as witness against self, **CA Part I 11(c), Part I 13**

Right to silence, **CA Part I 7; YCJA 146(2)(b)**

SENTENCE

See also Compensation and Restitution, Costs, Discharge, Fine, Prohibition Order, Punishment

Appeal against sentence, **CC 687, 822(1), 839(2)**

Commencement, **CC 719**

Consecutive sentence, **CC 718.3(4), 745.21, 745.51**

Delay for treatment, **CC 720(2)**

Indeterminate detention, **CC 753, 753.01**
appeal, **CC 759**

Interim release not part of term, **CC 719(2)**

Intimate partner, violence involving, **CC 718.3(8)**

Non-communication order, **CC 743.21**

Order for compensation, **CC 738**

Parole ineligibility order, **CC 743.6**

Purpose, principles and objectives, **CC 718 to 718.21**

Report by probation officer, **CC 721(1)**

Subsequent conviction
pardon not affecting sentence, **CC 748(4)**

Time spent in custody as affecting, **CC 719(3)**

exception, **CC 719(3.1)**
reasons, **CC 719(3.2)**
record of proceedings, **CC 719(3.2)**
validity not affected, **CC 719(3.4)**

Variation on certiorari, **CC 777(2)**

SENTENCE—Cont'd

- Victim fine surcharge, **CC 737**
- Victim impact statement, **CC 722(1)**
 - see also Victim Impact Statement copies, **CC 722.1**
- Vulnerability, **CC 718.04, 718.201**
- Vulnerable persons, offences involving, **CC 718.04**
- Where sentence not specifically provided, **CC 126, 127, 743**
- Young offender
 - transfer of jurisdiction, **CC 743.5**

SERVANT

- See Employment

SERVICE

- See also Notice
- In accordance with provincial laws, **CC 4(6.1), 701.1**
- On Sunday or holiday, **CC 20**
- Proof of service of any document, **CC 4(6) to (7)**
 - in accordance with provincial laws, **CC 4(6.1)**
- Summons, **CC 4(7), 509(2)**

SEVERANCE

- See Joinder of Accused and Counts (Aaa)Generally, **CC 551.3(1)(g)(v), 591(3) to (6)**

**SEX OFFENDER INFORMATION
REGISTRATION**

- Appeals
 - compliance orders, **CC 490.014**
 - exemption orders
 - domestic offender, **CC 490.024**
 - offender convicted abroad, **CC 490.02906**
 - termination orders
 - domestic offender, **CC 490.017, 490.029**
 - offender convicted abroad, **CC 490.0291**
 - transferred offender, **CC 490.02914**
- Definitions, see Definitions
- Disclosure of information
 - authorized, **CC 490.03**
- Exemption orders
 - domestic offenders
 - appeals re, **CC 490.024**
 - application for, **CC 490.023**

**SEX OFFENDER INFORMATION
REGISTRATION—Cont'd**

- Exemption orders—Cont'd
 - domestic offenders—Cont'd
 - deemed application, **CC 490.028**
 - notice requirements, **CC 490.025**
 - offenders convicted abroad
 - appeals re, **CC 490.02906**
 - application for, **CC 490.02905**
 - notice requirements, **CC 490.02905(5), 490.02907**
 - variation order, application for, **CC 490.029051**

Forms

- notice of obligation to comply with SOIRA, **CC 490.019, Form 53, Form 54, 490.02901**
- order to comply with SOIRA, **CC 490.012(1) to (2), Form 52**
- International transfer of offenders
 - appeals, **CC 490.029113, 490.06, 490.02914**
 - exemption orders, **CC 490.029111, 490.04**
 - notice
 - release, before, **CC 490.29.15**
 - requirements re, **CC 490.029114, 490.07**
 - termination orders, **CC 490.02912, 490.02913**
 - variation orders, **CC 490.029112, 490.05**
- Interpretation of legislation, **CC 490.011(2)**
- Offences
 - certificate evidence to prove, **CC 490.031(3) to (5)**
 - non-compliance with obligations, **CC 490.031**
 - non-compliance with orders, **CC 490.031**
 - provision of false or misleading information, **CC 490.0311**
- Order to comply with requirements
 - appeal from, **CC 490.014**
 - commencement, **CC 490.013(1)**
 - duration, **CC 490.013**
 - duties of court, **CC 490.012, 490.018**
 - failure to make, **CC 490.012(4), 490.0132**
 - form, **CC 490.012(1) to (2), Form 52**

INDEX

SEX OFFENDER INFORMATION REGISTRATION—Cont'd

- Order to comply with requirements—Cont'd
 - notice requirements, **CC 490.018**
 - powers of court
 - generally, **CC 490.012, 490.018**
 - appeals, re, **CC 490.06**
 - exemption orders, re, **CC 490.04**
 - notice, requirements re, **CC 490.07**
 - variation orders, re, **CC 490.05**
 - reasons, **CC 490.0131**
 - termination order
 - appeal from, **CC 490.017**
 - application for, **CC 490.016**
 - duties of court re, **CC 490.016**
 - notice requirements, **CC 490.016(3), 490.017(2)**
 - powers of court re, **CC 490.016**
 - reasons for decision re, **CC 490.016(2)**
 - right to apply for, **CC 490.015(1)**
- Registration requirements
 - exemption orders
 - appeal from, **CC 490.024, 490.02906**
 - application for, **CC 490.023, 490.02905**
 - deemed application, **CC 490.028**
 - duties of court re, **CC 490.023, 490.02905**
 - jurisdiction, **CC 490.023(1.1)**
 - notice requirements, **CC 490.025, 490.02905(5), 490.02907**
 - powers of court re, **CC 490.023, 490.02905**
 - reasons for decision, **CC 490.023(3)**
 - removal of information from database, **CC 490.023(4), 490.02905(4)**
 - right to apply for, **CC 490.023(1)**
 - form, **CC 490.019, Form 53, Form 54, 490.02901**
 - notice of
 - persons who may be served, **CC 490.02, 490.02902**
 - service of, **CC 490.021, 490.02903**
 - offenders' obligations
 - commencement date, **CC 490.022(1), 490.02904(1)**
 - compliance generally, **CC 490.019, 490.02901**

SEX OFFENDER INFORMATION REGISTRATION—Cont'd

- Registration requirements—Cont'd
 - offenders' obligations—Cont'd
 - duration of, **CC 490.022(3), 490.02904(3)**
 - end date, **CC 490.022(2), 490.02904(2)**
 - order to comply with, see order to comply with requirements
 - termination orders
 - domestic offender, **CC 490.015 to 490.017, 490.026 to 490.028**
 - offender convicted abroad, **CC 490.02908 to 490.02909**
 - transferred offender, **CC 490.02912 to 490.02913**
- Regulations, power to make
 - federal, **CC 490.032**
- Reporting requirements
 - correctional officials' obligations
 - notice before release, **CC 490.02915(1)**
 - offenders' obligations
 - arrival in Canada, offender convicted abroad, **CC 490.02911**
 - change of information, notification of, re, **CC 490.02911(2)**
 - information provision, re, **CC 490.02911**
 - new obligation, **CC 490.02911(1.1)**
 - reporting dates, **CC 490.02911(1), CC 490.02911(2)**
 - subsequent obligation, **CC 490.02911(2)**
 - young offenders, **CC 490.011(2)**
- Review Board's obligations
 - notice on disposition, **CC 490.02915(2)**
- Termination orders
 - appeal from
 - domestic offender, **CC 490.017, 490.029**
 - offender convicted abroad, **CC 490.0291**
 - transferred offender, **CC 490.02914**
 - application for
 - domestic offender, **CC 490.015, 490.026**
 - offender convicted abroad, **CC 490.02908**

**SEX OFFENDER INFORMATION
REGISTRATION—Cont'd**

Termination orders—Cont'd
 application for—Cont'd
 transferred offender, **CC 490.02912**
 deemed application, **CC 490.028**
 duties of court re
 domestic offender, **CC 490.016, 490.027**
 offender convicted abroad, **CC 490.02909**
 transferred offender, **CC 490.02913**
 jurisdiction, **CC 490.015(6), 490.026(6)**
 notice requirements
 domestic offender, **CC 490.016(3), 490.017(2), 490.027(3), 490.029(2)**
 offender convicted abroad, **CC 490.02909(3), 490.0291(2)**
 transferred offender, **CC 490.02913(3), 490.02914(2)**
 powers of court re
 domestic offender, **CC 490.016, 490.027**
 offender convicted abroad, **CC 490.02909**
 transferred offender, **CC 490.02913**
 re-application
 domestic offender, **CC 490.015(5), 490.026(5)**
 offender convicted abroad, **CC 490.02908(4)**
 transferred offender, **CC 490.02912(4)**
 reasons for decision
 domestic offender, **CC 490.016(2), 490.027(2)**
 offender convicted abroad, **CC 490.02909(2)**
 transferred offender, **CC 490.02913(2)**
 time for application
 domestic offender, **CC 490.015(1) to (3), (5), 490.026(2) to (5)**
 offender convicted abroad, **CC 490.02908(2) to (4)**
 transferred offender, **CC 490.02912(2) to (4)**
 Young offenders, rights re, **CC 490.011(2)**

**SEXUAL ACTIVITY (HOUSEHOLDER
PERMITTING)**

See also Child
 (Aaa)Generally, **CC 171**
 Removal of child from Canada with
 intent, **CC 273.3(1)(c)**

SEXUAL ACTIVITY (PROCURING)

See also Child, Sexual Services
 (Aaa)Generally, **CC 170**
 Removal of child from Canada with
 intent, **CC 273.3(1)(c)**

SEXUAL ACTIVITY EVIDENCE

Admissible evidence of, **CC 276(2), (3)**
 Conditions of admissibility, **CC 276(2)**
 Considerations/factors, **CC 276(3)**
 General rule of admissibility, **CC 276(1)**
 Interpretation, **CC 276(4)**

SEXUAL ASSAULT

See also Trafficking, Persons
 Aggravated, **CC 273**
 internationally protected person,
 outside Canada, **CC 7(3)**
 punishment where firearm used, **CC 273(2)(a), (a.1)**
 subsequent offences, **CC 273(3), (4)**
 punishment where victim under 16, **CC 272(2)(a.2)**
 Causing bodily harm, **CC 272**
 “bodily harm” defined, **CC 2**
 internationally protected person,
 outside Canada, **CC 7(3)**
 punishment where firearm used, **CC 272(2)(a), (a.1)**
 subsequent offences, **CC 272(3), (4)**
 punishment where victim under 16, **CC 273(2)(a.2)**
 United Nations or associated personnel,
 outside Canada, **CC 7(3.71)**
 Consent, **CC 150.1, 265(3), 273.1(1)**
 honest belief, **CC 265(4), 273.2**
 of person under 16, **CC 150.1(1) to (2.2), (6)**
 Internationally protected person, outside
 Canada, **CC 7(3)**
 Mistaken belief as to age, **CC 150.1(4), (6)**
 Offence, **CC 271**
 punishment where victim under 16, **CC 271(a), (b)**

INDEX

SEXUAL ASSAULT—Cont'd

- Party to offence, **CC 272(1)(d)**
- Rules of evidence
 - corroboration, **CC 274**
 - obstructed view testimony, **CC 486.2**
 - recent complaint, **CC 275**
 - sexual activity evidence, see Sexual Activity Evidence
 - sexual reputation, **CC 277**
 - testimony outside courtroom, **CC 486.2**
 - videotaped complaint, **CC 715.1**
- Safeguarding identity, **CC 486.4, 486.5**
- Spouse, **CC 278**
- Threats to third party, **CC 272(1)(b)**
 - internationally protected person, outside Canada, **CC 7(3)**
 - punishment where victim under 16, **CC 273(2)(a.2)**
 - United Nations or associated personnel, outside Canada, **CC 7(3.71)**
- With weapon, **CC 272(1)(a)**
 - internationally protected person, outside Canada, **CC 7(3)**
 - punishment where firearm used, **CC 272(1)(a), 273(2)(a.1)**
 - punishment where victim under 16, **CC 273(2)(a.2)**
 - subsequent offences, **CC 272(3), (4)**
 - United Nations or associated personnel, outside Canada, **CC 7(3.71)**

SEXUAL EXPLOITATION

- Consent of person under 16, **CC 150.1(1)**
- Disabled person, of consent
 - accused's belief as to consent, **CC 153.1(6)**
 - belief in consent not a defence, **CC 153.1(5)**
 - definition of, **CC 153.1(2)**
 - no consent obtained, **CC 153.1(3), (4)**
 - offence, **CC 153.1(1)**
- Inference, **CC 153(1.2)**
- Mistake of age, **CC 150.1(5)**
- Offence, **CC 153(1)**
- Order of prohibition, **CC 161**
- Person with disability, **CC 153.1**
- Punishment, **CC 153(1.1)**
- Recognizance to prevent offence, **CC 810.1**

SEXUAL EXPLOITATION—Cont'd

- Removal of child from Canada with intent, **CC 273.3(1)(b)**
- Rules of evidence, see Sexual Assault, see Sexual Activity Evidence
- Safeguarding identity, **CC 486.4, 486.5**

SEXUAL INTERCOURSE

- Completion of act, **CC 4(5)**

SEXUAL INTERFERENCE

- Accused aged twelve or thirteen, **CC 150.1(3)**
- Consent of person under 16, **CC 150.1(1) to (2.2), (6)**
- Mistake of age, **CC 150.1(4), (6)**
- Offence, **CC 151**
- Order of prohibition, **CC 161**
- Removal of child from Canada with intent, **CC 273.3(1)(a)**
- Rules of evidence, see Sexual Assault, see Sexual Activity Evidence
- Safeguarding identity, **CC 486.4, 486.5**

SEXUAL OFFENCE

- Breach, **CC 811**
- Historic offences, **CC 156**
- Recognizance, **CC 810.1**

SEXUAL SERVICES

- See also Avails, Disorderly House, Procuring, Soliciting, Trafficking, Persons
- Advertisement of
 - definition of, **CC 164(8)**
 - immunity, **CC 286.5(1)**
 - offence, **CC 286.4**
- Aiding and abetting, **CC 286.5(2)**
- Commodification of, **CC 286.1 to 286.5**
- Communicating to provide for consideration, **CC 213(1.1)**
- Immunities re, **CC 286.5**
- Interfering with traffic, **CC 213(1)**
- Material benefit from
 - generally, **CC 286.2(1)**
 - aggravating factor, **CC 286.2(6)**
 - exception, whether, **CC 286.2(4), (5)**
 - immunity, **CC 286.5(1)**
 - presumption, **CC 286.2(3)**
 - 18 years of age, from person under, **CC 286.2(2)**
- Obtaining
 - generally, **CC 286.1(1)**

SEXUAL SERVICES—Cont'd

Obtaining—Cont'd

convictions, sequence of, **CC 286.1(4)**
 “place” defined, **CC 286.1(5)**
 “public place” defined, **CC 286.1(5)**
 subsequent offences, **CC 286.1(3)**
 18 years of age, from person under, **CC 286.1(2)**

Procuring

generally, **CC 286.3(1)**
 18 years of age, from person under, **CC 286.2(3)**

SEXUAL TOUCHING (INVITATION TO)

Accused aged twelve or thirteen, **CC 150.1(3)**

Consent of person under 16, **CC 150.1(1) to (2.2), (6)**

Offence, **CC 152**

Order of prohibition, **CC 161**

Removal of child from Canada with intent, **CC 273.3(1)(a)**

Rules of evidence, see Sexual Assault, see Sexual Activity Evidence

SHERIFF

As peace officer, **CC 2**

Certificate of committal, **CC 766(3)**

Committal of surety, **CC 773(4)**

Execution of writ of fieri facias, **CC 772(1)**

certificate of return, **CC 773(1)**

Murder as first degree, **CC 231(4)(a)**

Notice of committal, **CC 560(1)(a), 560(2)**

Notice of trial, **CC 560**

SHIP

See also Vessels, Maritime Navigation, International

Particular offences

act of violence, **CC 78.1(2)(a)**

destroys or causes damage, **CC 78.1(2)(b)**

destroys or causes damage to maritime navigational facility, **CC 78.1(2)(c)**

DNA order on conviction or discharge, **CC 487.04, 487.051**

false communication, **CC 78.1(3)**

places anything likely to cause damage, **CC 78.1(2)(d)**

SHIP—Cont'd

Particular offences—Cont'd

seizes or exercises control, **CC 78.1(1)**

threats endangering safe navigation, **CC 78.1(4)**

SLUG OR TOKEN

Fraudulent manufacture, sale or possession, **CC 454**

SOLEMN DECLARATION

See Affidavit

SOLICITING

(Aaa)Generally, **CC 213**

SOLICITOR

See also Counsel

Fraudulent concealment of title document, **CC 385**

Interception of communications, **CC 186(2), (3)**

Privilege respecting documents, **CC 488.1**
 “Solicitor,” **CC 183**

SOLICITOR-CLIENT PRIVILEGE

Application to determine issue, **CC 488.1(3), (4)**

Definitions

“custodian,” **CC 488.1(1)**

“document,” **CC 488.1(1)**

“judge,” **CC 488.1(1)**

“lawyer,” **CC 488.1(1)**

“officer,” **CC 488.1(1)**

Examination and copying, **CC 488.1(2), (8)**

(Aaa)Generally, **CC 488.1**

Hearing of application

determination of issue, **CC 488.1(4)(d)**

inspection of documents, **CC 488.1(4)(a), (b)**

notice of hearing, **CC 488.1(10)**

order where no application, **CC 488.1(6)**

valid privilege claim, **CC 488.1(5)**

Seizure, **CC 488.1(2)**

SPACE STATION

Definitions, **CC 7(2.34)**

Offence committed by Canadian crew member, **CC 7(2.3)**

Offence committed by crew member of Partner State, **CC 7(2.31)**

INDEX

SPACE STATION—Cont'd

- Proceedings by Attorney General of Canada, **CC 7(2.32)**
- consent of Attorney General of Canada, **CC 7(2.33)**

SPECIFIC PLEAS

- See Plea

SPOUSE

- See also Marriage, Privilege
- As witness, **CEA 4**
- Compulsion of, **CC 18**
- Duty to provide necessities, **CC 215(1)(b)**
- Failure to provide necessities, **CC 215(2)**
 - necessaries provided by another no defence, **CC 215(4)(d)**
 - punishment, **CC 215(3)**
- Intimidation, **CC 423(1)(a)**
 - exception, **CC 423(2)**
 - punishment, **CC 423(1)**
- Privilege for communications, **CEA 4(3)**
- Restitution to, **CC 738(1)(c)**
- Sentencing principles protecting, **CC 718.2(a)(ii)**
- Sexual assault by, **CC 278**
- Sureties to protect, **CC 810(1)**

STALKING ANOTHER PERSON

- See Criminal Harassment

STAMP

- As chattel, **CC 4(2)**
- As property, **CC 2**
- Counterfeiting or mutilating, **CC 376(1)(a)**
- Possession of counterfeit, **CC 376(1)(b)**
- “Stamp,” **CC 376(3)**
- Value, **CC 4(2)**

STATEMENT OF ACCOUNT

- False, **CC 400**

STATEMENT OF ACCUSED

- At preliminary, **CC 541, 542**
 - publication, **CC 542(2), (3)**
 - use in evidence, **CC 657**
- Inspection, **CC 603**
- Young person, **YCJA 10(4), 146**

STATUTES

- See also Interpretation, Judicial Notice, Youth Criminal Justice

STATUTES—Cont'd

Application

- common law, **CC 8(3)**
- Criminal Code
 - Northwest Territories, **CC 8(1)(a)**
 - Yukon, **CC 8(1)(b)**
- effect of business records provisions, **CEA 30(1)**
- Identification of Criminals Act, **YCJA 113(1)**
- law of England, **CC 8(2)**
- offences under more than one Act, **CC 12**
- pre-Confederation statutes offences abolished, **CC 9(c)**

Construction

- cross-references, **CC 3**
- expressions taken from other Acts, **CC 4(4)**

Disobeying statute, **CC 15, 126**

Evidence

- Queen's Printer copies as evidence, **CEA 19, 20(c), 21(b), 22(1)(b)**

Proclamation

- order to prohibit drilling, **CC 70**
- proof, **CEA 21, 22**
 - Imperial proclamation, **CEA 20**
 - riot proclamation, **CC 67, 68**

Regulation

- judicial notice, **CC 781(2)**
- proof, **CEA 21, 22**
- service of sentence according to regulations, **CC 732(1)**

STATUTORY DECLARATION

- See Affidavit

STAY OF PROCEEDINGS

- By Attorney General, **CC 579(1)**
 - recommencement, **CC 579(2)**
- Permanently unfit accused, against
 - appeal from stay, **CC 672.852**
 - assessment order on inquiry, **CC 672.851(5)**
 - effect of stay, **CC 672.851(9)**
 - inquiry by court re, **CC 672.851(1)**
 - notice to accused of recommendation, **CC 672.851(2)**
 - order by court, **CC 672.851(7), (8)**
 - recommendation by Review Board, **CC 672.851(1)**

STAY OF PROCEEDINGS—Cont'd

- Stay of judgment
 - not stayed for defect in jury process, **CC 670**
- Stay pending appeal
 - payment of fine, **CC 683(5)**
 - recognizance, **CC 683(5.1), (7)**
 - re-sentencing and, **CC 683(7)**
 - revocation of stay, **CC 686(6)**
 - undertaking, **CC 683(5.1), (7)**
- Summary conviction proceedings, **CC 579(1), 795**

STOCKS AND SHARES

- See Securities

STOLEN GOODS

- See also Possession, Property Obtained by Crime
- Bringing into Canada, **CC 357**
- Taking reward for recovery, **CC 142**

STREET RACING

- See Criminal Negligence, see Bodily Harm, see Death, see Motor Vehicles, see Prohibition Order

STUPEFYING DRUG

- To aid commission of offence, **CC 246**

SUBPOENA

- See also Witness
- Contents, **CC 700**
- Issuance, **CC 698, 699**
- Service, **CC 701**
- Territorial effect, **CC 702**
- Video links, **CC 700.1**

SUICIDE

- Counselling or aiding, **CC 241(1)**
- consent not affecting liability, **CC 14**

SUMMARY CONVICTION PROCEEDINGS

- Adjournment, **CC 803(1), (2)**
- Appeal, see Appeal (Summary Convictions)
- Application of Code provisions, **CC 786(1), 795**
- Conviction, **CC 804**
 - memorandum, **CC 806(1)**
 - warrant of committal, **CC 806(2)**
- Costs, **CC 809(1)**

SUMMARY CONVICTION

PROCEEDINGS—Cont'd

- Evidence
 - examination of witnesses, **CC 802(2), (3)**
 - taking of evidence, **CC 801(2)**
- Fees and allowances, **CC 840**
- Information
 - amendment
 - dismissal, **CC 799, 803(4), 804**
 - order and certificate, **CC 808**
 - defined, **CC 785**
 - form, **CC 788(1), 789**
 - negating exceptions, **CC 794(1)**
 - reference to previous conviction, **CC 789(2)**
 - separate trial of counts, **CC 591(3)(a), 795**
 - sufficiency of counts, **CC 581, 583, 795**
- Jurisdiction
 - one justice may act, **CC 788(2)**
 - territorial jurisdiction, **CC 798**
 - two or more justices, **CC 790(2)**
- Limitation on proceedings, **CC 786(2)**
- Previous conviction
 - reference in information, **CC 789(2)**
- "Proceedings," **CC 785**
- Punishment, **CC 787**
 - costs, **CC 809**
 - joint offenders
 - disposal of penalties, **CC 807**
 - payment of fine not waiver of appeal, **CC 820(1)**
- "Sentence," **CC 785**
- "Summary conviction court," **CC 785**
- Trial procedure, **CC 795**
 - adjournment, **CC 803**
 - adjudication, **CC 804**
 - appearance by defendant counsel or agent, **CC 650.01, (3), 650.02, 800(2), 802.1**
 - non-appearance, **CC 803(2), (3)**
 - technological appearance, **CC 650.02**
 - trial proceedings, **CC 650.01, 650.02, 800(1), 802.1**
- appearance by prosecutor
 - dismissal or adjournment on non-appearance, **CC 799, 803(4)**

SUMMARY CONVICTION

PROCEEDINGS—Cont'd

- Trial procedure, CC 795—Cont'd
 - appearance by prosecutor—Cont'd
 - technological appearance, CC 650.02
 - trial proceeding, CC 650.02, 800(1)
- arraignment, CC 801(1)
- conviction, CC 804
 - memorandum, CC 806(1)
 - warrant of committal, CC 806(2)
- dismissal of information, CC 799, 803(4), 804
 - order and certificate, CC 808
- examination of witnesses, CC 802(2), (3)
- ex parte trial, CC 803(2), (3)
- full answer and defence, CC 802(1)
- new trial
 - interim release, CC 822(3)
 - venue, CC 822(2)
- separate trial of counts, CC 591(3)(a)
- Warrant of committal, CC 806(2), (3)

SUMMONS

- Appearance of accused other than by designated counsel, requiring, CC 650.01(4)
- Effect after direct indictment, CC 523(1.2)
- Failure to appear, CC 145, 512.1
 - summary conviction proceedings, CC 803(2), (3)
- Form and content, CC 509(1), (4), (5)
- Irregularity not affecting validity, CC 546
 - adjournment, CC 547
- Issuance
 - after laying of information, CC 507, 507.1, 509
 - on holiday, CC 20
 - power of one justice, CC 788(2)(b)
 - private prosecution, in, CC 507.1
 - upon failure to appear after adjournment, CC 485
- Person charged, to, CC Form 6
- Service
 - by peace officer, CC 509(2)
 - on designated counsel of record, CC 650.01
 - on organization, CC 703.2
- Signing in blank, CC 507(5), 507.1(8)

SUMMONS—Cont'd

- Summons to show cause in seizure of obscene matter, CC 164(2)
- Time in force, CC 523, 736(2)
- Where jurisdiction lost, CC 485(2)

SUNDAY

- Service on, CC 20
- Taking of jury verdict, CC 654

SUPERIOR COURT OF CRIMINAL JURISDICTION

- Defined, CC 2
- Jurisdiction over offences, CC 468, 469
- Power to make rules, CC 482(1)

SURETIES TO KEEP PEACE

- Breach of recognizance, CC 811
- Criminal organization offence feared, CC 810.01
- Damage feared, CC 810
- Forms, CC Forms 23, 32
- Injury feared, CC 810
- Intimidation of justice system participants feared, CC 810.01
- Serious personal injury offence feared, CC 810.02
- Sexual offence feared, CC 810.1
- Terrorism offence feared, CC 810.011
- Terrorist activity feared, CC 83.3
- Young persons, against, YCJA 14(4), 20(2)

SURETY

- See also Recognizance
- Declaration, CC Form 12
- Indemnification
 - by surety, CC 139(1)(b)
 - of surety, CC 139(1)(a)
- Render of accused, CC 766, 767
- Rights of, CC 768
- Substitution of, CC 767.1

SURGICAL OPERATION

- See also Physician
- Duty of knowledge, skill and care, CC 216
- Surgeon protected, CC 45

SURVEYOR

- Interference with boundary mark, CC 443(2)

TELECOMMUNICATION SERVICE

See also Radio
 Device to obtain use without payment, **CC 327**
 Equipment exempt from seizure, **CC 199(6)**
 Means of telecommunication, **CC 4(8)**
 Theft of service, **CC 326(1)**

TELEGRAPH OR TELEGRAM

Equipment exempt from seizure, **CC 199(6)**
 False message, **CC 372(1)**
 Messages facilitate betting, **CC 199(1), (2)**

TELEPHONE

Equipment exempt from seizure, **CC 199(6)**
 False communication, **CC 372(1)**
 Harassing communications, **CC 372(3)**
 Indecent communications, **CC 372(2)**
 Messages to facilitate betting, **CC 202(1)(i)**

TELEWARRANTS

See also Search and Seizure
 Generally, **CC 487.1(1) to (11)**
 Means of telecommunication, **CC 529.5**

TENANT IN COMMON

Theft, **CC 328(d)**

TERRITORIAL DIVISION

Offences deemed committed in, **CC 476**
 Offences in unorganized territory, **CC 480(1)**
 Provisional districts or new divisions, **CC 480(2)**
 “Territorial division,” **CC 2**

TERRITORIAL JURISDICTION

See Jurisdiction

TERRORISM

See also Terrorist Financing, Terrorist Group
 Annual reports
 arrest warrants, re, **CC 83.31(4)**
 investigative hearings, re, **CC 83.31(4)**
 preventive arrests without warrant, re, **CC 83.31(2) to (4)**
 Arrest, **CC 83.3**
 see also preventive arrest

TERRORISM—Cont’d

Bail, see generally, see Judicial Interim Release

additional conditions, **CC 515(4.2), (4.3)(a)**
 condition prohibiting possession of firearms, **CC 515(4.1)(a.1)**
 reverse onus, **CC 515(6)(a)(iii)**

Concealing terrorist

disclosure of income tax information for investigation of, **CC 462.48(1.1)**

DNA order on conviction or discharge, **CC 487.04, 487.051**

likely terrorist, **CC 83.23(2)**

offence, **CC 83.23**

offence outside Canada, **CC 7(3.74)**

sentences served consecutively, **CC 83.26**

Electronic surveillance, see generally, see Interception of Private Communications

authorization

standard for issuance, relaxed, **CC 185(1.1), 186(1.1)**

time limitation, extended, **CC 186(1.1)**

eligible offences, **CC 183**

subject notification period, extended, **CC 196(5)**

Facilitating terrorist activity

disclosure of income tax information for investigation of, **CC 462.48(1.1)**

DNA order on conviction or discharge, **CC 487.04, 487.051**

“facilitation,” **CC 83.19(2)**

leaving Canada to facilitate, **CC 83.191**

offence, **CC 83.19(1)**

offence outside Canada, **CC 7(3.74), 83.191**

sentences served consecutively, **CC 83.26**

“terrorist activity,” **CC 83.01(1) to (1.2)**

Financing of, see Terrorist Financing

Forfeiture, see Terrorist Group

Harbouring terrorist

disclosure of income tax information for investigation of, **CC 462.48(1.1)**

TERRORISM—Cont'd

- Harbouring terrorist—Cont'd
 - DNA order on conviction or discharge, **CC 487.04, 487.051**
 - likely terrorist, **CC 83.23(2)**
 - offence, **CC 83.23**
 - offence outside Canada, **CC 7(3.74)**
 - sentences served consecutively, **CC 83.26**
- Hoax regarding terrorist activity, **CC 83.231**
- Instructing to carry out terrorist activity
 - disclosure of income tax information for investigation of, **CC 462.48(1.1)**
 - offence, **CC 83.22(1)**
 - proof, Crown burden, **CC 83.22(2)**
 - sentences served consecutively, **CC 83.26**
 - “terrorist activity,” **CC 83.01(1) to (1.2)**
- Investigative hearing
 - annual reports re operation of provisions, **CC 83.31(4)**
 - sunset clauses, **CC 83.32**
- List of entities, see Terrorist Group
- Nuclear, see Nuclear Terrorism
- Offences outside Canada, **CC 7(3.74)**
- Parole, power of court to delay for offence, **CC 743.6(1.2)**
- Peace bonds, see recognizances
- Preventive arrest
 - annual reports re operation of provisions, **CC 83.31(2) to (4)**
 - opinions, **CC 83.31(3.1)**
 - authority to make, without warrant, **CC 83.3(4)**
 - duty of peace officer, **CC 83.3(5)**
 - sunset clauses, **CC 83.32, 83.33(2)**
 - taking before judge
 - adjournment for recognizance hearing, **CC 83.3(7)**
 - order of detention or release, **CC 83.3(7)**
 - timing of, **CC 83.3(6)**
 - transitional provisions, **CC 83.33(2)**
- Proceedings
 - jurisdiction, **CC 83.25**
 - preventive arrest, on, **CC 83.3(6) to (7)**
 - recognizance with conditions, on application for, **CC 83.3(8)**

TERRORISM—Cont'd

- Property, see Terrorist Group
- Public Safety Minister, **CC 83.031 to 83.0392**
- Punishment
 - additional, for “terrorist activity,” **CC 83.27**
 - notice to offender, **CC 83.27(2)**
 - aggravating circumstance, **CC 718.2(a)(v)**
 - sentences served consecutively, **CC 83.26**
 - sentencing principles, **CC 718.2(a)(v)**
- Recognizances
 - terrorism offence, to prevent adjudication, **CC 810.01(3)**
 - appearance, **CC 810.01(2)**
 - breach of, **CC 811**
 - conditions
 - firearms, **CC 810.01(5) to (5.2)**
 - in recognizance, **CC 810.01(4.1)**
 - reasons, where not imposed, **CC 810.01(5.2)**
 - surrender, etc., **CC 810.01(5.1)**
 - variance, **CC 810.01(6)**
 - consent of Attorney General required to lay information, **CC 810.01(1)**
 - duration extended, **CC 810.01(3.1)**
 - forms, **CC 810.01(7), Forms 23, 32**
 - hearing before judge, **CC 810.01(3)**
 - procedure, **CC 810.01(7)**
 - laying information, **CC 810.01(1)**
 - order for detention or release with conditions, **CC 810.01(3)**
 - procedure, **CC 810.01(7)**
 - refusal to enter, effect of, **CC 810.01(4)**
 - variance, **CC 810.01(6)**
- terrorist activity, to prevent
 - annual report re operation of provisions, **CC 83.31(2) to (4)**
 - opinions, **CC 83.31(3.1)**
 - appearance, **CC 83.3(3)**
 - breach of, **CC 811**
 - conditions
 - firearms, **CC 83.3(10) to (12)**
 - reasons, where not imposed, **CC 83.3(12)**
 - surrender, etc., **CC 83.3(11)**
 - variance, **CC 83.3(13)**

TERRORISM—Cont'd

Recognizances—Cont'd
 terrorist activity, to prevent—Cont'd
 consent of Attorney General required
 to lay information, **CC 83.3(1)**
 forms, **CC 83.3(14); Form 23, 32**
 hearing before judge, **CC 83.3(8)**
 procedure, **CC 83.3(14)**
 laying information, **CC 83.3(2)**
 order for detention or release with
 conditions, **CC 83.3(8)**
 procedure, **CC 83.3(14)**
 refusal to enter, effect of, **CC 83.3(9)**
 variance, **CC 83.3(13)**
 Seizure, see Terrorist Group
 Sunset clauses, **CC 83.32, 83.33**
 “Terrorism offence,” **CC 2**
 Terrorist activity
 additional punishment for, **CC 83.27**
 arrest to prevent, **CC 83.3(4)**
 concealing person likely to carry out,
 CC 83.23(2)
 concealing person who has carried out,
 CC 83.23(1)
 defined, **CC 83.01(1) to (1.2)**
 facilitating, **CC 83.19, 83.191**
 harbouring person likely to carry out,
 CC 83.23(2)
 harbouring person who has carried out,
 CC 83.23(1)
 instructing to carry out, **CC 83.22**
 leaving Canada to commit, **CC 83.191**
 leaving Canada to facilitate, **CC 83.202**
 murder during deemed first degree, **CC**
 231(6.01)
 offences outside Canada, **CC 7(3.74),**
 83.191, 83.202
 recognizance to prevent, **CC 83.3**
 Witness protection in cases involving
 exclusion of public, **CC 486**
 limits on cross-examination by
 accused, **CC 486.3(2) to (5)**
 obstructed view testimony, **CC**
 486.2(2) to (6)
 publication ban, **CC 486.5**
 recognizances, **CC 83.3, 810.01**
 testimony outside courtroom, **CC**
 486.2(2) to (6)

TERRORIST FINANCING

Collecting/making available/providing
 property or services for terrorist
 purposes
 disclosure of income tax information
 for investigation of, **CC**
 462.48(1.1)
 offence, **CC 83.03**
 offence outside Canada, **CC 7(3.74)**
 sentences served consecutively, **CC**
 83.26
 Collecting/providing property for certain
 activities
 disclosure of income tax information
 for investigation of, **CC**
 462.48(1.1)
 offence, **CC 83.02**
 offence committed outside Canada, **CC**
 7(3.73)
 sentences served consecutively, **CC**
 83.26
 Disclosure of income tax information for
 investigation of, **CC 462.48(1.1)**
 Inviting person to provide, financial or
 related services available for terrorist
 purposes
 disclosure of income tax information
 for investigation of, **CC**
 462.48(1.1)
 offence, **CC 83.03**
 offence outside Canada, **CC 7(3.74)**
 sentences served consecutively, **CC**
 83.26
 Inviting person to provide property for
 terrorist purposes
 disclosure of income tax information
 for investigation of, **CC**
 462.48(1.1)
 offence, **CC 83.03**
 offence outside Canada, **CC 7(3.74)**
 sentences served consecutively, **CC**
 83.26
 Making financial or related services avail-
 able for terrorist purposes
 disclosure of income tax information
 for investigation of, **CC**
 462.48(1.1)
 offence, **CC 83.03**
 offence outside Canada, **CC 7(3.74)**
 sentences served consecutively, **CC**
 83.26

TERRORIST FINANCING—Cont'd

- Possessing property for terrorist purposes
 - disclosure of income tax information for investigation of, CC **462.48(1.1)**
 - offence, CC **83.04(b)**
 - offence outside Canada, CC **7(3.74)**
 - sentences served consecutively, CC **83.26**
- Using property for terrorist purposes, CC **83.03(2), 83.04(a)**
 - disclosure of income tax information for investigation of, CC **462.48(1.1)**
 - offence, CC **83.04(b)**
 - offence outside Canada, CC **7(3.74)**
 - sentences served consecutively, CC **83.26**
- Witness protection in cases involving exclusion of public, CC **486**
 - limits on cross-examination by accused, CC **486.3(2) to (5)**
 - obstructed view testimony, CC **486.2(2) to (6)**
 - publication ban, CC **486.5**
 - testimony outside courtroom, CC **486.2(2) to (6)**

TERRORIST GROUP

- See also Terrorism
- Commission of offence for
 - bail, see generally, see Judicial Interim Release
 - additional conditions, CC **515(4.2), (4.3)(a)**
 - condition prohibiting possession of firearms, CC **515(4.1)(a.1)**
 - reverse onus, CC **515(6)(a)(iii)**
 - disclosure of income tax information for investigation of, CC **462.48(1.1)**
 - DNA order on conviction or discharge, CC **487.04, 487.051**
 - offence, CC **83.2**
 - offence outside Canada, CC **7(3.74)**
 - parole, power of court to delay for offence, CC **743.6(1.2)**
 - sentences served consecutively, CC **83.26**
- Defined, CC **83.01(1)**
- Disclosure of income tax information for investigation of, CC **462.48(1.1)**

TERRORIST GROUP—Cont'd

- Instructing to carry out activity for
 - bail, see generally Judicial Interim Release
 - additional conditions, CC **515(4.2), (4.3)(a)**
 - condition prohibiting possession of firearms, CC **515(4.1)(a.1)**
 - reverse onus, CC **515(6)(a)(iii)**
 - disclosure of income tax information for investigation of, CC **462.48(1.1)**
 - DNA order on conviction or discharge, CC **487.04, 487.051**
 - offence, CC **83.21(1)**
 - offence outside Canada, CC **7(3.74)**
 - parole, power of court to delay for offence, CC **743.6(1.2)**
 - proof, Crown burden, CC **83.21(2)**
 - sentences served consecutively, CC **83.26**
- Leaving Canada to commit offence for, CC **83.201**
- Leaving Canada to participate in activity of, CC **83.181**
- List of entities
 - application for removal
 - application for judicial review of refusal
 - duties of court, CC **83.05(6)**
 - evidence admissible on application, CC **83.05(6.1)**
 - procedural rights of applicant, CC **83.05(6)**
 - publication of notice of final order, CC **83.05(7)**
 - return information, CC **83.06**
 - right to apply, CC **83.05(5)**
 - application to Minister, CC **83.05(2), 83.07**
 - deemed decision where none made, CC **83.05(3)**
 - judicial review of decision, CC **83.05(5)**
 - mistaken identity, in case of, CC **83.07**
 - notice of decision, CC **83.05(4)**
 - establishment of, CC **83.05(1) to (1.1)**
 - recommendation by Minister, CC **83.05(1.1)**

TERRORIST GROUP—Cont'd

List of entities—Cont'd
 regulations re, **CC 83.05(1); CC Reg. 2002 to 284 generally, 2012 to 103**
 review of, **CC 83.05(8.1) to (10)**
 Participation in activity of
 bail, see generally Judicial Interim Release
 additional conditions, **CC 515(4.2), (4.3)(a)**
 condition prohibiting possession of firearms, **CC 515(4.1)(a.1)**
 reverse onus, **CC 515(6)(a)(iii)**
 criteria/factors to determine, **CC 83.18(4)**
 definitions
 “participating or contributing,” **CC 83.18(3) to (4)**
 disclosure of income tax information for investigation of, **CC 462.48(1.1)**
 DNA order on conviction or discharge, **CC 487.04, 487.051**
 leaving Canada to participate, **CC 83.181**
 offence, **CC 83.18(1)**
 offence outside Canada, **CC 7(3.74), 83.181**
 parole, power of court to delay for offence, **CC 743.6(1.2)**
 proof, Crown burden, **CC 83.18(2)**
 sentences served consecutively, **CC 83.26**
 Property
 audit
 civil and criminal immunity for reporting, **CC 83.11(3)**
 duty to conduct, **CC 83.11(1)**
 exemption regulations, power to make, **CC 83.11(4)**
 offence relating to, **CC 83.12, 83.24, 83.25**
 reporting requirements, monthly, **CC 83.11(2), (4)**
 exclusions, **CC 83.11(4)**
 subject entities, **CC 83.11(1)**
 disclosure
 civil immunity for disclosure, **CC 83.08**
 duty to disclose, **CC 83.1(1)**

TERRORIST GROUP—Cont'd

Property—Cont'd
 disclosure—Cont'd
 offence relating to, **CC 83.12, 83.24, 83.25**
 forfeiture
 appeal from order relating to interim preservation rights, **CC 83.16(1)**
 order refusing to grant, **CC 83.16(2)**
 application for order of, **CC 83.14**
 contents of, **CC 83.14(2)**
 granting of order, **CC 83.14(5), 83.16(2), 83.17(2)**
 notice of, **CC 83.14(4), (7)**
 refusing of order, **CC 83.14(6)**
 respondents, **CC 83.14(3)**
 third party interests, **CC 83.14(8) to (11)**
 disposition of property, **CC 83.15**
 dwelling house, **CC 83.14(9)**
 other provisions unaffected, **CC 83.17(1)**
 restitution to victims of crime, priority for, **CC 83.17(2)**
 setting aside order, **CC 83.14(10) to (11), 83.17(2)**
 use of proceeds, **CC 83.14(5.1) to (5.2)**
 regulations re, **CC 83.14(5.2)**
 restitution, **CC 83.17(2)**
 varying order, **CC 83.14(10) to (11)**
 freezing
 civil immunity for compliance, **CC 83.08(2)**
 equities maintained vis a vis frozen property, **CC 83.09(3)**
 exemptions from prohibitions, **CC 83.09**
 ministerial authorization of activity otherwise prohibited, **CC 83.09(2), (4)**
 offence relating to, **CC 83.12, 83.24, 83.25**
 prohibitions
 dealing, **CC 83.08(1)(a)**
 exemptions from, **CC 83.09**
 provision of services, **CC 83.08(1)(c)**
 transactions, **CC 83.08(1)(b)**

INDEX

TERRORIST GROUP—Cont'd

- Property—Cont'd
 - management of restrained/seized property
 - appointment of manager, CC **83.13(2) to (3)**
 - appointment of Minister to manage, CC **83.13(3)**
 - destruction of property pursuant to, CC **83.13(4) to (8)**
 - duration of order, CC **83.13(9)**
 - power of court to order, CC **83.13(2) to (3), (8)**
 - power to manage, CC **83.13(2), (4) to (5)**
 - variation of order, CC **83.13(12)**
 - restraint and seizure
 - application for restraining order or warrant, CC **83.13**
 - contents of, CC **83.13(1.1)**
 - management order pending restraint/seizure, CC **83.13(2) to (10)**
 - powers of court, CC **83.13(1) to (3), (8)**
 - procedure, CC **83.13(11) to (12)**
 - disposition of property, CC **83.15**
- Witness protection in cases involving
 - exclusion of public, CC **486**
 - limits on cross-examination by accused, CC **486.3(2) to (5)**
 - obstructed view testimony, CC **486.2(4) to (6)**
 - publication ban, CC **486.5**
 - recognizances, CC **83.3, 810.01**
 - testimony outside courtroom, CC **486.2(4) to (6)**

TESTAMENTARY INSTRUMENT

- Destruction, CC **340(b)**
- Fraud, CC **380(1)(a)**
- Mischief, CC **430(3)**
- Obtaining by false pretence punishment, CC **362(2)(a)**
- Possession of property obtained by crime, CC **354(1)**
- “Testamentary instrument,” CC **2**
- Theft, CC **322(1)**
 - not in absolute jurisdiction of provincial court judge, CC **553(a)**
 - punishment, CC **334(a)**

THEATRICAL PERFORMANCE

- Immoral, indecent or obscene, CC **167**
- punishment, CC **169**
- “Theatre,” CC **150**

THEFT

- Agent pledging goods, CC **325**
- Attorney committing theft, CC **331, 332**
- Bailee stealing things under seizure, CC **324**
- Cattle, CC **338(1), (2)**
- Credit card, CC **342(1)(a)**
- Device, possession, CC **333.2**
- Director or officer stealing from company, CC **328(e)**
- Electricity or gas, CC **326(1)(a)**
- Elements of offence, CC **322(1)**
- From mail, CC **356**
- Identity, see Identity Theft and Identity Fraud
- Jurisdiction of provincial court, CC **553, 555(2)**
- Lessee stealing from reversioner, CITECC **328(c)**
- Member stealing from society, CC **328(e)**
- Misappropriation of funds, CC **332**
- Motor vehicle, CC **333.1**
- Ore or mineral specimen, CC **333**
 - presumption from possession, CC **656**
- Owner committing theft, CC **328(a)**
- Oysters
 - indictment, CC **323(2)**
 - presumption of ownership, CC **323(1)**
- Partner committing theft, CC **328(d)**
- Person required to account, CC **330(1)**
- Possession of device for purpose of committing, CC **333.2**
- Punishment, CC **334**
 - not exceeding 01675,000, CC **334(b)**
 - over 01675,000, CC **334(a)**
- Robbery, CC **343**
- “Steal,” CC **2**
- Telecommunication service, CC **326(1)**
- Tenant in common, CC **328(d)**

THREATENING

- Extortion by threats, CC **346(1)**
- Internationally protected person, CC **7(3), 424**
- Intimidation, CC **423(1)(b)**

THREATENING—Cont'd

Sureties to keep peace, **CC 810 to 811;**
YCJA 14(2), 20(2)

Threats of violence or injury to property,
CC 423(1)(a)

United Nations or associated personnel,
outside Canada, **CC 7(3.71), 424.1**

Uttering threats, **CC 264.1**

TIED SALES

Obscene matter, **CC 169**

TIMBER

See Lumber

TIME

Holidays excluded, **CEA 29(9)**

TIME CLOCK

Falsification of employment record, **CC 398**

TIPPING

(Aaa)Generally, **CC 380.1, 382.1**

TITLE

See also Document of Title

Fraudulent concealment, **CC 385(1)**

Fraudulent registration, **CC 386**

TOBACCO

Contraband

exceptions, **CC 121.1(2) to (3)**

offence re, **CC 121.1(1)**

punishment, **CC 121.1(4)**

TOKEN

Advertising counterfeit, **CC 460(1)(a)**

use of counterfeit, **CC 454**

“Counterfeit token of value,” **CC 448**

TOLL

Fraud in collection, **CC 393**

TORTURE

Definitions, **CC 269.1(2)**

Derivative evidence inadmissible, **CC 269.1(4)**

Internationally protected person, outside
Canada, **CC 7(3)**

Offence, **CC 269.1(1)**

“Superior orders” defence precluded, **CC 269.1(3)**

United Nations or associated personnel,
outside Canada, **CC 7(3.71)**

TRACKING WARRANT

Sealing order for information to obtain,
CC 487.3

TRADE DESCRIPTION

False, **CC 408**

forfeiture, **CC 412(2)**

punishment, **CC 412(1)**

TRADEMARK

See also Distinguishing Mark

Offences

bottling under another's mark, **CC 410(b)**

defacing or removing, **CC 410(a)**

forgery, **CC 406, 407**

instruments for forging, **CC 409(1)**

passing off, **CC 408(a)**

Order of forfeiture, **CC 412(2)**

Punishment, **CC 412(1)**

TRADE NAME

Offences

bottling under another's name, **CC 410(b)**

defacing or removing, **CC 410(a)**

passing off, **CC 408(a)**

Order of forfeiture, **CC 412(2)**

Punishment, **CC 412(1)**

TRADE UNION

And conspiracy in restraint of trade, **CC 466(2), 467**

Appearance, **CC 538, 556, 620, 800(3)**

default, **CC 556(2), 622, 623, 800(3)**

Criminal responsibility

duty of persons directing work, **CC 217.1**

“every one” includes, **CC 2**

negligence offences, **CC 22.1**

other offences, **CC 22.2**

Discrimination and intimidation, **CC 425**

Enforcement of judgment, **CC 735**

Greater punishment where previous
conviction, **CC 727(4)**

Notice of indictment, **CC 621**

“Organization” defined, **CC 2**

Party liability

negligence offences, **CC 22.1**

other offences, **CC 22.1**

Punishment, **CC 718.21, (3.2), 732.1(3.1), 735**

INDEX

TRADE UNION—Cont'd

- “Representative,” defined, CC 2
- Request for preliminary inquiry
 - failure to request, CC 556(3), (4)
- “Senior officer,” defined, CC 2
- Sentencing
 - finer, CC 735
 - general considerations, CC 718.21
 - probation conditions, CC 732.1(3.1), (3.2)
- Service of process on, CC 703.2
- Trial and conviction, CC 623

TRAFFICKING, DRUGS

- See also Possession for Purpose of Trafficking
- Offence, CSDA 5(1)
- Punishment, CSDA 5(3), (4)

TRAFFICKING, PERSONS

- Consent, invalidity of, CC 279.01(2), 279.011(2)
- Documents, withholding or destruction, CC 279.03
- Exploitation, CC 279.04
 - factors, CC 279.04(2)
 - organ or tissue removal, CC 279.04(3)
- Material benefit, CC 279.02
- Offence outside of Canada, CC 7(4.11)
- Person under 18, CC 279.011
- Simpliciter, CC 279.01

TRAFFICKING, PROPERTY OBTAINED BY CRIME

- Offence, CC 355.2
- Punishment, CC 355.5

TRANSFER OF CHARGES

- Offence outside province, CC 478(3)
- Offence within province, CC 479
- Probation order, CC 739

TRANSPORTATION

- Fraud in fare collection, CC 393(1), (2)
- Fraudulently obtaining, CC 393(3)
 - jurisdiction of provincial court judge, CC 553(c)(viii)
- Interfering with safety of persons, CC 248

TRAPS LIKELY TO CAUSE BODILY HARM

- Aggravated offences
 - causing bodily harm, CC 247(2), (4)

TRAPS LIKELY TO CAUSE BODILY HARM—Cont'd

- Aggravated offences—Cont'd
 - causing death, CC 247(5)
 - offence-related place
 - causing bodily harm, CC 247(4)
 - simpliciter, CC 247(3)
- General/simpliciter offence, CC 247(1)

TREASON

- See also High Treason
- Compulsion by threats, CC 17
- Corroboration, CC 47(3)
- Delivery of trial documents, CC 604
- Judicial review of parole ineligibility, CC 745.6
- Limitation period, CC 48(1)
- Offence of treason, CC 46
- Overt acts
 - act of conspiring, CC 46(4)
 - evidence, CC 55
 - statement in indictment, CC 581(4), 601(9)
 - treasonable words, CC 48
- Punishment, CC 47(2), (4)
- Superior court jurisdiction, CC 468, 469(a)(i), 469(b), 469(d), 469(e)

TREASURER OF PROVINCE

- Payment of penalties, CC 734.4

TREATY

- Proof of treaty, CEA 21
- Imperial treaty, CEA 20

TRESPASS

- At night, CC 177
- Forcible detainer, CC 72(2)
- Forcible entry, CC 72(1), 73
- Sabotage, CC 52(2)(b)
 - evidence of overt acts, CC 55
 - statement in indictment, CC 581(4)

TRIAL (INDICTMENT)

- See also specific topics and Jury
- Adjudication
 - reserved decision in trial without jury, CC 645(4)
- Appearance
 - accused, CC 650(1) to (2), 650.01, 650.02
 - designated counsel of record, CC 650.01, 650.02

TRIAL (INDICTMENT)—Cont'd

- Appearance—Cont'd
 - prosecutor, CC 650.02
 - technological, CC 650(1), 650.02
- By judge alone
 - application of Code provisions, CC 572
 - fixing time and place for trial, CC 560, 562
 - judge as court of record, CC 559(1)
- By provincial court judge
 - application of Code provisions, CC 572
 - fixing time and place for trial, CC 561(7), 562
 - transmission of record, CC 570(3)
- Continuation of proceedings, CC 669.2
- Exclusion of public, CC 486(1)
- Fair and public hearing, CA Part I 11(d)
- Full answer and defence, CC 650(3)
- Independent and impartial tribunal, CA Part I 11(d)
- Jury, CA Part I 11(f)
- Military tribunal, CA Part I 11(f)
- Presence of accused, CC 650(1) to (2), 650.01, 650.02
- Presiding judge
 - death or inability to continue, CC 669.2
 - may differ from judge presiding over jury selection, CC 626.1
- Reasonable time, CA Part I 11(b)
- Record
 - acquittal, CC 570(2)
 - conviction or order, CC 570(1)
 - of proceedings, CC 624, 625
- Summing up
 - by defence, CC 651(2)
 - by prosecutor, CC 651(1)
 - order of addressing jury, CC 651(3)
 - joint accused, CC 651(4)
- Taking of evidence, CC 646
- Warrant of committal, CC 570(5), (6)
- Without jury
 - on consent, CC 473

TRIAL (SUMMARY CONVICTION)

- See Summary Conviction Proceedings

TRIAL DE NOVO

- Appeal against sentence
 - power of court, CC 822(6)
- Grounds for holding, CC 822(4)

TRIAL DE NOVO—Cont'd

- Objections to conviction or order, CC 822(7)(b)
- Objections to information or process, CC 822(7)(a)
- Reading in evidence, CC 822(5)

TRUST

- Breach of, CC 336
- By public officer, CC 122
- Conversion with intent to defraud, CC 336
- Misappropriation of funds, CC 332
- Sexual exploitation by person in position of, CC 153
- Theft by holder of power of attorney, CC 331, 332
- Theft by person required to account, CC 330
- “Trustee,” CC 2

TRUST COMPANY

- See Bank

UNAUTHORIZED RECORDING OF A MOVIE

- (Aaa)Generally, CC 432

UNDERTAKING

- See also Judicial Interim Release
- Contents of, CC 501
- Effect after remand to another jurisdiction, CC 543(2)(b)
- Failure to appear, CC 145, 512.2
- Failure to comply with conditions, CC 145
- Form, CC Form 10
- Giving on holiday, CC 20
- Release after arrest, CC 597(3)
- Release pending appeal or new trial, CC 679(5)
 - arrest after release, CC 679(6)
- Summary conviction appeal, CC 816, 817
- Time in force, CC 523(1), (1.1)
- “Undertaking,” CC Form 11
- Varying, CC 502

UNITED NATIONS PERSONNEL

- Attack on accommodation, premises or transport, CC 431.1
- defence, CC 429(2)
- DNA order on conviction or discharge, CC 487.04, 487.051

INDEX

UNITED NATIONS PERSONNEL

—Cont'd

- Offences against, outside Canada, CC 7(3.71), (5) to (7)
 - consent to prosecute, where accused not citizen, CC 7(7)
- Proof of status
 - certificate as evidence, CC 7(10)
- Threatening, CC 424.1

UNLAWFUL ASSEMBLY

- Offence, CC 63(1), (2)
- Punishment, CC 66
 - where identity concealed, CC 66(2)
- Riot, CC 64, 67 to 69

UNLAWFUL DRILLING

- (Aaa)Generally, CC 70

UNLAWFULLY AT LARGE

- See also Judicial Interim Release
- Failure to attend court, CC 145(2), (5), (8) to (11)
- Failure to comply, CC 145(3), (5), (8), (10), (11)
- Without lawful excuse, CC 145(1)(b)

USED GOODS

- Sale without disclosure, CC 411
- forfeiture, CC 412(2)
- punishment, CC 412(1)

USE OF FORCE

- See Defences (Statutory)

UTTERING

- See also Counterfeiting, Currency Offences, Forgery
- Clipped coin, CC 455(b)
- Counterfeit money, CC 452(a)
 - completion of counterfeit, CC 461(1)
- Counterfeit or non-current coin, CC 453
- Defaced coin, CC 456
- Document in false name, CC 374(b)
- Forged document, CC 368
- Forged passport, CC 57(1)(b)
- Slug or counterfeit token, CC 454
- Threats, CC 264.1
- “Utter,” CC 448

UTTERING THREATS

- (Aaa)Generally, CC 264.1

VALUABLE SECURITY

- Destroying or obliterating, CC 340
- Falsification, CC 397
- Obtaining by false pretence, CC 363
- “Valuable security” defined, CC 2
- Valuation, CC 4(2)

VAULT-BREAKING

- Possession of instruments, CC 351(1)

VEHICLE

- See also Driving Offences, Motor Vehicles

VEHICLE IDENTIFICATION NUMBER

- Defined, CC 353.1(2), 354(3)
- Presumption where removed, CC 354(2), (3)
- Tampering
 - offence, CC 353.1(1) to (3)
 - punishment, CC 353.1(4)

VENEREAL DISEASE

- Advertising cure, CC 163

VENUE

- See also Jurisdiction
- Change of venue, CC 599
- Conveyance of prisoner, CC 600
 - grounds, CC 599(1)
 - payment of expenses, CC 599(2)
 - to court speaking language of accused, CC 531
 - transmission of record, CC 599(4), (5)
- Newspaper libel, CC 478(2)
- New trial in summary conviction, CC 822(2)
- Summary, CC 814
- Summary conviction appeals, CC 814

VERDICT

- See also Jury
- Conviction of included offence, CC 662
- Defect in process not ground for quashing, CC 671
- Disagreement of jury, CC 653
- Full offence charged, attempt proved, CC 660
- Full offence proved on charge of attempt, CC 661
- Infanticide, CC 663

VERDICT—Cont'd

Recommendation in second degree murder, **CC 743, 743.1**

Taking verdict on Sunday, **CC 654**

VESSELS

See also Aircraft, Motor Vehicles

Endangering safety of, **CC 78.1**

Fraud in obtaining transportation, **CC 393(3)**

Interfering with saving, **CC 438**
defence, **CC 429(2)**

Joy-riding, **CC 335**

Jurisdiction over offences, **CC 476**

offences on territorial waters, **CC 477**

offences outside Canada, **CC 6(3)(a)**

Making fast to marine signal, **CC 439**
defence, **CC 429(2)**

Piracy, **CC 74, 75**

Removing natural bar to harbour, **CC 440**
defence, **CC 429(2)**

Wreck, **CC 415**

VICTIM IMPACT STATEMENT

See also Community Impact Statement

Adjournment, **CC 722(3)**

Conditions of exclusion, **CC 722(7)**

Consideration by sentencing court, **CC 722(8)**

Content, **CC 722(1)**

Copy of statement, **CC 722.1**

Evidence concerning victim admissible, **CC 722(9)**

Form, **CC 722(4)**

Inquiry by court, **CC 722(2)**

Mental disorder verdict
disposition hearing, **CC 672.5(14) to (15.3)**

No bar to other evidence, **CC 722(9)**

Photograph, **CC 722(6)**

Presentation of statement, **CC 722(5)**

“Victim,” **CC 2, 722(4)**

VICTIMS

See also Restitution; Victim Impact Statement; Victim Surcharge; Witness

Acting on behalf of, **CC 2.2**

Defined, **CC 2; YCJA 2(2)**

Judicial interim release of accused, **CC 515(13)**

Safety and security of, **CC 515(13)**

VICTIM SURCHARGE

Amount of surcharge, **CC 737(2)**

Amounts applied to aid victims, **CC 737(5)**

Enforcement, **CC 737(7)**

Exception, **CC 737(2.1) to (2.4), (8)**

Increase in surcharge, **CC 737(6)**

Notice to offender, **CC 737(6)**

Power to order suspension pending appeal, **CC 683(5), (5.1), (6)**

Time for payment, **CC 737(4)**

VIDEO AND AUDIO EVIDENCE

Audio evidence

appeals, on, **CC 683(2.2)**

witness inside Canada, **CC 683(2.2)**

witness outside Canada, **CC 683(2.2), 714.3**

Cessation, **CC 714.41**

Consent, **CC 714.8**

Costs of technology, **CC 714.7**

Oath or affirmation, **CC 714.5**

Other laws applying, **CC 714.6**

Reasons, **CC 714.4**

Video links

appeals, on, **CC 683(2.2)**

contempt, **CEA 50(1.2)**

laws about witnesses applying, **CEA 50(1.1)**

perjury, **CC 131(1.1)**

subpoena, **CC 700.1**

witness in Canada, **CC 683(2.2), 714.1; CEA 46(2)**

witness outside Canada, **CC 683(2.2), 714.2**

VIDEOCONFERENCES

See Video and Audio Evidence

VIDEOTAPED EVIDENCE

(Aaa)Generally, **CC 715.1, 715.2**

VIEW

(Aaa)Generally, **CC 652**

VIOLENCE

Extortion, **CC 346(1)**

Intimidation, **CC 423(1)(a)**

Threatening or using to overcome resistance to theft, **CC 343(a)**

VOYEURISM

Defence, **CC 162(6)**

INDEX

VOYEURISM—Cont'd

- Exemption, **CC 162(3)**
- Motives, **CC 162(7)**
- Offence, **CC 162(1), (4)**
- Punishment, **CC 162(5)**

WAGERING

- See Betting

WANT OF PROSECUTION

- Dismissal
 - procedural irregularities, **CC 485(3)**
 - recommencement of proceeding, **CC 485.1**
 - summary conviction appeal, **CC 825**

WAR CRIMES

- Special pleas, **CC 607(6)**
- Superior court jurisdiction, **CC 469(c.1)**

WAR MEMORIAL

- Mischief re, **CC 430(4.11)**

WARRANT

- See also Arrest, Search Warrants, Telewarrants, Witness
- Appearance of accused other than by designated counsel, **CC 650.01(4)**
- Arrest, for, **CC Form 7**
- Assistance order, **CC 487.02**
- Bodily impressions, **CC 487.092**
- Bodily substances for forensic DNA analysis, see Forensic DNA Analysis
- Committal, for, **CC Form 8**
- Duties of persons executing, **CC 487.093**
- Dwelling-house, powers to enter, to carry out arrests
 - warrant to enter dwelling-house, **CC 529.1, Form 7.1**
 - authorization to enter included in warrant of arrest, **CC 529(1)**
 - execution, **CC 529(2)**
 - omitting announcement before entry, **CC 529.4(1)**
 - exception, **CC 529.4(3)**
 - execution of authorization, **CC 529.4(2)**
 - reasonable terms and conditions, **CC 529.2**
 - sealing order for information to obtain, **CC 487.3**
 - telewarrant, **CC 529.5**

WARRANT—Cont'd

- Endorsement, **CC Form 28**
 - in another jurisdiction, **CC 528, 543**
 - release of accused, **CC 507(6), 507.1(8)**
- General warrant, information for, **CC 487.01**
 - sealing order, **CC 487.3**
 - video surveillance, **CC 487.01(4), (5)**
- Preserved data, destruction of, **CC 487.0194(4)**
- Restriction on publicity, **CC 487.2**
- Sealing order for information to obtain, **CC 487.3**
- Search warrant, see Search Warrants
- Telewarrants, **CC 487.1, 528(1.1), 529.5**
 - see also Telewarrants
- Tracking device, for, **CC 492.1**
- Transmission data recorder, for, **CC 492.2**
- Warrant for arrest of accused, see Arrest
- Warrant for arrest of witness, **CC 698(2), 705**
 - absconding witness, **CC 704**
 - refusal to give evidence, **CC 545(1)**
- Warrant of committal
 - contempt, **CC Form 25**
 - default in payment of costs of appeal, **CC 827(3)**
 - default in payment of fine, **CC 734.7**
 - detention in custody, **CC 519(3), 521(6) to (10)**
 - execution of warrant, **CC 744**
 - failure to enter recognizance to keep peace, **CC 810, Form 23, 810.1**
 - for contempt, **CC 708(3), Form 25**
 - forfeiture of amounts, **CC Form 27**
 - non-compliance with release order, **CC 519(1)(b), 519(3)**
 - on conviction, **CC 570, 806(2), 828(2)**
 - admissibility as evidence, **CC 806(3)**
 - on forfeiture of recognizance, **CC 773**
 - refusal to be sworn / to give evidence, **CC Form 20**
 - seizure of things not specified, **CC 489**
 - vacating release order, **CC 521(6)**
 - video surveillance, **CC 487.01(4), (5)**
- Warrant of committal of witness
 - contempt, **CC Form 25**
 - failure to enter recognizance, **CC 550, Form 24**

WARRANT—Cont'd

- Warrant of committal of witness—Cont'd
refusal to be sworn / to give evidence,
CC Form 20
- Warrant remanding to prison, **CC 516, 537(1)(c)**
- Warrant to convey accused to justice of
another jurisdiction, **CC 543**
- Where jurisdiction lost, **CC 485(2)**

WATCHING OR BESETTING

- (Aaa)Generally, **CC 423(1)(f), 423(2)**

WEAPON

- See also Firearms
- Assault, **CC 265(1)(c), 267(a)**
- Defined, **CC 2**
- Discharge firearm with intent, **CC 244**
- Forfeiture or return to owner, **CC 491**
- “Offensive weapon,” **CC 2**
- Sexual assault, **CC 272(1)(a)**
- Taking on board aircraft, **CC 78**

WILFUL DAMAGE

- See Mischief

WILFULNESS

- Defence to offences involving wilfulness,
CC 429(2)
- Presumption, **CC 429(1)**

WILL

- See Testamentary Instrument

WIRETAPPING

- See Interception of Private Communica-
tions

WITNESS

- See also Binding Over, Child Witnesses
(Protection of), Commission Evi-
dence, Corroboration
- Absconding witness
arrest, **CC 704, 706**
warrant, **CC 704**
endorsement in another jurisdiction,
CC 528
- Accused as witness, **CEA 4**
- Accused not to cross-examine child wit-
ness, **CC 486.3**
- Administration of oath, **CEA 13**
- Adverse witness, **CEA 9(1)**
- Affirmation in lieu of oath, **CEA 14**

WITNESS—Cont'd

- Appeal (witness on hearing)
powers of court, **CC 683(1)**
- Application of Code provisions, **CC 697**
- Arrest, **CC 704**
detention or release, **CC 706**
- Capacity of witness challenged
child, **CEA 16(1); YCJA 151**
mental capacity challenged, **CEA 16(1)**
- Child witness, protection of, **CC 486.6**
- Commission evidence, see Commission
Evidence
- Contradictory evidence, **CC 136**
- Corroboration, see Corroboration
- Difficulty communicating
evidence of person with mental disabil-
ity, **CEA 6(2)**
evidence of person with physical dis-
ability, **CEA 6(1)**
identification of accused, **CEA 6.1**
inquiry, **CEA 6(3)**
- Examination in Canada for foreign, **CEA 46**
- Expert witness
limit on number, **CEA 7**
- Failure to attend
contempt, **CC 708(1)**
warrant, **CC 705**
- Identification of accused, **CEA 6.1**
- Identity, **CC 486.4, 486.5, 810.5**
- Intimidation, **CC 139(3)**
- Misleading justice, **CC 131 to 141**
- Mute witness, **CEA 6**
- Non-disclosure of identity, **CC 486.31, 810.5**
- Obstructed view testimony, **CC 486.2**
- Outside Canada
commission evidence, **CC 709, 712**
- Perjury, **CC 131, 132**
- Person with disability, **CEA 6**
- Preliminary inquiry
recognizance and committal, **CC 550**
refusing to testify, **CC 545**
- Previous inconsistent statement, **CEA 9 to 11**
- Prisoner as witness, **CC 527**
- Proceedings, **CEA 43 to 51**
- Procuring attendance
subpoena
contents, **CC 700**

INDEX

WITNESS—Cont'd

- Procuring attendance—Cont'd
 - subpoena—Cont'd
 - endorsement in another jurisdiction, **CC 528**
 - for absconding witness, **CC 704**
 - issuance, **CC 698, 699**
 - service, **CC 701**
 - territorial effect, **CC 702, 703**
 - warrant, **CC 698**
- Production of written statement, **CEA 10(1)**
- Proof of conviction, **CEA 12(2)**
- Reading in evidence
 - from preliminary, **CC 715**
 - summary conviction appeal, **CC 822(5)**
- Sequestered testimony, **CC 486.2**
- Support person, **CC 486.1**
- Treason and high treason
 - list of witnesses delivered to accused, **CC 604**
- Video links, **CEA 46(2), (1.2), 50(1.1)**
- Videotaped complaint, **CC 715.1, 715.2**

WORKPLACE SAFETY

- Duty of persons directing work, **CC 217.1**

WOUNDING

- See also Bodily Harm, Weapon, Wreck
- Concealing or dealing with, **CC 415**
- Interfering with saving, **CC 438(2)**
 - defence, **CC 429(2)**
- Wreck, **CC 2**

YOUNG OFFENDERS

- See Youth Criminal Justice

YOUTH CRIMINAL JUSTICE

- Adjudication
 - plea of guilty, **YCJA 36(1)**
 - plea of not guilty, **YCJA 36(2)**
- Adult sentence
 - age, prescribed, **YCJA 64**
 - application by Crown for
 - appeal from, **YCJA 37, 72(5)**
 - assessment for, **YCJA 34**
 - commencement, **CC 719(1); YCJA 74(3)**
 - conviction, as, **YCJA 74(2), (3)**
 - Criminal Code, application of, **YCJA 67(8), (9), 74(1)**

YOUTH CRIMINAL JUSTICE—Cont'd

- Adult sentence—Cont'd
 - custodial placement, see imprisonment, placement upon
 - duty of AG to consider
 - hearing, **YCJA 71**
 - included offences, **YCJA 64(3), 69**
 - murder, for, **CC 745.1 to 745.5, 746.1(3)**
 - notice requirements, **YCJA 64(2) to (3), 69, 81**
 - onus, **YCJA 72(2)**
 - pre-sentence report, **YCJA 72(3)**
 - procedure for application or notice, **YCJA 81**
 - reasons, **YCJA 72(4)**
 - right to bring, **YCJA 64(1), 68, 69**
 - test applicable, **YCJA 72(1), (1.1)**
 - election, **YCJA 67**
 - hearing, **YCJA 71**
 - imposition of, duties of court respecting, **YCJA 73**
 - imprisonment
 - life sentence, **CC 745 to 745.5**
 - placement upon, **YCJA 37, 76, 79, 80**
 - jury trial, **YCJA 67(6), (9)**
 - notices regarding, **YCJA 64(2), 68, 69**
 - parole, **CC 743.5(3); YCJA 77**
 - preliminary inquiry, **YCJA 67(7), (8)**
 - pre-sentence report, **YCJA 40**
 - release entitlement, **YCJA 78**
 - serious violent offence
 - assessment where alleged, **YCJA 34(1)(b)(iii)**
 - continuation in custody, **YCJA 98**
 - definition, **YCJA 2(1)**
 - intensive rehabilitative custody, **YCJA 42(7)**
 - proof of offence, **CC 667**
 - records re, **YCJA 120(3)**
 - trial procedure
 - Criminal Code, application of, **YCJA 67(9)**
 - election, **YCJA 67**
 - where required, **YCJA 72(1)(b), 73(1)**
- Adult status offender
 - application of act, **YCJA 14(5)**
 - continuation of proceedings against, **YCJA 14(4)**

YOUTH CRIMINAL JUSTICE—Cont'd

- Adult status offender—Cont'd
 - continuation of youth sentence, **YCJA 42(17), 89, 92, 93**
 - custodial placement upon conviction, **YCJA 76(2), (5), (9), 89, 92(4)**
 - status uncertain, **YCJA 16**
 - transfer to adult facilities, **YCJA 30(4), (5), 92(1) to (3), 93**
- Alternative measures, see extrajudicial measures
- Appeals
 - adult sentence, order re, from, **YCJA 37(4), 71, 76(5)**
 - consolidation, **YCJA 37(4)**
 - contempt, for, **YCJA 37(2) to (3); CC 10**
 - Criminal Code, application of, **YCJA 37(1), (5), (9)**
 - indictable offences
 - generally, **YCJA 37(1) to (3); CC Part XXI**
 - contempt, **YCJA 37(2), (3); CC 10**
 - deemed election, **YCJA 37(7)**
 - forum, Nunavut, **YCJA 37(9); CC 839**
 - forum where YJC is superior court, **YCJA 37(8)**
 - offences tried jointly, **YCJA 37(6)**
 - Supreme Court of Canada, to, **YCJA 37(10)**
 - youth sentence on review, from, **YCJA 37(11)**
 - publication ban, from, **YCJA 37(4)**
 - review of custody and, **YCJA 94(7)**
 - “serious violent offence” determination, from, **YCJA 37(4)**
 - summary conviction offences
 - generally, **YCJA 37(5)**
 - deemed election, **YCJA 37(7)**
 - offences tried jointly, **YCJA 37(6)**
 - youth sentence on review, from, **YCJA 37(11)**
 - transfer of youth sentence, and, **YCJA 57(2)**
- Appearance
 - procedure on appearance, **YCJA 32**
 - unrepresented accused, **YCJA 32(3) to (5)**
 - waiver of procedural requirements, **YCJA 32(2)**

YOUTH CRIMINAL JUSTICE—Cont'd

- Assessments, see medical and psychological reports
- Cautions, **YCJA 6**
- Commencement of proceedings, **YCJA 162**
- Conditional supervision, see custody and supervision
- Construction of Act, **YCJA 2(2), 3(2)**
- Contempt of court, **YCJA 15, 37(2) to (3)**
- Continuation of proceedings, **YCJA 14(4)**
- Contraventions Act offences
 - attendance of parents, **YCJA 27(2)**
 - jurisdiction, **YCJA 14(1)**
 - notices, **YCJA 26(3), (6), (7)**
- Corrections and Conditional Release Act, application of, **YCJA 77(2)**
- Criminal Code, application of
 - generally, **YCJA 140**
 - appeal provisions, **YCJA 37**
 - attendance of accused provisions, **YCJA 132(2), (4), 142(3)**
 - bail provisions, **YCJA 28, 29(2), 33**
 - bail review provisions, **YCJA 33**
 - compelling appearance provisions, **YCJA 28**
 - contempt provisions, **YCJA 14(4)**
 - costs provisions, **YCJA 142(5)**
 - dangerous offender provisions, **YCJA 74(1)**
 - definition provisions, **YCJA 2(2)**
 - forfeiture of recognizance provisions, **YCJA 135(6), (7)**
 - forms provisions, **YCJA 154(2)**
 - indictable offence appeal provisions, **YCJA 37(1), (6)**
 - limitation period provisions, **YCJA 142(4)**
 - long-term offender provisions, **YCJA 74(1)**
 - mental disorder provisions, **YCJA 141**
 - peace bond provisions, **YCJA 14(2), 20(2)**
 - preliminary inquiry provisions, **YCJA 67(8)**
 - prohibition order provisions, **YCJA 42(2)(j), 51**
 - sentencing provisions, **YCJA 42(2)(j), 50, 51, 74(1), 78 to 80, 92(4)**
 - summary conviction appeal provisions, **YCJA 37(5), (6)**

YOUTH CRIMINAL JUSTICE—Cont'd

Criminal Code, application of—Cont'd
 summary conviction trial provisions,
YCJA 142
 trial provisions, **YCJA 67(9), 142**
 Custody and supervision, see also deten-
 tion before sentencing; youth
 sentence
 adult status offenders, **YCJA 76(2), 89,**
92, 93
 breach of conditions, **YCJA 102, 103,**
106 to 109
 conditional supervision
 apprehension of young person for
 breach, **YCJA 107**
 breach of order, **YCJA 106 to 109**
 conditions, setting, **YCJA 105**
 deferred custody and supervision
 order and, **YCJA 42(6)**
 recommendation of provincial direc-
 tor re, **YCJA 96**
 reviews, **YCJA 94, (4), (7), (8), 95,**
96(3), 108, 109
 suspension of, **YCJA 106, 109(2)(b)**
 continuation of custody
 application of Attorney General,
YCJA 104
 application of provincial director,
YCJA 98 to 100
 reasons, **YCJA 100, 104(5)**
 reports, **YCJA 99, 104(5)**
 reviews, **YCJA 94, 95, 101, 104(5)**
 custody and supervision order
 breach of order, **YCJA 42(6), 102,**
103, 108
 conditions, setting, **YCJA 42(2)(n),**
97
 continuation of custody, **YCJA 94,**
95, 98 to 101, 103(2)(b), 104
 deferred, **YCJA 42(2)(p), 42(6), 105**
to 109
 reviews, **YCJA 42(6), 94, 95, 101,**
104(5), 108 to 109
 levels of custody, **YCJA 85 to 88**
 principles, **YCJA 83(2), 84, 85(5)**
 provincial regulations respecting,
YCJA 88
 purpose, **YCJA 83(1)**
 reintegration leave, **YCJA 91**
 reviews, **YCJA 87, 88, 94 to 96, 101,**
103, 108, 109

YOUTH CRIMINAL JUSTICE—Cont'd

Custody and supervision, see also deten-
 tion before sentencing; youth
 sentence—Cont'd
 separation from adults, requirement,
YCJA 84
 transfers, **YCJA 85(4) to (7), 86 to 88,**
89(2), 92, 93
 youth worker, designation and role,
YCJA 90
 Declarations of principle
 custody and supervision, re, **YCJA**
83(2)
 extrajudicial measures, re, **YCJA 4**
 general, **YCJA 3(1)**
 Detention before sentencing
 application for detention or release
 court to hear, **YCJA 33(1), 33(8)**
 notice to prosecutor, **YCJA 33(2)**
 notice to young person, **YCJA 33(3)**
 review of orders, **YCJA 33(5) to (7),**
(9)
 s. 469 offences, **YCJA 33(8), (9)**
 waiver of notice, **YCJA 33(4)**
 authorization of provincial authority,
YCJA 30(8)
 Criminal Code, application of, **YCJA**
28
 designated place of temporary deten-
 tion in, **YCJA 30(1)**
 exception, **YCJA 30(7)**
 offence relating to, **YCJA 139**
 justification for, **YCJA 29(2)**
 onus, **YCJA 29(3)**
 responsible person, placement in care
 of, **YCJA 31, 139**
 offence relating to, **YCJA 139**
 separation from adults, requirement,
YCJA 30(3)
 exception, **YCJA 30(7)**
 social measure, as, prohibited, **YCJA**
28.1
 transfers in custody
 adult facility, to, **YCJA 30(4), (5)**
 court, to and from, **YCJA 30(2)**
 designated places, between, **YCJA**
30(6)
 Election, mode of trial, **YCJA 67**
 Employment applications
 offence relating to, **YCJA, 139(3)**
 prohibited content, **YCJA 82(3)**

YOUTH CRIMINAL JUSTICE—Cont'd

Evidence

admissions, **YCJA 10(4), 146, 149**

age, of

certificate, by, **YCJA 148(2)**inference, permissible, **YCJA 148(4)**parental testimony, by, **YCJA 148(1)**record, by, **YCJA 142(2)**reliable information, by, **YCJA 148(3)**

agreements concerning

material evidence, **YCJA 150**undisputed facts, **YCJA 149**child of, **YCJA 151(a); CEA 16**confessions, **YCJA 146**documents, validity of, **YCJA 153**extrajudicial measures, of, **YCJA 9, 10(4)**

material

consent to admission, **YCJA 150**seals, **YCJA 153**service, proof of, **YCJA 152**

statements, admissibility of

extrajudicial measures, made in connection with, **YCJA 10(4)**general law applicable, **YCJA 146(1)**medical assessments, in, **YCJA 147**persons in authority, to, **YCJA 146(2) to (9)**psychological assessments, in, **YCJA 147**undisputed facts, of, **YCJA 149**young person, of, **YCJA 151(b)**Exclusion from hearing, **YCJA 132**

Extrajudicial measures

adequacy, **YCJA 4.1**

admissibility in evidence

prohibited, **YCJA 9, 10(4)**

alternative measures

continuation as, **YCJA 165(5)**

cautions

generally, **YCJA 6, 9**Crown, **YCJA 8**police, **YCJA 7**continuation, after age 18, **YCJA 14(4)**objectives, **YCJA 5**principles, general, **YCJA 4, 6, 9, 10**records re, **YCJA 115(1.1), 119(4)**referrals, **YCJA 6, 9****YOUTH CRIMINAL JUSTICE—Cont'd**

Extrajudicial measures—Cont'd

sanctions

admissions inadmissible, **YCJA 10(4)**availability, **YCJA 10(1) to (3)**conditions, **YCJA 10(2)**judicial proceedings, effect on, **YCJA 10(5) to (6)**laying of information, and, **YCJA 10(6)**notice to parent of, **YCJA 11**principles, general, **YCJA 10(1) to (3)**res judicata, and, **YCJA 10(2)(g), 10(5) to (6)**use, restriction on, **YCJA 10(1), (3)**transitional provisions, **YCJA 165(5)**victim rights respecting, **YCJA 12**warnings, **YCJA 6, 9**Forfeiture of recognizances, **YCJA 134, 135**Forms, **YCJA 154**Identification of Criminals Act, application of, **YCJA 113**Interprovincial agreements, **YCJA 58, 156, 164**

Judges

disqualification, **YCJA 130**substitution, **YCJA 131**Limitation periods, **YCJA 14(3), 142(4)**Medical and psychological reports, **YCJA 34**Mental disorder, **YCJA 141**

Offences

authorizing use of prescribed employment application, **YCJA 139(3)**breach of deferred custody and supervision order, **YCJA 42(6), 106 to 109**breach of publication ban, **YCJA 110(1), 111(1), 138**classification of, **IA 34; YCJA 37(7), 142(2)**contempt, **CC 10; YCJA 15, 27(4)(a), 37(3)**failure to comply with disposition or youth sentence, **YCJA 137**failure to comply with order to attend court (parent), **CC 10; YCJA 27(4), 37(4)**

YOUTH CRIMINAL JUSTICE—Cont'd

Offences—Cont'd

- failure to comply with undertaking re condition of placement in care of responsible person, **YCJA 31(3), 139**
- failure to destroy information, **YCJA 138**
- failure to destroy record, **YCJA 138**
- failure to keep information separate, **YCJA 138**
- failure to prevent unauthorized access to information, **YCJA 138**
- interference with disposition or youth sentence, **YCJA 136**
- unauthorized access to records, **YCJA 118(1), 138**
- unauthorized detention of young person, **YCJA 30, 139**
- unauthorized disclosure of information, **YCJA 129, 138**
- use of prescribed employment application, **YCJA 139(3)**

Organization of system

- clerks of court, **YCJA 21**
- conferences, **YCJA 19**
- justices of the peace, **YCJA 20**
- provincial directors
 - delegation, authorized, **YCJA 22**
- review board, **YCJA 25(3), (4), (7), 87, 88, 114, 119(1)(h), 120(4)(c), 132(3)**
- transitional provisions, **YCJA 165**
- youth justice court
 - contempt against, **YCJA 15**
 - court of record, **YCJA 13(4)**
 - deemed, **YCJA 13(2), (3)**
 - designation of, **YCJA 13(1)**
 - disqualification of judges, **YCJA 130**
 - jurisdiction, **YCJA 14, (3), 15, 58(2)**
 - rules, **YCJA 17**
 - substitution of judges, **YCJA 131**
- youth worker, **YCJA 90**

Parent or guardian

- notices to, **YCJA 26**
- order requiring attendance
 - failure to attend, **CC 10, 37(3), 787; YCJA 27(4)**
- power of court to issue, **YCJA 27(1)**
- service, **YCJA 27(3)**

YOUTH CRIMINAL JUSTICE—Cont'd

Parent or guardian—Cont'd

- order requiring attendance—Cont'd
 - unavailable in ticket proceedings, **YCJA 27(2)**
 - warrant to enforce, **YCJA 27(5)**
- testimony re age, **YCJA 148(1)**
- Peace bond, **YCJA 14(2), 20(2)**
- Policy, **YCJA 3(1)**
- Pre-charge screening, **YCJA 23(1), (2)**
- Preliminary inquiry, **YCJA 67(7), (8)**
- Private prosecutions, **YCJA 24**
- Procedure
 - counts charged in information, **YCJA 143**
 - subpoena, **YCJA 144**
 - warrant, **YCJA 145**

Programs

- community-based
 - power to establish, **YCJA 157**
 - types authorized, **YCJA 157**
- extrajudicial sanction, as condition of, **YCJA 10(2)(a)**
- intensive support and supervision, **YCJA 42(2)(l), 42(3)**
- non-residential, attendance at, **YCJA 42(2)(m), 42(3)**

Publication bans

- appeals from, **YCJA 37(4)**
- application for leave to publish identity
 - offender, **YCJA 110(4) to (6)**
 - victim or witness, **YCJA 111(3)**
- exceptions, **YCJA 110(2), (3), 111(2), 112**
- identity of offender, **YCJA 110**
- identity of victim, **YCJA 111**
- identity of witness, **YCJA 111**
- offences relating to, **YCJA 138**

Purpose of legislation

- custody and supervision provisions, **YCJA 83(1)**
- sentencing provisions, **YCJA 38(1)**

Records

- access
 - adult sentence, records re, **YCJA 117**
 - application for, outside access period, **YCJA 123**
 - archivists, by, **YCJA 128(6)**
 - authorization requirement, **YCJA 117, 118, 119(9)(b)**

YOUTH CRIMINAL JUSTICE—Cont'd

Records—Cont'd
 access—Cont'd
 conviction during access period,
 effect on, **YCJA 119(9), (6),
 120(4)**
 extrajudicial measures, records re,
 YCJA 115(1.1), 119(4)
 forensic DNA analysis, records re,
 YCJA 119(6)
 form of, **YCJA 122**
 medical reports, **YCJA 119(5), (6)**
 period of, **YCJA 119(2), (3), 120(3),
 121, 128(1)**
 persons having, **YCJA 119(1), (4) to
 (6), 120, 124, 128(6)**
 pre-sentence report, undisclosed,
 YCJA 119(5)
 prohibition orders, records re, **YCJA
 119(3), (10)**
 psychological reports, **YCJA 119(5),
 (6)**
 R.C.M.P. records, **YCJA 120**
 young person, by, **YCJA 124**
 destruction of, **YCJA 125(7)(c), 128**
 disclosure of information in
 application for, **YCJA 127**
 archivists' records, **YCJA 126**
 Attorney General, by, **YCJA 125(2),
 (3), (6)**
 duties of recipient, **YCJA 125(7),
 129**
 foreign state, to, **YCJA 125(3)**
 form of, **YCJA 122**
 insurance company, to, **YCJA 125(3)**
 peace officer, by, **YCJA 125(1), (3),
 (4), (6)**
 provincial director, by, **YCJA
 125(5), (6)**
 reports, for, **YCJA 125(5)**
 research purposes, for, **YCJA 119(8),
 120(5), 123(6)**
 schools, to, **YCJA 125(6)**
 time limit, **YCJA 125(8)**
 youth worker, by, **YCJA 125(5), (6)**
 disposal of, **YCJA 128**
 fingerprints, **YCJA 113**
 introduction into evidence, **YCJA
 119(7)**
 offences relating to, **YCJA 138**
 photographs, **YCJA 113**

YOUTH CRIMINAL JUSTICE—Cont'd

Records—Cont'd
 types that may be kept
 court, **YCJA 114**
 government, **YCJA 116(1)**
 police, **YCJA 113, 115**
 private, **YCJA 116(2)**
 Referrals, **YCJA 6, 35**
 Referral to child welfare agency, **YCJA
 35**
 Regulations, power to make, **YCJA 155**
 Responsible person
 placement in care of, **YCJA 31**
 review re certain offences, **YCJA 24.1**
 Right to counsel, **YCJA 25**
 Rules, **YCJA 17, (4), 19(3), 155**
 Sex offender information registration, **CC
 490.011(2)**
 Transfer of charges, **YCJA 133**
 Transitional provisions, **YCJA 158 to 165**
 Violent offence
 custodial sentence, **YCJA 39(1), 42(7),
 98**
 definition, **YCJA 2(1)**
 publication ban exception, **YCJA
 110(2)(b)**
 serious violent offence, see adult
 sentence
 Warnings, **YCJA 6**
 Youth sentence, see also custody and
 supervision
 agreement of provincial director,
 YCJA 42(3)
 alternatives, **YCJA 42(2)**
 assessment for purpose of, **YCJA
 34(2)(c)**
 attendance, **YCJA 42(2)(m), (10),
 42(11), 54(7), 58(1)**
 combination with Code sentences, **CC
 743.5**
 commencement, **YCJA 42(12), (6), 43,
 56(5)**
 committal to custody, see also custody
 and supervision orders
 custody during transfer, **YCJA 30,
 (3), 49(2)**
 deemed continuous, where, **YCJA
 47(1)**
 general principles, **YCJA 39**
 intermittent, **YCJA 47(2), (3)**

INDEX

YOUTH CRIMINAL JUSTICE—Cont'd

Youth sentence, see also custody and supervision—Cont'd
committal to custody, see also custody and supervision orders—Cont'd
placement on conviction, **YCJA 83 to 88, (5), 89, 92(4)**
warrant of committal, **YCJA 49(1)**
community service, **YCJA 42(2)(i), 54(7) to (10)**
compensation, **YCJA 42(2)(e), (4), (5), (10), 54(1)**
compensation in kind or services, **YCJA 42(2)(h), (10), 54(4) to (8)**
consecutive, **YCJA 42(13)**
considerations, **YCJA 42(1)**
consolidation rules, **CC 743.5; YCJA 43 to 47**
contempt, for, **YJCA 15(4)**
continuation of custody, **YCJA 98 to 101, 104**
continuation when adult, **YCJA 42(17), 89, 92, 93**
Criminal Code, application of, **YCJA 50, 51(7)**
custodial placement, **YCJA 83 to 89, 92(4), 92(5)**
custody and supervision orders, **CC 743.5; YCJA 42(2)(n) to (r), 42(4) to (8), 42(13), 43 to 46, 58, 97**
deferred custody and supervision, **CC 743.5; YCJA 42(2)(p), 42(5)**
breach of order, **YCJA 42(6)**
definition, **YCJA 2(1)**
duration, **YCJA 42(14) to (16), 53(1), 54(8)**
factors, **YCJA 38(3), (9), 39(3), 54(7)**
failure to comply with, **YCJA 137**
fines, **YCJA 42(2)(d), (10), 50(2), 53, 54(1) to (3)**
inconsistent orders, **YCJA 42(11)**
intensive rehabilitative custody and supervision, **CC 743.5; YCJA 42(2)(r), (8), (13), 42(7), 43 to 46, 58(1)**
intensive support and supervision, **YCJA 42(2)(l), 42(11), 55, 56, 58(1)**
interference with, **YCJA 136**
interprovincial arrangements, **YCJA 58**
jurisdiction, transfer of, **CC 743.5**

YOUTH CRIMINAL JUSTICE—Cont'd

Youth sentence, see also custody and supervision—Cont'd
limitation, **YCJA 38(2)(a)**
order of, conditions for, **YCJA 72(1.1), 73(2)**
orders, possible, **YCJA 42(2)**
payment to innocent purchaser, **YCJA 42(2)(g), (4), (5), 54(1)**
pre-sentence report, **YCJA 39(6), 40**
principles, general, **YCJA 38(2)**
principles re custody, **YCJA 39, 83(2), 98(4)**
probation orders, **YCJA 42(2)(k), 42(11), 55, 56**
prohibition orders, **YCJA 42(2)(j), 51, 52**
publication ban, **YCJA 110**
purpose, **YCJA 38(1)**
reasons, **YCJA 39(9), 48, 51(6), 100**
recommendation of conference, **YCJA 41**
restitution, **YCJA 42(2)(f), (10), 54(4) to (5)**
review board, **YCJA 25(3), (4), (7), 87, 88, 114, 119(1)(h), 120(4)(c), 132(3)**
reviews
appeals from, **YCJA 37(11)**
appearance order, **YCJA 59(6), 94(8)**
conditional supervision, **YCJA 94, (4), (7), (8), 95, 96(3), 108, 109**
continuation of custody, **YCJA 94, 95, 101, 104(5)**
custodial sentences generally, **YCJA 94, 95**
custody and supervision orders, **YCJA 42(6), 94, 95, 101, 104(5), 108 to 109**
decision after review, **YCJA 52(3), 59(7), 88, 94(19), 96(4)**
level of custody, **YCJA 87, 88**
non-custodial sentence, **YCJA 59, 60**
notices, **YCJA 25(9), (8), 59(5), 88, 94(13) to (18), 96(4)**
pending appeal, **YCJA 59(5), 94(7), 96(4)**
progress report, **YCJA 59(3), (4), 88, 94(9) to (12), 96(4)**
prohibition orders, **YCJA 52**

YOUTH CRIMINAL JUSTICE—Cont'd

Youth sentence, see also custody and supervision—Cont'd
 reviews—Cont'd
 transitional provisions, **YCJA 161(3)**
 right to counsel on, **YCJA 25(3)(e), 25(9)(f)**
 serious violent offence, for, **YCJA 42(2)(o), 42(7)**
 statement re custody and supervision, **YCJA 42(4)**
 termination, effect of, **YCJA 82**
 transfer of, **YCJA 57**
 transfer to adult facility, **YCJA 92**
 transitional provisions, **YCJA 161**
 treatment or care, **CC 743.5; YCJA 42(2)(r), (8), 42(7), 91(1)(b)(iv), 141(11)**
 victim fine surcharge, **YCJA 42(2)(d), 53(1), 54(2)**
 victim funding, **YCJA 42(2)(d), 53(1), 54(2)**

YUKON

“Appeal court,” **CC 812**
 Application of Code provisions, **CC 8(1)**
 “Appropriate Chief Justice,” **CC 745.6(3)**
 “Attorney General,” **CC 2**
 “Court of appeal,” **CC 2**
 Empanelling jury
 challenge for cause, **CC 638**
 Forfeiture of recognizance, **CC 762(1)**
 “Judge” under Part XIX, **CC 552**
 “Judge” under Part XVI, **CC 493**
 Preferring indictment, **CC 577**
 Proclamations, etc. of Lieutenant Governor, **CEA 22(2)**
 “Superior court of criminal jurisdiction,” **CC 2**
 Venue for summary conviction appeal, **CC 814(4)**