

INDEX

References are to section numbers and preceded by an abbreviation of the appropriate Act or Regulations as follows:

B.R.	=	Canadian Bill of Rights
CE	=	Canada Evidence Act
CANN.	=	Cannabis Act
COMP.	=	Competition Act
CON.	=	Contraventions Act
COR.	=	Corrections and Conditional Release Act
COR. REG.	=	Corrections and Conditional Release Act Regulations
CORRUPT.	=	Corruption of Foreign Public Officials Act
CRIM. REC.	=	Criminal Records Act
CUS.	=	Customs Act
DNA.	=	DNA Identification Act
EX.	=	Extradition Act
FED.	=	Federal Courts Act
FIR.	=	Firearms Act
FIR. REG. 98-199	=	Firearms Licences Regulations
FIR. REG. 98-201	=	Firearms Registration Certificates Regulations
FIR. REG. 98-205	=	Aboriginal Peoples of Canada Adaptations Regulations (Firearms)
FIR. REG. 98-206	=	Authorizations to Transport Restricted Firearms and Prohibited Firearms Regulations
FIR. REG. 98-207	=	Authorizations to Carry Restricted Firearms and Certain Handguns Regulations
FIR. REG. 98-209	=	Storage, Display, Transportation and Handling of Firearms by Individuals Regulations
FISH.	=	Fisheries Act
IDENT.	=	Identification of Criminals Act
I.T.A.	=	Income Tax Act
I.T.O.A.	=	International Transfer of Offenders Act
INT.	=	Interpretation Act
M.L.A.	=	Mutual Legal Assistance in Criminal Matters Act
PRIS.	=	Prisons and Reformatory Act
P.C.	=	Proceeds of Crime (Money Laundering) and Terrorist Financing Act
P.C. REG.	=	Proceeds of Crime (Money Laundering) and Terrorist Financing Act Regulations
SEC.	=	Security of Information Act
S.P.M.	=	Seized Property Management Act
S.P.M. REG. 95-76	=	Forfeited Property Sharing Regulations
S.P.M. REG. 94-303	=	Seized Property Disposition Regulations
S.O.I.R.A.	=	Sex Offender Information Registration Act
SUP.	=	Supreme Court Act

NOTE: *Italicized* section numbers in bold face type refer to section numbers not yet in force when this index was published.

MARTIN'S RELATED CRIMINAL STATUTES

ABORIGINAL/INDIGENOUS OFFENDERS. *See also* FISHERIES ACT

Advisory committees re, COR. 82
Agreements re, COR. 81
Defined terms, COR. 79
Factors, COR. 79.1
Long-term supervision plans, COR. 84.1
Placement of, COR. 81(3)
Programs for, COR. 80
Release to community, COR. 84
Spiritual leaders/elders, COR. 83
Transfer to community, COR. REG. 114

ABORIGINAL/INDIGENOUS RIGHTS

Firearms, rights and regulations, FIR. REG. 98-205
Fishing rights and regulations, FISH. 43
Licences, firearms, FIR. REG. 98-205

ABUSE OF DOMINANT POSITION

"Anti-competitive act" defined, COMP. 78
Prohibition against, COMP. 79

ACCUSED

Compellability, CE 4

ADMISSIONS

Cross-examination on previous statements —
 adverse witness, re, CE 9(2)
 opposing witness, re, CE 10, 11

ADVERSE WITNESSES

Cross-examination without declaration of adversity, CE 9(2)
Cross-examining adverse witness on prior statements, CE 9(1), 10, 11
Procedure, CE 9(1)

AFFIDAVITS. *See also* CERTIFICATES; SOLEMN DECLARATIONS

Administered abroad, CE 52-54
Affirmation in lieu of oath, CE 15
Banking records, proof of entry, CE 29(4)
Business records —
 proof of copy, CE 30(3)
 proof of explanation of records, CE 30(4), (8)
Canadian officials outside Canada, CE 52-54
Foreign affidavit, CE 52-54
Government of Canada record, proof of entry, CE 26
Insurance, proof of loss, CE 42
Photographic document, CE 31

AFFIRMATION. *See also* AFFIDAVITS; COMPETENCE AND COMPELL- ABILITY—Oath; SOLEMN DECLARATIONS

Administered abroad, CE 52-54

AFFIRMATION — *Continued*

In lieu of oath, CE 14, 15, 16

Perjury, liability for, CE 15(2)

APPEALS

Customs Act, from, CUS. 140, 144

Extradition Act. *See* EXTRADITION ACT—Appeals

Federal Court, FED. 27, 28

Firearms Act. *See* FIREARMS ACT

Fisheries Act. *See* FISHERIES ACT

Income Tax Act. *See* INCOME TAX ACT

Jurisdiction. *See* FEDERAL COURTS ACT

Leave to appeal —

Supreme Court of Canada. *See* Supreme Court of Canada, appeals to, *infra*;

SUPREME COURT ACT

Supreme Court of Canada, appeals to —

appeal by Crown —

appeals per saltum, SUP. 38

appeals under other Acts, SUP. 41

applications for leave —

oral hearing, SUP. 43(1.2), 43(2)

procedure, SUP. 43(1)

quorum, SUP. 43(3), (4)

remand of case, SUP. 43(1.1)

stay of execution, SUP. 65.1

APPEARANCE. *See also* JUDICIAL INTERIM RELEASE;

Extradition Act, under, EX. 17

ARREST. *See also* CHARTER OF RIGHTS

Contraventions Act offences, CON. 7

Evidence for foreign investigations, use abroad, M.L.A. 23

Extradition Act, under, EX. 16

Provisional, in extradition, EX. 11(2), 12-14, 21

Warrant —

extradition, EX. 16

BAIT AND SWITCH SELLING. *See* COMPETITION ACT—Offences under

BID-RIGGING. *See* COMPETITION ACT—Offences under

BILL OF RIGHTS. *See* CANADIAN BILL OF RIGHTS

BOOKS AND DOCUMENTS. *See* DOCUMENTARY EVIDENCE—Books and documents

BURDEN AND ONUS OF PROOF

Customs Act, CUS. 152

BUSINESS RECORDS, CE 30. *See also* DOCUMENTS

MARTIN'S RELATED CRIMINAL STATUTES

CANADA EVIDENCE ACT

Adverse witnesses, CE 9. *See also* Prior inconsistent statements

Application of Act, CE 2

Attesting witness, CE 34

Books and documents. *See* Documentary evidence, *infra*

Business records. *See* Documentary evidence, *infra*

Canada Gazette, CE 21, 32(2)

Capacity to testify, CE 16, 16.1

Child witness, CE 16, 16.1

Commission evidence, CE 43-51. *See also* COMMISSION EVIDENCE

Competence and compellability. *See also* Witnesses, *infra*; COMPETENCE AND COMPELLABILITY

comment on failure to testify prohibited, CE 4(6). *See also* Self-incrimination, *infra*

interest or crime, CE 3

marital communications privilege, CE 4(3)

oaths, CE 13-16, 53. *See also* COMPETENCE AND

COMPELLABILITY—Oath

solemn affirmation instead of oath, CE 14, 15, 53. *See also* COMPETENCE AND COMPELLABILITY—Oath

Convictions, cross-examination upon, CE 12. *See also* CONVICTIONS;

CROSS-EXAMINATION

Copies —

Acts of Parliament, CE 19

banking records, CE 29(1)

business records, CE 30(3), (12)

by-laws, CE 24

copies printed in Canada Gazette, CE 32(2)

corporation records, CE 24(b)

government and public documents, CE 19-28, 31(2)

microfilm and photographic documents, CE 31

notice of, CE 28

proof of handwriting, CE 33

public documents, CE 24, 25, 26, 28

Cross-examination. *See also* CROSS-EXAMINATION

convictions, CE 12

prior inconsistent statements, CE 10, 11

Crown privilege, CE 37-39. *See also* Privilege, *infra*

Declarations. *See* Solemn declarations, *infra*

Disabled witness, CE 6, 6.1

Disclosure of government information, CE 37-39. *See also* Privilege, *infra*

Documentary evidence —

attesting witness, CE 34

books and documents —

admissibility, CE 25

bank records, CE 29

computer print-outs, CE 29(1)

copies of entries, CE 28

kept in office of Government of Canada, CE 26

notice of production of, CE 28

CANADA EVIDENCE ACT — *Continued*Documentary evidence — *Continued*

- business records, CE 30
 - admissibility rules, CE 30(11)
 - affidavit evidence, CE 30(6)
 - copies, CE 30(3)
 - defined terms, CE 30(12)
 - inadmissible records, CE 30(10)
 - inference of non-occurrence, CE 30(2)
 - notice of production, CE 30(7)
 - ordinary course of business, made in, CE 30(1)

Canada Gazette, copies of, CE 32(2)

certified copies, CE 24

electronic documents. *See* Electronic documents, *infra*

forged instrument, impounding of, CE 35

Governor General's proclamations, etc., CE 21

Imperial proclamations, etc., CE 20

judicial proceedings, evidence of, CE 23

lieutenant governor's proclamations, etc., CE 22

order signed by Secretary of State, CE 32(1)

photographic prints, CE 31

proof of handwriting of certifying person, CE 33

Queen's Printer, copies by, CE 19

Documents, not in derogation of proof of, CE 36

Documents sworn outside Canada, CE 54

Electronic documents —

- best evidence rule satisfied, CE 31.2
- burden of proof of authenticity, CE 31.1
- definitions, CE 31.8
- electronic signature regulations, CE 31.4
- other rules not affected, CE 31.7
- presumption of integrity of system, CE 31.3
- proof by affidavit, CE 31.6
- standards admissible, CE 31.5

Examination of witnesses in Canada, order for, CE 46-51

Expert witnesses, number of, CE 7. *See also* EXPERT EVIDENCE

Foreign country, evidence received in —

- classes of persons receiving, CE 52
- documents, CE 54
- oaths, CE 53

Foreign courts. *See* Proceedings in foreign courts, *infra*

Government information, disclosure of —

- national security/international relations objection, CE 38, 38.16, Schedule
- objection to, CE 37

Queen's Privy Council confidence objection, CE 39

Government records, CE 24, 26, 28

Handwriting —

- certification, CE 33
- comparison by witnesses, CE 8

Imperial proclamations, orders, treaties, proving, CE 20

MARTIN'S RELATED CRIMINAL STATUTES

CANADA EVIDENCE ACT — *Continued*

Impounding of forged instrument, CE 35

Insurance proofs, CE 42

Journalistic sources, CE 39.1

Judicial notice. *See* JUDICIAL NOTICE

Judicial proceedings, evidence of proceedings, CE 23, 28. *See also* JUDICIAL PROCEEDINGS

Microfilmed records, CE 31. *See also* Copies, *supra*

Notarial acts in Quebec, CE 27

Notice of copies, CE 28

Oaths. *See also* Competence and compellability, *supra*

evidence of children, CE 16.1

received in foreign country, CE 53

solemn affirmation —

deponent, by, CE 15

instead of, CE 14

taken abroad, CE 53

witness of questionable capacity, CE 16, 16.1

inquiry required, CE 16(1), 16.1

promise to tell truth, CE 16(3), 16.1(6)

Officials outside Canada, CE 52-54

Photocopies. *See* Copies, *supra*; Documentary evidence, *supra*

Prior inconsistent statements. *See also* PRIOR INCONSISTENT STATEMENTS

oral, CE 11

written, CE 10

Privilege —

Cabinet, CE 39

international relations. *See* national security, *infra*

national defence. *See* national security, *infra*

national security, CE 38-38.16, Schedule

annual report to Parliament, CE 38.17

appeal to —

Federal Court of Appeal, CE 38.09

Supreme Court of Canada, CE 38.1

application to Federal Court, CE 38.04

Attorney General may —

apply to Federal Court respecting disclosure, CE 38.04

authorize disclosure, CE 38.03

be required to give notice, CE 38.07

enter into disclosure agreement, CE 38.031

issue fiat to assume prosecution, CE 38.15

issue prohibition certificate, CE 38.13

definitions, CE 38

designated entities, CE Schedule

disclosure prohibited, CE 38.02

ex parte representations, CE 38.11(2)

hearing in National Capital Region, CE 38.11(1.1)

hearing to be in private, CE 38.11(1)

judge may order disclosure, CE 38.06

military proceedings, CE 38.01(5), 38.13(2), 38.131(3)

CANADA EVIDENCE ACT — *Continued*Privilege — *Continued*national security — *Continued*

- notice to Attorney General of Canada, CE 38.01
- notice to Minister of National Defence, CE 38.01(6)
- prohibition certificate, CE 38.13
- protection of right to fair trial, CE 38.14
- protective order, CE 38.12
- reference to Federal Court of Appeal, CE 38.08
- regulations, CE 38.16
- report to presiding officer, CE 38.05
- review of prohibition certificate, CE 38.131

Privy Council, CE 39

specified public interest, CE 37

appeal to —

- court of appeal, CE 37.1
- Supreme Court of Canada, CE 37.2
- protection of right to fair trial, CE 37.3

Proceedings in foreign courts —

- application of Act, CE 43
- construction of Act, CE 45
- defined terms, CE 44
- order for examination of witness in Canada —
 - administering oath, CE 49
 - enforcement of order, CE 47
 - expenses and conduct money, CE 48
 - letters rogatory, enforcement of, CE 46, 51(2)
 - procedure, CE 46
 - refusal to answer/produce document, CE 50
 - rules of court, CE 51(1)
 - video links, CE 46

Proclamations, orders, regulations, CE 21, 22

Provincial laws of evidence, CE 40

Public documents, CE 24, 25, 26, 28

Regulations, CE 21, 22

Secretary of State of Canada, orders of, CE 32(1)

Self-incrimination, CE 5

- comment on failure to testify prohibited, CE 4(6)
- convictions, cross-examination upon, CE 12

Short title, CE 1

Solemn affirmation. *See* Oaths, *supra*Solemn declarations, CE 41, 42, 53, 54. *See also* SOLEMN DECLARATIONS

Statutory declaration, form of, CE 41

Witnesses —

- adverse witnesses —
 - cross-examination without proof of adversity, CE 9(2)
 - proof of statement of, CE 9(1)
- competence of —
 - accomplice, of, CE 3
 - interest/crime, by reason of, CE 3

MARTIN'S RELATED CRIMINAL STATUTES

CANADA EVIDENCE ACT — *Continued*

Witnesses — *Continued*

competence of — *Continued*

spouse —

accused of, CE 4

comment by trial judge/prosecutor, CE 4(6)

communications during marriage, CE 4(3)

failure to testify, CE 4(6)

deposition of, CE 10(2)

disabled person, CE 6

expert witnesses, calling of, CE 7

handwriting comparison, re, CE 8

incriminating questions —

admissibility of answer, CE 5(2)

obligation to answer, CE 5(1)

mute, evidence of, CE 6

oaths of. *See* Oaths, *supra*

previous convictions, examination re, CE 12

previous statements of —

cross-examination re, CE 10

oral statements, CE 11

CANADA SHIPPING ACT. *See* SHIPS

CANADIAN BILL OF RIGHTS

Affect on existing rights and freedoms, B.R. 5(1)

Application, B.R. 5(3)

Construction of law, B.R. 2

arbitrary detention, B.R. 2(a)

criminatory evidence before tribunal, B.R. 2(d)

cruel and unusual punishment, B.R. 2(b)

guarantee to reasonable bail, B.R. 2(f)

right to counsel, B.R. 2(c)

right to fair hearing, B.R. 2(e)

Cruel and unusual punishment, B.R. 2(b)

Duties of Minister of Justice, B.R. 3

"Law of Canada" defined, B.R. 5(2)

Rights and freedoms, B.R. 1

counsel, right to, B.R. 2(c)

equality before the law, B.R. 1(b)

fair hearing, right to, B.R. 2(e)

freedom of —

assembly/association, B.R. 1(e)

press, B.R. 1(f)

religion, B.R. 1(c)

speech, B.R. 1(d)

interpreter, assistance of, B.R. 2(g)

life, liberty and security, B.R. 1(a)

Short title, B.R. 4

CANADIAN CHARTER OF RIGHTS AND FREEDOMS. *See* CHARTER OF RIGHTS

CANADIAN FIREARMS REGISTRATION SYSTEM

Electronic filing, FIR. 91, 92

Licences, FIR. REG. 98-199

Records —

access to, right to, FIR. 90

Canadian Firearms Registry, FIR. 83

chief firearms officer, of, FIR. 87

destruction of, FIR. 84

other records, FIR. 85

storage of, form of, FIR. 92

transfer of, FIR. 86

Registrar of firearms —

appointment of, FIR. 82

Registration, FIR. REG. 98-201

Regulations, FIR. REG. 98-199

Reporting —

loss/finding/theft/destruction of firearms, of, FIR. 88

prohibition orders, of, FIR. 89

Reports —

Commissioner, to, FIR. 94

Federal Minister, to, FIR. 93

CANNABIS — PROHIBITIONS/OFFENCES

Agents, CANN. 48

Agreements, CANN. 59, 60

Attorney General, election of, CANN. 58

Compensation agreements, CANN. 60

Continuing offences, CANN. 47

Convictions, consequences of, CANN. 53

Corporate officers, committed by, CANN. 46

Criminal Code, application of, CANN. 57

Display, CANN. 29-30

Distribution, CANN. 9, 13, 31-37

Employees, CANN. 48

Exceptions, CANN. 50

Exemptions, CANN. 50, 139-141

Exporting, CANN. 11

False/misleading statements, CANN. 39

Importing, CANN. 11

Imprisonment, CANN. 55

Information, exclusion of laying, CANN. 56

Inspectors, obscuring, CANN. 38

Labelling, CANN. 25-28

Licences, CANN. 55.1, 61-68

Limitation periods, CANN. 45, 125

Mandataries, CANN. 48

Medical emergency defined, CANN. 8.1

MARTIN'S RELATED CRIMINAL STATUTES

CANNABIS — PROHIBITIONS/OFFENCES — *Continued*

Non-payment, consequences of, CANN. 54
Obligations, CANN. 40-43
Packaging, CANN. 25-28
Payment, consequences of, CANN. 52
Penalties, CANN. 44; CUS. 109.2
Permits, CANN. 55.1, 61-68
Possession, CANN. 8, 13
Procedure, CANN. 51, 126, 133-138
Production, CANN. 12, 13
Promotion, CANN. 16-24
Rebuttals, CANN. 50
Selling, CANN. 10, 31-37
Sentencing, CANN. 15
Ticketable, CANN. 51-60
Use, CANN. 13, 14
Venue, CANN. 49
Young person, CANN. 14

CANNABIS ACT

Administrative penalties, CANN. 110-127
Amendment provisions, CANN. 152-161
Analysis, CANN. 130-131
Application —
 generally, CANN. 5, 5.1
 Youth Criminal Justice Act, CANN. 5
Assistance, technical, CANN. 150
Authorizations, general, CANN. 69-72
Binding Her Majesty, CANN. 6
Certification by Minister, CANN. 127
Chemical property —
 destruction, CANN. 106
 disposal with consent, CANN. 108
 disposition following proceedings, CANN. 107
 disposition reports, CANN. 109
 expedited disposition, CANN. 105
 forfeiture, CANN. 104
 generally, CANN. 102-109
 order for return, CANN. 103
 receipt, CANN. 102
 report, CANN. 102
 return, CANN. 102, 103
Compliance agreements, CANN. 114-115
Costs, CANN. 148-149
Disclosure, CANN. 128-129
Disposition of seized items, CANN. 89-109
Enforcement, CANN. 117-118
Evidence, CANN. 124, 133-138
Exemptions, CANN. 50, 139-141
Fees, CANN. 142-147

CANNABIS ACT — *Continued*

Forfeiture, CANN. 94-101

Inspections, CANN. 84-86

Interpretation —

definitions, CANN. 2

generally, CANN. 2-4

Minister, designation of, CANN. 4

Licences, CANN. 55.1, 61-68

Limitation periods, CANN. 45, 125

Ministerial orders, CANN. 73-80

Monetary penalties, CANN. 110-127

Non-chemical property seized —

forfeiture, CANN. 94-101

generally, CANN. 91-101

management orders, CANN. 93

restraint orders, CANN. 91-92

Obligations. *See* CANNABIS — PROHIBITIONS/OFFENCES

Offences. *See* CANNABIS — PROHIBITIONS/OFFENCES

Permits, CANN. 55.1, 61-68

Procedure, CANN. 51, 126, 133-138

Prohibitions. *See* CANNABIS — PROHIBITIONS/OFFENCES

Purpose, CANN. 7

Regulations, CANN. 139-141, 156, 158-161

Rules re violations, CANN. 119-123

Search warrants, CANN. 87-88

Seized items, disposition of, CANN. 89-109

Tracking system, CANN. 81-83

Trademarks, CANN. 132

Transitional provisions, CANN. 152-161

Warrants, search, CANN. 87-88

CERTIFICATES. *See also* DOCUMENTS

Cannabis, CANN. 127

Declarations, CE 41, 42, 53, 54

Fingerprints. *See* IDENTIFICATION OF CRIMINALS ACT

Notice of intention re. *See also* NOTICE

government and public documents, CE 28

Solemn declarations, CE 41, 42, 53, 54. *See also* SOLEMN DECLARATIONS

CHARACTER AND CREDIBILITY

Impeaching credibility, CE 12

Previous convictions, CE 12

Previous statements, cross-examination upon, CE 9(2), 10, 11

CHARTER OF RIGHTS

Cruel and unusual treatment or punishment, B.R. 2(b)

Equality rights, B.R. 1(b)

Fair and public hearing, B.R. 2(e)

Freedom of —

assembly, B.R. 1(e)

MARTIN'S RELATED CRIMINAL STATUTES

CHARTER OF RIGHTS — *Continued*

Freedom of — *Continued*

association, B.R. 1(e), (f)

expression, B.R. 1(d)

press and other media, B.R. 1(f)

Life, liberty and security, B.R. 1(a)

CHILD. *See also* SEXUAL OFFENCES

Evidence. *See also* EVIDENCE

competence and compellability, CE 16, 16.1

DNA analysis, DNA. 9.1, 10.1

oaths, CE 16, 16.1

International transfer —

consent of Minister required, I.T.O.A. 9

consent of provincial authority required, I.T.O.A. 9

consent to transfer, I.T.O.A. 8(5)

exemption from dual criminality requirement, I.T.O.A. 4(3)

primary consideration is best interests of child, I.T.O.A. 10(4)

Witness, CE 16, 16.1

CIVIL RIGHTS. *See* CANADIAN BILL OF RIGHTS; CHARTER OF RIGHTS

COLLATERAL FACTS RULE

Cross-examination upon previous convictions, CE 12

Exceptions —

convictions, CE 12

prior inconsistent statements, CE 9, 10, 11

COMMISSION EVIDENCE

Oath, affirmation, CE 53

COMMITTAL. *See* EXTRADITION ACT; WARRANTS

COMPENSATION. *See also* SENTENCE—Restitution orders

Death/disability, COR. REG. 22, 121-144

COMPETENCE AND COMPELLABILITY

Accomplice, CE 3

Accused, CE 4

Affirmation, CE 14, 15

Agreements, CANN. 60

Child, CE 16, 16.1

Marital communications, CE 4(3)

Mental competence, CE 16

Not incompetent by reason of interest or crime, CE 3

Oath. *See also* CANADA EVIDENCE ACT

affirmation, CE 14, 15

Canadian officials outside Canada, CE 53

witnesses swearing oath or affirming, CE 13-16

Spouse of accused, CE 4

COMPETENCE AND COMPELLABILITY — *Continued*

Witness whose capacity is challenged, CE 16, 16.1

COMPETITION ACT

Amateur sport exemption, COMP. 6

Annual report to Parliament, COMP. 127

Collective bargaining exemption, COMP. 4

Confidentiality, COMP. 29

Crown, application to, COMP. 2.1

Customs duties, reduction/removal of, COMP. 31

Damages, action for, COMP. 36

Deceptive marketing practices —

administrative remedies re —

appeals, COMP. 74.18, 74.19

consent orders, COMP. 74.12

"court" defined, COMP. 74.09

determination of reviewable conduct, COMP. 74.1

evidence considered, COMP. 74.14

judicial order, COMP. 74.1

Part VI proceedings and, COMP. 74.16

rescission or variation of order, COMP. 74.13

rules re procedure, COMP. 74.17

temporary order, COMP. 74.11

unpaid monetary penalty, COMP. 74.15

bait and switch selling, COMP. 74.04(2), (3)

"bargain price", definition of, COMP. 74.04(1)

civil rights not affected, COMP. 74.08

misrepresentations to public, COMP. 74.01-74.011

promotional contests, COMP. 74.06

publication of testimonials, COMP. 74.02

reasonable test, representation re, COMP. 74.02

representations accompanying products, COMP. 74.03

sale above advertised price, COMP. 74.05

saving provision, COMP. 74.07

Defined terms, COMP. 2

Federal Court —

jurisdiction re damages claim, COMP. 36

powers, COMP. 32

Injunction, interim, COMP. 33

Interpretation, COMP. 2

Investigations under —

commissioner, appointment of, COMP. 7

deputy directors, appointment of, COMP. 8

director, appointment of, COMP. 7

inquiry —

application for, COMP. 9

appointment of counsel, COMP. 21

commissioner, by, COMP. 10

discontinuance of, COMP. 22

oaths, administration of, COMP. 14(1)

MARTIN'S RELATED CRIMINAL STATUTES

COMPETITION ACT — *Continued*

Investigations under — *Continued*

inquiry — *Continued*

order for oral examination/production, COMP. 11

presiding officer —

designation of, COMP. 13

power to make orders, COMP. 14(2)-(4)

reference to Attorney General, COMP. 23

witnesses, competence and compellability, COMP. 12

interim report re, COMP. 28

offences re records and information, COMP. 65

information, false/misleading, COMP. 52.01-52.02

records/things obtained/seized —

care of, COMP. 18(1)

copying of, COMP. 18(3)

inspection of, COMP. 18(2), 20

order re, COMP. 11

return of, COMP. 18(4)

solicitor-client claims, COMP. 19

warrant re, COMP. 15, 16

regulations re practice and procedure, COMP. 24

warrant for entry of premises —

issue and execution of, COMP. 15

report on thing seized, COMP. 17

use of computer system on premises, COMP. 16

Mergers. *See* Tribunal, matters reviewable by, *infra*

Misleading advertising. *See* Offences under, *infra*

Notifiable transactions —

application of Part, COMP. 109, 110

amalgamation, COMP. 110(4)

asset acquisition, COMP. 110(2)

asset and revenue limitation, COMP. 109

combination, COMP. 110(5)

share acquisition, COMP. 110(3)

application of ss. 114-123.1, COMP. 113.1

completion of proposed transactions, COMP. 123

defined terms, COMP. 108

exemptions —

acquisitions, COMP. 111

combination in form of joint venture, COMP. 112

general exemptions, COMP. 113

notice of proposed transaction —

non-completed transaction, COMP. 119

prior notice of acquisitions of voting shares, COMP. 115

requirement, COMP. 114

wholly-owned affiliate exception, COMP. 117

regulations re, COMP. 124

supply of information —

certification requirement, COMP. 118

impossibility of supply, COMP. 116

-
- COMPETITION ACT — *Continued*
- Notifiable transactions — *Continued*
- supply of information — *Continued*
 - information required, COMP. 120-122
 - non-completed transaction, COMP. 119
 - requirement, COMP. 114
 - wholly-owned affiliate exception, COMP. 117
- Offences under —
- allowance, prohibition on granting, COMP. 51
 - application made under ss. 79/92, where, COMP. 45.1
 - bid-rigging, COMP. 47
 - civil rights not affected, COMP. 62
 - conspiracy to restrain competition unduly, COMP. 45
 - defences to, COMP. 60
 - discipline, prohibitions on, COMP. 66
 - double ticketing, COMP. 54
 - federal financial institutions, exceptions re, COMP. 49
 - foreign directives, COMP. 46
 - illegal trade practices, COMP. 50
 - limitations, COMP. 60
 - misleading advertising, COMP. 52
 - false/misleading representation, COMP. 52(1)-(1.2)
 - improperly tested representation, COMP. 52(2)-(2.1)
 - knowledge of misleading phrase, COMP. 52(3)
 - literal meaning of ad, COMP. 52(4)
 - multi-level marketing plan, COMP. 55
 - obstruction of inquiry, COMP. 64
 - Part II order, contravention of, COMP. 65
 - Part VII.1 or VIII order, contravention of, COMP. 66
 - price maintenance, COMP. 61
 - professional sport, conspiracy re, COMP. 48
 - procedure —
 - agent of participant, evidence of, COMP. 69
 - corporation to be tried by judge, COMP. 67(4)
 - Criminal Code, application of, COMP. 67(2)
 - election re jury, COMP. 67(1)
 - Federal Court, jurisdiction of, COMP. 73
 - jurisdiction of courts, COMP. 67(3)
 - limitation period, COMP. 67(6)
 - option re procedure, COMP. 67(5)
 - orders of Tribunal, failure to comply with, COMP. 74
 - participant, evidence against, COMP. 69
 - statistics —
 - admissibility of, COMP. 70
 - collection by sampling methods, COMP. 71
 - notice of use in evidence, COMP. 72
 - venue of prosecution, COMP. 68
 - pyramid selling scheme, COMP. 55.1
 - records and information, re, COMP. 65
 - telemarketing, COMP. 52.1

MARTIN'S RELATED CRIMINAL STATUTES

COMPETITION ACT — *Continued*

Offences under — *Continued*

whistleblowing, COMP. 66.1

Procedure. *See* Offences under, *supra*

Prohibition orders, COMP. 34

Punishment, COMP. 35

Purpose of Act, COMP. 1.1

Regulations under, COMP. 128

Representations to boards, etc. —

federal, COMP. 125

provincial, COMP. 126

Reviewable matters. *See* Tribunal, matters reviewable by, *infra*

Short title, COMP. 1

Solicitor-client claims, COMP. 19

Staff —

appointment of, COMP. 25

remuneration of temporary staff, COMP. 26

technical/special assistants, authority of, COMP. 27

Tribunal, matters reviewable by —

abuse of dominant position. *See* ABUSE OF DOMINANT POSITION

consignment selling, COMP. 76

delivered pricing —

defined, COMP. 80

exemptions, COMP. 81(2)-(3)

prohibition against, COMP. 81(1)

exclusive dealing, COMP. 77

foreign judgments, COMP. 82

foreign laws and directives, COMP. 83

foreign suppliers, COMP. 84

market restriction practices, COMP. 77

mergers —

advance ruling certificate, COMP. 102, 103

conditional order directing dissolution, COMP. 99

excepted mergers —

certified by Minister of Finance, COMP. 94(b)

gain in efficiency, COMP. 96

joint ventures, COMP. 95

mergers prior to provision, COMP. 94(a)

interim order, COMP. 100

limitation period, COMP. 97

"merger" defined, COMP. 91

orders available to Tribunal, COMP. 92

prevention/lessening of competition, factors re, COMP. 93

proceedings commenced under ss. 45/79, COMP. 98

provincial right of intervention, COMP. 101

orders —

consent, COMP. 105

evidence considered, COMP. 107

interim, COMP. 104, 104.1

rescission/variation of, COMP. 106

COMPETITION ACT — *Continued*Tribunal, matters reviewable by — *Continued*

- refusal to deal, COMP. 75
- specialization agreements —
 - definitions re, COMP. 85
 - modification, registration of, COMP. 87(1)
 - provincial right of intervention, COMP. 88
 - public access to register, COMP. 89
 - registration, order re, COMP. 86
 - removal from register, COMP. 87(2)
 - special dealing provision, inapplicability of, COMP. 90
- tied selling, COMP. 77

Underwriting exemption, COMP. 5

COMPLIANCE ORDERS. *See* INCOME TAX ACT**COMPUTERS**

Documents —

- banking records, CE 29
- business records, CE 30
- microfilmed records, CE 31

CONDITIONAL RELEASE. *See also* PAROLE

Authorization, COR. REG. 146

Conditions of release —

- application for relief from, COR. REG. 162
- elements of, COR. 133
- instructions to released offenders, COR. 134(1)
- monitoring device, COR. REG. 162.1-162.4
- powers of releasing authority, COR. 133(1)
- "releasing authority", meaning of, COR. 133(1)
- removal of, COR. 133(7)
- statement of, COR. REG. 161
- variance of, COR. 133(7)
- victim, to protect, COR. 133(3.1)-(3.3)

Continuation of sentence, COR. 128(1)

Criteria for granting parole, COR. 102

Day parole. *See* Parole eligibility, *infra*

Defined terms, COR. 99

Effect of, COR. 128

Freedom to be at large, COR. 128(2)

Full parole, COR. 120(1), 123, COR. REG. 158

Long-term supervision order —

- conditions of —
 - certainty, COR. 134.1(2.3)
 - duration of, COR. 134.1(3)
 - relief from, COR. 134.1(4)
 - removal, COR. 134.1(5)
 - requirement of, COR. 134.1(1)
 - set by board, COR. 134.1(2)

MARTIN'S RELATED CRIMINAL STATUTES

CONDITIONAL RELEASE — *Continued*

Long-term supervision order — *Continued*

conditions of — *Continued*

- variance, COR. 134.1(5)
- victim, to protect, COR. 134.1(2.1)
- written reasons, COR. 134.1(2.2)
- correctional investigator and, COR. 157, 157.1
- instructions to offenders subject to, COR. 134.2(1)
- plan, persons subject to, COR. 99.1
- suspension of, COR. 135.1

Parole Board of Canada. *See* PAROLE BOARD OF CANADA

Parole criteria, COR. 102

Parole eligibility —

- additional concurrent sentence, COR. 120.2
- additional consecutive sentence, COR. 120.1(2)-(3)
- day parole. *See also* Parole reviews, *infra*
 - generally, COR. 119(1)
 - life sentence, COR. 119(1.1)
 - offenders eligible for accelerated parole review, COR. 119.1
 - short sentence, COR. 119(2)
 - young offender sentenced to life, COR. 119(1.2)
- exceptional circumstances, COR. 121
- full parole, COR. 120(1)
- life sentence, COR. 120(2)
- maximum period, COR. 120.3
- multiple sentences on same day, COR. 120.1(1)
- "sentence" defined, COR. 119.1
- short sentences, COR. 119(2)
- youth sentence, COR. 119.2

Parole reviews —

- accelerated, COR. REG. 159
- cancellation/suspension of release, COR. REG. 163
- constitution of panels, COR. REG. 147, 153-154
- day parole, COR. 122, COR. REG. 157
- full parole, COR. 123, COR. REG. 158
- offenders unlawfully at large, COR. 124
- review by way of hearing, COR. REG. 164

Principles guiding parole boards, COR. 101

Provincial parole board exemption, COR. REG. 145

Purpose of, COR. 100

Revocation of, COR. 135

Statutory release —

- arrest without warrant for breach of conditions, COR. 137.1
- detention reviews during period of —
 - annual review of orders, COR. 131
 - date of review, COR. REG. 160
 - offences causing death or serious injury, COR. 129
 - offences involving child, COR. 129
 - relevant factors in, COR. 132
 - review of cases by board, COR. 130

CONDITIONAL RELEASE — *Continued*

Statutory release — *Continued*

detention reviews during period of — *Continued*

review of cases by service, COR. 129

serious drug offences, COR. 129

entitlement, COR. 127, 127.1

warrant for apprehension and recommitment, COR. 136

Youth Criminal Justice Act, COR. 127.1

Suspension/termination of —

conditions re, COR. 135

effect of, COR. 138

warrant on, COR. 136, 137

Unescorted temporary absence —

arrest without warrant for breach of conditions, COR. 137.1

conditions for authorization, COR. 116

delegation of powers re, COR. 117

exceptions, COR. 115(2)

hospital admittance, COR. 117

maximum security, COR. 115(3)

minimum time to be service, COR. 115(1)

regulations re, COR. REG. 155, 156

suspension of, COR. 117

warrant for arrest and recommitment, COR. 118

CONFIDENTIALITY

Competition Act, COMP. 29

Income Tax Act, I.T.A. 239-241

CONSIGNMENT SELLING. *See* COMPETITION ACT—Tribunal, matters reviewable by

CONSPIRACY

Restrain competition. *See* COMPETITION ACT—Offences under

CONTRAVENTIONS ACT

Adult court jurisdiction over young person, CON. 17(2)

Arrest provisions, relationship with, CON. 7

Commencement of proceedings, CON. 17

Convictions, removal of —

application re, CON. 46

conviction after trial, CON. 47(2)

conviction in defendant's absence, CON. 47(1)

trial order, CON. 47(3)-(5)

Criminal Code, relationship with, CON. 5

Criminal record —

application for employment and, CON. 64

conviction not constituting, CON. 63

Cross-examination on criminal record, CE 12

Crown, binding on, CON. 3

Default convictions, CON. 44

MARTIN'S RELATED CRIMINAL STATUTES

CONTRAVENTIONS ACT — *Continued*

Definitions, CON. 2

Election of Crown, CON. 50

Evidence —

notice, of, CON. 41(2)

ticket as, CON. 38

vehicle ownership, of, CON. 40

Federal-provincial agreements —

compensation agreements, CON. 65.3

general agreements, CON. 65.2

Fees —

civil enforcement of, CON. 58

Criminal Code limitations on, CON. 52

discharge of, CON. 56

regulations re, CON. 8(1.1)

Fines —

arrest for non-payment, CON. 61, 62

civil enforcement of, CON. 58

discharge of, CON. 56

enforcement of, CON. 58-62

no imprisonment for default, CON. 60

regulations re, CON. 8

Forfeiture provisions, relationship with, CON. 6

Laying information, prohibition, CON. 54

Licences, permits, registration of establishments —

revocation of for fine default, CON. 59

Notice —

failure to pay fine, re, CON. 57

method of giving, CON. 41

Offences, designation of, CON. 8

Options available to defendants —

options, CON. 21

plea of guilty and payment, CON. 22

plea of guilty with representations, CON. 23

sentencing hearing, CON. 25

trial, CON. 26

"Proceeding", defined, CON. 55

Provincial laws, application of, CON. 65.1

Purposes of, CON. 4

Regulations, power to make, CON. 8(1)

Release orders, CON. 53

Royal prerogative, abolition of, re passports, CON. 65

Rules re practice and procedure, CON. 51

Sentences —

finer, CON. 42(1), (3), (4)

imprisonment, no liability for, CON. 42(2)

Sentencing hearing —

circumstances for, CON. 37(1)

place of, CON. 37(2)

Short title, CON. 1

CONTRAVENTIONS ACT — *Continued*

Statutory Instruments Act, application of, CON. 17(3)

Ticket —

- completion and service of, CON. 9
- contents of, CON. 16
- evidence, as, CON. 38
- filing of, CON. 17(1)
- obligatory filing of, CON. 18
- parking —
 - contraventions, CON. 12
 - filing of, CON. 19
 - service of, CON. 14
- service of —
 - certificate of, CON. 15
 - method of, CON. 10
 - parking tickets, CON. 14
- vehicle owners, vicarious liability of, CON. 13

Trial procedure —

- attendance of person who completed ticket, CON. 31
- Crown, absent, consequences of, CON. 34
- defendant, absent, consequences of, CON. 33
- language of trial, CON. 30
- new trial date, CON. 35
- notice of conviction, CON. 36
- personal appearance of defendant, CON. 32
- trial, CON. 29

Undertakings, CON. 53

Young persons —

- adult court jurisdiction, CON. 17(2)
- application to set aside conviction, CON. 46(2), 47(6)
- compelling appearance of, CON. 45
- transfer to youth court, CON. 28

Youth Criminal Justice Act, relationship with, CON. 5

CONVICTIONS

Certificate of conviction —

- cross-examination on convictions, CE 12

Conviction-free period, CRIM. REC. 4, 4.01

Cross-examination upon, CE 12

Defendant's absence, CON. 47(1)

Evidentiary use, CE 12

Examination re previous, CE 12

Proof of previous convictions —

- cross-examination upon, CE 12

Removal of —

- application re, CON. 46
- conviction after trial, CON. 47(2)
- conviction in defendant's absence, CON. 47(1)
- trial order, CON. 47(3)-(5)

MARTIN'S RELATED CRIMINAL STATUTES

CORRECTIONAL INVESTIGATOR. *See* CORRECTIONS AND CONDITIONAL RELEASE ACT

CORRECTIONAL SERVICE OF CANADA

Commissioner of, COR. 6(1)
Guiding principles, COR. 4
National headquarters, COR. 6(2)
Paramount consideration, COR. 3.1
Purpose of, COR. 3, 3.1
Regional headquarters, COR. 6(3)
Responsibilities, COR. 5

CORRECTIONAL SYSTEM

Purpose of, COR. 3

CORRECTIONS AND CONDITIONAL RELEASE ACT. *See also* INTERNATIONAL TRANSFER OF OFFENDERS ACT

Aboriginal/Indigenous offenders. *See* ABORIGINAL/INDIGENOUS OFFENDERS

Annual report by Minister, COR. 95
Application of —
 persons subject to long-term supervision order, to, COR. 2.1
Arrest without warrant for breach of conditions, COR. 137.1
Assembly and association rights, COR. 73
Citizen Advisory Committees, COR. REG. 7
Clemency requests, COR. 110
Compensation for death/disability —
 actions for damages by claimants, COR. REG. 140, 141
 appeal, COR. REG. 142
 assignment, etc., of claim, prohibition against, COR. REG. 144
 authorization for payment, COR. 22
 claims for compensation, COR. REG. 126
 conditions for payment, COR. REG. 138
 death, compensation payable on, COR. REG. 131, 132
 defined terms, COR. REG. 121
 determination of entitlement, COR. REG. 127
 disability, compensation for, COR. REG. 128-130
 eligibility for, COR. REG. 122
 incompetent person, claim by, COR. REG. 143
 prohibitions on payment, COR. REG. 133-137
 refusal/cessation of payments, COR. REG. 139
 report of incidents, COR. REG. 124
 time limits to claim, COR. REG. 125
Complaints. *See* Grievances and complaints
Conditional release. *See* CONDITIONAL RELEASE
CORCAN, COR. REG. 105-109
Correctional investigator. *See also* Investigations, *infra*
 absence, incapacity or vacancy, COR. 161
 application re jurisdiction, COR. 168
 appointment of, COR. 158

CORRECTIONS AND CONDITIONAL RELEASE ACT — *Continued*Correctional investigator — *Continued*

- benefits, COR. 163(2), (3)
- confidences of Queen's Privy Council for Canada and, COR. 196
- confidentiality —
 - authorized disclosures, COR. 183
 - general rule, COR. 182
 - letters to be unopened, COR. 184
- defined terms, COR. 157
- delegation, COR. 185
- devotion to duties, COR. 162
- eligibility for appointment, COR. 159
- function of, COR. 167
- information program of, COR. 169
- investigations —
 - commencement of, COR. 170(1)
 - complainant, informing of, COR. 181
 - confidences of Privy Council, exception re, COR. 196
 - counsel, representation by, COR. 173(2)
 - decision not to investigate, COR. 175
 - discretion re, COR. 170(2)
 - entry, right of, COR. 174
 - examinations under oath, COR. 173(1)
 - hearings, COR. 171
 - information and documents, right to, COR. 172
 - notice to Minister of lack of action, COR. 180
 - problem —
 - informing of, COR. 177
 - opinion re, COR. 178
 - recommendations, COR. 179
 - unsubstantiated complaint, COR. 176
- legal proceedings —
 - acts not to be questioned/subject to review, COR. 187
 - libel/slander, COR. 190
 - no summons, COR. 189
 - protection of investigator, COR. 188
- oath of office, COR. 166
- offences, COR. 191
- office management, COR. 164
- other Acts, relationship with, COR. 186(2)
- power to conduct, COR. 186
- punishment, COR. 191
- reports —
 - adverse comments, COR. 195
 - annual, COR. 192
 - public hearings, re, COR. 194
 - urgent matters, COR. 193
- salary, COR. 163(1)
- staff of, COR. 165
- terms of office, COR. 160

MARTIN'S RELATED CRIMINAL STATUTES

CORRECTIONS AND CONDITIONAL RELEASE ACT — *Continued*

Correctional plans —

- behavioural objectives, COR. 15.1(1)
- incentive measures, COR. 15.2
- maintenance of, COR. 15.1(2)
- progress towards objectives, COR. 15.1(3)

Correctional Service of Canada. *See* CORRECTIONAL SERVICE OF CANADA

Correctional system, purpose of, COR. 3

Crown, binding on, COR. 198

Cruel treatment, COR. 69

Death/disability. *See* Compensation for death/disability, *supra*; Inmate, *infra*

Defined terms, COR. 2

Directives, commissioner's, COR. 98

Discipline —

disciplinary offences —

charges —

- notice of, COR. 42, COR. REG. 25
- number of, COR. REG. 26
- resulting from, COR. 41(2)
- hearing, COR. 43, COR. REG. 27-33
- informal resolution of, COR. 41(1)
- list of, COR. 40
- sanctions re, COR. 44, COR. REG. 34-41
- independent chairpersons, COR. REG. 24
- purpose of system, COR. 38
- restriction on, COR. 39

Exchange of service agreements, COR. 16

Exercise of powers, COR. 2(2)

Force, use of, COR. REG. 73

Grievances and complaints —

- access to procedure, COR. 91
- frivolous complaints, prohibition of, COR. 91.1
- procedure re, COR. 90, COR. REG. 74-82

Health care —

- admission, COR. 86.4
- defined terms, COR. 85
- designation of unit, COR. 86.2
- discharge, COR. 86.4
- factors considered, COR. 87
- force feeding, COR. 89
- obligations of service, COR. 86(1), 86.1
- patient advocacy services, COR. 89.1
- purpose, COR. 86.3
- standards, COR. 86(2)
- treatment demonstration programs, COR. REG. 115
- treatment permitted, COR. 88

Information re offender —

- access by offender, COR. 23(2), 27
- accuracy and correction of, COR. 24
- parole boards, provision to, COR. 25(1)

CORRECTIONS AND CONDITIONAL RELEASE ACT — *Continued*

Information re offender — *Continued*

- police, provision to, COR. 25(2), (3)
- procurement by Service, COR. 23(1)
- victim-offender mediation, COR. 26.1
- victims and others, disclosure to, COR. 26

Inmate —

- assembly and association rights, COR. 73
- attendance at judicial proceedings, COR. REG. 8
- death of, COR. REG. 116-119
- decision input rights, COR. 74
- lawful custody of, COR. 9
- living conditions. *See* Living conditions, *infra*
- placement of —
 - criteria re, COR. 28
 - representations re, COR. REG. 11
- reception of. *See* PENITENTIARY
- release of. *See* Release of inmates, *infra*
- religious expression, right to, COR. 75, 83
- search of. *See* Search and seizure, *infra*
- security classification. *See* Security classification, *infra*
- transfers of, COR. 29, COR. REG. 12-16

Inmate business, operation of, COR. REG. 112, 113

Inmate trust fund, COR. REG. 111

Institutional head, duties of, COR. REG. 4

Instruments of restraint, COR. 68

Investigations. *See also* Correctional investigator, *supra*

- Inquiries Act, application of, COR. 21
- report re, COR. 19
- special investigations, COR. 20

Judges, right to enter penitentiary, COR. 72

Living conditions —

- assembly and association, COR. REG. 98, 99
- computer programs, possession of, COR. REG. 96
- correspondence, COR. REG. 88, 89
- inmates' effects, COR. REG. 24, 25
- intercepting communications, COR. REG. 94, 95
- interview requests —
 - Commissioner, with, COR. REG. 86
 - institutional head, with, COR. REG. 87
- legal counsel, access to, COR. REG. 97(1), (2)
- physical conditions, COR. REG. 83
- publications, etc., possession of, COR. REG. 96
- reading material, etc., access to, COR. REG. 97(3)
- religion/spirituality, practice of, COR. REG. 100, 101
- Service duty re, COR. 70
- visits —
 - generally, COR. REG. 90-92
 - parliamentarians and judges, by, COR. REG. 93
 - visitation rights, COR. 71

MARTIN'S RELATED CRIMINAL STATUTES

CORRECTIONS AND CONDITIONAL RELEASE ACT — *Continued*

Members of Parliament, right to enter penitentiary, COR. 72

Monitoring device, COR. 57.1, COR. REG. 162.1-162.4

Offences —

disciplinary. *See* Discipline, *supra*

summary conviction, COR. 45

Parole. *See* CONDITIONAL RELEASE

Parole boards. *See* PAROLE BOARD OF CANADA; PAROLE BOARDS

Payments to offenders, COR. 78, COR. REG. 104, 104.1

Peace officer status, COR. 10

Penitentiaries. *See* PENITENTIARY

Programs for offenders —

correctional plans, COR. REG. 102

female offenders, for, COR. 77

generally, COR. 76

pay, COR. REG. 104

work exemptions, COR. REG. 103

Provincial parole boards. *See* PAROLE BOARDS

Quality of care review, COR. 19.1

Regulations under —

defined terms, COR. REG. 2

power to make, COR. 91.2, 96, 156, 197

short title, COR. REG. 1

Release of inmates —

allowances on, COR. REG. 120

deemed release, COR. 93(3)

directed parole release, COR. 93(3.1)

early release, COR. 93(2)

generally, COR. 92

timing of release from penitentiary, COR. 93(1), (4)

Review hearings. *See also* CONDITIONAL RELEASE—Parole reviews

access to information, COR. 140(14)

admissible documents, COR. 145

appeals, COR. REG. 168

assistance to offender, COR. 140(7), (8)

attendance by victim or family, COR. 140(5.1)-(5.2)

audio recording, COR. 140(13)

cancellation, COR. 140.1

decisions —

recording/communication of, COR. 143(2), COR. REG. 166(2)

registry of, COR. 144, COR. REG. 167

disclosure —

continuing duty, COR. 142(1.2)

offender, to, COR. 141

other persons, to, COR. 142(3)

regulations re, COR. 142(4)

timing of, COR. 142(1.1)

victims, to, COR. 142(1), (2)

discretionary hearing, COR. 140(2)

dispensing with hearing, COR. 140(3), COR. REG. 165

CORRECTIONS AND CONDITIONAL RELEASE ACT — *Continued*

- Review hearings — *Continued*
 - information —
 - access to, COR. 140(14), 140.2(3)
 - personal, COR. 140.2(2)
 - interpreter, right to, COR. 140(9)
 - mandatory hearings, COR. 140
 - observers —
 - attendance of, COR. 140(4)
 - exclusion of, COR. 140(5)
 - records of proceedings, COR. 143(1), COR. REG. 166(1)
 - representative, COR. 26, 142(3.1)-(3.4)
 - requirement, COR. REG. 164
 - transcript, COR. 140.2(1)
 - victim impact statements, COR. 140(10)-(12)
- Rules, COR. 97
- Search and seizure —
 - cell search, COR. 58, COR. REG. 51-53
 - community-based residential facilities, in, COR. 66
 - contraband. *See also* inmate search, *infra*; staff search, *infra*
 - currency limits, COR. REG. 42
 - defined terms, COR. 46
 - inmate search —
 - conductor of, COR. REG. 49
 - contraband, carrying of —
 - body cavity search, COR. 52
 - dry cell, detention in, COR. 51
 - exceptional power of search, COR. 53
 - informing institutional head re, COR. 50
 - emergency search, COR. 49
 - exceptional power of search —
 - authorization of, COR. 53(1)
 - gender requirement, COR. 53(2)
 - frisk search, COR. 47, 49, COR. REG. 47
 - power to authorize, COR. REG. 50
 - routine non-intrusive search, COR. 47, COR. REG. 47
 - strip search, COR. 48, 49, COR. REG. 48
 - manner of carrying out —
 - frisk search, COR. REG. 44
 - non-intrusive search, COR. REG. 43
 - strip search, COR. REG. 45, 46
 - monitoring device —
 - demand re, COR. 57.1(1)
 - right to make representations, COR. 57.1(2)
 - reports re, COR. 67, COR. REG. 58
 - seizure —
 - power re, COR. 65, COR. REG. 57
 - return/forfeiture of items seized, COR. REG. 59

MARTIN'S RELATED CRIMINAL STATUTES

CORRECTIONS AND CONDITIONAL RELEASE ACT — *Continued*

Search and seizure — *Continued*

staff search —

frisk search —

contraband, re, COR. 64(1)

routine, COR. 63

regulations re, COR. REG. 56

routine non-intrusive, COR. 63

strip search, COR. 64

urinalysis —

authorization, COR. REG. 61

collection of samples, COR. REG. 66

defined terms, COR. REG. 60

demand re, COR. 54, 55

information requirements, COR. 56

requirement to provide sample, COR. REG. 62-65

right to make representations, COR. 57

test results —

positive, COR. REG. 69-72

reporting of, COR. REG. 68

testing of sample, COR. REG. 67

vehicular search, COR. 61, COR. REG. 55

visitor search —

detention of visitor, COR. 60(4)

frisk search —

grounds for, COR. 60(1)

routine, COR. 59

regulations re, COR. REG. 54

routine non-intrusive search, COR. 59

strip search, COR. 60(2), (3)

warnings re searches, posting of, COR. 62

Security classification —

reasons for, COR. 30(2), (4)

rules re, COR. REG. 17, 18

Service duty re, COR. 30(1)

subclassification, COR. 30(3)-(4)

Sentences —

additional, COR. 139

continuation of, COR. 128(1)

multiple, COR. 139

parole eligibility and —

additional concurrent sentence, COR. 120.2

additional consecutive sentence, COR. 120.1

day parole, COR. 119(1.1), 119(2), 120(2)

Short title, COR. 1

Staff —

authorization, COR. REG. 5

duties of, COR. REG. 3, 6

Summary conviction offences, COR. 45

Temporary absences, COR. 17, 17.1, COR. REG. 9, 10

CORRECTIONS AND CONDITIONAL RELEASE ACT — *Continued*

Temporary stay in penitentiary, COR. 94
 Transfer of inmate, COR. 29, COR. REG. 12-16
 Urinalysis. *See* Search and seizure, *supra*
 Victim impact statements, COR. 140(10)-(12)
 Visitation rights. *See also* Living conditions, *supra*
 generally, COR. 71(1)
 permitted items, COR. 71(2), (3)
 Warrant of apprehension —
 arrest without warrant, COR. 137(2)
 execution of, COR. 137
 Work releases, COR. 18, COR. REG. 9, 10
 Young person, parole for, COR. 119(1.2)

CORRUPTION

Accounting offence, CORRUPT. 4
 Bribery —
 foreign official, CORRUPT. 2-5
 Foreign officials, CORRUPT. 2-5
 Laying an information, CORRUPT. 6
 Offence outside Canada, CORRUPT. 5

CORRUPTION OF FOREIGN PUBLIC OFFICIALS ACT. *See* CORRUPTION

CRIMINAL RECORD. *See* CONTRAVENTIONS ACT; CONVICTIONS;
 CRIMINAL RECORDS ACT

CRIMINAL RECORDS ACT

Annual Report to Parliament, CRIM. REC. 11
 Amendment of Schedules, CRIM. REC. 4(5), 6.3(9)
 Application for employment, CRIM. REC. 8
 Conviction-free period —
 long-term supervision exception, CRIM. REC. 4.01
 Custody of records, CRIM. REC. 6
 Defined terms, CRIM. REC. 2, 6.3(1)
 Discharges, CRIM. REC. 6.1
 Disclosure of records —
 approval for disclosure, CRIM. REC. 6(3)
 by Minister, CRIM. REC. 6.3(6)
 by police forces, CRIM. REC. 6.3(7)
 decisions of Board, CRIM. REC. 9.01
 discharges, CRIM. REC. 6.1
 operation of section 6.3, CRIM. REC. 6.4
 to persons or organizations, CRIM. REC. 6.3(7)
 to police forces, CRIM. REC. 6.2, 6.3(5)-(8)
 Expiration of sentence, meaning of, CRIM. REC. 4.3
 Ineligible persons, CRIM. REC. 4(2)-(5)
 Notation of records re sex offenders —
 disclosure of information, CRIM. REC. 6.3(6),(7)
 predicate offences, CRIM. REC. Sched. 2

MARTIN'S RELATED CRIMINAL STATUTES

CRIMINAL RECORDS ACT — *Continued*

Notation of records re sex offenders — *Continued*

- request to forward record to Minister, CRIM. REC. 6.3(5)
- use of information, CRIM. REC. 6.3(4),(8)
- verification, CRIM. REC. 6.3(3)

Offences, CRIM. REC. 10

Parole Board of Canada. *See also* PAROLE BOARD OF CANADA

- duty to consider representations, CRIM. REC. 4.2(3), 7.1(2)
- duty to make inquiries, CRIM. REC. 4.2(1)

Executive Committee —

- functions of, CRIM. REC. 4.4
- jurisdiction of, CRIM. REC. 2.1
- quorum, CRIM. REC. 2.2

Probation period, termination of, CRIM. REC. 2(2)

Record Suspension —

application for —

- disclosure of decisions, CRIM. REC. 9.01
- entitlement, CRIM. REC. 3(1), 4
- ineligible persons, CRIM. REC. 4(2)-(5)
- inquiries to be made by Board, CRIM. REC. 4.2(1)
- representations on —
 - duty to consider, CRIM. REC. 4.2(3)
 - right to make, CRIM. REC. 4.2(2)
- restrictions on, CRIM. REC. 4(1)
- waiting period where refused, CRIM. REC. 4.2(4)

DNA orders and, DNA. 10(8)

effect of —

- cessation of effect, CRIM. REC. 7.2
- employment applications, on, CRIM. REC. 8

generally, CRIM. REC. 2.3

grant of —

- factors considered, CRIM. REC. 4.1(1), 4.1(3)
- generally, CRIM. REC. 4.1(1)
- onus on applicant, CRIM. REC. 4.1(2)
- indictable offences, CRIM. REC. 4(1)(a), 4(2), 4.1
- scheduled offences, CRIM. REC. 4(2)-(5), 4.1, Sched. 1
- summary conviction offences, CRIM. REC. 4(1)(b), 4(2), 4.1

restriction on application for, CRIM. REC. 4(1)

revocation of —

- circumstances for, CRIM. REC. 7
- notice of proposal to revoke, CRIM. REC. 7.1

representations re, CRIM. REC. 7.1

Regulations, CRIM. REC. 9.1

Reverse onus, CRIM. REC. 4(4), 4.1(2)

Royal prerogative of mercy, CRIM. REC. 9

Short title, CRIM. REC. 1

Transfer of offenders, CRIM. REC. 3

Vulnerable persons record checks, CRIM. REC. 6.3, 6.4, Sched. 2

CROSS-EXAMINATION

Business documents, CE 30(9)
Convictions, CE 12
Prior inconsistent statements, CE 10
 adverse witnesses, CE 9
 proof of, where witness denies, CE 11
 written, CE 9(2), 10

CROWN

Application of Competition Act, COMP. 2.1
Contraventions Act, binding, CON. 3

CRUEL AND UNUSUAL TREATMENT OR PUNISHMENT, B.R. 2(b)**CURRENCY OFFENCES**

Currency and monetary instruments —
 agreements for exchange of information, P.C. 38
 delegation of duties re, P.C. 39
 disclosure of information, P.C. 36
 exported mail, P.C. 21
 forfeiture, P.C. 14(5), 22
 review and appeal of, P.C. 24
 time of, P.C. 23
 mail, examination and opening of, P.C. 17
 reporting of, P.C. 12
 retention of, P.C. 14
 searches re —
 conveyance or baggage, P.C. 16
 personal, P.C. 15
 seizures —
 minister's decision re —
 appeal to Federal Court, P.C. 30
 consequences of, P.C. 27, 28
 notice of President re, P.C. 26
 request for, P.C. 25
 service of notices, P.C. 31
 timing of, P.C. 27
 power to call in aid, P.C. 19
 provisions re, P.C. 18
 recording of reasons re, P.C. 19.1
 report to President and centre, P.C. 20
 third party claims —
 appeal from order, P.C. 34
 application re, P.C. 32
 delivery after final order, P.C. 35
 order re, P.C. 33
Proceeds of crime. *See* PROCEEDS OF CRIME (MONEY LAUNDERING) AND
TERRORIST FINANCING ACT

MARTIN'S RELATED CRIMINAL STATUTES

CUSTOMS ACT

Appeal —

- review of seizure, from. *See* Review of seizure, etc., *infra*
- third party claims, CUS. 140

Disclosure of information —

- communication of information, CUS. 107(2)
- defined terms, CUS. 107(1)

Disposal of things abandoned/forfeit, CUS. 142

Evidence —

- burden of proof, CUS. 152
- copies of documents, CUS. 150
- date of notice by mail, CUS. 149
- false information in documents, CUS. 151
- proof of service —
 - personal service, by, CUS. 148(2)
 - registered mail, by, CUS. 148(1)

Forfeitures —

- ascertained forfeitures —
 - determination of payment re —
 - conveyances, CUS. 124(3)
 - goods, CUS. 124(2)
 - report to President, CUS. 128
 - review of, CUS. 127
 - service of notice, CUS. 124(5)
 - value substituted for value of duty, CUS. 124(4)
 - written notice, CUS. 124(1), 125
- goods no longer forfeit, CUS. 121
- limitation re seizure, CUS. 126
- non-Customs Act offences —
 - designated officers —
 - certificate of designation, CUS. 163.4(2)
 - designation by President, CUS. 163.4(1)
 - powers of, CUS. 163.5
 - review of, CUS. 123
 - timing of, CUS. 122

Inquiries —

- power to authorize, CUS. 109(1)
- powers of authorized person, CUS. 109(2)
- travel and living expenses, CUS. 109(3)

Limitation of actions/proceedings —

- against officer/person assisting, CUS. 106(1)
- recovery of goods, CUS. 106(2)
- stay, CUS. 106(3)

Mail, collection of duties on, CUS. 147.1

Offences —

- breaking seals, CUS. 157
- corporate officers, liability of, CUS. 158
- evasion of duties, CUS. 153(c)
- false statements, CUS. 153
- generally, CUS. 160

CUSTOMS ACT — *Continued*Offences — *Continued*

- illegally imported goods, keeping, etc., CUS. 155
- marking of goods, re, CUS. 159.1
- misdescription of goods in accounting documents, CUS. 154
- opening and unpacking goods, CUS. 157
- possession of blank documents, CUS. 156
- procedure, CUS. 162, 163
- prosecution venue, CUS. 162
- punishment, CUS. 160, 161
- smuggling, CUS. 159
- summary conviction offence —
 - limitation period, CUS. 163
 - punishment re, CUS. 161

Penalties —

- assessment of, CUS. 109.3
- cannabis contravention, CUS. 109.2
- failure to comply with regulation or term of licence, CUS. 109.1
- interest on, CUS. 109.5
- timing of payment, CUS. 109.4
- tobacco products contravention, CUS. 109.2

Powers of officers —

- agreements, carrying out, CUS. 105
- controlled goods, detention of, CUS. 101
- examination of goods —
 - mail exception, CUS. 99(2), (3)
 - mixed-traffic corridor, CUS. 99.5
 - powers re, CUS. 99(1)
 - samples, disposal of, CUS. 99(4)
- goods subject to seizure but not seized, CUS. 103
- illegally imported goods, disposition of, CUS. 102
- mixed-traffic corridor, re, CUS. 99.5
- officer stationed on board conveyance, CUS. 100
- power to call in aid, CUS. 104
- search of person —
 - reasonable grounds requirement, CUS. 98(1)
 - same sex searcher, CUS. 98(4)
 - senior officer, before, CUS. 98(2), (3)
 - stop, CUS. 99.1

Review of seizure, etc. —

- appeal of —
 - Federal Court, to, CUS. 135
 - restoration of goods pending, CUS. 136
- contravention found, where —
 - demands for amounts, CUS. 133(4), (5)
 - interest payable, CUS. 133(7)
 - potential consequences, CUS. 133(1), (1.1)
 - return of conveyance, CUS. 133(3)
 - return of goods, CUS. 133(2)
- evidence, furnishing of, CUS. 130

MARTIN'S RELATED CRIMINAL STATUTES

CUSTOMS ACT — *Continued*

Review of seizure, etc. — *Continued*

- judicial review of minister's decision, CUS. 131(3)
- manner of setting aside seizure, etc., CUS. 127
- minister's decision, CUS. 131
- no contravention found, where return of —
 - goods, CUS. 132(1)
 - interest on money, CUS. 132(2)
- notice of reasons for seizure, CUS. 130, 137
- report to President, CUS. 128
- request for minister's decision, CUS. 129
- service of notices re, CUS. 137

Search of person. *See* Powers of officers, *supra*

Search warrant —

- execution in another territorial jurisdiction, CUS. 111(2)
- execution of, CUS. 111(4)
- exigent circumstances, CUS. 111(7)
- form of, CUS. 111(5)
- information for, CUS. 111(1)
- seizure of things not specified, CUS. 111(3)
- where warrant not necessary, CUS. 111(6)

Seizures —

- authorization to deal with goods seized, CUS. 119.1(1)
- conveyances, of, CUS. 110(2)
- copies of records, etc., CUS. 115(1)
- custody of things seized, CUS. 114(1)
- detention of records seized, CUS. 115(2)
- evidence, of, CUS. 110(3), 114(2), (3)
- forfeitures. *See* Forfeitures, *supra*
- goods or conveyances, of, CUS. 110(1)
- limitations, CUS. 113
- notice of seizure, CUS. 110(4)
 - cancellation of, CUS. 125
- peace officer, goods stopped/taken by, CUS. 116
- powers of entry, CUS. 112
- review of. *See* Review of seizure, etc., *supra*
- return of things seized —
 - animals/perishable goods, of, CUS. 119(1)
 - conveyance, of, CUS. 118
 - goods, of, CUS. 117
- sale of seized goods, CUS. 119(2), 119.1(2), (3)
- value substituted for value for duty, CUS. 120

Third party claims —

- appeal re, CUS. 140
- application re claim, CUS. 138
- date of hearing, CUS. 138(2)
- decision of Minister, CUS. 139
- delivery of thing claimed to applicant, CUS. 141(1)
- limit on amount paid, CUS. 141(2)
- manner of giving evidence, CUS. 138(5)

CUSTOMS AND EXCISE

Duties, reduction/removal of, COMP. 31

DAMAGES

Action for, under Competition Act, COMP. 36

DECEPTIVE MARKETING PRACTICES. *See also* COMPETITION ACT

Administrative remedies re —

appeals, COMP. 74.18, 74.19

consent orders, COMP. 74.12

"court" defined, COMP. 74.09

determination of reviewable conduct, COMP. 74.1

evidence considered, COMP. 74.14

judicial order, COMP. 74.1

Part VI proceedings and, COMP. 74.16

rescission or variation of order, COMP. 74.13

rules re procedure, COMP. 74.17

temporary order, COMP. 74.11

unpaid monetary penalty, COMP. 74.15

Bait and switch selling, COMP. 74.04(2), (3)

"Bargain price", definition of, COMP. 74.04(1)

Civil rights not affected, COMP. 74.08

Misrepresentations to public, COMP. 74.01

Offences under —

allowance, prohibition on granting, COMP. 51

application made under ss. 79 or 92, where, COMP. 45.1

bait and switch selling, COMP. 57

bid-rigging, COMP. 47

civil rights not affected, COMP. 62

conspiracy to restrain competition unduly, COMP. 45

defences to, COMP. 60

discipline, prohibitions on, COMP. 66

double ticketing, COMP. 54

federal financial institutions, exceptions re, COMP. 49

foreign directives, COMP. 46

illegal trade practices, COMP. 50

limitations, COMP. 60

misleading advertising, COMP. 52

false/misleading representation, COMP. 52(1)-(1.2)

improperly tested representation, COMP. 52(2)-(2.1)

knowledge of misleading phrase, COMP. 52(3)

literal meaning of ad, COMP. 52(4)

multi-level marketing plan, COMP. 55

obstruction of inquiry, COMP. 64

Part II order, contravention of, COMP. 65

Part VII.1 or VIII order, contravention of, COMP. 66

price maintenance, COMP. 61

procedure —

agent of participant, evidence of, COMP. 69

corporation to be tried by judge, COMP. 67(4)

MARTIN'S RELATED CRIMINAL STATUTES

DECEPTIVE MARKETING PRACTICES — *Continued*

Offences under — *Continued*

procedure — *Continued*

Criminal Code, application of, COMP. 67(2)

election re jury, COMP. 67(1)

Federal Court, jurisdiction of, COMP. 73

jurisdiction of courts, COMP. 67(3)

limitation period, COMP. 67(6)

option re procedure, COMP. 67(5)

orders of Tribunal, failure to comply with, COMP. 74

participant, evidence against, COMP. 69

statistics —

admissibility of, COMP. 70

collection by sampling methods, COMP. 71

notice of use in evidence, COMP. 72

venue of prosecutions, COMP. 68

professional sport, conspiracy re, COMP. 48

pyramid selling scheme, COMP. 55.1

records and information, re, COMP. 65

telemarketing, COMP. 52.1

whistleblowing, COMP. 66.1

Promotional contests, COMP. 74.06

Publication of testimonials, COMP. 74.02

Reasonable test, representation re, COMP. 74.02

Representations accompanying products, COMP. 74.03

Sale above advertised price, COMP. 74.05

Saving provision, COMP. 74.07

DELIVERED PRICING. *See* COMPETITION ACT—Tribunal, matters

reviewable by

DISABILITY

Accommodating witness with disability, CE 6, 6.1, 16

DISCLOSURE AND DISCOVERY

Business records, CE 30(5), (7)

Cannabis, CANN. 128-129

Customs Act, CUS. 107

Discretion of trial judge, CE 10, 30(5)

Government information, CE 37-39. *See also* PRIVILEGE—Crown privilege

Production —

witnesses' statements, CE 10

Statements, for cross-examination, CE 10

DNA ANALYSIS. *See also* SEARCH AND SEIZURE

Access to information, DNA. 7, 9, 9.1, 10

Authorized users, DNA. 6

Convicted offenders index, DNA. 5

Crime scene index, DNA. 5, 8.1

Definitions, DNA. 2

DNA ANALYSIS — *Continued*

Destruction of bodily substances, DNA. 10, 10.1

DNA data bank —

- limitation on use of bodily substances and analysis results, DNA. 8, 10
- mandatory destruction, DNA. 10

Limitations on use of bodily substances, DNA. 10

Record suspension in effect, DNA. 10

Storage of bodily substances, DNA. 10

Time to store information, DNA. 9

Transmission of DNA profile, DNA. 10

Unauthorized use of information, DNA. 8

Young person, DNA. 2, 9.1, 10.1

DNA IDENTIFICATION ACT

Access to information, DNA. 7

- limit on, re victim or eliminated suspect, DNA. 8.1

- limit on, re young persons, DNA. 9.1

Commissioner, duties of —

- communication of results of analysis, DNA. 6
 - foreign state, to, DNA. 6(4), (5)
- comparison of DNA profiles, DNA. 6
- conduct forensic DNA analysis, DNA. 5.1(2)
- defect in order or authorization, where apparent, DNA. 5.2
- delegation of, DNA. 5(2)
- report to Parliament, DNA. 13.1
- retain copy of order or authorization, DNA. 5.1(3)
- review of information, DNA. 5.1(1)
- storage of bodily substances, DNA. 10

Definitions, DNA. 1

National DNA databank —

- Commissioner may delegate duties re, DNA. 5(2)
- convicted offenders index established, DNA. 5(1), (4), (5)(b)
 - access to information re young persons, DNA. 9.1
 - information to be kept indefinitely, DNA. 9
 - information to be permanently removed, DNA. 9(2)
- crime scene index established, DNA. 5(1), (3), (5)(a)

Offences, DNA. 11

Parliamentary committee, review by, DNA. 13

Principles, DNA. 4

Purpose, DNA. 3

Regulations, DNA. 12

Results of analysis only to be used for purposes of investigation or prosecution of designated offence, DNA. 6(6.1)

Short title, DNA. 1

Storage of bodily substances, DNA. 10

Unauthorized use of information prohibited, DNA. 6(6.1), (7), 8

- offences, DNA. 11

Young persons —

- destruction of bodily substances, DNA. 10.1
- limit on access to information, DNA. 9.1

MARTIN'S RELATED CRIMINAL STATUTES

DOCUMENTARY EVIDENCE

Attesting witness, CE 34

Books and documents —

admissibility, CE 25

bank records, CE 29

computer print-outs, CE 29(1)

copies of entries, CE 28

Government of Canada, kept in office of, CE 26

notice of production of, CE 28

Business records, CE 30

admissibility rules and, CE 30(11)

affidavit evidence, CE 30(6)

copies, CE 30(3)

defined terms, CE 30(12)

inadmissible records, CE 30(10)

inference of non-occurrence, CE 30(2)

notice of production, CE 30(7)

ordinary course of business, made in, CE 30(1)

Canada Gazette, copies of, CE 32(2)

Certified copies, CE 24

Electronic documents —

authentication of, CE 31.1

best evidence rule and, CE 31.2

definitions re, CE 31.8

electronic signatures, presumptions re, CE 31.4

presumption of integrity, CE 31.3

proof by affidavit, CE 31.6

rules of law applicable to, CE 31.7

standard procedure or usage, evidence of, CE 31.5

Foreign records, M.L.A. 36

Forged instrument, impounding of, CE 35

Governor General's proclamations, etc., CE 21

Imperial proclamations, etc., CE 20

Income tax, requirement to provide documents/information —

foreign-based information, I.T.A. 231.6

information, requirement to provide, I.T.A. 231.2(1)

judicial authorization, I.T.A. 231.2(3)

notice re, I.T.A. 231.2(1.1)

solicitor-client privilege, I.T.A. 232(1). *See also* INCOME TAX ACT—

Solicitor-client privilege

unnamed persons, I.T.A. 231.2(2)

Judicial proceedings, evidence of, CE 23

Lieutenant governor's proclamations, etc., CE 22

Order signed by Secretary of State, CE 32(1)

Photographic prints, CE 31

Proof of handwriting of certifying person, CE 33

Queen's Printer, copies by, CE 19

- DOCUMENTS. *See also* AFFIDAVITS; DOCUMENTARY EVIDENCE;
SOLEMN DECLARATIONS
- Banking records, CE 29
- Business records, CE 30
- Canada Evidence Act not in derogation of proof of documents, CE 36. *See also*
CANADA EVIDENCE ACT
- Canada Gazette, copies printed in, CE 32(2)
government and public documents, CE 19-28, 31(2)
microfilm and photographic documents, CE 31
notice of, CE 28
proof of handwriting, CE 33
public documents, CE 24
- Canadian officials certifying documents outside Canada, CE 52-54
- Copies. *See also* CANADA EVIDENCE ACT
Acts of Parliament, CE 19
banking records, CE 29(1)
business records, CE 30(3), (12)
by-laws, CE 24
- Crown privilege, CE 37-39. *See also* PRIVILEGE
- Customs Act, copies of documents, CUS. 150
- Extradition hearing, EX. 31, 34-36
- Government records, CE 24, 25, 26, 28
- Judicial proceedings, evidence of, CE 23, 28. *See also* JUDICIAL PROCEEDINGS
- Microfilmed records, CE 31
- Notarial act or instrument in Quebec, CE 27
- Notice of government or public documents, CE 28
- Order signed by Secretary of State of Canada, CE 32
- Photographic documents, CE 31
- Privilege. *See also* PRIVILEGE
Crown privilege, CE 37-39
- Proof of handwriting of person certifying, CE 33
- Public documents, CE 24, 25, 26, 28
- DOUBLE TICKETING. *See* COMPETITION ACT—Offences under
- ELECTIONS AND RE-ELECTIONS
Crown, CON. 50
- EVIDENCE. *See also* DISABILITY; YOUTH CRIMINAL JUSTICE ACT
- Admissibility of evidence obtained abroad —
foreign records —
admissibility of, M.L.A. 36(1)
probative value of, M.L.A. 36(2)
foreign things, M.L.A. 37
notice re, M.L.A. 38(2)
service abroad, M.L.A. 39
status of certificate, M.L.A. 38(1)
- Adverse witnesses, CE 9. *See also* ADVERSE WITNESSES; WITNESSES;
YOUTH CRIMINAL JUSTICE ACT
- Banking records, CE 29

MARTIN'S RELATED CRIMINAL STATUTES

EVIDENCE — *Continued*

Business records, CE 30

Canada Evidence Act. *See* CANADA EVIDENCE ACT

Canadian officials certifying documents outside Canada, CE 52-54

Cannabis, CANN. 124, 133-138

Children, CE 16, 16.1

Collateral facts rule —

cross-examination upon previous convictions, CE 12

exceptions —

convictions, CE 12

prior inconsistent statements, CE 9, 10, 11

DNA analysis, DNA. 6, 7, 9, 10

Extradition hearing, EX. 32, 33, 37

Foreign investigations re offences —

appeal of judicial order/decision, M.L.A. 35

evidence for use abroad —

application for order, M.L.A. 17(2)

approval of request to obtain evidence, M.L.A. 17(1)

arrest warrant, M.L.A. 23

contempt of court, M.L.A. 22

evidence-gathering order —

designation of judge, M.L.A. 18(3)

execution of order to be completed, M.L.A. 18(8)

expenses, M.L.A. 18(10)

order effective throughout Canada, M.L.A. 18(4)

provision of order, M.L.A. 18(2), 19

reasonable grounds requirement, M.L.A. 18(1)

refusal to comply, M.L.A. 18(7), (9)

report re order, M.L.A. 19

terms and conditions of, M.L.A. 18(5)

variation of, M.L.A. 18(6)

production, M.L.A. 22.01-22.05

sending abroad —

report/order/thing produced, of, M.L.A. 20

terms and conditions requirements, M.L.A. 21

tax information, gathering, M.L.A. 22.06

video link evidence, M.L.A. 22.1-22.4

Handwriting —

certification re Canada Evidence Act, CE 33

comparisons by witnesses, CE 8

Identification of accused, CE 6.1

Mute person, manner of giving evidence, CE 6

Physical disability, CE 6

Proceedings in courts out of Canada, CE 43-51

Provincial laws of evidence, applicability, CE 40

Vehicle —

ownership, CON. 40

EXCLUSIVE DEALING. *See* COMPETITION ACT—Tribunal, matters
reviewable by

EXPERT EVIDENCE

Business documents, CE 30(6), (9)

Number of expert witnesses, CE 7

EXPORT/IMPORT. *See* FIREARMS ACT—Authorized export/import

EXTRADITABLE OFFENCES. *See* EXTRADITION ACT

EXTRADITION ACT

Appeals —

- Criminal Code, application to, EX. 52
- effect of allowing, EX. 54
- extension of time for, EX. 50(2)
- grounds for, EX. 49
- hearing of, EX. 51
- notice of appeal, EX. 50(1)
- order of committal, EX. 38(2)
- postponement of surrender pending, EX. 41
- powers of Court of Appeal, EX. 53, 55
- Supreme Court of Canada, deferral by, EX. 56

Appearance, EX. 17

Arrest —

- provisional. *See* Provisional arrest, *infra*
- warrant of, EX. 16

Authority to proceed —

- hearing following. *See* Hearings, *infra*
- issuing of, EX. 15
- substitution and amendment of, EX. 23
- summons, issuing of after, EX. 16
- warrant of arrest after, EX. 16

Committal. *See* Order of committal, *infra*

Consent to —

- committal, EX. 70
- surrender, EX. 71

Criminal Code, application of, EX. 19-20, 24(2), 52, 79

Custody —

- authority to keep person in, EX. 30
- escape while in, EX. 61
- order of committal. *See* Order of committal, *infra*

Definitions, EX. 2

Delay, remedy re, EX. 69

Designated extradition entities, EX. 9

Documents. *See* Extradition hearing, *infra*

Escape while in —

- custody, EX. 61
- custody for conveyance, EX. 73

Evidence. *See* Extradition hearing, *infra*

Extraditable offences, EX. Appendix

Extradition agreement —

- defined, EX. 2

MARTIN'S RELATED CRIMINAL STATUTES

EXTRADITION ACT — *Continued*

Extradition agreement — *Continued*

- judicial notice of, EX. 8(3)
- publication of, EX. 8(1), (2)
- specific agreements, EX. 10

Extradition from Canada —

- extraditable conduct —
 - conduct described, EX. 3(1)
 - description irrelevant, EX. 3(2)
 - person who has been sentenced, EX. 3(3)
- further proceedings notwithstanding discharge, EX. 4
- jurisdiction, EX. 5
- retrospectivity, EX. 6

Extradition hearing —

- Criminal Code, application of, EX. 24(2)
- documents —
 - admissibility on oath or solemn affirmation, EX. 34
 - meaning of, EX. 31
 - proof of signature, EX. 35
 - translation of, EX. 36
- evidence at —
 - admissibility rules, EX. 32
 - documents at. *See* documents, *supra*
 - identity of, EX. 37
 - record of the case, EX. 33
- exclusion of person from, EX. 27
- holding of, EX. 24(1)
- power to compel witness, EX. 28
- publication ban, EX. 26

Extradition partners —

- designated, EX. 2-9, Schedule
- request from. *See* Request from extradition partner, *infra*

Extradition to Canada —

- commencement of sentence or disposition, EX. 83
- "competent authority", meaning of, EX. 77
- conveyance of surrendered person, EX. 81
- order of detention for temporary surrender, EX. 82
- order re evidence, EX. 79
- request by Canada, EX. 78
- specialty if person in Canada, EX. 80

Hearings —

- extradition. *See* Extradition hearing, *supra*
- judicial interim release, re, EX. 26-28
- provisional arrest, after, EX. 21

Judge —

- jurisdiction of, EX. 25
- report of, EX. 38(1)
- waiver of extradition, duty re, EX. 72(2)

Judicial interim release, EX. 18

- Criminal Code, application of, EX. 20

-
- EXTRADITION ACT — *Continued*
- Judicial interim release — *Continued*
- hearing re, EX. 26-28
 - Judicial review of Minister's order, EX. 57
 - Minister's functions, EX. 7
 - Minister's order, judicial review of, EX. 57
 - Minister's powers —
 - order of surrender, re. *See* Order of surrender, *infra*
 - Order of committal —
 - conditions of, EX. 39(2)
 - making of, EX. 29
 - property seized, order re, EX. 39(1)
 - report of judge re, EX. 38(1)
 - right of appeal re, EX. 38(2)
 - Order of surrender —
 - amendment to, EX. 42
 - contents of, EX. 58
 - delay before surrender, EX. 62
 - escape while in custody, EX. 61
 - execution of —
 - power to convey, EX. 60
 - making, EX. 40
 - other offences, for, EX. 59
 - place of surrender, EX. 63
 - postponement of surrender, EX. 64
 - postponement pending appeal, EX. 41
 - refusal to make —
 - discharge order, EX. 48
 - entitlement, circumstances, EX. 47
 - extradition agreement, reasons contained in, EX. 45
 - reasons for, EX. 44
 - requirement re, EX. 46
 - return to Canada after, EX. 65
 - submissions re, EX. 43
 - temporary surrender. *See* Temporary surrender, *infra*
 - Provisional arrest —
 - application for warrant, EX. 12
 - discharge if no proceedings, EX. 14
 - hearing after, EX. 21
 - request for, EX. 11(2)
 - warrant for, EX. 13
 - Publication restriction order, EX. 26
 - Request from extradition partner —
 - authority to proceed. *See* Authority to proceed, *supra*
 - Minister, to go to, EX. 11(1)
 - provisional arrest request, EX. 11(2)
 - Short title, EX. 1
 - Summons —
 - authority to proceed after issuing, EX. 16

MARTIN'S RELATED CRIMINAL STATUTES

EXTRADITION ACT — *Continued*

Surrender —

- consent to, EX. 71
- order of. *See* Order of surrender, *supra*
- temporary. *See* Temporary surrender, *infra*

Temporary surrender —

- calculation of sentence, EX. 68
- order for surrender, priority of, EX. 67
- order re, circumstances of, EX. 66

Transfer, application for, EX. 22

Transit —

- consent to transit, EX. 74
- special authorization re, EX. 75
- unscheduled landing, EX. 76

Transitional provisions —

- cases pending under former —
 - Extradition Act, EX. 84
 - Fugitive Offenders Act, EX. 85

Waiver of extradition —

- conveyance order, EX. 72(3)-(4)
- escape while in custody for conveyance, EX. 73
- judge's duty to inform, EX. 72(2)

Writing requirement, EX. 72(1)

FEDERAL COURT

Competition Act jurisdiction, COMP. 32, 36

Jurisdiction of. *See* FEDERAL COURTS ACT

FEDERAL COURTS ACT

Court of Appeal, jurisdiction of —

- final judgment, meaning of, FED. 27(4)
- judicial appeal tribunal —
 - appeals from, FED. 28(1)
 - application of sections, FED. 28(2)
 - deprivation of Federal Court's jurisdiction, FED. 28(3)
- notice of appeal, FED. 27(2)
- service requirement, FED. 27(3)
- Tax Court of Canada, from, FED. 27(1.1)
- Federal Court, appeals from, FED. 27(1)

Defined terms, FED. 2

Federal Court, jurisdiction of —

- aeronautics, FED. 23
- agreed issues for determination, FED. 17(3)
- bills of exchange, FED. 23
- conflicting claims against Crown, FED. 17(4)
- extraordinary remedies —
 - against Federal tribunals, FED. 18(1)
 - exceptions, FED. 18.5
 - judicial review application, FED. 18(3)
 - member of Canadian Forces, re, FED. 18(2)

FEDERAL COURTS ACT — *Continued*

Federal Court, jurisdiction of — *Continued*

- extraprovincial jurisdiction, FED. 25
- general original jurisdiction, FED. 26
- industrial property —
 - concurrent jurisdiction, FED. 20(2)
 - exclusive jurisdiction, FED. 20(1)
- intergovernmental disputes, FED. 19
- interim orders —
 - references for, FED. 18.3
 - summary hearing, FED. 18.4(1)
- interprovincial works, FED. 23
- judicial review applications —
 - action, treatment as, FED. 18.4(2)
 - defect in form/technical irregularity as ground, FED. 18.1(5)
 - exceptions, FED. 18.5
 - grounds for review, FED. 18.1(4)
 - person entitled to bring, FED. 18.1(1)
 - powers of Federal Court, FED. 18.1(3)
 - summary hearing, FED. 18.4(1)
 - timing of, FED. 18.1(2)
- maritime jurisdiction, FED. 22(2)
- navigation and shipping, FED. 22
- no jurisdiction, cases of, FED. 17(6)
- promissory notes, FED. 23
- reference by Federal tribunal, FED. 18.2
- relief against Crown —
 - generally, FED. 17(1)
 - specific cases, FED. 17(2)
- relief in favour of Crown, FED. 17(5)
- transfer of jurisdiction to Federal Court of Appeal, FED. 27

FINANCIAL TRANSACTIONS AND REPORTS ANALYSIS. *See* PROCEEDS OF CRIME (MONEY LAUNDERING) AND TERRORIST FINANCING ACT

FINES. *See also* CONTRAVENTIONS ACT; MUTUAL LEGAL ASSISTANCE IN CRIMINAL MATTERS ACT; SEIZED PROPERTY MANAGEMENT ACT

FINGERPRINTS. *See also* IDENTIFICATION OF CRIMINALS ACT

Confirm identity of sex offender, S.O.I.R.A. 9(2)

Destruction of, IDENT. 4, 5

FIREARMS. *See* FIREARMS ACT; WEAPONS

FIREARMS ACT

Aboriginal/Indigenous rights, FIR. REG. 98-205

Agreements with provinces, FIR. 95

MARTIN'S RELATED CRIMINAL STATUTES

FIREARMS ACT — *Continued*

Ammunition —

- authorization to transfer to individual, FIR. 25
- prohibited, FIR. 24
- unauthorized possession of, FIR. 108

Appeals of refusals and revocations —

- appeal to court of appeal, FIR. 80
- appeal to superior court —
 - Attorney General, by, FIR. 77(2)
 - burden of proof, FIR. 79(2)
 - disposition of appeal, FIR. 79(1)
 - licence holder, etc., by, FIR. 77(1)
 - procedure, FIR. 78
- Criminal Code, application of Part XXVII, FIR. 81
- referral to provincial court judge —
 - decision of judge, FIR. 76
 - hearing procedure, FIR. 75
 - jurisdiction, FIR. 74(1)
 - limitation period, FIR. 74(2)

Application of —

- Canadian Forces, to, FIR. 3(2)
- Crown, to, FIR. 3(1)
- exemptions by provincial minister, FIR. 97

Authorizations —

- acquisitions, FIR. 64(1.2)
- appeals. *See* Appeals of refusals and revocations, *supra*
- carry/transport. *See* Authorization to carry or transport, *infra*
- export/import. *See* Authorized export/import, *infra*
- extension, FIR. 64(1.1), (1.3)
- form of, FIR. 61, FIR. REG. 98-206
- geographical extent of, FIR. 63
- international/interprovincial carriers, application to, FIR. 73
- issuance, FIR. 64(1.4)
- lending. *See* Authorized transfers and lending, *infra*
- non-transferability, FIR. 62
- possession. *See* Authorized possession, *infra*
- refusal to issue, FIR. 68, 72, FIR. REG. 98-206
- revocation of, FIR. 70, 72, FIR. REG. 98-206
- term of, FIR. 65
- transfers and lending. *See* Authorized transfers and lending, *infra*
- transport. *See* Authorization to carry or transport, *infra*
- transportation of firearms. *See* Authorized transportation of firearms, *infra*
- use, FIR. 64(1.2)

Authorizations to carry or transport. *See also* Authorized transportation of firearms, *infra*

- appeals. *See* Appeals of refusals and revocations, *supra*
- automatic, FIR. 61(3.1)
- chief firearms officer's responsibility for, FIR. 57
- conditions re, FIR. 58(1), 58.1
- different registered owner, FIR. 59

FIREARMS ACT — *Continued*Authorizations to carry or transport — *Continued*

- exception, FIR. 58(1.1)
- issuance of, FIR. REG. 98-206
- licence, FIR. 58(1.1), FIR. REG. 98-206
- reasons to allow, FIR. REG. 98-206
- refusal to issue/revocation, FIR. 70, 72, FIR. REG. 98-206
- renewal of, FIR. 67
- revocation, FIR. REG. 98-206

Authorized export/import —

- appeals. *See* Appeals of refusals and revocations, *supra*
- individuals —
 - information —
 - providing, FIR. 42.2(1)
 - sharing, FIR. 42.2(2)
 - non-residents —
 - temporary licence and registration certificate, FIR. 36
 - without licence to import, FIR. 35
- registrar's responsibility for issuing, FIR. 60

Authorized possession —

- eligibility to hold licence —
 - businesses, FIR. 9
 - court order prohibition, FIR. 6
 - criteria for, FIR. 5(2), (3)
 - minors —
 - consent of parent, FIR. 8(5)
 - generally, FIR. 8(1)
 - hunting for sport, FIR. 8(3)
 - hunting for sustenance, FIR. 8(2)
 - prohibited/restricted firearms, FIR. 8(4)
 - public safety principle, FIR. 5(1)
 - safety courses, completion of —
 - exceptions, FIR. 7(4), (5)
 - prohibition order and, FIR. 7(3)
 - requirement re, FIR. 7(1)
 - restricted firearms course, FIR. 7(2)

prohibited firearms, etc. —

- businesses —
 - carriers, FIR. 11(3)
 - generally, FIR. 11(1)
 - prescribed purposes, FIR. 11(2)
- individuals, grandfathered —
 - automatic firearms, FIR. 12(2)
 - converted automatic firearms, FIR. 12(3)
 - general prohibition, FIR. 12(1)
 - handguns, FIR. 12(6), (7)
 - Prohibited Weapons Order No. 12, FIR. 12(4)
 - Prohibited Weapons Order No. 13, FIR. 12(5)
 - regulation, application of, FIR. 12(8), 12(9)

MARTIN'S RELATED CRIMINAL STATUTES

FIREARMS ACT — *Continued*

Authorized possession — *Continued*

registration certificates —

- exempted firearms, FIR. 15
- number of persons per certificate, FIR. 16
- requirement, FIR. 13
- serial number, FIR. 14

Authorized transfers and lending —

authorization to transfer —

- ammunition to individuals, FIR. 25
- Crown and police, to, FIR. 26
- firearms neither prohibited nor restricted, FIR. 23, 26
- prohibited ammunition, FIR. 24
- prohibited firearms, FIR. 23.2, 27
- prohibited weapons, etc., FIR. 24
- restricted firearms, FIR. 23.2, 27

duties of chief firearms officer, FIR. 27

gun collectors, FIR. 30

lending —

- Crown and police, to, FIR. 34
- requirements, FIR. 33

mail-order transfers, FIR. 32

mental disorder prohibition, FIR. 22

permitted purposes of transfers, FIR. 28

police/Crown, transfer to, FIR. 31(2)

registrar, duties of, FIR. 31

shooting clubs/ranges —

- approval requirement, FIR. 29(1), (2)
- delegation of approval power, FIR. 29(4)
- non-disclosure of information, FIR. 29(7)
- notice of refusal to approve, FIR. 29(5), (6)
- revocation of approval, FIR. 29(3)

"transfer" defined, FIR. 21

Authorized transportation of firearms. *See also* Authorizations to carry or transport,

supra

handguns, carrying, FIR. 20, FIR. REG. 98-206

places prohibited/restricted firearms may be possessed, FIR. 17

prohibited firearms, FIR. REG. 98-206, FIR. REG. 98-209

restricted firearms —

- automatic authorization to transport, FIR. 19(2.1)-(2.3)
- carrying, FIR. 20
- competition, FIR. 19(1.1)
- exceptions, FIR. 19(2.3)
- generally, FIR. 19(1), FIR. REG. 98-206, FIR. REG. 98-209
- licence renewal, FIR. 19(2.1)
- non-residents, FIR. 19(3)
- target practice, FIR. 19(1.1)
- transfer, FIR. 19(2.2)

transitional provisions. *See* Transitional provisions, *infra*

FIREARMS ACT — Continued**Canadian Firearms Registration System —**

electronic filing, FIR. 91, 92

records —

access to, right to, FIR. 90

Canadian Firearms Registry, FIR. 83

chief firearms officer, of, FIR. 87

destruction of, FIR. 84

other records, FIR. 85

storage of, form of, FIR. 92

transfer of, FIR. 86

registrar of firearms —

appointment of, FIR. 82

reporting —

loss/finding/theft/destruction of firearms, of, FIR. 88

prohibition orders, FIR. 89

reports —

commissioner, to, FIR. 94

federal Minister, to, FIR. 93

Carry or transport. *See* Authorization to carry or transport, *supra*

Defined terms, FIR. 2

Delegation —

chief firearms officer, to, FIR. 98

designated firearms officers, to, FIR. 99

registrar's functions, of, FIR. 100

Display, FIR. REG. 98-209

Export/import. *See* Authorized export/import, *supra*

Gun collectors —

authorized transfer and lending, FIR. 30

Handguns —

authorized possession of prohibited, FIR. 12(6), (6.1), (7)

carrying, FIR. 20

Inspection —

authorization re, FIR. 102(1)

"business", defined, FIR. 102(5)

data processing system, use of, FIR. 102(2)

demand to produce firearm, FIR. 105

duty to assist inspectors, FIR. 103

dwelling house, of, FIR. 104

"inspector" defined, FIR. 101

prohibition against use of force, FIR. 102(3)

receipt for things taken, FIR. 102(4)

Lending. *See* Authorized transfers and lending, *supra*

Licences —

acquisition, FIR. 64(1.2), FIR. REG. 98-199

appeals. *See* Appeals of refusals and revocations, *supra*

application for —

facilitator, FIR. REG. 98-199

information and investigation re, FIR. 55

procedure, FIR. 54, FIR. REG. 98-206

MARTIN'S RELATED CRIMINAL STATUTES

FIREARMS ACT — *Continued*

Licences — *Continued*

- conditions, FIR. 58(1), 58.1, FIR. REG. 98-206, 98-207
- contravention of conditions of, FIR. 110
- cross-bow, FIR. REG. 98-199
- eligibility to hold. *See* Authorized possession, *supra*
- exception re, FIR. 58(1.1)
- export/import. *See* Authorized export/import—individuals, *supra*
- extension period, FIR. 64(1.1)
- form of, FIR. 61
- geographical extent of, FIR. 63
- issuance of, FIR. 56, FIR. REG. 98-199, 98-206, 98-207
- minors, issuance to, FIR. 58(2), (3), FIR. REG. 98-199
- non-resident sixty day possession, FIR. REG. 98-199
- non-transferability, FIR. 62
- number of, FIR. 56, FIR. REG. 98-206, 98-207
- possession, FIR. REG. 98-199
- refusal to issue, FIR. 68, 72, FIR. REG. 98-206, 98-207
- revocation of, FIR. 70, 72, 114, FIR. REG. 98-206, 98-207
- tampering with, FIR. 107
- term of, FIR. 64
- transitional provisions. *See* Transitional provisions, *infra*
- use, FIR. 64(1.2)

Minors —

- eligibility to hold licence. *See* Authorized possession, *supra*
- issuance of licence to, FIR. 58(2), (3), FIR. REG. 98-199
- transitional provision re, FIR. 121

Offences —

- ammunition, unauthorized possession of, FIR. 108
- contravention of conditions of licences, etc., FIR. 110
- demand to produce firearm, non-compliance, FIR. 113
- false statements, FIR. 106
- firearms registration, failure re, FIR. 112
- licences, etc., tampering with, FIR. 107
- proceedings re, FIR. 116
- punishment, FIR. 109, 111, 115
- revoked licence, etc., failure to deliver up, FIR. 114

Other Acts, obligations under, FIR. 96

Possession. *See* Authorized possession, *supra*

Prohibited firearms —

- authorization to transfer, FIR. 23.2, 24, FIR. REG. 98-206, 98-207
- authorized possession of. *See* Authorized possession, *supra*
- authorized transportation of, FIR. 17, 18, FIR. REG. 98-206, 98-207
- display, FIR. REG. 98-209
- eligibility of minor to hold licence re, FIR. 8(4)
- registration certificate, FIR. 12.1
- storage, FIR. REG. 98-209

Purpose of, FIR. 4

Records. *See* Canadian Firearms Registration System, *supra*

Registration certificate. *See also* Authorized possession, *supra*

FIREARMS ACT — *Continued*Registration certificate — *Continued*

appeals. *See* Appeals of refusals and revocations, *supra*

application for —

procedure, FIR. 54

conditions, FIR. REG. 98-201

for prohibited or restricted firearms only, FIR. 12.1

form of, FIR. 61

geographical extent of, FIR. 63

identification number, FIR. REG. 98-201

non-transferability, FIR. 62

refusal to issue, FIR. 69, 72, FIR. REG. 98-201

registrar's responsibility for issuing, FIR. 60

regulations, FIR. REG. 98-201

renewal of, FIR. 67

revocation of, FIR. 71, 72, FIR. REG. 98-199, 98-201

temporary, FIR. 36

term of, FIR. 66

transitional provisions. *See* Transitional provisions, *infra*

verification, FIR. REG. 98-201

Regulations under —

laying of proposed regulations —

exceptions, FIR. 119

procedures, FIR. 118

power to make, FIR. 117

Restricted firearms —

display, FIR. REG. 98-209

eligibility of minor to hold licence re, FIR. 8(4)

registration certificate, FIR. 12.1

safety course re, FIR. 7(2)

storage, FIR. REG. 98-209

transportation of. *See* Authorized transportation of firearms, *supra*

Shooting club —

generally. *See* Authorized transfers and lending, *supra*

transitional provision approvals, FIR. 134

Short title, FIR. 1

Storage, FIR. REG. 98-209

Transfers. *See* Authorized transfers and lending, *supra*

Transitional provisions —

authorized transportation of firearms —

pending applications, FIR. 133

permit to carry —

deeming provision, FIR. 129(1)

expiration, FIR. 129(3)

geographical extent, FIR. 129(2)

permit to transport/convey, FIR. 131, 132

revocation, FIR. 135.1

shooting club approvals, FIR. 134

temporary permit, FIR. 130, 132

temporary storage permit, FIR. 135

MARTIN'S RELATED CRIMINAL STATUTES

FIREARMS ACT — *Continued*

Transitional provisions — *Continued*

licences —

- deemed conditions, FIR. 126.1
- firearms acquisition certificates, FIR. 120
- industrial purpose designations, FIR. 125
- minors' permits, FIR. 121
- museum approvals, FIR. 122, 124
- pending applications, FIR. 126
- permits to carry on business, FIR. 123, 124

registration certificates —

- deeming provision, FIR. 127(1)
- expiration, FIR. 127(2)
- pending applications, FIR. 128

Transportation. *See* Authorized transportation of firearms, *supra*

Treaty ammunition, FIR. REG. 98-205

FISHERIES ACT

Aboriginal/Indigenous rights, FISH. 43

Advisory panels, FISH. 4.01

Agreements with provinces —

- contents of agreement, FISH. 4.1(2)
- declaration of equivalent provisions, FISH. 4.2
- Minister may enter, FISH. 4.1(1), 4.4(3)
- objectives, FISH. 4.4
- programs and projects, re —
 - contents of agreement, FISH. 4.1(2)(b)
 - objectives, FISH. 4.4(1)
 - powers of Minister, FISH. 4.1, 4.4(3)
 - regulations, FISH. 4.4(2)
- publication of, FISH. 4.1(4)
- regulations re, FISH. 4.1(3), 4.4(2)
- report to Parliament, FISH. 4.3

Alberta Fishery Regulations, FISH. 43

Alternative measures agreements —

- definitions, FISH. 86.1
- duration of, FISH. 86.5
- filing, FISH. 86.6
- generally, FISH. 86.1-86.96
- measures, nature of, FISH. 86.4
- offence, FISH. 86.96
- public access to, FISH. 86.6
- punishment, FISH. 86.96
- recommencement of proceedings, FISH. 86.7
- records, FISH. 86.9-86.94
- regulations, FISH. 86.95
- sentencing, FISH. 86.3
- stay of proceedings, FISH. 86.7
- use of measures, FISH. 86.2
- varying, FISH. 86.8

FISHERIES ACT — *Continued*

Analysts, FISH. 56.1

Appeals —

order, of, FISH. 76, 77

procedure, FISH. 86

Application by person claiming interest, FISH. 75, 77

Application of —

high seas, to, FISH. 87(1)

inconsistency, FISH. 87(3)

regulations re, FISH. 87(2)

Atlantic Fishery Regulations, FISH. 43

British Columbia (General) Regulations, FISH. 43

Compliance, FISH. 43.4

Costs re offences under, FISH. 71.1

Crown, application to, FISH. 3(2)

Culture of fish —

oyster beds, special licences for, FISH. 58

oyster cultivation, special licences re, FISH. 59

waters for propagation of fish, FISH. 57

Defined terms, FISH. 2, 74

Deleterious substance. *See* Fish habitat protection, *infra*

Designated projects, FISH. 35.1

Ecologically significant area, FISH. 35.2

Fees, FISH. 8, 11-16

Fisheries protection —

analysts, FISH. 37

annual report re, FISH. 42.1

civil liability —

Crown, to, FISH. 42(1), (2)

defences to, FISH. 42(4)

exceptions, FISH. 42(5), (7)

fishermen, to, FISH. 42(3)

defined terms, FISH. 34

deleterious substance —

deposit of, FISH. 36

designated minister, FISH. 43.2

powers, FISH. 43.2(2)

meaning of, FISH. 34

disposal of remains, FISH. 36(2)

duty to notify inspector, FISH. 38(4)

"ecologically significant area", FISH. 37(3)(c)

habitat, FISH. 34, 34.1, 35, 42.01-42.04

inspections, FISH. 38

offences, FISH. 40, 71.1

plans and specifications, minister's requirement for, FISH. 37

powers, exercise of, FISH. 39.1

public registry, FISH. 42.2-42.5

rebuilding, plans re, FISH. 6.2

regulations, FISH. 6.3

search warrants, FISH. 39

MARTIN'S RELATED CRIMINAL STATUTES

FISHERIES ACT — *Continued*

Fisheries protection — *Continued*

- serious harm to fish, FISH. 35, 37, 38(4), 40
- stocks, fish, FISH. 6.1
- throwing overboard of certain substances prohibited, FISH. 36
- warrantless entry or search, FISH. 39(4)-(5)

Fishery leases —

- cancellation of, FISH. 79.1
- generally, FISH. 7

Fishery licences —

- allocation of fish for financing purposes, FISH. 10
- authority to cancel/suspend, FISH. 9
- issuing of, FISH. 7
- lobster pounds, for, FISH. 18

Fishery management orders —

- amendment of, FISH. 9.4
- duration, FISH. 9.3
- duty to comply, FISH. 9.2
- generally, FISH. 9.1-9.7
- inconsistency, FISH. 9.6
- Minister, powers of, FISH. 9.1
- notice, FISH. 9.5
- Statutory Instruments Act, FISH. 9.7

Fishery officers/guardians —

- certificate of designation, FISH. 5(2)
- designation, FISH. 5(1)
- false statements to, FISH. 63
- obstruction of, FISH. 62
- powers of —
 - arrest, FISH. 50
 - boundaries of estuary fishing, FISH. 55
 - disputes, settlement of, FISH. 53
 - distance between fisheries, FISH. 54
 - entry by fishery officer, FISH. 52
 - foreign states, re, FISH. 87.1
 - gurry grounds designation, FISH. 56
- inspections —
 - disposition of samples, FISH. 49(1.3)
 - duty to assist, FISH. 49(1.2)
 - operation of data processing system, FISH. 49(1.1)
 - powers re, FISH. 49(1)
 - warrants, FISH. 49(2), (3)
- searches —
 - exigent circumstances, FISH. 39(4)-(5), 49.1(4)
 - power re, FISH. 49.1(1)
 - powers during search, FISH. 39(3), 49.1(5)
 - warrants, FISH. 39, 49.1(2), (3)
- seizure of fishing vessel, FISH. 51
- presentation of certificate, FISH. 5(3)

FISHERIES ACT — *Continued*

Fish-ways —

- authorization for payment of half of expenses, FISH. 21(1)
- devices to prevent escape of fish, FISH. 21
- recovery of cost for, FISH. 21(2)

Forfeitures. *See also* Offences, *infra*; Punishment, *infra*

- disposal of forfeited things, FISH. 73
- fish, of, FISH. 72
- proceeds of, FISH. 85
- return of things not forfeited, FISH. 73.1
- things, of, FISH. 72

Incorporation by reference —

- accessibility of documents, FISH. 91
- as amended, FISH. 89(4)
- authorized materials, FISH. 89(1)-(3)
- defence, inaccessible document, FISH. 90
- publication and transmission, FISH. 89(5)

Indigenous knowledge and peoples, FISH. 61.2

Information returns —

- duty to keep books, FISH. 61(3)
- duty to provide information, FISH. 61(4), (5)
- false statements, FISH. 63
- information required, FISH. 61(2), 61.1
- persons required to provide information, FISH. 61(1)

Jurisdiction of courts, FISH. 88

Liability, joint, FISH. 80

Licences to take spawn, FISH. 4

Limitation period, FISH. 82

Marine plants —

- defined terms, FISH. 47
- licences re, FISH. 45
- prohibition against harvesting, FISH. 44
- regulations re, FISH. 46
- saving, FISH. 48

Maritime Fisheries Regulations, FISH. 43

Newfoundland Fisheries Regulations, FISH. 43

Northwest Territories Fishery Regulations, FISH. 43

Offences. *See also* Punishment, *infra*

- burden of proving licence, FISH. 78.5
- continuing, FISH. 78.1
- corporate officers, by, FISH. 78.2
- due diligence defence, FISH. 78.6
- false statements, FISH. 63
- licence holders, by, FISH. 78.4
- ticketable, FISH. 79.7

Ontario Fishery Regulations, FISH. 43

Oysters, FISH. 58, 59

Pacific Fishery Regulations, FISH. 43

Pollution prevention. *See* Fisheries protection, *supra*

Prince Edward Island Fishery Regulations, FISH. 43

MARTIN'S RELATED CRIMINAL STATUTES

FISHERIES ACT — *Continued*

Procedure, form of —

- no quashing for want of form, FISH. 84
- summary conviction procedure, FISH. 83

Prohibitions —

- captivity, taking cetaceans into, FISH. 23.1
- cetaceans, FISH. 23.1, 23.2
- commercial conversions of fish, FISH. 31
- exportation of cetaceans, FISH. 23.2
- fishing in limits leased to another, FISH. 23
- fish-ways and canals, FISH. 27
- importation of cetaceans, FISH. 23.2
- obstructing passage of fish or waters, FISH. 29
- seines/nets etc. not to obstruct navigation, FISH. 24
- setting gear near close time, FISH. 25
- shark finning FISH. 32, 32.1
- unlawful sale/possession of fish, FISH. 33

Provincial rights not affected, FISH. 3(1)

Punishment. *See also* Forfeitures, *supra*; Offences, *supra*

- additional court orders, FISH. 79.2, 79.5
- additional fine, FISH. 79
- application of fines, FISH. 40(6)-(7)
- contravention of court order, FISH. 79.6
- debt due Crown, FISH. 79.4
- exemption, FISH. 79.61
- lease/licence cancellation, FISH. 79.1
- not otherwise provided for, FISH. 78
- proceeds of, FISH. 85
- relief from minimum fine, FISH. 40(2.2)
- sentences, FISH. 79.3, 79.5
- small revenue corporation status, FISH. 40(2.1)

Purpose, FISH. 2.1-2.5

Regulations —

- agreements with provinces, re, FISH. 4.1(3)
- defining "deleterious substances", FISH. 34(2)
- deposit of deleterious substances, re, FISH. 36(5)-(5.2)
- designating authorities, FISH. 38(9)
- "ecologically significant area", defining, FISH. 37(3)(c)
- exemption to serious harm prohibition, FISH. 35(3)-(4)
- fish protection measures, re, FISH. 38(6)
- general powers to make, FISH. 43
- incorporation by reference, FISH. 89, 90, 91
- marine plant licences, re, FISH. 46
- Minister's plans and specifications, FISH. 37(3)
- program and project financing, re, FISH. 4.4(2)
- rebuilding, plans re, FISH. 6.2
- recommendation, FISH. 43.1
- regulations, FISH. 6.3
- stocks, fish, FISH. 6.1

FISHERIES ACT — *Continued*

Searches. *See* Fishery officers/guardians—powers of, *supra*; *see also* Fish habitat protection, *supra*

Seizures. *See also* Forfeitures, *supra*

custody of things seized, FISH. 70

detention of things seized, FISH. 71, 71.01

fishing vessel, of, FISH. 51

return of seized fish, FISH. 73.2

Sentences, FISH. 79.3, 79.5

Short title, FISH. 1

Ticketable offences, FISH. 79.7

Vacant public property, use of, FISH. 60

FOREIGN COURTS. *See* PROCEEDINGS IN FOREIGN COURTS

FOREIGN INVESTIGATIONS RE OFFENCES. *See* MUTUAL LEGAL ASSISTANCE IN CRIMINAL MATTERS ACT

FOREIGN OFFENDERS FROM CANADA. *See* INTERNATIONAL TRANSFER OF OFFENDERS ACT—Foreign offenders from Canada

FORFEITURE. *See also* CONTRAVENTIONS ACT; CUSTOMS ACT; FISHERIES ACT; SEIZED PROPERTY MANAGEMENT ACT

Sharing of proceeds, S.P.M. REG. 95-76

FORGERY

Impounding forged instrument, CE 35

FUNDAMENTAL FREEDOMS. *See also* CANADIAN BILL OF RIGHTS; CHARTER OF RIGHTS

Freedom of —

assembly, B.R. 1(e)

association, B.R. 1(e)

conscience and religion, B.R. 1(c)

press and other media, the, B.R. 1(f)

speech, B.R. 1(d)

GOVERNMENT

Records, CE 24, 25, 26, 28

GUNS. *See* FIREARMS ACT; WEAPONS

HANDGUNS. *See* FIREARMS ACT; WEAPONS

HANDWRITING

Certifications re Canada Evidence Act, CE 33

Comparisons by witnesses, CE 8

MARTIN'S RELATED CRIMINAL STATUTES

HEARINGS. *See also* EXTRADITION ACT

Expert evidence —

business documents, CE 30(6), (9)

number of expert witnesses, CE 7

Government records, CE 24, 25, 26, 28

Prior inconsistent statements —

adverse witnesses, CE 9

cross-examination upon —

one's own witness, CE 9

opponent's witness, CE 10

proving statement, CE 11

Public documents, CE 24, 25, 26, 28

IDENTIFICATION. *See* FINGERPRINTS; HANDWRITING; IDENTIFICATION OF CRIMINALS ACT; WITNESSES

IDENTIFICATION OF CRIMINALS ACT

Binding on Crown, IDENT. 1.1

Destruction of fingerprints/photographs, IDENT. 4, 5

Fingerprints, IDENT. 2(1), 4, 5

No liability for acting under Act, IDENT. 3

Photographs, IDENT. 2(1), 4, 5

Publication, IDENT. 2(3)

Short title, IDENT. 1

Use of force, IDENT. 2(2)

ILLEGAL TRADE PRACTICES. *See* COMPETITION ACT—Offences under

INCOME TAX. *See* INCOME TAX ACT; PROCEEDS OF CRIME (MONEY LAUNDERING) AND TERRORIST FINANCING ACT

INCOME TAX ACT

Appeal —

order/direction, from, I.T.A. 241(6), (7)

proof of no, I.T.A. 244(10)

stay of, I.T.A. 239(4)

Assessment —

date made, I.T.A. 244(15)

Compliance —

orders, I.T.A. 238(2)

proof of failure, I.T.A. 244(7)

proof of time of, I.T.A. 244(8)

requirement, I.T.A. 231.5(2)

solicitor-client privilege, I.T.A. 232(14)

Confidentiality. *See* Information, confidentiality re, *infra*

Copies, I.T.A. 231.5(1)

Corporations —

execution of documents by, I.T.A. 236

offences by, I.T.A. 242

officers of, I.T.A. 242

INCOME TAX ACT — *Continued*Corporations — *Continued*

penalty for failing to file, I.T.A. 235

Country-by-country report, I.T.A. 233.8

Defined terms, I.T.A. 231

Evidence. *See* Procedure, *infra*

Foreign-based information/document —

requirement to provide, I.T.A. 231.6

Information, confidentiality re —

circumstances permitting disclosure, I.T.A. 241(4)

communication where proceedings have commenced, I.T.A. 241(3)

compellability of officials, I.T.A. 241(2)

defined terms, I.T.A. 241(10)

disclosure to taxpayer or on consent, I.T.A. 241(5)

imminent danger situations, I.T.A. 241(3.1)

measures to prevent unauthorized disclosure, I.T.A. 241(4.1)

offences re, I.T.A. 239(2.2)-(2.22)

order or direction —

appeal from, I.T.A. 241(6), (7)

stay of, I.T.A. 241(8)

Petroleum and Gas Revenue Tax Act, references to, I.T.A. 241(11)

registered charities, I.T.A. 241(3.2)

restrictions on officials, I.T.A. 241(1)

Information, supply of. *See* Requirement to provide documents/information, *infra*

Information return —

due diligence exception, I.T.A. 233.5

exemption re first-year residents, I.T.A. 233.7

filing of, I.T.A. 244(22)

foreign affiliates, I.T.A. 233.4

foreign property, I.T.A. 233.3

foreign trusts, I.T.A. 233.2

non-resident persons, I.T.A. 233.1-233.2

non-resident trusts, distributions from, I.T.A. 233.6

partnerships, I.T.A. 233, 233.2-233.4

reporting entity, I.T.A. 233.4

tax shelter, I.T.A. 237.1(7)

Inquiry —

appointment of, I.T.A. 231.4(1)

hearing officer —

appointment of, I.T.A. 231.4(2)

exercise of powers of, I.T.A. 231.4(4)

powers of, I.T.A. 231.4(3)

rights of —

person being investigated, I.T.A. 231.4(6)

witness at inquiry, I.T.A. 231.4(5)

Inspections —

actions of authorized person, I.T.A. 231.1(1)

application for authorization, I.T.A. 231.1(3)

Offences. *See also* Procedure, *infra*

compliance orders, I.T.A. 238(2)

MARTIN'S RELATED CRIMINAL STATUTES

INCOME TAX ACT — *Continued*

Offences — *Continued*

- confidential information offences, I.T.A. 239(2.2)-(2.22)
- confidentiality. *See* Information, confidentiality re, *supra*
- corporation, by, I.T.A. 242
- incorrect tax shelter number, I.T.A. 239(2.1)
- multiple penalties, I.T.A. 238(3)
- non-taxable obligation, I.T.A. 240
- penalty on conviction, I.T.A. 239(3)
- prosecution on indictment, I.T.A. 239(2)
- punishment —
 - power to decrease, I.T.A. 243
 - types of, I.T.A. 238(1), 239(1)
- section 149, under, I.T.A. 239(2.3)
- stay of appeal, I.T.A. 239(4)
- taxable obligation offence, I.T.A. 240

Privilege. *See* Solicitor-client privilege, *infra*

Procedure. *See also* Offences, *supra*

- date assessment made, I.T.A. 244(15)
- documents, proof of, I.T.A. 244(9), (13)
- electronic delivery, proof of, I.T.A. 244(6.1)
- failure to comply, proof of, I.T.A. 244(7)
- forms, authorized, I.T.A. 244(16)
- information or complaint, I.T.A. 244(1)
- information returns, filing of, I.T.A. 244(22)
- judicial notice, I.T.A. 244(12)
- limitation period, I.T.A. 244(4)
- mailing date, I.T.A. 244(14)
- multiple offences, I.T.A. 244(2)
- no appeal, proof of, I.T.A. 244(10)
- officer's affidavit, I.T.A. 244(19)
- partnerships, members of, I.T.A. 244(20)
- presumption re signature, I.T.A. 244(11)
- return filed, proof of, I.T.A. 244(21)
- return in prosecution for offences, proof of, I.T.A. 244(17), (18)
- service, proof of —
 - electronic, I.T.A. 244(6.1)
 - mail, by, I.T.A. 244(5)
 - personal, I.T.A. 244(6)
- time of compliance, proof of, I.T.A. 244(8)
- venue, I.T.A. 244(3)

Prosecution. *See* Offences, *supra*; Procedure, *supra*

Punishment. *See* Offences, *supra*

Requirement to provide documents/information

- foreign-based information, I.T.A. 231.6
- judicial authorization, I.T.A. 231.2(3)
- notice re, I.T.A. 231.2(1), 231.2(1.1)
- solicitor-client privilege. *See* Solicitor-client privilege, *infra*
- unnamed persons, I.T.A. 231.2(2)

INCOME TAX ACT — *Continued*

Returns —

- information. *See* Information return, *supra*
- proof of filing, I.T.A. 244(21)

Search warrant —

- contents of warrant, I.T.A. 231.3(4)
- evidence in support of application, I.T.A. 231.3(2)
- issue of by judge, I.T.A. 231.3(1)
- reasonable grounds requirement, I.T.A. 231.3(3)
- seizure. *See* Seizure, *infra*

Seizure —

- access and copies of things seized, I.T.A. 231.3(8)
- retention of things seized, I.T.A. 231.3(6)
- return of things seized, I.T.A. 231.3(7)
- search warrant. *See* Search warrant, *supra*
- seizure of document, I.T.A. 232(3)
- solicitor-client privilege and, I.T.A. 232(3)

Service. *See* Procedure, *supra*

Social insurance number, I.T.A. 237, 239(2.3)

Solicitor-client privilege —

- application to judge, I.T.A. 232(4), (5)
- compliance, I.T.A. 232(15)
- continuation of application by another judge, I.T.A. 232(8)
- copies, authority to make, I.T.A. 232(13)
- costs, I.T.A. 232(9)
- defence, as, I.T.A. 232(2)
- defined terms, I.T.A. 232(1)
- delivery of documents by custodian, I.T.A. 232(7)
- directions, I.T.A. 232(10)
- examination where privilege claimed, I.T.A. 232(3.1)
- order to deliver/make available, I.T.A. 232(6)
- prohibition, I.T.A. 232(11), (12)
- seizure where privilege claimed, I.T.A. 232(3)
- waiver of claim, I.T.A. 232(14)

Tax shelters —

- application by promoter, I.T.A. 237.1(2), (7.4)
- deduction requirement, I.T.A. 237.1(6)-(6.2)
- defined terms, I.T.A. 237.1(1)
- failure to comply with demand to file return, I.T.A. 237.1(7.5)
- failure to report information required under s. 237.1(7)(a) or (b), I.T.A. 237.1(7.5)
- false or misleading information, I.T.A. 237.1(7.4)
- identification number, I.T.A. 237.1(3)
- incorrect number offence, I.T.A. 239(2.1)
- information return, I.T.A. 237.1(7)-(7.4)
- promoters duties, I.T.A. 237.1(5)
- provision of number to investors, I.T.A. 237.1(5)
- sales prohibited prior to issue of number, I.T.A. 237.1(4)
- verification by Minister, I.T.A. 237.1(8)

MARTIN'S RELATED CRIMINAL STATUTES

INJUNCTIONS

Competition, interim, COMP. 33

INMATES. *See* CORRECTIONS AND CONDITIONAL RELEASE ACT;
PRISONS AND REFORMATORIES ACT

INSURANCE

Proofs, CE 42

INTERNATIONAL TRANSFER OF OFFENDERS ACT. *See also*
CORRECTIONS AND CONDITIONAL RELEASE ACT

Administrative arrangements —

mentally disordered persons, I.T.O.A. 32

Minister may enter into, I.T.O.A. 31

Appeal —

foreign verdict and sentence not subject to appeal, I.T.O.A. 5(1)

Canadian offenders to Canada —

application of other Acts, I.T.O.A. 29

compassionate measures, entitlement to after transfer, I.T.O.A. 30

continued enforcement, I.T.O.A. 13

credit for sentence reduction under foreign law, I.T.O.A. 22(1)

credit for time spent in confinement, I.T.O.A. 22(2)

effect of transfer, I.T.O.A. 5

eligibility —

parole, for, I.T.O.A. 23, 27, 29

parole for murder, for, I.T.O.A. 24, 27, 29

parole where serving Canadian sentence, for, I.T.O.A. 29

temporary absence, murder, for, I.T.O.A. 25, 27

information about sentence, I.T.O.A. 8(4)

mentally disordered offender, I.T.O.A. 34-36

Minister —

consent, of, I.T.O.A. 10

determine that consent voluntary, to, I.T.O.A. 12

determine equivalent offence, to, I.T.O.A. 15

give reasons for refusing consent, to, I.T.O.A. 11(2)

Parole Board of Canada, date of review by, I.T.O.A. 28

place of detention, I.T.O.A. 21

probation, I.T.O.A. 16

sentence no longer than allowed under Canadian law, I.T.O.A. 14

statutory release, I.T.O.A. 26, 27

transfer invalid, I.T.O.A. 37

young persons —

maximum sentence, I.T.O.A. 17, 18

parole eligibility for murder, I.T.O.A. 19

place of detention, I.T.O.A. 20

Cancellation of conviction, I.T.O.A. 30

Children —

consent —

Minister required, of, I.T.O.A. 9

provincial authority required, of, I.T.O.A. 9

INTERNATIONAL TRANSFER OF OFFENDERS ACT — *Continued*Children — *Continued*consent — *Continued*

transfer, to, I.T.O.A. 8(5)

exemption from dual criminality requirement, I.T.O.A. 4(3)

primary consideration is best interests of child, I.T.O.A. 10(4)

Compassionate measures, I.T.O.A. 30

Defined terms, I.T.O.A. 2

foreign entity, I.T.O.A. 33

Dual criminality requirement, I.T.O.A. 4

exception for children, I.T.O.A. 4(3)

Effect of transfer, I.T.O.A. 5

foreign verdict and sentence not subject to appeal, I.T.O.A. 5(1)

Foreign offenders from Canada —

consent required, I.T.O.A. 8(1)

compassionate measures, Minister to inform foreign entity, I.T.O.A. 30(2)

Minister's consent, I.T.O.A. 10(2)

Minister must determine that consent voluntary, I.T.O.A. 12

Minister must give reasons for refusing consent, I.T.O.A. 11(2)

obligation to provide information, I.T.O.A. 8(3)

only upon request, I.T.O.A. 7

transfer invalid, I.T.O.A. 37(3)

withdrawal of consent, I.T.O.A. 8(2)

Mentally disordered offender, I.T.O.A. 32-36

Parole —

Canadian sentence, where also subject to, I.T.O.A. 29(2)

date of eligibility, I.T.O.A. 27

eligibility of adult convicted of murder, I.T.O.A. 24

eligibility of young person convicted of murder, I.T.O.A. 19

review by Parole Board of Canada, I.T.O.A. 28

statutory release, I.T.O.A. 26

temporary absence and day parole, I.T.O.A. 25

Probation, I.T.O.A. 16

Purpose, I.T.O.A. 3

Request for transfer, I.T.O.A. 7

Review Board, I.T.O.A. 34(2), (3)

Shortening of sentence, I.T.O.A. 30

Transfer —

consent must be in writing, I.T.O.A. 11

consent required, I.T.O.A. 8

only upon request, I.T.O.A. 7

withdrawal of consent, I.T.O.A. 8(2)

Young persons —

maximum sentence, I.T.O.A. 17, 18

Minister's consent required, I.T.O.A. 9

Minister to consider best interests of young person, I.T.O.A. 10(3)

parole eligibility for murder upon transfer to Canada, I.T.O.A. 19

place of detention, I.T.O.A. 20

MARTIN'S RELATED CRIMINAL STATUTES

INTERPRETATION ACT

Amendment. *See* Repeal and amendment, *infra*

Application of, INT. 3

Citation of enactment, INT. 40

Civil law, INT. 8.1, 8.2

Clause of Acts, enacting, INT. 4

Commencement —

day fixed for, INT. 6

regulation prior to, INT. 7

Common law, INT. 8.1, 8.2

Common names, INT. 38

Construction. *See* Rules of construction, *infra*

Corporations. *See* Rules of construction, *infra*

Crown —

demise of, INT. 46

not bound unless stated, INT. 17

Defined terms, INT. 2, 35-37, Schedule

Definitions, INT. 15(1), 33(3)

Dwelling house, authorization to enter, INT. 34.1

Evidence. *See* Rules of construction, *infra*

Offences. *See* Rules of construction, *infra*

Operation. *See also* Repeal and amendment, *infra*

commencement/repeal, day fixed for, INT. 6

regulation prior to commencement, INT. 7

royal assent, INT. 5

territorial operation —

amending enactment, INT. 8(2)

continental shelf of Canada, INT. 8(2.2)

exclusive economic zone of Canada, INT. 8(2.1)

extra-territorial operation, INT. 8(3)

rule, re, INT. 8(1)

Public officers. *See* Rules of construction, *infra*

References in enactment, INT. 41

Regulations —

prior to commencement of statute, INT. 7

words in, INT. 16

Repeal and amendment. *See also* Operation, *supra*

amendment not implying change in law, INT. 45(2)

amendment of part of enactment, INT. 42(3)

at same session, INT. 42(2)

day fixed for, INT. 6

effect of repeal, INT. 43

judicial construction not adopted, INT. 45(4)

no implication that enactment was in force, INT. 45(1)

power of reserved, INT. 42(1)

repeal and substitution, INT. 44

repeal not declaring previous law, INT. 45(3)

Resolutions, affirmative and negative, INT. 39

Royal assent, INT. 5

INTERPRETATION ACT — *Continued*

Rules of construction —

ancillary powers, INT. 31(2)

corporations —

banking business, INT. 21(3)

corporate name, INT. 21(2)

powers vested in, INT. 21(1)

Crown not bound unless stated, INT. 17

definitions, application of, INT. 15(1), 33(3)

duality of legal traditions, INT. 8.1, 8.2

enactments deemed remedial, INT. 12

evidence —

documentary evidence, INT. 25(1)

Queen's Printer, INT. 25(2)

forms, INT. 32

gender, INT. 33(1)

historical references, INT. 14

imperative and permissive construction, INT. 11

interpretation provisions, INT. 15

law always speaking, INT. 10

majorities, INT. 22(1)

marginal notes, INT. 14

number, INT. 33(2)

oaths, INT. 19

offences —

Criminal Code, application of, INT. 34(2)

documents similarly construed, INT. 34(3)

indictable and summary conviction, INT. 34(1)

power to be exercised as required, INT. 31(3)

power to repeal, INT. 31(4)

preamble, INT. 13

proclamations, INT. 18

provisions in private acts, INT. 9

public officers —

appointment of, INT. 23(1)-(3)

commencement of appointment/retirement, INT. 23(5)

powers of —

holders of public office, INT. 24(5)

implied, INT. 24(1)

ministers, INT. 24(2)

restrictions re public servants, INT. 24(3)

successors, INT. 24(4)

reference to provincial court judge, etc., INT. 31(1)

remuneration of, INT. 23(4)

quorum, INT. 22(2)

regulations, words in, INT. 16

reports to Parliament, INT. 20

time —

age attainment, INT. 30

calculation of period of months, INT. 28

MARTIN'S RELATED CRIMINAL STATUTES

INTERPRETATION ACT — *Continued*

Royal assent — *Continued*

time — *Continued*

- clear days, INT. 27(1), (2)
- holidays, INT. 26
- limits, INT. 26
- prescribed periods, INT. 27(3)
- specified day, after, INT. 27(4), 28
- time of day, INT. 29
- within a time, INT. 27(5)

Short title, INT. 1

"Telegraph", construction of, INT. 36

Territorial operation. *See* Operation, *supra*

Time. *See* Rules of construction, *supra*

"Year", construction of, INT. 37

INVESTIGATIONS. *See* COMPETITION ACT—Investigations under

JUDGES

Extradition Act. *See* EXTRADITION ACT

JUDICIAL INTERIM RELEASE

Extradition Act —

- application of Criminal Code, EX. 72(2)
- hearing under, EX. 18

JUDICIAL NOTICE

Acts of Imperial Parliament, CE 17

Acts of Parliament, CE 18

Canada Gazette, CE 21, 32(2)

Copies of Acts, CE 19

Handwriting of person certifying, CE 33

Ordinances, CE 7

Statutory instruments, CE 17, 18

JUDICIAL PROCEEDINGS

Proceedings in courts out of Canada, CE 43-51

JUDICIAL REVIEW

Applications —

- action, treatment as, FED. 18.4(2)
- defect in form/technical irregularity as ground, FED. 18.1(5)
- exceptions, FED. 18.5
- grounds for review, FED. 18.1(4)
- person entitled to bring, FED. 18.1(1)
- powers of Federal Court, FED. 18.1(3)
- summary hearing, FED. 18.4(1)
- timing of, FED. 18.1(2)

Minister's order under Extradition Act, EX. 57

JURISDICTION. *See also* FEDERAL COURTS ACT; JUDGES

Extraprovincial, FED. 25

Industrial property —

concurrent jurisdiction, FED. 20(2)

exclusive jurisdiction, FED. 20(1)

Judicial review applications —

action, treatment as, FED. 18.4(2)

defect in form/technical irregularity as ground, FED. 18.1(5)

exceptions, FED. 18.5

grounds of review, FED. 18.1(4)

person entitled to bring, FED. 18.1(1)

powers of Federal Court, FED. 18.1(3)

summary hearing, FED. 18.4(1)

timing of, FED. 18.1(2)

Maritime jurisdiction, FED. 22(2)

Navigation and shipping, FED. 22

Transfer of jurisdiction to Federal Court of Appeal, FED. 27

MARITIME. *See* SHIPS

MARKET RESTRICTIVE PRACTICE. *See* COMPETITION ACT—Tribunal,
matters reviewable by

MENTAL DISORDER

International transfer of mentally disordered offender, I.T.O.A. 32-36

MERGERS. *See* COMPETITION ACT

MINISTER OF JUSTICE

Duties in Canadian Bill of Rights, B.R. 3

MISLEADING ADVERTISING. *See* COMPETITION ACT

MONEY LAUNDERING. *See* PROCEEDS OF CRIME (MONEY
LAUNDERING) AND TERRORIST FINANCING ACT

MULTI-LEVEL MARKETING PLAN, COMP. 55

MUTUAL LEGAL ASSISTANCE IN CRIMINAL MATTERS ACT

Administrative arrangements, M.L.A. 6

Defined terms, M.L.A. 2

Evidence obtained abroad, admissibility of —

foreign records —

admissibility of, M.L.A. 36(1)

probative value of, M.L.A. 36(2)

foreign things, M.L.A. 37

notice re, M.L.A. 38(2)

service abroad, M.L.A. 39

status of certificate, M.L.A. 38(1)

Fines. *See* Foreign investigations re offences, *infra*

MARTIN'S RELATED CRIMINAL STATUTES

MUTUAL LEGAL ASSISTANCE IN CRIMINAL MATTERS ACT — *Continued*

Foreign investigations re offences —

appeal of judicial order/decision, M.L.A. 35

evidence for use abroad —

application for order, M.L.A. 17(2)

approval of request to obtain evidence, M.L.A. 17(1)

arrest warrant, M.L.A. 23

contempt of court, M.L.A. 22

evidence-gathering order —

designation of judge, M.L.A. 18(3)

execution of order to be completed, M.L.A. 18(8)

expenses, M.L.A. 18(10)

order effective throughout Canada, M.L.A. 18(4)

provision of order, M.L.A. 18(2), 19

reasonable grounds requirement, M.L.A. 18(1)

refusal to comply, M.L.A. 18(7), (9)

report re order, M.L.A. 19

terms and conditions of, M.L.A. 18(5)

variation of, M.L.A. 18(6)

production, M.L.A. 22.01-22.05

sending abroad —

report/order/thing produced, M.L.A. 20

terms and conditions requirements, M.L.A. 21

tax information, gathering, M.L.A. 22.06

video link evidence, M.L.A. 22.1-22.4

fines —

defined, M.L.A. 9(3)

limitation period, M.L.A. 9(2)

standing and jurisdiction, M.L.A. 9(1)

lending exhibits —

loan order —

application for, M.L.A. 30(2)

contents of application, M.L.A. 30(3)

copy to custodian, M.L.A. 33

making of, M.L.A. 31(1)

terms and conditions of, M.L.A. 31(3)

terms of, M.L.A. 31(2)

variation of, M.L.A. 32

loan request, approval of, M.L.A. 30(1)

presumption of continuity, M.L.A. 34

search and seizure —

application for, M.L.A. 11(2)

application of Criminal Code, M.L.A. 10

approval of request, M.L.A. 11(1)

report re execution of warrant, M.L.A. 14

search warrant. *See* search warrant, *infra*

seizure of other things, M.L.A. 13

sending abroad of thing seized, M.L.A. 15, 16

search warrant —

affixing copy of, M.L.A. 12(6)

MUTUAL LEGAL ASSISTANCE IN CRIMINAL MATTERS ACT — *Continued*

Fines — *Continued*

search warrant — *Continued*

- conditions, M.L.A. 12(2)
- contents of, M.L.A. 12(4)
- execution of, M.L.A. 12(5)
- hearing re execution, M.L.A. 12(3), 15
- issue of, M.L.A. 12(1)

transfer of detained persons —

- absence deemed imprisonment, M.L.A. 26
- application for transfer order, M.L.A. 24(2), (3)
- approval of transfer request, M.L.A. 24(1)
- copy of order to jailer, M.L.A. 28
- making of transfer order, M.L.A. 25(1), (4)
- terms of transfer order, M.L.A. 25(3)
- variation of order, M.L.A. 27
- warrant to bring detained person, M.L.A. 25(2)
- young persons, exception re, M.L.A. 29

Implementation of treaties in Canada —

detention in Canada —

detention order —

- paramountcy of, M.L.A. 42(2)
- variation of, M.L.A. 42(3)
- transferred person, of, M.L.A. 42(1)

privilege for foreign records, M.L.A. 44

refusals, determination of validity, M.L.A. 43

safe conduct to witness, etc., M.L.A. 41

special authorization for inadmissible person to enter, M.L.A. 40

Inconsistency of Acts, M.L.A. 3(1)

Informal agreements, preservation of, M.L.A. 3(2)

Limitations, M.L.A. 8

Minister, functions of, M.L.A. 7

Publication of agreements, M.L.A. 5

Schedule —

- amendments to, M.L.A. 4(2)
- designated states, M.L.A. 4(1)

Search and seizure. *See* Foreign investigations re offences, *supra*

Short title, M.L.A. 1

NATIONAL PAROLE BOARD. *See* PAROLE BOARD OF CANADA

NAVIGATION. *See* SHIPS

NOTICE

Business records, CE 30(7)

Government or public documents, CE 28

NOTIFIABLE TRANSACTIONS. *See* COMPETITION ACT

MARTIN'S RELATED CRIMINAL STATUTES

OATHS. *See* AFFIDAVITS; AFFIRMATION; CANADA EVIDENCE ACT;
COMPETENCE AND COMPELLABILITY; SOLEMN DECLARATIONS

OFFENCES. *See also* CONVICTIONS

Cannabis-related. *See* CANNABIS — PROHIBITIONS/OFFENCES

Competition Act, under. *See* COMPETITION ACT—Offences under

Customs Act —

- breaking seals, CUS. 157
- corporate officers, liability of, CUS. 158
- evasion of duties, CUS. 153(c)
- false statements, CUS. 153
- generally, CUS. 160
- illegally imported goods, keeping, etc., CUS. 155
- marking of goods, re, CUS. 159.1
- misdescription of goods in accounting documents, CUS. 154
- opening and unpacking goods, CUS. 157
- possession of blank documents, CUS. 156
- procedure, CUS. 162, 163
- proceeds of crime, possession of. *See* Proceeds of crime, from, *infra*
- prosecution venue, CUS. 162
- punishment, CUS. 160, 161
- smuggling, CUS. 159
- summary conviction offence —
 - limitation period, CUS. 163
 - punishment re, CUS. 161

Financial transactions, P.C. 74-82

Firearms. *See* FIREARMS ACT—Offences

Fisheries. *See* FISHERIES ACT—Offences

Income tax offences —

- compliance orders, I.T.A. 238(2)
- confidential information offences, I.T.A. 239(2.2)-(2.22)
- confidentiality, I.T.A. 239, 241
- corporation, by, I.T.A. 242
- incorrect tax shelter number, I.T.A. 239(2.1)
- multiple penalties, I.T.A. 238(3)
- non-taxable obligation, I.T.A. 240
- penalty on conviction, I.T.A. 239(3)
- procedure —
 - date assessment made, I.T.A. 244(15)
 - documents, proof of, I.T.A. 244(9), (13)
 - electronic delivery, I.T.A. 244(6.1)
 - failure to comply, proof of, I.T.A. 244(7)
 - forms, authorized, I.T.A. 244(16)
 - information or complaint, I.T.A. 244(1)
 - information returns, filing of, I.T.A. 244(22)
 - judicial notice, I.T.A. 244(12)
 - limitation period, I.T.A. 244(4)
 - mailing date, I.T.A. 244(14)
 - multiple offences, I.T.A. 244(2)
 - no appeal, proof of, I.T.A. 244(10)

OFFENCES — *Continued*Income tax offences — *Continued*procedure — *Continued*

- officer's affidavit, I.T.A. 244(19)
- partnerships, members of, I.T.A. 244(20)
- presumption re signature, I.T.A. 244(11)
- return filed, proof of, I.T.A. 244(21)
- return in prosecution for offences, proof of, I.T.A. 244(17), (18)
- service, proof of —
 - electronic, I.T.A. 244(6.1)
 - mail, by, I.T.A. 244(5)
 - personal, I.T.A. 244(6)
 - time of compliance, proof of, I.T.A. 244(8)
 - venue, I.T.A. 244(3)
- prosecution on indictment, I.T.A. 239(2)
- punishment —
 - power to decrease, I.T.A. 243
 - types of, I.T.A. 238(1), 239(1)
- section 149, under, I.T.A. 239(2.3)
- stay of appeal, I.T.A. 239(4)
- taxable obligation offence, I.T.A. 240

Proceeds of crime, from —

- disclosure, P.C. 76
- due diligence defence, P.C. 77(2)
- employee or agent, by, P.C. 79
- exemptions re, P.C. 80
- generally, P.C. 74
- liability of officers and directors, P.C. 78
- reporting, P.C. 75, 77
- time limitation, P.C. 81
- venue, P.C. 82

Security of information. *See* SECURITY OF INFORMATION ACT

ORDER

Committal under Extradition Act, EX. 29

- conditions of, EX. 39(2)
- property seized, order re, EX. 39(1)
- report of judge, EX. 38(1)
- right of appeal, EX. 38(2)

Competition. *See* COMPETITION ACTPARDON. *See* CRIMINAL RECORDS ACT; RECORD SUSPENSION;
ROYAL PREROGATIVE OF MERCYPAROLE. *See also* CONDITIONAL RELEASE

Arrest without warrant for breach of conditions, COR. 137.1

Criteria, COR. 102

Earned remission —

- computing credits, PRIS. 6(1)-(3)
- effect of remission, PRIS. 6(5)

MARTIN'S RELATED CRIMINAL STATUTES

PAROLE — *Continued*

Earned remission — *Continued*

- forfeiture of credits, PRIS. 6(4)-(4.2)
- parole suspended then revoked, PRIS. 6(10)
- recrediting by —
 - institutional head, PRIS. 6(8)
 - parole board, PRIS. 6(9)
- transfer from penitentiary to prison, PRIS. 6(6), (7)

International transfer of offenders —

- Canadian sentence, where also subject to, I.T.O.A. 29(2)
- date of eligibility, I.T.O.A. 27
- eligibility of adult convicted of murder, I.T.O.A. 24
- eligibility of young person convicted of murder, I.T.O.A. 19
- review by Parole Board of Canada, I.T.O.A. 28
- statutory release, I.T.O.A. 26
- temporary absence and day parole, I.T.O.A. 25

Parole eligibility —

- additional concurrent sentence, COR. 120.2
- additional consecutive sentence, COR. 120.1(2)-(3)
- day parole. *See also* parole reviews, *infra*
 - generally, COR. 119(1)
 - life sentence, COR. 119(1.1)
 - offenders eligible for accelerated parole review, COR. 119.1
 - short sentence, COR. 119(2)
 - young person sentenced to life, COR. 119(1.2)
- exceptional circumstances, COR. 121
- full parole, COR. 120(1)
- life sentence, COR. 120(2)
- maximum period, COR. 120.3
- multiple sentences on same day, COR. 120.1(1)
- short sentences, COR. 119(2)
- "sentence" defined, COR. 119.1
- youth sentence, COR. 119.2

Parole reviews —

- accelerated, COR. REG. 159
- cancellation/suspension of release, COR. REG. 163
- constitution of panels, COR. REG. 147-154
- day parole, COR. 122, COR. REG. 157
- full parole, COR. 123, COR. REG. 158
- offenders unlawfully at large, COR. 124
- review by board, COR. 123
- review by way of hearing, COR. REG. 164

Principles, COR. 102

Temporary release/absence, PRIS. 7, 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 8

Warrant for apprehension and recommitment, COR. 136

Work release, COR. 18, COR. REG. 9, 10

PAROLE BOARD OF CANADA. *See also* CRIMINAL RECORDS ACT;
INTERNATIONAL TRANSFER OF OFFENDERS ACT

Appeal Division —
 constitution of, COR. 146
 dispositions, COR. 147(4)
 immediate release, conditions of, COR. 147(5)
 right of appeal, COR. 147(1)
 time and manner of, COR. 147(3)
 vice-chairperson's discretion, COR. 147(2)

Chairperson of —
 chief executive officer, functions as, COR. 152
 designation of, COR. 104

Chief executive officer, COR. 152

Continuation of, COR. 103

Dissemination of information by, COR. 111

Executive committee, functions of, COR. 151

Executive vice-chairperson, COR. 104

Head office of, COR. 148(1)

Inquiries re members —
 conduct of, COR. 155.1
 report of inquiry, COR. 155.2

Jurisdiction of —
 clemency requests, COR. 110
 generally, COR. 107
 prohibition orders re vehicles, COR. 109
 where no provincial board, COR. 108

Membership —
 constitution of, COR. 105
 immunity of, COR. 154, 154.1
 impartiality of, COR. 155
 members not to be witnesses, COR. 154.1
 inquiries re, COR. 155.1
 remuneration of, COR. 153

Policies of, COR. 105(5)

Paramount consideration, COR. 100.1

Principles guiding, COR. 101

Provincial parole boards —
 change of province of residence, COR. 114
 incorporation by reference, COR. 113(1)
 jurisdiction of, COR. 112
 paramount consideration, COR. 100.1
 principles guiding, COR. 101
 provincial regulations, COR. 113(2)
 statutory release, COR. 114(5)

Quorum, COR. 105(6)

Regional divisions, COR. 149

Regional offices of, COR. 148(2)

Remuneration of members, COR. 153

Substitute members, COR. 106

Vice chairpersons, COR. 150

MARTIN'S RELATED CRIMINAL STATUTES

PAROLE BOARDS

National. *See* PAROLE BOARD OF CANADA

Provincial —

- change of province of residence, COR. 114
- incorporation by reference, COR. 113(1)
- jurisdiction of, COR. 112
- provincial regulations, COR. 113(2)
- statutory release, COR. 114(5)

PENALTY. *See* CUSTOMS ACT—Penalties

PENITENTIARY. *See also* PRISONS AND REFORMATORIES ACT;
SENTENCE

Classification of, COR. 29.1

Declaration of, COR. 7

Lands constituting, COR. 8

Reception of inmates in —

- confinement in provincial facility pending, COR. 14
- fifteen-day delay, COR. 12
- generally, COR. 11
- medical certificate requirement, COR. 13
- Newfoundland requirements, COR. 15
- recommitment to custody, COR. 11.1

PHOTOGRAPHIC EVIDENCE

Documents photographed, CE 31

Identification of criminals, IDENT. 2(1), 4, 5

Microfilmed records, CE 31

POWERS OF CUSTOMS OFFICERS. *See* CUSTOMS ACT—Powers of officers

PRICE MAINTENANCE, COMP. 61. *See also* COMPETITION ACT—Offences
under

PRIOR INCONSISTENT STATEMENTS

Adverse witnesses, CE 9

Cross-examination upon —

- one's own witness, CE 9
- opponent's witness, CE 10

Proving statement, CE 11

PRISON. *See* PRISONS AND REFORMATORIES ACT; SENTENCE

PRISONS AND REFORMATORIES ACT

Application of, PRIS. 2.1

Defined terms, PRIS. 2

Earned remission —

- computing credits, PRIS. 6(1)-(3)
- effect of remission, PRIS. 6(5)
- forfeiture of credits, PRIS. 6(4)-(4.2)

PRISONS AND REFORMATORIES ACT — *Continued*Earned remission — *Continued*

- parole suspended then revoked, PRIS. 6(10)
- recrediting —
 - institutional head, by, PRIS. 6(8)
 - parole board, by, PRIS. 6(9)
- transfer from penitentiary to prison, PRIS. 6(6), (7)

Short title, PRIS. 1

Temporary absence —

- authorization of, PRIS. 7.3
- designated authority re, PRIS. 7.2
- duration of, PRIS. 7.4(1)
- medical justification, PRIS. 7.4(2)
- principles of program, PRIS. 7.1
- purpose of, PRIS. 7
- suspension/revocation of —
 - arrest without warrant, PRIS. 7.6(3), (4)
 - effect on release date, PRIS. 8
 - grounds for, PRIS. 7.5
 - warrant issued for, PRIS. 7.6(1), (2)

Transfers between provinces, PRIS. 4, 5

Warrant of committal, PRIS. 3

PRIVILEGE

Cabinet, CE 39

Crown privilege. *See also* CANADA EVIDENCE ACT—Privilege

- confidence of the Queen's Privy Council, CE 39
- disclosure of government information, CE 37-37.3
- international relations or national defence or security, CE 38-38.16

Incriminating questions, CE 5. *See also* SELF-INCRIMINATIONInternational relations. *See* National security, *infra*

Marital communications, CE 4(3)

National defence. *See* National security, *infra*National security, CE 38-38.16, Schedule. *See also* Crown privilege, *supra*

- appeal to Federal Court of Appeal, CE 38.09
- appeal to Supreme Court of Canada, CE 38.1
- application to Federal Court, CE 38.04
- Attorney General may apply to Federal Court respecting disclosure, CE 38.04
- Attorney General may authorize disclosure, CE 38.03
- Attorney General may be required to give notice, CE 38.07
- Attorney General may enter into disclosure agreement, CE 38.031
- Attorney General may issue fiat to assume prosecution, CE 38.15
- Attorney General may issue prohibition certificate, CE 38.13
- definitions, CE 38
- designated entities, CE Schedule
- disclosure prohibited, CE 38.02
- ex parte* representations, CE 38.11(2)
- hearing in National Capital Region, CE 38.11(1.1)
- hearing to be in private, CE 38.11(1)
- judge may order disclosure, CE 38.06

MARTIN'S RELATED CRIMINAL STATUTES

PRIVILEGE — *Continued*

National security — *Continued*

- military proceedings, CE 38.01(5), 38.13(2), 38.131(3)
- notice to Attorney General of Canada, CE 38.01
- notice to Minister of National Defence, CE 38.01(6)
- prohibition certificate, CE 38.13
- protection of right to fair trial, CE 38.14
- protective order, CE 38.12
- reference to Federal Court of Appeal, CE 38.08
- regulations, CE 38.16
- report to presiding officer, CE 38.05
- review of prohibition certificate, CE 38.131

Privy Council, CE 39

Production, privilege against, CE 30(10)(a)(iii), 30(10)(b)

Public interest privilege. *See* CANADA EVIDENCE ACT—Privilege

Public policy, CE 30(10)(b)

Self-incrimination. *See* SELF-INCRIMINATION

Solicitor-client privilege, CE 30(10)(a)(ii)

Specified public interest, CE 37

- appeal to court of appeal, CE 37.1
- appeal to Supreme Court of Canada, CE 37.2
- protection of right to fair trial, CE 37.3

PROBATION. *See* CRIMINAL RECORDS ACT; INTERNATIONAL TRANSFER OF OFFENDERS ACT; SENTENCE

PROCEEDINGS IN FOREIGN COURTS

Application of Act, CE 43

Construction of Act, CE 45

Defined terms, CE 44

Order for examination of witness in Canada —

- administering oath, CE 49
- enforcement of order, CE 47
- expenses and conduct money, CE 48
- letters rogatory, enforcement of, CE 46, 51(2)
- procedure, CE 46
- refusal to answer/produce document, CE 50
- rules of court, CE 51(1)
- video links, CE 46

PROCEEDS OF CRIME. *See* PROCEEDS OF CRIME (MONEY LAUNDERING) AND TERRORIST FINANCING ACT

PROCEEDS OF CRIME (MONEY LAUNDERING) AND TERRORIST FINANCING ACT

Crown, binding on, P.C. 4

Currency and monetary instruments —

- agreements for exchange of information, P.C. 38
- delegation of duties re, P.C. 39
- disclosure of information, P.C. 36

PROCEEDS OF CRIME (MONEY LAUNDERING) AND
TERRORIST FINANCING ACT — *Continued***Currency and monetary instruments — *Continued***

- exported mail, P.C. 21
- forfeiture, P.C. 14(5), 22
 - review and appeal of, P.C. 24
 - time of, P.C. 23
- mail, examination and opening of, P.C. 17
- reporting of, P.C. 12, P.C. REG. 10-13
- retention of, P.C. 14
- searches, re —
 - conveyance or baggage, P.C. 16
 - personal, P.C. 15
- seizures —
 - minister's decision, re —
 - appeal to Federal Court, P.C. 30
 - consequences of, P.C. 27, 28
 - notice of President re, P.C. 26
 - request for, P.C. 25
 - service of notices, P.C. 31
 - timing of, P.C. 27
 - power to call in aid, P.C. 19
 - provisions re, P.C. 18
 - recording of reasons re, P.C. 19.1
 - report to President and centre, P.C. 20
 - third party claims —
 - appeal from order, P.C. 34
 - application re, P.C. 32
 - delivery after final order, P.C. 35
 - order re, P.C. 33

Definitions, P.C. 2**Financial Transactions and Reports Analysis Centre of Canada —**

- accident compensation for director and employees, P.C. 44
- Acts, limitations on application of, P.C. 61
- advance amounts out of C.R.F., P.C. 50.1
- agreements and arrangements, P.C. 56
- assessments, binding, P.C. 51.4
- audit, P.C. 70
- authority to provide services, P.C. 51
- compliance measures —
 - agreements and arrangements, P.C. 65.1
 - disclosure to Bank of Canada, P.C. 65.03
 - disclosure to law enforcement agencies, P.C. 65
 - ensuring compliance, P.C. 62
 - information demand, P.C. 63.1
 - "judge", meaning of, P.C. 64
 - warrant to enter dwelling house, P.C. 63
- contracts, power to enter into, P.C. 66
- director of —
 - appointment of, P.C. 43

MARTIN'S RELATED CRIMINAL STATUTES

PROCEEDS OF CRIME (MONEY LAUNDERING) AND

TERRORIST FINANCING ACT — *Continued*

Financial Transactions and Reports Analysis Centre of Canada — *Continued*

director of — *Continued*

personnel rights and duties of, P.C. 49

powers of, P.C. 45

remuneration of, P.C. 47

employees of, P.C. 46

establishment and powers of, P.C. 41

expenses, ascertaining, P.C. 51.1, 51.2

feedback, research and public education, P.C. 58

head office of, P.C. 48

human resources, P.C. 49

immunity from compulsory processes, P.C. 59

information —

disclosure of, P.C. 52, 53, 55, 55.1, 56.1

limitation on orders for, P.C. 60

prescribed, P.C. 51.3

use of, P.C. 57

usefulness of, P.C. 56.2

legal proceedings, P.C. 68

liability, no, P.C. 69

minister's responsibility for, P.C. 42

objectives of, P.C. 40

political partisanship, P.C. 50

registry, P.C. 54.1

report by, annual, P.C. 71

reports and information, P.C. 54, P.C. REG. 10-13, Schedules 1-2

service providers, choice of, P.C. 67

Interpretation, P.C. 2

National Security and Intelligence Committee of Parliamentarians Act, P.C. 53.5

National Security and Intelligence Review Agency Act, P.C. 53.4

Object of Act, P.C. 3

Offences —

disclosure, P.C. 76

due diligence defence, P.C. 77(2)

employee or agent, by, P.C. 79

exemptions re, P.C. 80

generally, P.C. 74

liability of officers and directors, P.C. 78

registry, P.C. 77.1

reporting, P.C. 75, 77

time limitation, P.C. 81

venue, P.C. 82

Prescribed financial transactions —

immunity re report, P.C. 10

reporting of, P.C. 9

reports under other Acts, P.C. 9.1

Publication, P.C. 73.22

PROCEEDS OF CRIME (MONEY LAUNDERING) AND
TERRORIST FINANCING ACT — *Continued*

- Record keeping requirements —
 - application of Part re, P.C. 5
 - clarification, P.C. 5.1
 - duties re, P.C. 6
 - registration, P.C. 11.1-11.4
- Registration, P.C. 11.1-11.4
- Regulations, P.C. REG. 1-13
 - power to make, P.C. 73-73.15
 - transitional provision re, P.C. 83
- Reporting requirements, P.C. 7-14
 - compliance program, P.C. 7-14
 - correspondent banking transaction, P.C. 9.6
 - currency and monetary instruments, P.C. 12
 - dealing with politically exposed person, P.C. 9.3
 - disclosure required under Criminal Code, where, P.C. 7.1
 - electronic funds transfer, P.C. 9.5
 - foreign branches, P.C. 9.8
 - foreign subsidiaries, P.C. 9.7
 - immunity from prosecution or civil liability, P.C. 9.1
 - inability to determine identity of client, P.C. 9.2
 - information, P.C. 9.61
 - measures, P.C. 9.61
 - non-disclosure of reports, P.C. 8
 - prohibition if unregistered, P.C. 9.31
 - protection of solicitor client privilege, P.C. 11
- Reports, P.C. REG. 10-13, Schedule 1
- Retail Payment Activities Act, P.C. 53.6
- Review of Act by parliamentary committee, P.C. 72, 72.1
- Short title, P.C. 1
- Solicitor-client privilege, P.C. 11
- Suspicious transactions —
 - disclosure, P.C. 7.1
 - immunity re report, P.C. 10
 - no disclosure of reports, P.C. 8
 - reporting, grounds for, P.C. 7
- Verifying identity, P.C. 6.1
- Violations, P.C. 73.1-73.15

PROHIBITION

Fisheries Act. *See* FISHERIES ACT

PROHIBITION ORDERS. *See also* WEAPONS

Competition, COMP. 34

PROMISSORY NOTES, FED. 23

PROVINCIAL RULES OF EVIDENCE

Applicability to criminal, federal proceedings, CE 40

MARTIN'S RELATED CRIMINAL STATUTES

PUBLICATION BAN

Extradition hearing, EX. 26

PYRAMID SELLING. *See* COMPETITION ACT—Offences under

RECORD SUSPENSION

Application for —

- disclosure of decisions, CRIM. REC. 9.01
- entitlement, CRIM. REC. 3(1), 4
- ineligible persons, CRIM. REC. 4(2)-(5)
- inquiries to be made by Board, CRIM. REC. 4.2(1), (1.1)
- representations on —
 - duty to consider, CRIM. REC. 4.2(3)
 - right to make, CRIM. REC. 4.2(2)
- restrictions on, CRIM. REC. 4(1), 4.2(1.1)
- waiting period where refused, CRIM. REC. 4.2(4)

DNA orders and, DNA. 10(8)

Effect of —

- cessation of effect, CRIM. REC. 7.2
- employment applications, on, CRIM. REC. 8
- generally, CRIM. REC. 2.3

Grant of —

- factors considered, CRIM. REC. 4.1(1),(3)
- generally, CRIM. REC. 4.1(1)
- onus on applicant, CRIM. REC. 4.1(2)
- indictable offences, CRIM. REC. 4(1)(a), 4(2), 4.1
- scheduled offences, CRIM. REC. 4(2)-(5), 4.1, Sched. 1
- summary conviction offences, CRIM. REC. 4(1)(b), 4(2), 4.1

Restriction on application for, CRIM. REC. 4(1)

Revocation of —

- circumstances for, CRIM. REC. 7
- notice of proposal to revoke, CRIM. REC. 7.1
- representations re, CRIM. REC. 7.1

RECORDS. *See* CRIMINAL RECORDS ACT—Records; DOCUMENTS

REFUSAL TO DEAL. *See* COMPETITION ACT—Tribunal, matters
reviewable by

REGULATIONS

Cannabis Act, CANN. 139-141, 156, 158-161

Fisheries Act, FISH. 43, 46

RELEASE OF INMATES. *See* CORRECTIONS AND CONDITIONAL
RELEASE ACT

REMISSION OF PENALTIES. *See also* RECORD SUSPENSION

Defined terms, PRIS. 2

Earned remission —

- computing credits, PRIS. 6(1)-(3)

REMISSION OF PENALTIES — *Continued*Earned remission — *Continued*

- effect of remission, PRIS. 6(5)
- forfeiture of credits, PRIS. 6(4)-(4.2)
- parole suspended then revoked, PRIS. 6(10)
- recrediting by —
 - institutional head, PRIS. 6(8)
 - parole board, PRIS. 6(9)
- transfer from penitentiary to prison, PRIS. 6(6), (7)

Temporary absence —

- authorization of, PRIS. 7.3
- designated authority re, PRIS. 7.2
- duration of, PRIS. 7.4(1)
- medical justification, PRIS. 7.4(2)
- principles of program, PRIS. 7.1
- purpose of, PRIS. 7
- suspension/revocation of —
 - arrest without warrant, PRIS. 7.6(3), (4)
 - effect on release date, PRIS. 8
 - grounds for, PRIS. 7.5
 - warrant issued for, PRIS. 7.6(1), (2)

Transfers between provinces, PRIS. 4, 5

Warrant of committal, PRIS. 3

REVIEW HEARINGS. *See* CORRECTIONS AND CONDITIONAL RELEASE

ACT—Review hearings

RIGHTS. *See* CANADIAN BILL OF RIGHTS

ROYAL PREROGATIVE OF MERCY

Saving of other pardons, CRIM. REC. 9

SEARCH AND SEIZURE. *See also* CORRECTIONS AND CONDITIONAL RELEASE ACT; CUSTOMS ACT; FISHERIES ACT; INCOME TAX ACT; MUTUAL LEGAL ASSISTANCE IN CRIMINAL MATTERS ACT; SECURITY OF INFORMATION ACT; SEIZED PROPERTY MANAGEMENT ACT; SEIZURES

- Cell search, COR. 58, COR. REG. 51-53
- Community-based residential facilities, in, COR. 66
- Contraband. *See also* Inmate search, *infra*
 - currency limits, COR. REG. 42
- Fisheries. *See* FISHERIES ACT—Seizures
- Inmate search —
 - body scan, COR. 46, 48
 - conductor of, COR. REG. 49
 - contraband, carrying of —
 - body cavity search, COR. 52
 - dry cell, detention in, COR. 51
 - exceptional power of search, COR. 53
 - informing institutional head re, COR. 50

MARTIN'S RELATED CRIMINAL STATUTES

SEARCH AND SEIZURE — *Continued*

Inmate search — *Continued*

- emergency search, COR. 49
- exceptional power of search —
 - authorization of, COR. 53(1)
 - gender requirement, COR. 53(2)
- frisk search, COR. 46, 47, 49, COR. REG. 47
- power to authorize, COR. REG. 50
- routine non-intrusive search, COR. 46, 47, COR. REG. 47
- strip search, COR. 46, 48, 49, COR. REG. 48

Income tax. *See* INCOME TAX ACT—Seizure

Journalistic sources, CE 39.1

Money laundering, M.L.A. 10-16

Taxation matters. *See* INCOME TAX ACT

Urinalysis —

- authorization, COR. REG. 61
- collection of samples, COR. REG. 66
- defined terms, COR. REG. 60
- demand re, COR. 54, 55
- information requirements, COR. 56
- requirement to provide sample, COR. REG. 62-65
- right to make representations, COR. 57
- test results —
 - positive, COR. REG. 69-72
 - reporting of, COR. REG. 68
- testing of sample, COR. REG. 67

Vehicular search, COR. 61, COR. REG. 55

Warrants —

- banking records, CE 29(7)
- Cannabis Act, under, CANN. 87-88
- Customs Act, under —
 - execution in another territorial jurisdiction, CUS. 111(2)
 - execution of, CUS. 111(4)
 - exigent circumstances, CUS. 111(7)
 - form of, CUS. 111(5)
 - information for, CUS. 111(1)
 - seizure of things not specified, CUS. 111(3)
 - where warrant not necessary, CUS. 111(6)
- income tax —
 - contents of warrant, I.T.A. 231.3(4)
 - evidence in support of application, I.T.A. 231.3(2)
 - issue of by judge, I.T.A. 231.3(1)
 - reasonable grounds requirement, I.T.A. 231.3(3)
 - seizure. *See* INCOME TAX ACT—Seizure

SECURITY OF INFORMATION ACT

Attorney general's consent to prosecution, SEC. 24

Conspiracy, SEC. 23

Deemed committal of offence, SEC. 26

Defined terms, SEC. 2

SECURITY OF INFORMATION ACT — *Continued*

Economic espionage, SEC. 19

Jurisdiction, SEC. 25, 26(2)

Offences —

dies/seals, unlawful possession dealing in, SEC. 5(1)(e), 5(2)

falsification of reports, SEC. 5(1)(b)

forgery, SEC. 5(1)(c)

harbouring or concealing spies, SEC. 21

incitements, SEC. 9

interference, SEC. 7

personation and false documents, SEC. 5(1)(d)

prohibited place, approaching, entering, etc., SEC. 6

receiving code word, etc., SEC. 4(3)

retaining possession of document, SEC. 4(4)

spying. *See* Spying, *infra*

unauthorized use of uniforms, SEC. 5(1)(a)

wrongful communication of information, SEC. 4(1)

Offences committed outside Canada, SEC. 3, 26

Prejudice to safety or interest of state, SEC. 3

Preparatory acts, SEC. 22

Punishment, SEC. 27

Short title, SEC. 1

Special operational information and persons permanently bound to secrecy,

SEC. 8-15

amending schedule, SEC. 9

certificate, SEC. 12

communication —

purported, SEC. 13

unauthorized, SEC. 14

definitions, SEC. 8

designation, SEC. 10

public interest defence, SEC. 15

regulations, SEC. 11(2)

service, SEC. 11(1)

Spying —

communication with agent of foreign power, SEC. 4, 16-18

prejudicial purpose, SEC. 4

SEIZED PROPERTY MANAGEMENT ACT

Application of other Acts, S.P.M. 4(4)

Defined terms, S.P.M. 2

Financial matters —

advances as debts owing, S.P.M. 17

costs greater than proceeds, where, S.P.M. 14

proceeds account —

advances to, S.P.M. 15

charges to, S.P.M. 13(3)

credits to, S.P.M. 13(2)

establishment, S.P.M. 13(1)

excess, credit of, S.P.M. 16

MARTIN'S RELATED CRIMINAL STATUTES

SEIZED PROPERTY MANAGEMENT ACT — *Continued*

Financial matters — *Continued*

working capital account —

appropriation, S.P.M. 12(4), (5)

charges to, S.P.M. 12(2)

credits to, S.P.M. 12(3)

establishment, S.P.M. 12(1)

Fines. *See* Forfeited property, sharing of, *infra*

Forfeited property, sharing of —

agreements with foreign governments, S.P.M. REG. 95-76 3, 4

defined terms, S.P.M. REG. 95-76 2

finances. *See* forfeited property and fines, *infra*

forfeited property and fines —

calculation and payment of shares, S.P.M. REG. 95-76 9-11

contribution of Canada and jurisdictions, S.P.M. REG. 95-76 7, 8

determination of amount available, S.P.M. REG. 95-76 5

time of sharing, S.P.M. REG. 95-76 6

moneys transferred to Canada —

determination of amount available, S.P.M. REG. 95-76 12

manner of sharing, S.P.M. REG. 95-76 13

Seized Property Non-Tax Revenue Account, payment to, S.P.M. REG. 95-76 15, 16

time of sharing, S.P.M. REG. 95-76 14

Indemnity, S.P.M. 18

Management order —

application for, S.P.M. 6(1)

ceasing to have effect, S.P.M. 7(3)

circumstances for, S.P.M. 7(1)

conditions, S.P.M. 8

Criminal Code s. 490(1)(b) order, S.P.M. 6(2)

interlocutory sale, S.P.M. 7(2)

Minister's powers, S.P.M. 9

Minister's responsibility, S.P.M. 4

Proceeds. *See* Sharing of proceeds, *infra*

Purposes of, S.P.M. 3

Regulations —

power to make, S.P.M. 19

Report to Parliament, S.P.M. 20(2)

Review after three years, S.P.M. 20(1)

Seized property, sharing of —

defined terms, S.P.M. REG. 94-303 2

disposition of property, S.P.M. REG. 94-303 3-11

indemnification, S.P.M. REG. 94-303 13, 14

net proceeds, S.P.M. REG. 94-303 12

report of location of property, S.P.M. REG. 94-303 15

Sharing of proceeds —

Canada, in, S.P.M. 10

outside Canada, S.P.M. 11

Short title, S.P.M. 1; S.P.M. REG. 95-76 1; S.P.M. REG. 94-303 1

Transfer of property, S.P.M. 5

SEIZURES

- Authorization to deal with goods seized, CUS. 119.1(1)
- Cannabis, disposition re, CANN. 89-109
- Conveyances, of, CUS. 110(2)
- Copies of records, etc., CUS. 115(1)
- Custody of thing seized, CUS. 114(1); FISH. 70
- Detention of records seized, CUS. 115(2); FISH. 71
- Evidence, of, CUS. 110(3), 114(2), (3)
- Fishing vessel, FISH. 51
- Forfeitures. *See* FORFEITURE
- Goods or conveyances, of, CUS. 110(1)
- Limitations, CUS. 113
- Notice of seizure, CUS. 110(4)
 - cancellation of, CUS. 125
- Peace officer, goods stopped/taken by, CUS. 116
- Powers of entry, CUS. 112
- Return of seized fish, FISH. 73.2
- Review of seizure, etc. —
 - appeal of —
 - Federal Court, to, CUS. 135
 - restoration of goods pending, CUS. 136
 - contravention found, where —
 - demands for amounts, CUS. 133(4), (5)
 - interest payable, CUS. 133(7)
 - potential consequences, CUS. 133(1), (1.1)
 - return of conveyance, CUS. 133(3)
 - return of goods, CUS. 133(2)
 - delegation of Minister's powers, CUS. 134
 - evidence, furnishing of, CUS. 130
 - judicial review of minister's decision, CUS. 131(3)
 - manner of setting aside seizure, etc., CUS. 127
 - minister's decision, CUS. 131
 - no contravention found, where —
 - return of goods, CUS. 132(1)
 - return of interest on money, CUS. 132(2)
 - notice of reasons for seizure, CUS. 130, 137
 - report to commissioner, CUS. 128
 - request for minister's decision, CUS. 129
 - service of notices re, CUS. 137
- Return of things seized —
 - animals/perishable goods, of, CUS. 119(1)
 - conveyance, of, CUS. 118
 - goods, of, CUS. 117
- Sale of seized goods, CUS. 119(2), 119.1(2), (3)
- Taxation matters —
 - access and copies of things seized, I.T.A. 231.3(8)
 - retention of things seized, I.T.A. 231.3(6)
 - return of things seized, I.T.A. 231.3(7)
 - search warrant, I.T.A. 231.3
 - seizure of document, I.T.A. 232(3)

MARTIN'S RELATED CRIMINAL STATUTES

SEIZURES — *Continued*

Taxation matters — *Continued*

solicitor-client privilege and, I.T.A. 232(3)

Value substituted for value for duty, CUS. 120

SELF-INCRIMINATION

Compellable witness in relation to prosecution, CE 4

Cross-examination on previous convictions, CE 12

Evidence for courts out of Canada, CE 50

Incriminating questions, CE 5, 50

Marital communications, CE 4(3)

Right to silence, CE 4, 5

SENTENCE. *See also* CONTRAVENTIONS ACT; CORRECTIONS AND
CONDITIONAL RELEASE ACT; CRIMINAL RECORDS ACT;
FISHERIES ACT; PAROLE

Multiple, COR. 139

Restitution orders —

death/disability, COR. REG. 22, 121-144

SEX OFFENDER INFORMATION REGISTRATION ACT

Collection of information, S.O.I.R.A. 15.2

Correcting information, S.O.I.R.A. 12

Defined terms, S.O.I.R.A. 3

Fingerprinting to confirm identity, S.O.I.R.A. 9(2)

Information to be given to offender, S.O.I.R.A. 9

offender has right to copy of information collected, S.O.I.R.A. 11

Information to be provided by offender, S.O.I.R.A. 5, 6

Interpretation, S.O.I.R.A. 3

Management of information by Commissioner, S.O.I.R.A. 13-15

Offences, S.O.I.R.A. 16, 17

Person under 18 years of age, S.O.I.R.A. 7

Purposes and principles, S.O.I.R.A. 2

Registration of information, S.O.I.R.A. 8(2), 10

Regulations, S.O.I.R.A. 18, 19

Reporting obligations —

after change in residence or name, S.O.I.R.A. 4.1

information to be provided, S.O.I.R.A. 5, 6

pursuant to obligation to report, S.O.I.R.A. 4(2)

pursuant to order, S.O.I.R.A. 4(1)

subsequent obligations, S.O.I.R.A. 4.1

where out of country, S.O.I.R.A. 4.3

where subject to multiple orders, S.O.I.R.A. 4.2

where subject to order and obligation, S.O.I.R.A. 4.2

Report on operation of Act, S.O.I.R.A. 21.1

Responsibilities of person collecting data, S.O.I.R.A. 8

duty to ensure confidentiality and privacy, S.O.I.R.A. 9(4)

provide offender with copy of information, to, S.O.I.R.A. 11

Review of operation of act, S.O.I.R.A. 21.1

SEX OFFENDER INFORMATION REGISTRATION ACT — *Continued*

Unauthorized —

- consultation of data, S.O.I.R.A. 16(2)
- disclosure of information, S.O.I.R.A. 16(4)
- matching of data, S.O.I.R.A. 16(3)
- person collecting information, S.O.I.R.A. 16(1)
- use of information, S.O.I.R.A. 16(5)

SEXUAL OFFENCES

Sex offender information. *See* SEX OFFENDER INFORMATION REGISTRATION ACT

SHIPS

- Federal Court, FED. 22
- Jurisdiction, FED. 22

SILENCE, CE 4, 5

SOLEMN DECLARATIONS. *See also* AFFIDAVITS

- Administered abroad, CE 52-54
- Documents to be admitted in evidence, CE 54
- Form of, CE 41
- Insurance, proof of loss, CE 42
- Making solemn declaration, CE 41, 42, 53
- Oaths taken abroad, CE 53

SOLICITOR-CLIENT PRIVILEGE. *See* COMPETITION ACT; INCOME TAX ACT

SPECIALIZATION AGREEMENTS. *See* COMPETITION ACT—Tribunal, matters reviewable by

SPOUSE

- Competency and compellability as witness, CE 4

STATUTES

- Proclamations, proof of, CE 20-22
- Statutory declarations, CE 41, 42, 53, 54

STATUTORY DECLARATION

- Form of, CE 41

STATUTORY INTERPRETATION. *See* INTERPRETATION ACT

STRUCTURED INTERVENTION UNITS

- Access to inmate, COR. 37.73
- Commissioner, COR. 37.4-37.41, 37.8
- Committees, COR. 37.31, 37.32, 37.81
- Decisions, COR. 37.3, 37.32, 37.8-37.83
- Designation, COR. 31
- Disclosure, COR. 37.71, 37.74

MARTIN'S RELATED CRIMINAL STATUTES

STRUCTURED INTERVENTION UNITS — *Continued*

Duration, COR. 33
Duties, other, COR. 37.9
Exceptions, COR. 37
External decision-makers, COR. 37.6-37.61, 37.76
Health care professionals, COR. 37.31
Information, COR. 37.7, 37.77
Institutional head, COR. 37.2, 37.3, 37.91
Mental health, COR. 37.2
Monitoring, COR. 37.1
Obligations, COR. 36
Protection, COR. 37.76
Publication, COR. 37.77
Purpose, COR. 32
Recommendations, COR. 37.2
Representations, written, COR. 37.72
Reviews, COR. 37.5
Rights of inmate, COR. 35
Transfer to, COR. 34
Witnesses, COR. 37.75

SUMMONS

Extradition hearing, EX. 16

SUPREME COURT ACT

Appeals *per saltum*, SUP. 38
Appeals under other Acts, SUP. 41
Applications for leave —
 oral hearing —
 mandatory, SUP. 43(1.2)
 time for, SUP. 43(2)
 procedure, SUP. 43(1)
 quorum, SUP. 43(3), (4)
 remand of case, SUP. 43(1.1)
 stay of execution, SUP. 65.1
Criminal charge exceptions, SUP. 39(a)
Discretionary orders, from, SUP. 42
Extradition claim exceptions, SUP. 39(b)
Federal Court of Appeal, with leave of, SUP. 37.1
Inter-governmental disputes, SUP. 35.1
Jurisdiction throughout Canada, SUP. 35
Provincial court, appeal with leave of, SUP. 37
References by lieutenant governor in council, SUP. 36
Stay of execution request, SUP. 65.1
Supreme Court, with leave of —
 application for leave, SUP. 40(2)
 basis for, SUP. 40(1)
 extension of time for allowing appeal, SUP. 40(4)
 offences, re, SUP. 40(3)

SURRENDER

- Amendment to, EX. 42
- Consent to, EX. 71
- Contents of, EX. 58
- Delay before surrender, EX. 62
- Escape while in custody, EX. 61
- Execution of, power to convey, EX. 60
- Making, EX. 40
- Other offences, for, EX. 59
- Place of surrender, EX. 63
- Postponement of surrender, EX. 64
- Postponement pending appeal, EX. 41
- Refusal to make —
 - discharge order, EX. 48
 - entitlement, circumstances, EX. 47
 - extradition agreement, reasons contained in, EX. 45
 - reasons for, EX. 44
 - requirement re, EX. 46
- Return to Canada after, EX. 65
- Submissions re, EX. 43
- Temporary surrender —
 - calculation of sentence, EX. 68
 - order for surrender, priority of, EX. 67
 - order re, circumstances of, EX. 66

TAX SHELTER. *See* INCOME TAX ACT

TAXATION. *See* INCOME TAX ACT

TELEMARKETING. *See* COMPETITION ACT—Offences under

TICKETS. *See* CONTRAVENTIONS ACT; FISHERIES ACT

TIED SELLING. *See* COMPETITION ACT—Tribunal, matters reviewable by

TREATIES. *See* MUTUAL LEGAL ASSISTANCE IN CRIMINAL MATTERS ACT

VIDEO LINKS

- Order to assist foreign court, CE 46(2)
 - application of law of contempt, CE 50(1.2)
 - witness deemed to be outside Canada for some purposes, CE 50(1.1)

VOIR DIRE

Business records, CE 30(6), (9). *See also* DOCUMENTS

WARRANTS. *See also* ARREST; SEARCH AND SEIZURE—Warrants

- Entry of premises —
 - issue and execution of, COMP. 15
 - report on thing seized, COMP. 17
 - use of computer system on premises, COMP. 16

MARTIN'S RELATED CRIMINAL STATUTES

WARRANTS — *Continued*

- Temporary absence, suspension/revocation of, PRIS. 7.6(1), (2)
 - compliance with law, PRIS. 3
 - imprisonment, compliance with law, PRIS. 3
 - prison/reformatory, PRIS. 3

WEAPONS. *See also* FIREARMS ACT

Ammunition —

- authorization to transfer to individual, FIR. 25, FIR. REG. 98-209
- prohibited ammunition, FIR. 24

Authorizations —

- appeals. *See* FIREARMS ACT—Appeals of refusals and revocations
- carry/transport. *See* FIREARMS ACT—Authorizations to carry or transport
- export/import. *See* FIREARMS ACT—Authorized export/import
- form of, FIR. 61
- geographical extent of, FIR. 63
- international/interprovincial carriers, application to, FIR. 73
- lending. *See* FIREARMS ACT—Authorized transfers and lending
- non-transferability, FIR. 62
- possession. *See* FIREARMS ACT—Authorized possession
- refusal to issue, FIR. 68, 72
- revocation of, FIR. 70, 72
- term of, FIR. 65
- transfers and lending. *See* FIREARMS ACT—Authorized transfers and lending
- transport. *See* FIREARMS ACT—Authorizations to carry or transport
- transportation of firearms. *See* FIREARMS ACT—Authorized transportation of firearms

Authorized possession —

- eligibility to hold licence —
 - businesses, FIR. 8
 - court order prohibition, FIR. 6
 - criteria for, FIR. 5(2), (3)
 - international and interprovincial carriers, FIR. 10
- minors —
 - consent of parent, FIR. 8(5)
 - generally, FIR. 8(1)
 - hunting for sport, FIR. 8(3)
 - hunting for sustenance, FIR. 8(2)
 - prohibited/restricted firearms, FIR. 8(4)
- public safety principle, FIR. 5(1)
- safety courses, completion of —
 - exceptions, FIR. 7(4), (5)
 - prohibition order and, FIR. 7(3)
 - requirement re, FIR. 7(1)
 - restricted firearms course, FIR. 7(2)
- prohibited firearms, etc. —
 - businesses —
 - carriers, FIR. 11(3)
 - generally, FIR. 11(1)
 - prescribed purposes, FIR. 11(2)

- WEAPONS — *Continued*
- Authorized possession — *Continued*
- prohibited firearms, etc. — *Continued*
- individuals, grandfathered —
- automatic firearms, FIR. 12(2)
 - converted automatic firearms, FIR. 12(3)
 - general prohibition, FIR. 12(1)
 - grandfathered individuals, FIR. 12(9)
 - handguns, FIR. 12(6), (7)
 - Prohibited Weapons Order No. 12, FIR. 12(4)
 - Prohibited Weapons Order No. 13, FIR. 12(5)
 - regulation, application of, FIR. 12(8)
- registration certificates —
- equipment, FIR. 13
 - exempted firearms, FIR. 15
 - number of persons per certificate, FIR. 16
 - serial number, FIR. 14
- Canadian Firearms Registration System. *See* CANADIAN FIREARMS REGISTRATION SYSTEM
- Cross-bow —
- licence, FIR. REG. 98-199
- Definitions, FIR. 2
- Firearms. *See* FIREARMS ACT
- Firearms acquisition certificate. *See also* FIREARMS ACT
- Regulations, FIR. REG. 98-199
- Gun collectors, authorized transfer and lending, FIR. 30
- Handguns —
- authorized possession of prohibited, FIR. 12(6), (6.1), (7)
 - carrying, FIR. 20
- Licence. *See* FIREARMS ACT— Licences
- Offences —
- ammunition, unauthorized possession of, FIR. 108
 - contravention of conditions of licences, etc., FIR. 110
 - demand to produce firearm, non-compliance, FIR. 113
 - false statements, FIR. 106
 - firearms registration, failure re, FIR. 112
 - licences, etc., tampering with, FIR. 107
 - proceedings re, FIR. 116
 - punishment, FIR. 109, 111, 115
 - revoked licence, etc., failure to deliver up, FIR. 114
- Prohibited device. *See* FIREARMS ACT—Prohibited firearms
- Prohibited firearm. *See* Firearms, *supra*; FIREARMS ACT—Prohibited firearms
- Prohibited weapon. *See* FIREARMS ACT—Prohibited firearms
- Registration certificate. *See* FIREARMS ACT—Registration certificate
- Restricted firearm. *See* Firearms, *supra*; FIREARMS ACT—Restricted firearms
- Restricted weapon. *See* Firearms, *supra*; FIREARMS ACT—Restricted firearms
- WHISTLEBLOWER. *See* COMPETITION ACT

MARTIN'S RELATED CRIMINAL STATUTES

WITNESSES

Adverse witnesses, CE 9. *See also* ADVERSE WITNESSES

cross-examination without proof of adversity, CE 9(2)

proof of statement of, CE 9(1)

Affirming, CE 14-16.1

Capacity in question, CE 16, 16.1

Competence and compellability. *See* COMPETENCE AND COMPELLABILITY

Convictions, cross-examination upon, CE 12

Cross-examination on previous statements, CE 9(2), 10, 11

Deposition, CE 10(2)

Disabled, CE 6, 6.1

Expert witnesses, calling of, CE 7

Handwriting comparison, CE 8

Incriminating questions —

admissibility of answer, CE 5(2)

obligation to answer, CE 5(1)

Mentally disordered witness, CE 16, 16.1. *See also* COMPETENCE AND COMPELLABILITY

Mute person, manner of giving evidence, CE 6

Previous convictions, examination re, CE 12

Statements of witnesses, CE 9, 10, 11. *See also* ADVERSE WITNESSES; CROSS-EXAMINATION; PRIOR INCONSISTENT STATEMENTS

YOUNG OFFENDERS. *See* CONTRAVENTIONS ACT; CORRECTIONS AND CONDITIONAL RELEASE ACT; INTERNATIONAL TRANSFER OF OFFENDERS ACT; SEX OFFENDER INFORMATION REGISTRATION ACT

YOUTH CRIMINAL JUSTICE ACT

Cannabis Act and, CANN. 5

DNA Analysis, DNA. 9.1, 10.1