Index

Canadian Bill of Rights — CBR	
Canadian Victims Bill of Rights — CVBR	
Criminal Code — CC	
Constitution Act — CA	
Controlled Drugs and Substances Act — CDA	
Criminal Records Act — CRA	
Canada Evidence Act — CEA	
CannA — Cannabis Act	
DNA Identification Act — DNA	
Extradition Act — EXA	
Firearms Act — FA	
Identification of Criminals Act — ICA	
Interpretation Act — IA	
	f Internet child pornography by persons who
provide an Internet service — MRICP	
Motor Vehicle Transport Act — MVTA	
Sex Offender Information Registration Act —	SOIRA
Youth Criminal Justice Act — YCJA	
ABANDONMENT	ABORIGINAL RIGHTS
"Abandon," CC 214	Appearance, compelling, CC 493.1
Animal in captivity, CC 446(1)(b)	Firearms, FA 2(3)
Child under 10, CC 218	Rights and freedoms not affected, CA
,	Part I 25
ABDUCTION	
See also Confinement, Kidnapping, Traf-	ABSCONDING
ficking, Persons	See also Presence of Accused, Witness
Consent of Attorney General, CC 283(2)	Accused
Custody order, contravention of, CC 282	deemed present at trial, CC 715(3)
Custody order, where none, CC 283(1)	deemed waiver of jury election, CC
Defences	598
consent of person abducted, CC 286	preliminary inquiry, CC 544
consent of person having lawful pos-	trial, CC 475, 598
session, CC 284	Witness
escape from harm, CC 285	arrest with warrant, CC 704
protection of young person, CC 285	detention or release, CC 706
Definition of "guardian," CC 280(2)	endorsement in another jurisdiction,
Internationally protected persons outside Canada, CC 7(3)	CC 528
Person under 14, CC 281 to 283	ABSOLUTE JURISDICTION
Person under 16, CC 280(1)	See also Jurisdiction
Recognizance to prevent offence, CC 810.1	Generally, CC 553
Removal of child from Canada with	ABSTRACT OF TITLE
intent CC 273 3	Fraudulent concealment CC 385(1)

ABUSE OF PROCESS

Generally, CC 8, 131; CA Part I 7

ACCELERATION OF DEATH

Generally, CC 226

ACCESSORY AFTER FACT

See also Party to Offence Defined, CC 23(1)

Evidence of conviction or discharge of another person, CC 657.2(2)

Indictment of other parties, CC 23.1, 592

Murder, CC 240

Punishment (general), CC 463

accessory to murder, CC 240

Treason or high treason delivery of trial documents, CC 604

ACCIDENT

Failure to stop at scene, CC 320.16

ACCOMMODATION

Fraudulently obtaining, CC 364

ACCOUNT

Account entry negating theft, CC 330(2) Falsifying, CC 397, 399, 400

Theft by failure to account, CC 330(1)

ACCUSED

See Presence of Accused

ACT

See Statutes

ADJOURNMENT (REMANDS)

See also Assessments (Mental Disorder) Effect on recognizance, CC 763

Judicial interim release hearing, CC 516 Jury trial

disagreement upon verdict, CC 653 Preliminary inquiry

irregularities misleading accused, CC 547

witness refusing to testify, CC 545 Procedural irregularities, CC 485,

686(1)(b)(iv)

Summary conviction

appeal, CC 824

trial, CC 803

Trial by judge, CC 571

Trial by provincial court judge, CC 669.1

Trial on indictment

general, CC 645

ADJOURNMENT (REMANDS)—Cont'd

Trial on indictment—Cont'd to plead, etc., CC 606(3) to secure documents, CC 603 where accused misled, CC 601(5) When no jury summoned, CC 474

ADMISSIONS

Dispensing with proof

dangerous offenders, CC 754(3)

trial by indictment, CC 655

Preliminary inquiry

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

evidence of accused, as admission at trial, CC 657

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

Previous admission, CC 542(1)

Publication, CC 542(2)

Young person, YCJA 10(4), 149

ADULT

Generally, YCJA 2(1)

ADULTERY

Corrupting child, CC 172

ADVERSE WITNESS

Generally, CEA 9(1)

Prior inconsistent statement, CEA 9(2)

ADVERTISING

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

Cure for venereal disease, CC 163

Drug to cause miscarriage, CC 163

False prospectus, CC 400

Invitation to bet on contest, CC 202

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

Using likeness of bank note, CC 457

AFFIDAVIT

See also Certificate, Certified Copy, Service

General

affirmation in lieu of oath, CEA 15 foreign affidavit, CEA 52 to 54

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

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

false statements, CC 131, 134 perjury, CC 131

AFFIDAVIT—Cont'd AGENT—Cont'd Liability for fraud regarding public stores, Offences?bleed 3.0i .5i 7p 8p—Cont'd signing pretended affidavit, CC 138(a), CC 418(2) Limitation on use, CC 802.1 (c) statement, CC 133, 134 Pledge of goods not theft, CC 325 using pretended affidavit, CC 138(b) Secret commission, CC 426 Particular affidavits AGGRAVATED ASSAULT banking record, proof of entry re, CEA See Assault 39(3), (4) AGGRAVATED SEXUAL ASSAULT business record, proof re, CC 657, CEA 30(3), (4), (8) See Sexual Assault government record, proof of entry re, AGGRAVATING CIRCUMSTANCES **CEA 26** Generally, CC 718.2(a) insurance, proof of loss and, CEA 42 Driving offences, CC 320.22 ownership and value of property, CC Elder abuse, **CC** 718.2(a)(iii.1) 657.1(1), (2), (3) Fraud offences. CC 380.1 photographic evidence, CC 491.2(4) Home invasion offences, CC 348.1 photographic print, proof of compli-Personation, CC 130.1 ance re, CEA 31(3), (4) proof of service of any document, CC AGREEMENT OR 4(6) to (7) ARRANGEMENT—SEXUAL subpoena, proof of service of, CC 701 OFFENCE AGAINST CHILD "witness," CC 118 Defences, limitation on age of intended victim, CC 172.2(4) **AFFIRMATION** non-existence of victim, re, CC See also Affidavit, Oath 172.2(5)(b) Administered abroad, CEA 52 to 54 police sting operation, re, CC 172.2(5) Affidavit or deposition, CEA 15 Designated offence for dangerous In lieu of oath, CEA 14 offender purposes, CC 752 Liability for perjury, CEA 15(2) Designated offence for SOIRA purposes, **AGE** CC 490.011(1) See also Assault, Consent, Equality, Forfeiture of things used, CC 164.2 Sexual Assault relief from, CC 164.3 Adult sentence eligibility, YCJA 64 Offence, CC 172.2(1) to (2) "Child," YCJA 2(1) Offence outside Canada, CC 7(4.1) Criminal responsibility, CC 13 Presumption re age, CC 172.2(3) mistake re, CC 150.1(4) to (6) Primary designated offence for DNA Determination, IA 30 purposes, CC 487.04 Proof, CC 658; YCJA 148 Prohibition order, CC 161 Young offenders Recognizance to prevent offence, CC 810.1 jurisdiction re age, YCJA 14 "young person," YCJA 2(1) AIDING AND ABETTING AGENT See also Accessory after Fact, Counselling, Party to Offence See also Power of Attorney Essential elements "Agent," CC 426(4) abetting, CC 21(1)(c) Appearance for accused, CC 556, 620, aiding, CC 21(1)(b) 800, 802,1 Indictment of other parties, CC 23.1 limitation on use, CC 802.1 Particular offences organizational accused, CC 556, 620, 800(3) betting offences, CC 202(1)(j)

AIDING AND ABETTING—Cont'd AIRCRAFT—Cont'd Particular offences—Cont'd Pilot as peace officer, CC 2 cruelty to animals. CC 446 Space station, CC 7(2.34) desertion, CC 54, 56 consent of Attorney General of Canada, enemy alien, CC 50 CC 7(2.33) escape, CC 146 to 148 definitions, CC 7(2.34) prize fight, CC 83(1) offence committed by Canadian crew suicide, CC 241(1) member, CC 7(2.3) treason, CC 46, 50 offence committed by crew member of Partner state, CC 7(2.31) **AIRCRAFT** proceedings by Attorney General of See also Hijacking, Driving Offences Canada, CC 7(2.32) Conveyance, as, see Driving Offences Use of force aboard Deemed in service, CC 7(9) iustified. CC 27.1 Defined, CC 214 "Flight," CC 7(8) AIR NAVIGATION FACILITIES Jurisdiction over accused, CC 7(5) See also Aircraft Jurisdiction over offence, CC 7(1), (2), Interfering with operation, CC 77(d) 476 Offence outside Canada, CC 7(2)(c) Offence against internationally protected person, CC 7(3) **AIRPORT** Offence outside Canada See also International Airport accessory after the fact, CC 7(2)(e) Endangering safety, CC 77 attempt, CC 7(2)(e) DNA order on conviction or discharge, consent to prosecution, CC 7(7) CC 487.04, 487.051 conspiracy, CC 7(2)(e) Particular offences counselling, CC 7(2)(e) act of violence, CC 77(b) deemed committed in Canada, CC causes serious damage, CC 77(f) 7(1), (2) deemed in service, CC 7(9) ALARMING THE OUEEN prosecution outside Canada, CC 7(6) Act with intent to alarm Particular offences evidence of overt acts, CC 55 act of violence, CC 77(a), (b) statements in indictments, CC 581(4), breaking and entering, CC 348 601(9) causes damage, CC 77 **ALBERTA** consent to prosecution, CC 7(7) DNA orders, CC 487.04, 522(1) Generally, CC 2, 164(8), 188(4), 320(8), 493, 534, 552, 745.6(3), 812, 814(1) endangering safety, CC 77 false communication, CC 77(g) ALCOHOLSEEDRIVING OFFENCES fraud in obtaining transportation, CC Conditions of probation 393(3) abstention, CC 732.1(3)(c) hijacking, CC 76 hostage taking, CC 7(3.1) ALIEN interim release, CC 522(1) Assisting enemy alien, CC 50(1) murder, first degree, CC 231(5) evidence of overt acts, CC 55 offences outside Canada, CC 7 statements in indictments, CC 581(4), overt acts, evidence of, CC 55 601(9) rendering incapable of flight, CC 77(c) Consent to prosecution, CC 7(7), 477(2) sabotage, CC 52 statements in indictments, CC 581(4) weapon or explosive on board, CC 78 challenge for cause, CC 638(1)(d)

ALTERNATIVE MEASURES

See Punishment, see Youth Criminal Justice

AMENDMENT

See Indictment (Form and Substance)

AMMUNITION

Defined, CC 84(1)

Prohibited

defined, CC 84(1)

Unauthorized possession of, FA 108

ANIMALS

Abandonment, CC 446(1)(b)

defence, CC 429(2)

Captivity, CC 445.2

"Cattle," CC 2

Cock-pit, building or keeping, CC 447

Cruelty, CC 445.1

defence, CC 429(2)

Dolphins, CC 445.2

Injuring or endangering, CC 445, 445.01

defence, CC 429(2)

Killing, CC 445.01

Law enforcement, CC 445.01

Military, CC 445.01

Ownership custody or cohabitation while prohibited, CC 447.1(2)

defence, CC 429(2)

Poisoning, CC 445, 445.1(1)(c)

defence, CC 429(2)

Prohibition order, CC 447.1

Property in wild animal, CC 322(5)

Restitution order, CC 447.1

Sentencing objectives, CC 718.03

Service, CC 445.01

Whales, CC 445.2

ANTIQUE FIREARM

See Firearms

APPEALS (INDICTABLE OFFENCES)

By accused (to court of appeal)

from conviction, CC 675(1)(a)

from dangerous offender finding, CC **759**(1)

from discharge, CC 730(3)(a)

from extraordinary remedies, CC 784(1), (2)

from finding of not criminally responsible, CC 675(3)

from finding of unfitness, CC 675(3)

APPEALS (INDICTABLE OFFENCES) —Cont'd

By accused (to court of appeal)—Cont'd from parole delay order, CC 675(2.1)

from parole ineligibility order, CC

675(2), (2.1), (2.3)

from proceeds of crime forfeiture order, CC 462.44

from sentence, CC 675(1)(b)

from summary conviction, CC 675(1.1)

person under 18, CC 675(2.1)

By accused (to Supreme Court of Canada), CC 691, 692

election if new trial, CC 695(2)

where acquittal set aside and judge dissents, CC 691(2)(a)

where acquittal set aside and verdict of guilty entered, CC 691(2)(b)

where co-accused acquitted, CC 691(2)(b)

where conviction upheld, CC 691(1)

where found not criminally responsible, CC 692(1)

where found unfit, CC 692(2)

where leave of court, CC 691(2)(c)

By Attorney General (to court of appeal)

from acquittal, CC 676(1)(a), 676(2)

from decision not to make parole ineligibility order, CC 676(5), (6)

from discharge, CC 730(3)(b)

from dismissal of dangerous offender application, CC 759(2)

from extraordinary remedies, CC 784(1)

from finding of unfitness, CC 676(3)

from order quashing or refusing jurisdiction, CC 676(1)(b)

from order staying proceedings, CC 676(1)(c)

from parole delay order, CC 675(2.1)

from parole ineligibility order, CC 676(4), (5), (6)

from proceeds of crime forfeiture order, CC 462.44

from sentence, CC 676(1)(d)

from summary conviction cases, CC 676(1.1)

from verdict of not criminally responsible on account of mental disorder, CC 676(1)(a)

APPEALS (INDICTABLE OFFENCES) —Cont'd By Attorney General (to Supreme Court of Canada). CC 693 as of right, CC 693(1)(a) by Attorney General of Canada, CC where leave given, CC 693(1)(b), 693(2)Costs. CC 676.1 "Court of appeal," CC 673 Dissent, specifying grounds of, CC 677 "Indictment," CC 673 Notice of appeal extension of time, CC 678(2) to court of appeal, CC 678(1) to Supreme Court of Canada, CC 694 Powers of court of appeal ancillary authority, CC 683, 684 authority to determine appeals, CC 685 to 687 Powers of Supreme Court of Canada appeal deemed abandoned, CC 695(2) assignment of counsel, CC 694.1 authority to determine appeals, CC 695(1)grant leave on terms, CC 693(2) Release pending appeal arrest after release, CC 679(6) conditions of order, CC 679(5), (5.1) conditions precedent to release, CC 679(1), (3), (4) form of release, CC 679(5) notice to prosecutor, CC 679(2) order expediting appeal, CC 679(10) pending appeal to court of appeal, CC 679(1)(a), (b), 679(3), 679(4) pending appeal to Supreme Court of Canada, CC 679(1)(c), 679(3), 679(8) pending new trial or hearing, CC 679(1)(a), 679(3), 679(7) review by court of appeal, CC 680 Remote appearance of accused, CC 683(2.1), 688(2.1), 715.23 to 715.24 Report by judge, CC 682 Right of appellant to attend court of appeal, CC 688 APPEALS (SUMMARY CONVICTION) Supreme Court of Canada, CC 694.2 "Sentence," CC 673 Transcript of material, CC 682(2), (4), (5)

APPEALS (INDICTABLE OFFENCES) —Cont'd "Trial court," CC 673 APPEALS (PARTICULAR MATTERS) See also Dispositions and Disposition Hearings (Mental Disorder) Canada Evidence Act, pursuant to from order re disclosure of information subject to Crown privilege, CEA 37.1 to 37.2 from order re disclosure of potentially injurious information, CEA 38.09, 38.1 to 38.12 from order re disclosure of sensitive information, CEA 38.09, 38.1 to 38.12 Contempt, CC 10 Dangerous offender, CC 759 Extraordinary remedy, CC 784 Forfeiture child pornography, CC 164(6) crime comic, CC 164(6) hate propaganda, CC 320(6), 320.1(8) minerals or precious metals, CC 395(3) obscene matter, CC 164(6) things seized pursuant to search warrant, CC 490(17) things used in child luring or child pornography, CC 164.2(3) to (5), 689 High-risk accused, see High-Risk Accused Sex offender information registration compliance orders, CC 490.014 exemption orders, CC 490.024 termination orders, CC 490.017, 490.029 Stay of proceedings, from permanently unfit accused, against, CC 672.852 Taking of bodily substances for forensic DNA analysis, on conviction, discharge or NCRMD finding, order for, CC 487.054 Third party records, orders re, CC 278.91 Young offenders, YCJA 37

Appeals to summary conviction appeal

court, CC 812 to 828

adjournment, CC 824

APPEALS (SUMMARY CONVICTION) APPEALS (SUMMARY CONVICTION) —Cont'd -Cont'd Appeals to summary conviction appeal "Trial." CC 785 court, CC 812 to 828-Cont'd APPEARANCE "appeal court," CC 812 See Counsel, see Presence of Accused costs, CC 826, 827 dismissal for failure to appear or want APPEARANCE NOTICE or prosecution, CC 825 See also Judicial Interim Release extension of time to appeal, CC 815(2) "Appearance notice," CC Form 9 fixing date of hearing, CC 819 Cancellation or confirmation by justice, notice of appeal, CC 815(1) **CC 508** order of new trial, CC 822(2) Contents, CC 500 payment of fine not waiver, CC 820(1) Duration, **CC 730(2)** place of hearing, CC 814 Effect after direct indictment, CC powers of appeal court, CC 822(1) 523(1.2) release pending appeal, CC 816 Effect after remand to other jurisdiction, release pending new trial, CC 822(3) CC 543(2)(b) rights of appeal, CC 813 Entering into on holiday, CC 20 Failure to appear, CC 145, (4), 512.2, transmission of trial record, CC 821(1), 803(3) Form. CC Form 9 trial de novo, CC 822(4) to (7) Issue by peace officer undertaking by prosecutor/appellant, CC 817, 818 no arrest, CC 497 "Clerk of the appeal court," CC 785 Laying of information, CC 505 "Informant," CC 785 Time in force, CC 523, 730 "Information," CC 785 Vacating previous order, CC 523(2) "Order," CC 785 **APPOINTMENT** "Proceedings," CC 785 Influencing appointment, CC 125 "Prosecutor," CC 785 Proof of appointment, CEA 21, 22 "Sentence," CC 785 Selling or purchasing, CC 124 Summary appeal on transcript or agreed disability on conviction, CC 750(3), (4) statement of fact, CC 829 to 838 appeal barred, CC 837 ARBITRARY DETENTION OR "appeal court," CC 829 **IMPRISONMENT** costs, CC 834(1) Generally, CA Part I 9 dismissal for failure to appear or want of prosecution, CC 825, 831 ARMED FORCES enforcement of order, CC 835 **Definitions** extension of time to appeal, CC 838 "Canadian Forces." CC 2 fixing date of hearing, CC 819, 831 "Her Majesty's Forces," CC 2 grounds of appeal, CC 830(1) "member of a force," CC 62(2) powers of appeal court, CC 834 "military," CC 2 release pending appeal, CC 816, 831, "military justice participant," CC 832(1) 423.1(4) rights of appeal, CC 830(1), (4) "military law," CC 2 time for appeal, CC 830(3) Enlistment transcript or agreed statement, CC presumption, CC 421(1) 830(2) Jury trial undertaking by prosecutor/appellant, CC 817, 818, 831, 832 right to, CA Part I 11(f) "Summary conviction court," CC 785 Member as peace officer, CC 2

ARMED FORCES—Cont'd	ARREST—Cont'd
Military law	Dwelling-house, powers to enter, to carry
effect of Charter, CA Part I 11(f)	out arrests—Cont'd
effect of Code, CC 5	reasonable terms and conditions, CC
Military tribunal	529.2
effect of Charter, CA Part I 11(f)	telewarrant, CC 529.5
Offences	warrants, CC 529.1 , Forms 7, 7.1
assisting deserter, CC 54	Force in arrest
assisting hostile forces, CC 46(1)(c),	excessive force, CC 26
(4), 47(1)	permissible force, CC 25(1), (4), 27, 32
counselling insubordination, CC	Offences
62(1)(b), (c)	assault with intent to resist, CC 270(2)
inciting to mutiny, CC 53	failure to assist in, CC 129(b)
interfering with loyalty, CC 62(1)(a)	Preventive, see Terrorism
overt acts, evidence of, CC 55	Private prosecution, in, CC 507.1
presumption of enlistment, CC 421(1)	Protection of persons acting under author-
receiving military stores, CC 420	ity, CC 25(3), (4), 28, 32(3)
sabotage, CC 52	Rights upon arrest, CA Part I 10
statement in indictment, CC 581(4),	Specific arrest authority (offences)
601	breach of peace, CC 31(1)
unlawful use of uniform, etc., CC 419	by surety, CC 766(2)
Riot	common gaming house, CC 199(2)
command to suppress, CC 32(2)	Warrant
Weapons, CC 117.08	actions not precluding issue, CC 512
ARRAIGNMENT	arrest of wrong person, CC 28
Indictable offences, CC 562, 606	circumstances of issue
Pleas permitted, CC 606, 607	absconding accused or witness, CC
Summary conviction offences, CC	475(1)(b)
801(1), (2)	commission of offence, CC 679(6)
	defaulting witness, CC 704 to 706
ARREST	failure to attend after adjournment,
See also Execution of Process	CC 485, 803(2) failure to attend review of order of
By surety, CC 766(2)	justice, CC 520(5), 521(5)
Citizen's arrest, CC 494	failure to attend trial, CC 597,
Clergyman, upon civil process, CC 176(1)(b)(ii)	803(2)
Duty of person arresting	indictment presented to court, CC
delivery to peace officer, CC 30, 31(2),	578(1)(b)
494(3)	information laid, CC 507(4),
duty not to arrest, CC 495(2), (3)	507.1(2), 512(1)
duty to inform arrested person, CC	necessary in public interest, CC
29(2), (b), (3); CA 10(a)	507(4), 512(1)
Dwelling-house, powers to enter, to carry	non-compliance with appearance
out arrests	notice, etc., CC 512(2), 679(6),
announcement, omission of, CC	803(2)
529.4(1)	private prosecution, CC 507.1
authority to enter without warrant, CC	contents, CC 511(1), 513
529.3 (1)	defect not affecting validity, CC 546,
authorization to enter, IA 34.1	547
execution of entry, CC 529(1), 529.4(2)	discretion to postpone execution, CC
exigent circumstances, CC 529.3(2)	511(3)

ARREST—Cont'd	ASSAULT—Cont'd
Warrant—Cont'd	Definition, CC 265(1)
duty of person arresting, CC 29	Endangering safety of aircraft, CC 77(a)
endorsement in other jurisdiction, CC	Endangering safety of airport, CC 77(b)
528(1)	Internationally protected person, outside
endorsement to authorize release, CC	Canada, CC 7(3)
507(6), 507.1(8)	Offence, CC 266
execution, CC 511(4), 514, 520(6),	Peace officer, CC 270(1)
528(2)	aggravated assault, CC 270.02
form, CC 513	assault with a weapon or causing bodil
release when arrested with warrant, CC	harm, CC 270.01
•22	consecutive sentences, CC 270.03
signing in blank, CC 507(5), 507.1(8) Without warrant	Public transit operator, CC 269.01
accused on interim release, CC 679(6),	Punishment, CC 266
680	Queen, CC 46(1)(a)
by any person, CC 494(1)	evidence of overt acts, CC 55
by owner of property, CC 494(2)	statement in indictment, CC 581(4),
by peace officer, CC 495, 495.1	601(9) Self-defence, CC 34 to 35
contravention of order, for, CC 495.1	Threat against internationally protected
delivery to peace officer, CC 494(3)	person, CC 7(3), 424
detention in custody, CC 498	United Nations or associated personnel,
person about to commit offence, CC	outside Canada, CC 7(3.71)
495(1)(a)	Unlawfully causing bodily harm, CC 269
release on appearance notice, CC 497	With intent
terrorist activity, to prevent, CC 83.3(4)	to resist distress or seizure causing
ARSON AND OTHER FIRES	death, CC 231(4)
See Fire	to steal, CC 343(c)
	With weapon, CC 267(a)
ASSAULT	internationally protected person,
See also Sexual Assault, Trafficking,	outside Canada, CC 7(3)
Persons	United Nations or associated personnel
Against person reading riot proclamation,	outside Canada, CC 7(3.71)
CC 68(a)	ASSEMBLY
Aggravated assault, CC 268	See also Riot
excision, CC 268(3), (4) internationally protected person,	Freedom of peaceful assembly, CA Part 1
outside Canada, CC 7(3)	2(c)
United Nations or associated personnel,	Riot, CC 64, 65
outside Canada, CC 7(3.71)	Unlawful assembly, CC 63, 66
Application of provision, CC 265(2)	ASSESSMENTS (MENTAL DISORDER
Apprehended consent, CC 265(4)	See also Fitness to Stand Trial, Mental
"Bodily harm," defined, CC 2	Disorder
Causing bodily harm, CC 267(b)	Appearance by accused when completed,
internationally protected person outside	CC 672.191
Canada, CC 7(3)	"Assessment," CC 672.1(1)
United Nations or associated personnel,	Assessment orders
outside Canada, CC 7(3.71)	application by accused, CC 672(1),
Clergyman, CC 176(1)(b)(i)	672.121
Consent, CC 265(3), (4)	application by prosecutor, CC
apprehended consent, CC 265(4)	672.12(2), (3), 672.121

ASSESSMENTS (MENTAL DISORDER) —Cont'd Assessment orders—Cont'd assessment completed, CC 672.191 553(b) authority to make, CC 672.12(1), 672.121, 672.851(5) contents of order, CC 672.13(1), 672.16(1.2) form of order, CC 672.13(2), Forms 48 and 48.1 grounds, CC 672.11, 672.121 high-risk accused, see High-Risk Accused no treatment on assessment, CC 672.19 123(2) period of order, CC 672.14, 672.15 permanently unfit accused, CC 672.851(5) presumption against custody, CC 672.16(1), (1.1), (1.2), (3) priority over bail hearing, CC 672.17 variations of assessment order, CC **ATTESTATION** 672.18 Form Assessment reports authority to order, CC 672.2(1) Proof, **CEA 34** distribution of report, CC 672.2(3), (4) filing with court or Review Board, CC 672.2(2) protected statement, CC 672.2 Consent "Hospital," CC 672.1(1) "Medical practitioner," CC 672.1(1) ASSISTANCE See also Aiding and Abetting, Party to Offence, Accessory after Fact, Counselling 478(3) Assistance order, CC 487.02 Assisting enemy at war, CC = 46(1)(c)Assisting peace officer, CC 25, 28, 31, 33 Associated Personnel, see United Nations Personnel omitting to assist, CC 129(b) ASSOCIATION See also Organization Licensing Freedom of, CA Part I 2(d) **ATTEMPT** Elements of attempt, CC 24 195(5) Full offence charged, attempt proved, CC Right of appeal Full offence proved on charge of attempt,

ATTEMPT—Cont'd Jurisdiction of court, CC 468, 469 Jurisdiction of provincial court judge, CC Order for particulars, CC 587(1)(d) Particular offences causing another to utter forgery, CC 368(1)(b) contravene Act of Parliament or regulation, CC 579.1 corruption by judicial officer, CC 119(1)(a) corruption of municipal official, CC high treason, CC 46(1)(a)inciting to mutiny, CC 53 murder, CC 239 obstructing justice, CC 139 piratical acts, CC 75(c) Punishment, CC 463 statutory declaration, CEA 41 ATTORNEY GENERAL, PROVINCIAL "Attorney General," CC 2 dangerous offender application, CC 754(1)(a), 754(4) prosecution, CC 83.24, 136(3), 164.1(8), 164(7), 166, 172(4), 174(3), 318(3), 319(6), 320(7), 342(1)(e), 385(2), 422(3), 477.2, recognizance, for feared criminal organization offence, CC 810.01(1) recognizance, for feared terrorism offence, CC 810.011 recognizance, for marriage-related offences, CC 810.02 recognizance, for suspected terrorist activity, CC 83.3(1) automobile master key, CC 353(2) Preferring indictment, CC 577 Report on wiretapping authorizations, CC Requiring trial by jury, CC 568, 598(1)(b)

indictable offences, CC 676, 693, 696

CC 661

ATTORNEY GENERAL, PROVINCIAL —Cont'd

Right of appeal—Cont'd summary conviction, CC 813, (5), 830(1), 839(1)

Stay of proceedings, CC 579(1) recommencement, CC 579(2)

ATTORNEY GENERAL OF CANADA

See also Attorney General, Provincial "Attorney General," CC 2

Consent

court jurisdiction, CC 478(3), 479 prosecution, CC 7(4.2), (3), (7), 54, 119(2), 251, 477.2, 477(2), 478(3)

transfer of probation order, CC 733(1)

Intervention by, CC 579.1

Right of appeal

indictable offence, CC 696 summary conviction, CC 813, 830, 839

AUDIOCONFERENCES

See Video and Audio Evidence

AUDIO EVIDENCE

See Video and Audio Evidence

AUTOMOBILE

See Motor Vehicles

AUTREFOIS ACQUIT/CONVICT

See also Plea

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

AVAILS

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

BAIL

See Judicial Interim Release

BAILEE

Theft of things under seizure, CC 324

BANK

See also Currency Offences
Application to inspect account, CEA
29(6)

"Bank" defined, IA 35(1)

"Bank-note" defined, CC 2

BANK—Cont'd

"Financial institution" defined, CEA 29(9)

Fraudulent receipts under Bank Act, CC 390

Printing or using likeness of securities, CC 457

Production orders: financial information compulsion by order only, CEA 29(5) copying of records, for, CEA 29(6) inspection of records, for, CEA 29(6)

Records as evidence, CEA 29 Valuation of securities, CC 4(2)

Warrants to search, **CEA 29(7)**

BAWDY-HOUSE

See Disorderly House

BENCH WARRANT

See also Arrest

Execution of, CC 597(2)

discretion to postpone execution, CC 597

Issuance, CC 597

BESETTING

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

BESTIALITY

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

Compal another to commit CC

Compel another to commit, CC 160(2)

Defined, CC 160(6)

In presence of child, CC 160(3)

Offence of, **CC 160(1)**

Order of prohibition, CC 160(4)(a), 161

Order of restitution, CC 160(4)(b)

Removal of child from Canada with intent, CC 273.3(1)(c)

Sexual activity evidence, see Sexual Activity Evidence

BETTING AND RELATED OFFENCES

Advertising offer to bet, CC 202(1)(h), 202(2)

assisting offence, CC 202(1)(j)

Agreeing to purchase or sell information, CC 202(1)(e), 202(2)

assisting offence, CC 202(1)(j)

Agreeing to purchase or sell privileges, CC 202(1)(e), 202(2)

assisting offence, CC 202(1)(j)

Cheating, CC 209

729.1(3), 811.1(3) proof of, CC 729.1(1), 811.1(1)

Conditional sentence, CC 742.3

Probation, CC 732.1

BETTING AND RELATED OFFENCES BODILY HARM—Cont'd —Cont'd Breach of contract, CC 422 Controlling property related to betting, Causing, CC 269 CC 202(1)(c), 202(2) by failure to safeguard hole in ice or assisting offence, CC 202(1)(j) excavation, CC 263(3)(b) Dealing in betting device, CC 202(1)(b), by fire or explosion, CC 80(b), 81, 202(2) 433(b) assisting offence, CC 202(1)(i) unlawfully, CC 7(3), (3.71), 269 Engaging in occupation, CC 202(1)(e), with intent, air gun or pistol, CC 244.1 202(2) with intent, firearm, CC 244 assisting offence, CC 202(1)(j) Criminal negligence causing, CC 221 Exemptions from offences, CC 204 dangerous operation included offence. Jurisdiction of provincial judge, CC 553 CC 662(5) Pari-mutuel system, CC 204 duty of persons directing work, CC lottery provisions not applicable, CC 217.1 207(5) organizational liability for, CC 22.1, violation of provisions, CC 204(8) 217.1 Permitting use of place for recording bet, Defined, CC 2 CC 202(1)(a), 202(2) Duty of persons directing work to assisting offence, CC 202(1)(j) prevent, CC 217.1 Placing bet for others, CC 203 Interference with transportation facilities, Printing or providing information, CC **CC 248** 202(1)(f), 202(2) Internationally protected person outside assisting offence, CC 202(1)(j) Canada, CC 7(3) Recording or registering bet, CC Punishment, CC 267 202(1)(d), 202(2) Restitution to victim, CC 738(1)(b), (c), assisting offence, CC 202(1)(j) 738(2) Sending or receiving information, CC Sureties to keep peace, CC 810; YCJA 202(1)(i), 202(2) 14(2), 20(2) assisting offence, CC 202(1)(j) Threatening, CC 423 **BIGAMY** To Oueen See also Procuring evidence of overt acts, CC 55, 581(4), Offence, CC 290, 291 601(9)Traps causing or likely to cause, CC 247 **BINDING OVER** United Nations or associated personnel, See also Witness outside Canada, CC 7(3.71) Material witness, CC 698(2), 704 to 706 To keep peace, CC 810(3); YCJA 14(2), **BODILY SUBSTANCE** Analyst young persons, YCJA 14(2), 20(2) attendence of, requiring, CC 729.1(4), BLACKMAIL 811.1(4) See Extortion certificate of, proof of, CC 729.1(1), 811.1(1) BOARDS OF REVIEW definition of, CC 729.1(2), 811.1(2) See Review Boards Certificate, analyst's **BOAT** notice of intention to produce, CC

See Vessels, see Ship

Assault causing, CC 267

See also Assault, Sexual Assault

BODILY HARM

BODILY SUBSTANCE—Cont'd **BREACH OF PEACE** Prohibitions re Arrest by peace officer, CC 31(1) exception, CC 732.11(3), 742.31(3), In presence of Queen 810.4(3) evidence of overt acts, CC 55, 468, offence, CC 732.11(4), 742.31(4), 469, 581(4), 601(9) 810.4(4) Interference to prevent, CC 30 results of analysis, disclosure/use of, Suppression of riot, CC 32 CC 732.11(2), 742.31(2), 810.4(2) sample, use of, CC 732.11(1), BREACH OF PROBATION 742.31(1), 810.4(1) See Probation Samples **BREACH OF TRUST** designations, CC 732.1(8) to (9), 742.3(6) to (7), 810.3(1) to (2) See also Trust destruction of, CC 732.1(11), 742.3(9), Criminal, CC 336 810.3(4) Public officer, CC 122 notice of, CC 732.1(7), 742.3(5), **BREAKING AND ENTERING** 810.3(6) And committing offence, CC 348(1)(b) prohibitions re, CC 732.11, 742.31, "Break," CC 98(2), 321 810.4 Breaking out, CC 98(1)(c), 348(1)(c) regular intervals, at, CC 732.1(7), 742.3(5), 810.3(6) Coin-operated device, CC 352 regulations re, CC 732.1(12), Dwelling-house, CC 348(1)(d) 742.3(10), 810.3(5) "dwelling-house," CC 2 restriction, CC 732.1(10), 742.3(8), "entrance," CC 350 810.3(3) "place," CC 348(3) specifications, CC 732.1(8), 742.3(6), Home invasion, aggravating 810.3(1) circumstance, CC 348.1 Sex offenders, CC 732.1 Other than dwelling-house, CC 348(1)(e) Possession of instruments, CC 351(1), BOND 352 See Peace Bond Presumption of offence, CC 348(2)(b) **BOOK-MAKING** Punishment/sentence See also Betting and Related Offences DNA order on conviction discharge, CC 487.04, 487.051 Jurisdiction of provincial judge, CC 553(c)(ii) general, CC 348(1)(e) Offences, CC 202(1)(e) to (g) where dwelling-house involved, CC Punishment, CC 202(2) 348(1)(d), 348.1 where firearm stolen, CC 98(4) **BOUNDARY LINES AND MARKS** where home invasion involved, CC Interference with 348(1)(d), 348.1 boundary lines, CC 442 where intent to steal firearm, CC 98(4) international marks, CC 443(1) To steal firearm, CC 98 lawful excuse, CC 429(2) "entrance," CC 98(3) surveyor's exception, CC 443(2) "place," CC 98(2) Jurisdiction over offences near boundary, Unlawfully in a dwelling house, CC **CC 476** 349(1) BREACH OF CONTRACT presumption of intent, CC 349(2) Criminal, **CC 422(1)** With intent to commit offence, CC Exception, CC 422(2) 348(1)(a) Institution of proceedings, CC 422(3) presumption, CC 348(2)(a)

BREAK-IN INSTRUMENTS

For coin-operated or currency-exchange devices, CC 352

for place, motor vehicle, vault or safe, CC 351(1)

BREATH SAMPLE

See Driving Offences

BRIBERY

See also Corruption

Influencing appointment to public office, CC 125

Judicial officer, CC 119

consent to prosecution, CC 119(2)

superior court jurisdiction, CC 468, 469

Juror, CC 139(3)

Municipal official, CC 123

Peace officer, CC 120

Person administering criminal law, CC 120

Public officer, CC 120, 121

loss of capacity to contract, CC 750(3),

Secret commission, CC 426

Selling or purchasing office, CC 124

Witness, CC 139(3)(c)

BRITISH COLUMBIA

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

BROADCASTING

See Publication

BROKER

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

Reducing stock by selling for own account, CC 384

BUILDING

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

BUOYS

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

BURDEN OF PROOF

Presumption of innocence, CA Part I 11(d)

BURGLARS TOOLS

See Break-in Instruments

BURGLARY

See Breaking and Entering

BURIAL

Failure in duty, CC 182(a)

Register of burials

defacing or making false entry, CC 377(1)(a), (b)

BUSINESS

See also Corporation, Organization

Defined, CEA 30(12); FA 2(1)

Financial institutions, entry in book or record, CEA 29(1), (2)

Record as evidence, CEA 30

CABLE

False message, CC 372(1)

CANADIAN FORCES

See Armed Forces

CANNABIS

See Cannabis Act

CANNABIS ACT

Accessory

deeming, CannA 2(3)

definition of, CannA 2(1)

Agents, acts of, CannA 48

Analyst, definition of, CannA 2(1)

Application of Act, CannA 5 to 5.1

Attorney general

definition of, CannA 2(1)

elections re ticketable offences, CannA

Brand element, definition of, CannA 2(1)

Brand-preference promotion, definition

of, CannA 2(1)

Chemical offence-related property, definition of, CannA 2(1)

Chemical property, definition of, CannA 2(1)

Competent authority, definition of, **CannA 2(1)**

Continuing offences, CannA 47

Corporate officers, offences by, CannA 46

Criminal activities, CannA 8 to 15

Crown, CannA, 6

Definition of, CannA 2(1)

CANNABIS ACT—Cont'd	CANNABIS ACT—Cont'd
Designated offence, definition of, CannA	Packaging
2(1)	definition of, CannA 2(1)
Displaying, prohibitions re, CannA 29 to	prohibitions re, CannA 25 to 28
30	Penalties, CannA 44
Distributing	Person, definition of, CannA 2(1)
criminal activity, CannA 9	Plant, definition of, CannA 2(1)
definition of, CannA 2(1)	Possession
possession for use in, CannA 13	criminal activity, CannA 8
prohibitions re, other, CannA 31 to 37	definition of, CannA 2(1)
Dried	distribution, for use in, CannA 13
class, as a, CannA 2(2)	production, for use in, CannA 13
definition of, CannA 2(1)	Prescribed, definition of, CannA 2(1)
Dwelling house, definition of, CannA	Producing
2(1)	criminal activity, CannA 12
Employees, acts of, CannA 48	definition of, CannA 2(1)
Exporting, CannA 11	possession for use in, CannA 13
Government, definition of, CannA 2(1)	Promoting
Illicit, definition of, CannA 2(1)	definition of, CannA 2(1)
Importing, CannA 11	prohibitions re, CannA 15 to 24
Information, false/misleading, CannA 39	Public place, definition of, CannA 2(1)
Informational promotion, definition of,	Purpose, CannA 7
CannA 2(1)	References to exceptions/exclusions/etc.,
Inspector, definition of, CannA 2(1)	CannA 50
Interpretation, CannA 2 to 4	Search warrants
Judge, definition of, CannA 2(1)	generally, CannA 87 to 88
Justice, definition of, CannA 2(1)	assistance, CannA 88
Labelling	force, use of, CannA 88
definition of, CannA 2(1)	information to obtain, CannA 87
prohibitions re, CannA 25 to 28	Selling
Limitation periods, CannA 45	criminal activity, CannA 10
Mandataries, acts of, CannA 48	definition of, CannA 2(1)
Medical emergency, definition of, CannA	prohibitions re, other, CannA 31 to 37
8.1	Sentencing re criminal activities, CannA
Minister, definition of, CannA 2(1)	Tighteehle efference
Non-chemical offence-related property,	Ticketable offences
definition of, CannA 2(1)	generally, CannA 51 to 60
Obligations	agreements, CannA 59, 60
generally, CannA, 40 to 43	Attorney General, election of, CannA
compliance, CannA 40	58
promotion-related information, CannA	compensation agreements, CannA 60
43	conviction, consequence of, CannA 53
public disclosure, CannA 42	Criminal Code, application of, CannA 57
suspensions, CannA 41	
Obstructing inspectors, CannA 38	fines, consequence of failing to pay, CannA 54
Offence-related property, definition of,	imprisonment, CannA 55
CannA 2(1)	information, exclusion re laying of,
Offences, CannA 8 to 50	CannA 56
Organization definition of Conn (1)	licenses Conn A 55 1

default of recognizance, CC 770

CANNABIS ACT—Cont'd CASE MANAGEMENT—Cont'd Ticketable offences—Cont'd Judge—Cont'd payment, consequence of, CannA 52 referral of issues to. CC 551.6 permits, CannA 55.1 role of. CC 551.2 procedure, CannA 51 Record, trial Venue, CannA 49 decision in joint hearing to be part of, CC 551.7(11) Young person information to be part of, CC 551.4 definition of, CannA 2(1) order re joint hearing to be part of, CC use of. CannA 14 551.7(5) **CAPACITY** transmission of court record, CC See Criminal Responsibility 551.7(6) Rules **CARRIAGE** approval by lieutenant governor in Cruelty to animals, CC 446(1)(b) council, CC 482.1(5) defence, CC 429(2) compliance with directions under, CC False representation to obtain, CC 401 482.1(2) forfeiture of goods, CC 401(2) power to make, CC 482.1(1) CASE MANAGEMENT publication, CC 482(4), 482.1(6) Application to summary proceedings, CC regulations to secure uniformity, CC 795 482(5), 482.1(6) Appointment of judge Trial to proceed continuously, CC 551.5 application for, CC 551.1(1) conference or hearing re, CC 551.1(2) CATTLE same judge may try case, CC 551.1(4) See also Animals Compelling attendance, CC 482.1(3), (4), "Cattle." CC 2 551.7(7) Defacing or making false brand, CC Conferences, CC 551.1(2), 551.7(2) 338(1)(b) Hearings Fraudulent taking, CC 338(1)(a) appointment, re, CC 551.1(2) Injuring or endangering Charter issues, re, CC 551.3(2) defence, CC 429(2) evidentiary issues, re, CC 551.3(2), Poisoning 551.7 defence, CC 429(2) joint, CC 551.7 Theft, CC 338(2) severance, re, CC 551.3(2) Joint hearings **CAUSE DISTURBANCE** adjudication as at trial, CC 551.7(10) See Disturbance application for, CC 551.7(1) **CERTIFICATE** considerations, CC 551.7(3) See also Blood Sample, Notice limitation, CC 551.7(4) order for, CC 551.7(3) to (5) Offences falsifying, CC 378 powers of judge, CC 551.7(9) fraudulent use, citizenship, CC 58 prisoner, removal of, CC 551.7(8) procuring attendance at, CC 551.7(7) fraudulent use, naturalization, CC 58 record, CC 551.7(5) to (6), (11) unlawful possession, military certificate, CC 419(c), (d) return of documents, CC 551.7(11) Judge Types of certificate appointment, CC 551.1 conviction, CC 667 decision binding, CC 551.3(4) defamation in parliamentary papers, duties, CC 551.4 CC 316(3)

powers, CC 551.3, 551.6(2), 551.7(9)

CERTIFICATE—Cont'd	CHANGE OF VENUE
Types of certificate—Cont'd	See Venue
examiner of counterfeit, CC 461(2),	CHARACTER EVIDENCE
(3), (4)	And evidence of previous conviction, CO
failure to appear, CC 145(9)	666
fingerprint examiner, CC 667(1)(c)	Dangerous offender application, CC 757
Imperial certificate, CEA 20	Impeaching credit of witness, CEA 9
marriage, CC 291(2)	Of complainant, CC 277
non-payment of costs, CC 827(2)	CHARTER RIGHTS
previous conviction, CC 667(1); CEA 12(2)	See Legal Rights
Secretary of State for External Affairs,	CHEATING AT PLAY
CC 7(11)	Offence, CC 209
transcript of evidence at preliminary,	jurisdiction of provincial court judge,
CC 540(5), (6)	CC 553(c)(v)
weapons, CC 117.13	
CERTIFIED COPY	CHEQUE
See also Document, Record	See also False Pretence, Fraud
As evidence of documents, CEA 24	"Cheque," CC 362(5), 364(3) Proof of "no account," CEA 29(3)
As evidence of judicial proceedings, CEA	Worthless cheque
23	presumption of false pretence, CC
Documents	362(4)
banking record, CEA 29	presumption of fraud, CC 364(2)
business record, CEA 30(3)	CHILD
conviction or order, CC 570, 806	
notarial act or instrument, CEA 27	See also Abduction, Child Witnesses (Protection of)
order of discharge, CC 570(2)	Abandonment
order of dismissal, CC 808	child under 10, CC 214, 218
Falsifying, CC 378	Abduction
Notice of production of copy, CEA 28	consent no defence, CC 286
Proof of handwriting, CEA 33(1)	consent of parent, CC 284
	custody order, CC 282
CERTIORARI	defence, CC 285
Appeal, CC 784(1), (2)	no custody order, CC 283
Availability	offences, CC 281 to 3
appeal as bar, CC 776	protection of child defence, CC 285
recognizance as condition, CC 779	removal from Canada with intent, CC
to quash warrant of committal, CC 782	273.3
Effect of dismissal of application, CC 780	Bestiality, CC 160(3)
Order for further detention, CC 775	removal from Canada with intent, CC 273.3(1)(c)
Protection of judicial officials, CC 783	"Child," YCJA 2(1); CC 172(3)
Review of conviction or order, CC 777,	Consent of
778	defence, CC 150.1(2) to (2.3), (6)
Rules of court, CC 482(3)(c)	no defence, CC 150.1(1)
Want or proof of enactment not ground, CC 781	Correcting, with reasonable force, CC 43
CC /01	Corruption, CC 172(1)
CHALLENGE	"child," CC 172(3)
See Jury	consent to prosecution, CC 172(4)

CHILD—Cont'd	CHILD—Cont'd
Corruption, CC 172(1)—Cont'd	Sexual offence against a—Cont'd
limitation period, CC 152, 172(2)	defined, SOIRA 3(1)
Criminal responsibility, CC 13	offender convicted of, SOIRA 6(1.01)
Evidence	Sexual offences outside Canada, CC
proof of age, CC 658	7(4.1)
under 14 years, as witness, CEA 16	Trafficking, CC 279.011
videotaped complaint, CC 715.1	Young person
youth justice court proceedings, YCJA	defined, CC 153(2)
151	sexual exploitation of, CC 153(1)
Incest, CC 155	CHILD PORNOGRAPHY
"brother," CC 155(4)	Accessing, CC 163.1(4.1), (4.2)
"sister," CC 155(4)	Aggravating factor, CC 163.1(4.3)
Infanticide, CC 233	Defences, CC 163.1(5), (6), (7)
concealing body as included offence,	Definition, CC 163.1(1)
CC 662(4)	Deletion from computer system
conviction, CC 663	appeal from order, CC 164(6), 164.1(8)
punishment, CC 237	commencement of order, CC 164.1(5)
Necessaries	consent to prosecute where order for
duty and failure in duty, CC 215	deletion, CC 164(7), 164.1(8)
Newly born and unborn	definitions, CC 164(8), 164.1(8)
becoming human being, CC 223(1)	destruction of copy, CC 164.1(6)
concealing body, CC 243	ex parte proceeding, CC 164.1(4)
failure to obtain assistance in birth, CC	notice to person who posted, CC
242	164.1(2)
killing in act of birth, CC 238	order for deletion of material, CC
"newly born child," CC 2	164.1(5), (6)
pre-natal injuries causing death, CC 223(2)	return of material, CC 164.1(7)
No conviction where under 12, CC 13	right to appear at hearing, CC 164.1(3)
Permitting defilement	Distribution or sale, CC 163.1(3)
female under 18, CC 171	Exporting, CC 163.1(3)
removal from Canada with intent, CC	Forfeiture
273.3(1)(c)	child pornography (in rem), CC 164
Person under 16	things used in child pornography, CC
bestiality, CC 160(3)	164.2, 164.3, 689
invitation to sexual touching, CC 152	Importing, CC 163.1(3)
sexual interference, CC 151	Making, CC 163.1(2)
where fear of sexual offence, CC	Making available, CC 163.1(3)
810.1, 811	Motive irrelevant, CC 163(5), 163.1(7)
Person under 18 removal from Canada	Order of prohibition, CC 161
with intent, CC 273.3(1)(c)	Possession, CC 163.1(4)
Procuring defilement, CC 170	Possession for purpose, CC 163.1 (3)
removal from Canada with intent, CC	Recognizance to prevent offence, CC
273.3(1)(c)	810.1
Proof of age, CC 658	Reporting, mandatory
Protection of persons correcting, CC 43	definitions, MRICP 1
Removal from Canada, CC 273.3	designated organization, MRICP Reg.
Sexual offence against a	
Canada Border Services Agency and,	2011 to 292 duties: destroy preserved data, MRICP

CIVIL LAW

Application of provincial laws, IA 8.1

Duality of legal traditions, IA 8.1

Terminology, IA 8.2

CIVIL PROCEEDINGS

Remedies preserved, CC 11

CHILD PORNOGRAPHY—Cont'd

Reporting, mandatory—Cont'd Threat to institute not extortion, CC duties: non-disclosure, MRICP 5 346(2) duties: notify police officer, MRICP 3; CIVIL SERVANT Reg. 2011 to 292, s. 11 See also Bribery, Corruption duties: preserve data, MRICP 4(1); Disabilities on conviction, CC 750(2) Reg. 2011 to 292, s. 12 vacancy in employment, CC 750(1) duties: report internet address. MRICP 2; Reg. 2011 to 292, s. 10 **CLERK OF COURT** foreign laws, under, MRICP 9 Adjournment in absence of jury and immunity for good faith report, judge, CC 474 MRICP 7 Certificate of failure to attend, CC 145(9) offence re, MRICP 10, 11 to (11) limitation period, MRICP 11 Certificate of non-payment of costs, CC provincial laws, under, MRICP 9 827(2) regulations re, MRICP 12; Reg. 2011 "Clerk of the court," CC 2, 762(2) to 292 Entry of stay, CC 579 self-incrimination protection and, Notice of indictment to organization, CC MRICP 8 621(1) Seizure Notice to judge before fixing trial date, electronic documents/publications, CC CC 560(1) 164.1(1) "Registrar" as, CC 673 print documents/publications, CC Transmission of order for enforcement, 164(1) CC 828(3) Youth justice court, YCJA 21 Transmitting, CC 163.1(3) Warrant of seizure, CC 164, 164.1 **COCK-PIT** sealing order for information to obtain. Building or keeping, CC 447(1) CC 487.3 Confiscation of birds, CC 447(2) CHILD WITNESSES (PROTECTION COIN OF) See Currency Offences Generally, CC 486 to 486.7, 659 COIN-OPERATED DEVICE Accused not to cross-examine, CC 486.3 Possession of instruments to break, CC Order restricting publication, CC 486.4. 352 486.5 Slugs and tokens, CC 454 offence, CC 486.6 Particular offences, CC 486 **COLLECTIVE BARGAINING** Support person, CC 486.1 See also Employment, Industrial Dispute, Testifying outside courtroom or behind a Trade Union screen, CC 486.2 **COLOUR OF RIGHT** Videotaped evidence, CC 715.1 Theft, CC 322 **CHOKING** Wilful damage to property, CC 429(2) Attempt, CC 246 COMMISSION EVIDENCE

CIVIL PROCEEDINGS—Cont'd

Admitting evidence of witness who is ill,

Appointment of commissioner, CC 709,

evidence of physician, CC 710(2)

Presence of accused or counsel, CC

CC 711

713(1)

COMMISSION EVIDENCE—Cont'd

Process used not contrary to principles of funamental justice, CC 713.1

Reading in evidence, CC 711, 712(2), 713.1

Return of evidence, CC 713(2)

COMMITTAL FOR TRIAL

See Order to Stand Trial

COMMITTAL TO CUSTODY

See Warrant, see Preliminary Inquiry

COMMON BAWDY HOUSE; COMMON BETTING HOUSE; COMMON GAMING HOUSE

See Disorderly House

COMMON LAW

Abolition of offences, CC 9(a)

And business records provisions, **CEA** 30(11)(b)

Defences, see Defences (Common Law) Preservation of defences, **CC 8(3)**

COMMON-LAW PARTNER

Duty to provide necessaries, CC 215(1)(b)

Failure to provide necessaries, CC 215(2) necessaries provided by another no defence, CC 215(4)(d)

punishment, CC 215(3)

Grandfathered individual, next of kin, **FA** 12(7)

Interview with, on firearms licence application, FA 55(2)

Intimidation, CC 423(1)(a)

exception, CC 423(2)

punishment, CC 423(1)

Restitution to, CC 738(1)(c)

Sentencing principles protecting, CC 718.2(a)(ii)

Sureties to protect, CC 810(1)

COMMON NUISANCE

Generally, CC 180

COMMUNICATIONS

See Interception of Private Communications

COMMUNITY IMPACT STATEMENT

Generally, CC 722.2(1)

Conditions of exclusions, CC 722.2(4) Copy of statement, CC 722.2(5)

COMMUNITY IMPACT STATEMENT —Cont'd

Form, CC 722.2(2)

Presentation of statement, CC 722.2(3)

COMPELLABILITY

See Competence and Compellability, see Privilege

COMPELLING APPEARANCE OF ACCUSED

See Judicial Interim Release

COMPENSATION AND RESTITUTION

Amount of loss, CC 738(1)

Appeal of

operation suspended, CC 689(1)

variation on, CC 689(2)

Bodily harm, CC 738(1)(b), (c), 738(2)

Bona fide purchaser, CC 739

Civil remedy, CC 741.2

Default in payment, CC 741

Enforcement, CC 741

moneys found on offender, CC 741(2)

Joint offenders, CC 807

Moneys found on offender, CC 741(2)

Person aggrieved, CC 741

notice to, CC 741.1

Priority of payment, CC 740

Property, CC 738(1)(a), 738(2)

Victim fine surcharge, CC 737(1)

amounts to aid victims, CC 737(5)

enforcement, CC 737(7)

exception, CC 737(2.1) to (2.4), (8)

increase in surcharge, CC 737(3)

notice, CC 737(6)

time for payment, CC 737(4)

COMPETENCE AND COMPELLABILITY

See also Privilege

Accused, CEA 4(1) CA Part I 11(c)

Bank, CEA 29(5)

Interest or crime not affecting, CEA 3

Spouse, of accused, CEA 4(1), (2)

Witness of defective intellect, CEA 16

Witness under 14 years of age, CEA 16

COMPLAINANT

Generally, CC 2

COMPOUNDING INDICTABLE CONDITIONAL SENTENCE—Cont'd **OFFENCE** Transfer of order, CC 742.5 Generally, CC 141 CONFESSION **COMPULSION (DURESS)** See also Admissions As defence (excuse) Admissibility at preliminary, CC 542(1) publication, CC 542(2) incest by female, CC 155(3) spouse, CC 18 Young person, YCJA 10(4), 146, 147 threats, CC 17 CONFESSION, OF JUDGMENT **COMPUTERS** Acknowledging in false name, CC 405 See also Data, Mischief **CONFINEMENT** Definitions, CC 342.1(2), 430(8) See also Abduction, Kidnapping mischief in relation to data, CC As primary crime in murder, CC 231(5) 430(1.1), (5) Internationally protected person, outside Deletion of child pornography, CC 164.1 Canada, CC 7(3), (5) to (7) Deletion of hate propaganda, CC 320.1 Offence, CC 279(2) Electronic documents, see Document Sentencing Luring child by means of, CC 172.1 home invasion, aggravating Possession of device to obtain computer circumstance, CC 348.1 system, CC 342.2 Search of computer system, CC 487 **CONSENT** Systems administrators See also Attorney General of Canada interception of private communications Aggravated assault, CC 268(4) by, CC 184(2)(e), (3), Assault and sexual assault 193(2)(d)(iii) apprehended, CC 265(4) Unauthorized use, CC 342.1 non-consent, CC 265(3) Child (person under 16) CONCEALMENT defence, CC 150.1(2) to (2.2), (6) Body of child, CC 243 no defence, CC 150.1(1), 153.1(5), 286 Document, CC 340 Child trafficking, CC 279.011(2) Fraudulent concealment, CC 341 Indictable offence, CC 141 Consent to prosecution, see Attorney General of Canada Mineral or precious metal, CC 394(1) Property, to defraud creditors, CC Human trafficking, CC 279.01(2), 279.011(2) 392(a)(ii) Title document, CC 340, 385(1) Not affecting criminal responsibility, CC Wreck, CC 415(a) Person with disability CONDITIONAL SENTENCE defence, CC 153.1(6) Bodily substance, see Bodily Substance no defence, CC 153.1(5) Breach, CC 742.6, 742.7 Preferring indictment, CC 577 Compulsory conditions, CC 742.3 Prosecutor Imposing of, CC 742.1 plea of guilty to other offence, CC Imprisonment for new offence, upon, CC 606(4) 742.7 Recommencement of proceedings, CC Prohibitions, CC 742.2 485.1 Reading and delivery of order, CC Re-election, CC 561, (3), 561.1, 695(2) 742.3(3), (4) Sexual assault Supervisor may propose changes, CC

Suspension pending appeal, CC 683(5),

(5.1), (6)

apprehended consent no defence, CC

consent, CC 153.1(2), (3), (4), 273.1(2)

273.2

CONSENT—Cont'd

Sexual exploitation of person with disability, CC 153.1(5), (6)

Sufficiency of count averring consent, CC 583(h)

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

CONSIGNMENT

Fraudulent disposition of goods, CC 389

CONSPIRACY

Appearance at trial, CC 465(6) As overt act of treason, CC 46(4)

evidence, CC 55

indictment, CC 601(9)

Jurisdiction in certain offences, CC 469 absolute, CC 553

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

Particular conspiracies

commit high treason, CC 46(2)(c), (e), 47(2)(a)

commit indictable offence, CC 465(1)(c)

commit murder, CC 465(1)(a)

commit offence inside Canada, CC 465(4) to (6)

commit offence outside Canada, CC 7(2)(e), (5), (6), 7(2.1), 7(2.2), 465(3)

commit summary conviction offence, $CC \ 465(1)(d)$

contravene Act of Parliament or regulation, CC **579.1**

innocent person prosecuted, CC 465(1)(b)

overthrow government, CC 46(2)(c), 47(2)(a)

prevent union membership, CC 425 prosecute innocent person, CC 465(1)(b)

restrain trade, CC 466, 467 seditious conspiracy, CC 59(3)

treasonable conspiracy, CC 46(2)(c), (c), (e), 46(4), 47(2)(b)

CONTEMPT

See also Disobedience

CONTEMPT—Cont'd

Appeal from conviction or sentence, CC 10

Conviction for, CC Form 38

Jurisdiction, CC 9

Particular contempts

disobeying order of court, CC 127(1) failure to attend court, CC 708(1)

non-compliance with order to release exhibit, CC 605(2)

preservation of order in court, CC 484, (1.1), 486(1)

punishment, CC 708

witness, CC 545, 708(1)

Warrant of committal for, CC Form 25 Young offenders, YCJA 15

CONTRACT

Criminal breach, CC 422(1)

CONTRADICTORY EVIDENCE

Generally, CC 136

CONTROLLED DRUGS AND SUBSTANCES ACT

Admissibility of certificate, **CDA 50(1)**, (2)

Admissibility of certificate of analyst, CC 729; CDA 51(1)

in proceedings for breach of probation condition, CC 729(2)

Admissibility of certified documents, CC 729; CDA 49(1)

authentication, CDA 49(2)

evidence inadmissible, CDA 49(3)

Analysis

designation, CDA 44

report, CDA 45(2), (2), 52(1)

submission for, CDA 45(1)

Analyst

attendance of, CDA 51(2)

certificate of, CDA 51(1), 52

designation of, CDA 44

Authentication of certified documents, CDA 49(2)

Burden of proving exception etc., **CDA**48

Certificate issued pursuant to regulations, admissibility of, CDA 50(1), (2)

Compliance with terms and conditions, CDA 46.2

CONTROLLED DRUGS AND	CONTROLLED DRUGS AND
SUBSTANCES ACT—Cont'd	SUBSTANCES ACT—Cont'd
Continuity of possession, CDA 53(1)	Exemptions—Cont'd
alternative method of proof, CDA 53(2)	medical emergency, CDA 4.1(2)
Contravention of designated regulation,	persons at the scene, CDA 4.1(3)
CDA 33, 34	Exporting, CDA 6(1)
determination by adjudicator, CDA	punishment, CDA 6(3), 10(5)
41(1), (2)	False or deceptive statements, offence for
hearing by adjudicator, CDA 36(1), (2) to (4), 40	making, CDA 46.1
interim order, CDA 35(1), (2), (2)(b),	to inspector, CDA 32(2)
42(1)	Forfeiture of offence-related property
Ministerial orders, CDA 41(3), (2)(a),	declaring interest not affected by forfei-
(3) to (4), $42(1)$	ture, CDA 20, 22
notice to appear, CDA 34, 35(2), 37	dwelling house, CDA 19.1
offence for contravention of order,	in rem forfeiture, application for, CDA
CDA 43	17(1), (2), (3), 19, 19.1, 21, 22
powers of adjudicator, CDA 39	order of forfeiture on convictions, CDA
proof of service, CDA 38	16(1), (2), (2.1), (3), 19, 19.1, 22 property outside Canada, CDA 16(2.1),
Copies of certified documents, CDA	17(5)
49(1), (2)	Importing, CDA 6(1)
Copies of records, books or documents,	punishment, CDA 6(3), 10(5)
CDA 54	Importing anything knowing it will be
Deceptive statements, offence for making,	used to produce ecstasy or
CDA 46.1	methamphetamine, CDA 7.1(1)
Deeming, CDA 4.1(5)	punishment, CDA 7.1(2)
Defined, CDA 4.1(1)	Importing anything knowing it will be
Definitions, CDA 2(1)	used to traffic in ecstasy or
Designated regulation, see contravention	methamphetamine, CDA 7.1(1)
of designated regulation	punishment, CDA 7.1(2)
Destruction of plant, CDA 29	Importing designated device, CDA 46.3
Disposal by Minister where no application, CDA 25	punishment, CDA 7.1(2)
	Inspectors
Disposal following proceedings, CDA 27	assistance to, CDA 31(5)
Disposal of controlled substances upon application	authority to issue warrant, CDA 31(3)
application for return of substance,	designation, CDA 30(1), (2)
CDA 24(1)	false statements to, CDA 32(2)
order to return substance, CDA 24(2),	interference, CDA 32(3)
(3), (4)	notice of seizure, CDA 31(7)
payment compensation in lieu, CDA	obstructing, CDA 32(1)
24(5)	powers, CDA 31(1) to (1.2)
security, health or safety hazard, CDA	return by, CDA 31(8)
26	return or disposal by Minister, CDA
Disposal with consent, CDA 28	31(9)
Diversion measures, evidence-based,	storage of substances seized, CDA
CDA 10.1 to 10.7	31(6)
Evidence inadmissible, CDA 49(3)	use of force, CDA 31(4)
Exemption, CDA 56 to 56.2	warrant required to enter dwelling-
Exemptions	house, CDA 31(2)
evidence, CDA 4.1(4)	Limitation period, CDA 47(1)

CONTROLLED DRUGS AND CONTROLLED DRUGS AND SUBSTANCES ACT—Cont'd SUBSTANCES ACT—Cont'd Mandatory minimum punishments Production of anything knowing it will be used to traffic in ecstasy or drug treatment program exception, methamphetamine, CDA 7.1(1) CDA 10(4) to (5) punishment, CDA 7.1(2) exporting, CDA 6(3)(a)Production of substance, **CDA 7(1)** importing, CDA 6(3)(a)punishment, CDA 7(2), (3), 10(5) possession for purpose of exporting, CDA 6(2), (3)(a), (3)(a.1), 10(5)Regulation, designated, see contravention of designated regulation production, CDA 7(2)(a) to (b), 7(3) review and report to Parliament, CDA Regulations, CDA 51(1) paramountey of, CDA 58 trafficking, CDA 5(3)(a) pertaining of law enforcement, CDA 55(2) to (2.1) Medical purpose, exemption for, CDA 56.1, 56.2 Restraint order, CDA 14 Ministerial orders application for, CDA 14(1) generally, CDA 45.1 to 45.5 application of ss. 489.1 and 490, CDA 15(1) information, provision of, CDA 45.1 conditions, CDA 14(5) measures, CDA 45.2 content of order, CDA 14(3) review, CDA 45.3, 45.4 failure to comply, CDA 14(10) Statutory Instruments Act, CDA 45.5 order continues in force, CDA 14(9) Notice, proof of, CDA 52(1), (2) Obtaining substance, CDA 4(2) procedure, CDA 14(2) property outside Canada, CDA 14(4) punishment, CDA 4(7) recognizance, CDA 15(2) Paramountcy of Act, CDA 58 registration of order, CDA 14(8) Penalty, **CDA 46** service of order, CDA 14(7) Possession, continuity of, CDA 53(1) alternative method of proof, CDA 53(2) Sale of anything knowing it will be used to produce ecstasy or Possession for purpose of exporting, CDA methamphetamine, CDA 7.1(1) 6(2) punishment, CDA 7.1(2) punishment, CDA 6(3), 10(5) Sale of anything knowing it will be used Possession for purpose of trafficking, to traffic in ecstasy or **CDA 5(2)** methamphetamine, CDA 7.1(1) punishment, CDA 5(3) to (5), 10(5) punishment, CDA 7.1(2) Possession of anything knowing it will be used to produce ecstasy or Schedules, CDA 60, Sch. :Schedule I to methamphetamine, CDA 7.1(1) VIII punishment, CDA 7.1(2) Search warrant Possession of anything knowing it will be application of s. 487.1, CDA 11(2) used to traffic in ecstasy or application of ss. 489.1 and 490, CDA methamphetamine, CDA 7.1(1) 13 punishment, CDA 7.1(2) assistance, CDA 12 Possession of substance, CDA 4(1) execution in another province, CDA determination of amount, CDA 4(8) 11(3) punishment, CDA 4(3) to (6) information for, CDA 11(1) Powers, duties, functions of Minister or report to justice, CDA 13(4) Minister of Public Safety and Emersealing order for information to obtain, gency Preparedness, CDA 57 CC 487.3 Production of anything knowing it will be search of person and seizure, CDA used to produce ecstasy or methamphetamine, CDA 7.1(1) punishment, CDA 7.1(2) seizure of additional things, CDA 11(8)

CONTROLLED DRUGS AND CONVICTION—Cont'd Record of conviction, CC 570(1), 624(1), SUBSTANCES ACT—Cont'd Search warrant—Cont'd Subsequent conviction pardon not affectseizure of things not specified, CDA ing punishment, CC 748(4) 11(6) use of force, CDA 12 **CONVICTION REVIEW** where warrant not necessary, CDA See Miscarriages of Justice 11(7) Sentencing **CORONER** delay for treatment, CDA 10(4) Inquest factors to be considered, CDA 10(2) no trial, CC 576(3) minimum punishment, see also manda-Misconduct, CC 128 tory minimum; punishments, CITECDA 9, 10(4), (5) **CORPORATION** purpose of, CDA 10(1) Appearance, CC 538, 556, 620, 800(3) reasons, duty to provide, CDA 10(3) default, CC 556(2), 622, 623, 800(3) Trafficking in substance, CDA 5(1) "Corporation" defined, CEA 31(1); IA punishment, CDA 5(3) to (5), 10(5) 35(1)Transfers, voidable, CDA 18 Criminal responsibility Transitional provisions, CDA 61 to 63 duty of persons directing work, CC Validation of prior authorizations, **CDA** 217.1 negligence offences, CC 22.1 Venue, CDA 47(2) other offences, CC 22.2 **CONVERSION** Enforcement of judgment, CC 735 False prospectus, CC 400(1) See also Theft "company," CC 400(2) As theft, CC 322(1) Greater punishment where previous By trustee, CC 336 conviction, CC 727(4) Theft by, CC 330 to 332 Notice of indictment, CC 621 **CONVERSION THERAPY** Party liability Advertising, offence of, CC 320.103 negligence offences, CC 22.1 Causing, offence of, CC 320.102 other offences, CC 22.1 Defined, CC 320.101 Punishment, CC 718.21, 732.1(3.1), 735 Material benefit from, offence of receiv-Records ing, CC 320.104 photograph as evidence, CEA 31 Promoting, offence of, CC 320.103 "Representative," defined, CC 2 CONVEYANCES, OFFENCES Request for preliminary inquiry **INVOLVING** failure to request, CC 556(3), (4) See Driving Offences "Senior officer," defined, CC 2 Sentencing **CONVICTION** fines, CC 735 See also Appeals (Indictable Offences), general considerations, CC 718.21 Appeals (Summary Conviction), probation conditions, CC 732.1(3.1), **Previous Convictions** (3.2)Certiorari to quash, CC 776 to 777 Trial and conviction, CC 623 Evidence of conviction admissibility, CC 665, 666 CORRECTIONS AND CONDITIONAL manner of proof, CC 570(4), CEA 12, RELEASE (6),667Generally, CC 2, 25(5), 67, 149(2),

Memorandum of conviction, CC 806

743.1(6), 743.5, 746.1, 761

CORROBORATION COUNSEL—Cont'd Appearance for accused, CC 556, 620, Age of child, **CC 658(2)** 650.01, 650.02, 800 Children's evidence, CC 659 organizational accused, CC 556, 620, Feigned marriage, CC 292(2) Not required (sexual offences), CC 274 Assignment of counsel Perjury, CC 133 appeal, CC 684, 694.1, 839(2) Treason and high treason, CC 47(3) unfit accused, CC 672.24 **CORRUPTING MORALS** Authority in absence of accused, CC See also Crime Comic, Obscenity 475(4), 544(4), 650.01 Defence of public good, CC 163(3), (4) "Counsel," CC 2 Obscene material, CC 163(1), (8) Designated counsel of record Offences, CC 163(1), (2) designation, CC 650.01(1), (2) Undue exploitation of sex, CC 163(8) service of summons to accused on, CC 650.01(4)(a) **CORRUPTION** technological appearance by, CC See also Bribery 650.02 Corrupting Legal assistance on appeal, CC 684, agent or employee, CC 426 694.1, 839(2) child, CC 172 Right to counsel, CA Part I 10(b) government official, CC 121, 748(3). Summary proceedings, CC 800, 802 750 Young person judicial officer, CC 119 advising of right to counsel, YCJA juror, CC 139(3) 25(2), (3) municipal official, CC 123 appointment of counsel, YCJA 25(5), peace officer, etc., CC 120, 128 (11)witness, CC 139(3) arresting officer, YCJA 25(2) Influence appointment, CC 125 assistance by adult, YCJA 25(7), (11) costs, recovery of, YCJA 25(10) Reward or immunity counsel independent of parents, YCJA receiving, CC 142 25(8), (11) Secret commission, CC 426 exceptions to statutory requirements, Selling or purchasing office, CC 124 age-based, YCJA 25(11) dealer in offices, CC 125 justice, youth justice court or review disability on conviction, CC 750(3), (4) board, YCJA 25(3) Taking reward for release hearing before justice, YCJA recovery of goods, CC 142 25(6), 88 right to retain counsel, YCJA 25(1) **COSTS** statement of right to counsel, YCJA Adjournment, CC 601(5) 25(9), (11) Certificate of non-payment, CC 827(2) where unable to retain counsel, YCJA Part payment, CC 734.8 25(4), (11) Proceedings by indictment no costs on **COUNSELLING** appeal, CC 683(3) See also Party to Offence Remission, **CC 750(2)** Summary conviction appeal, CC 826, 827 Definition, CC 22(3) Offence committed, CC 22(1), (2) court of appeal, CC 839(3) Offence not committed, CC 464 Summary proceedings, CC 803(4), 809 Particular offences Writ of fieri facias, CC 772(2) contravene Act of Parliament or regula-**COUNSEL** tion, CC 579.1 Address by counsel, CC 537(1)(h), 651 sexual touching, CC 152

COUNSELLING—Cont'd	COURT—Cont'd
Particular offences—Cont'd	Rules of court, CC 482, 482.1, 745.64
suicide, CC 241(1)	case management, CC 482.1
Principal not convicted, CC 23.1	review of parole ineligibility, CC
COUNTERFEITING	745.64
See also Currency Offences, Forgery	"Superior court of criminal jurisdiction"
Certificate of examiner, CC 461(2), (3),	defined, CC 2
(4)	jurisdiction over offences, CC 468
Completion of counterfeit, CC 461(1)	power to make rules, CC 482(1), (2),
"Counterfeit money," CC 448	482.1
Government mark, CC 376(2)	"Trial court," CC 673
"mark," CC 376(3)	"Youth justice court," YCJA 2(1)
Government seal, CC 369(c)	as court of record, YCJA 13(4)
Instruments for counterfeiting	COURT ORDER
making, possessing, dealing, CC	See Contempt, see Disobedience
369(b), 376(1), 458, 459	
seizure and forfeiture, CC 462	CREDIT AND CREDITORS
Making counterfeit money, CC 449	See also Criminal Interest Rate
possession, CC 450	Disposal of property to defraud creditors CC 392
uttering, CC 452	False financial statement, CC 362(1)(c),
Public seal, CC 369(c)	(d)
Slug or token, CC 454	punishment, CC 362(3)
Stamp, CC 376(1)	False prospectus or statement, CC 400
"stamp," CC 376(3)	Falsifying books to defraud creditors, CC
COUNTS	397(2)
See Indictment (Form and Substance)	Obtaining credit by false pretence or fraud, CC 362(1)(b)
COURT	punishment, CC 362(3)
See also Summary Conviction Proceed-	
ings	CREDIT CARD
"Appeal court," CC 812	Defined, CC 321
"Court"	Evidence at jury trial, CC 657.1(2)(c.1)
application for preventive detention,	Offences
CC 752	forgery, CC 342 (1)(b)
imposition of punishment, CC 716	instruments for forging or falsifying
"Court of appeal"	credit cards, CC 342.01
defined, CC 2, 673	possession of card obtained by crime, CC 342(1)(c)
general powers on appeal, CC 683, 839(2)	theft, CC 342(1)(a)
power to make rules, CC 482(1), 482.1	unauthorized use of credit card data,
"Court of competent jurisdiction," CA	CC 342(3), (4)
Part I 24(1)	use of revoked or cancelled card, CC
"Court of criminal jurisdiction"	342(1)(d)
defined, CC 2	Trial jurisdiction, CC 342(2)
jurisdiction over offences, CC 469	
power to make rules, CC 482(2)	CRIME AGAINST HUMANITY
Judge as court of record, CC 559(1)	Special pleas, CC 607(6)
"Provincial court judge"	Superior court jurisdiction, CC 469(c.1)
absolute jurisdiction, CC 553	CRIME COMIC
defined, CC 2	See also Obscenity
,	<i>y</i>

CRIME COMIC—Cont'd

Appeal from forfeiture or restoration, CC **164(6)**

Consent to prosecute where order of forfeiture, CC 164(7)

Forfeiture, CC 164(3), (4)

Restoration after seizure, CC 164(5)

Seizure, CC 164(1)

Summons, CC 164(2)

CRIMINAL BREACH OF CONTRACT

Exception, CC 422(2)

Institution of proceedings, CC 422(3)

Offence, CC 422(1)

CRIMINAL HARASSMENT

Murder committed being first degree, CC 231(6)

Offence, CC 264(1)

Prohibited conduct, CC 264(2)

Punishment, CC 264(3)

aggravating factors, CC 264(4), (5)

CRIMINAL INTEREST RATE

Generally, CC 347

Payday loan, CC 347.1

CRIMINAL NEGLIGENCE

Causing bodily harm, CC 221

Causing death, CC 220

where firearm used, CC 220(a)

Criminal negligence defined, CC 219

Dangerous driving as included offence, CC 662(5)

Duty of persons directing work, CC 217.1

Flight causing bodily harm or death as included offence, CC 662(5)

Organizational liability for, CC 22.1, 217.1

CRIMINAL ORGANIZATION

Commission of offence for

bail, CC 515(6)(a)(ii)

"commission of offence," CC 467.1(3)

disclosure of income tax information for investigation of, **CC**

462.48(1.1)

instructing, CC 467.13

offence, CC 467.12(1)

parole, power of court to delay, CC 743.6(1.2)

proof, Crown burden, CC 467.12(2)

CRIMINAL ORGANIZATION—Cont'd

Commission of offence for—Cont'd sentence to be served consecutively,

CC 467.14

Defined, CC 467.1(1)

Disclosure of income tax information, CC 462.48(1.1)

Electronic surveillance, see generally, see Interception of Private Communications

authorization, CC 185(1.1), 186(1.1)

eligible offences, CC 183

subject notification period, extended, CC 196(5)

Fear of criminal organization offence, CC 810.01; YCJA 14(2), 20(2)

adjudication, CC 810.01(3)

appearances, CC 810.01(2)

conditions, firearms, CC 810.01(5)

refusal to enter recognizance, CC 810.01(4)

variance of conditions, CC 810.01(6)

young person, order against, YCJA 14(2), 20(2)

Forfeiture of offence-related property, CC 490.1, 490.2

see also forfeiture (offence-related property)

Instructing commission of offence for

bail, CC 515(6)(a)(ii)

"commission of offence," CC 467.1(3)

disclosure of income tax information for investigation of, CC

462.48(1.1)

offence, CC 467.13(1)

parole, power of court to delay, CC 743.6(1.2)

proof, Crown burden, CC 467.13(2)

sentence to be served consecutively, CC 467.14

Parole, power of court to delay for offence, CC 743.6(1.1) to (1.2)

Participation in activities of

bail, CC 515(6)(a)(ii)

"commission of offence," CC 467.1(3)

criteria/factors of "participation"/

"contribution," CC 467.11(3)

disclosure of income tax information for investigation of, CC 462.48(1.1)

"facilitation," CC 467.1(2)

CRIMINAL ORGANIZATION—Cont'd CRIMINAL RESPONSIBILITY—Cont'd Participation in activities of—Cont'd Organization offence, CC 467.11(1) "every one" including organization, parole, power of court to delay, CC Where one party cannot be convicted, CC 743.6(1.2) 23.1 proof, Crown burden, CC 467.11(2) sentence to be served consecutively, Young persons, YCJA 3(1) CC 467.14 **CROSS-EXAMINATION** Recruitment of members by Adverse witness, CEA 9 bail, reverse onus, CC 515(6)(a)(ii) Business record disclosure of income tax information making or contents, CEA 30(9) for investigation of, CC Certificate of fingerprint examiner, CC 462.48(1.1) "facilitation," CC 467.1(2) Certificate of previous conviction, CC offence, CC 467.111 667(3)parole, power of court to delay, CC Previous inconsistent statement, CEA 9 to 743.6(1.2) primary designated offence, CC 487.04 Proof of service of any document, CC sentence to be served consecutively, 4(7) CC 467.14 CRUEL AND UNUSUAL TREATMENT testimonial aids available, CC 486.2 OR PUNISHMENT Sentences to be served consecutively, CC 467.14 Generally, CA Part I 12 Using explosives in association with **CULTURAL PROPERTY** murder deemed first degree, CC Generally, CC 7(2.01), (2.02) 231(6.1) Mischief, CC 430(4.2) Witness protection in cases involving exclusion of public, CC 486 **CURRENCY OFFENCES** limits on cross-examination by See also Counterfeiting accused, CC 486.3(2) to (5) Advertising counterfeit money or tokens, obstructed view testimony. CC CC 460(1)(a) 486.2(4) to (6) Buying counterfeit money, CC 450 publication ban, CC 486.5 Certificate of examiner of counterfeit, CC 461(2), (3), (4) recognizance, CC 810.01 Clipping and uttering clipped coin, CC testimony outside courtroom, CC 486.2(4) to (6) Completion of counterfeiting, CC 461(1) **CRIMINAL RECORDS** Conveying coining instruments out of See Pardon, see Previous Convictions, see mint, CC 459(a) Record Suspension, see Youth Crimi-Currency exchange device, possession of nal Justice instruments for breaking in, CC 352 Dealing with counterfeiting instruments, CRIMINAL RESPONSIBILITY CC 458 See also Mental Disorder Defacing or uttering defaced coin, CC Child under 12 years, CC 13 Forfeiture of counterfeit money and Effect of consent to infliction of death, equipment, CC 542 **CC 14** Making counterfeit money, CC 449 Mental disorder, CC 2, 16 Possession of clippings, CC 451

Obedience to de facto law, CC 15

Possession of counterfeit money, CC 450

CURRENCY OFFENCES—Cont'd

Printing or using likeness of bank notes, etc., CC 457

Seizure of counterfeit money and equipment, CC 462(2)

Slug or counterfeit token, CC 454 Uttering counterfeit money, CC 452

DAMAGE TO PROPERTY

See also Mischief

Aircraft, CC 77

Breach of contract likely to cause, CC 422

Cargo, etc. of ship, CC 75(b)

Defence to wilful damage, CC 429(2)

Explosion causing damage, CC 80(b), 81

Mischief, CC 430

defence, CC 429(2)

Occupant injuring building, CC 441

defence, CC 429(2)

Order for compensation, CC 725

Owner causing damage, CC 429(3)

Sabotage, CC 55

evidence of overt acts, CC 55, 581(4) statement in indictment, CC 581(4)

Sureties to keep peace, CC 810, 20(2), 811; YCJA 14(2)

Threatening, CC 423(1)

DANGEROUS DRIVING

See Dangerous Operation

DANGEROUS OFFENDERS

Admissions at hearing, CC 754(3)

finding, CC 753

Appeal, CC 759

Application for finding, CC 753

hearing, CC 754, 758

presumption of dangerousness, CC 753(1.1)

Application for new sentence or order assessment report, CC 753.01(3)

new long-term supervision, CC

753.01(6), 755(2)

remand for assessment, CC 753.01(1) to (3)

right to bring, CC 753.01(4)

sentence of indeterminate detention, CC 753.01(5)

victim evidence, CC 753.02

DANGEROUS OFFENDERS—Cont'd

Application for remand for assessment, CC 752.1(1), 753.01(1)

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

extension of time, CC 752.1(3), 753.01(3)

notice of intention to bring, CC 752.01, 753(2)

report, CC 752.1(2), 753.01(2)

upon post-finding conviction, CC 753.01

"Court," CC 752

"Designated offence," CC 752

Evidence of character, CC 757

"Long-term supervision," CC 752

Negative finding, CC 753(5)

Presumption of dangerousness, CC 753(1.1)

"Primary designated offence," CC 752

Review for parole, CC 761

Sentence, CC 753(4), (4.1), (4.2)

where post-finding offence, CC 753.01(4) to (6)

"Serious personal injury offence," CC 752

information where fear of, CC **810.2**(1) **to (8), 811**

Transcripts to Correctional Service, CC 760

Witnesses

victim, CC 753.02

DANGEROUS OPERATION

See also Driving Offences, Motor Vehicles

Definitions

"motor vehicle." CC 2

"railway equipment," CC 2

Manslaughter charged, where, CC 662(5)

DANGEROUS SUBSTANCE

See drug, see Noxious Thing, see poisoning

DANGER TO LIFE

Generally, CC 217, 217.1

Impeding attempt to save life, CC 262

DATA

See also Computers, Mischief

Dealing with data in court, CC 842

DEFAMATORY LIBEL—Cont'd DATA—Cont'd Defined, CC 430(8), 488.01(1), 841; Exceptions—Cont'd **CEA 31.8** fair comment on public person or work of art. CC 310 Mischief, CC 342(2); 430(1.1) fair report of parliamentary or judicial Time of filing, CC 843(1) proceeding, CC 307 Transfer of data, CC 843(1) fair report of public meeting, CC 308 DEAD BODY giving information to person interested, Concealing body of child, CC 243 CC 314 Failure to perform duty regarding burial, judicial proceeding or inquiry, CC 305 CC 182(a) parliamentary papers, CC 306, 316 Interfering with dead body, CC 182(b) publication for public benefit, CC 309, **DEALING IN PUBLIC OFFICE** publication on invitation or in refuta-Offences, CC 124, 125 tion, CC 312 disability on conviction, CC 748(3), (4) publishing in good faith for redress of wrong, CC 315 See also Infanticide, Manslaughter, Murselling book without knowledge, CC der 304 Accelerating, CC 226 selling newspaper without knowledge, Consent not affecting liability, CC 14 CC 303(3) Extortion by libel, CC 302 Criminal negligence causing, CC 220 duty of persons directing work, CC Indictment 217.1 sufficiency of counts, CC 584 organizational liability for, CC 22.1, Inquiry into truth of words, CC 612(1) 217.1 "Newspaper," CC 298 Failure to guard ice-hole or excavation, Newspaper proprietor deemed liable, CC CC 263 Influence on mind, CC 228 Offence and punishment, CC 300, 301 Interference with transportation facilities Plea of justification, CC 607(2), 611, 612 causing, CC 248 Verdict, CC 317 Preventable death, CC 224 **DEFENCES (COMMON LAW)** Register of deaths Abuse of process, CC 8, 131; CA Part I destroying or defacing, CC 377 falsifying entry, CC 378 Automatism, CC 16 Suicide, CC 241(1) Drunkenness (intoxication), CC 8, 16 Traps causing, CC 247(5) Due diligence, CC 8 Treatment of injury causing, CC 225 Entrapment, CC 8 Uttering threats of death, CC 264.1(1)(a) Extreme intoxication, CC 33.1 Within a year and a day, CC 227 Honest belief, CC 8 Witness dying, CC 715 Necessity, CC 8 Negligence, violence by, CC 33.1 **DECLARATION** Preservation by Code, CC 8(3) See Affidavit Res judicata, CC 8, 12 **DEED DEFENCES (STATUTORY)** See Document of Title See also Law Enforcement Immunity DEFAMATORY LIBEL Abduction Definition of, CC 298 consent of young person, no defence, **Exceptions CC 286** answer to inquiry, CC 313 necessary protection, CC 285

DEFENCES (STATUTORY)—Cont'd **DEFINITIONS—Cont'd** Abduction—Cont'd "Agent," CC 426(4) "Agreement," CC 7(2.34) parental consent. CC 284 Aircraft, use of force aboard, CC 27.1 "Alternate person in charge," CDA 56.1(1) Assault and sexual assault "Alternative measures," CC 716 apprehended consent, CC 265(4), 273.2 "Ammunition," CC 84(1) consent, CC 150.1(1) to (2.2), (6), "Analogue," CDA 2(1) 265(1)(a), 265(3), 273.1 "Analyst," CC 320.11; 729(2); CannA Colour of right or lawful excuse, CC 2(1) 429(2) "Antique firearm," CC 84(1), (3), (3.1) Common law defences, CC 8(3) "Appeal court," CC 812, 829 "Appearance notice," CC 2 Compulsion by threats (duress), CC 17 Consent, see Consent "Application for federal employment," Defence of property, CC 35 CC 672.37(1) Defence of self or person under protec-"Appropriate Chief Justice," CC 745.6(3) tion, CC 34 "Approved container," CC 320.11; CC Defences to libel, CC 303 to 316 Reg. 85 to 201 generally, 2005 to 37 Ignorance of law no defence, CC 19 generally "Approved drug screening equipment," Justification (prevent offence), CC 27 CC 320.11 Law enforcement immunity, see Law "Approved instrument," CC 320.11; CC **Enforcement Immunity** Reg. 85 to 201 generally Mental disorder, CC 16 "Approved screening device," CC Mistake 320.11; CC Reg. 85 to 200 generage of V, CC 150.1(4) to (6) ally consent, CC 265(4) "Assessment," CC 672.1(1) Obedience to de facto law, CC 15 "Associated personnel," CC 2 Protection of persons in authority "Association," CC 204(9) aircraft, use of force aboard, CC 27.1 "Attorney General," CC 2, 507.1(11), correction of child by force, CC 43 672.1(2), 773(5), 810.01(8), excessive force, CC 26 810.011(14); CannA 2(1); EXA 2; general authority, CC 25 **YCJA 2(1)** master of ship, CC 44 "Audioconference," CC 2 surgical operation, CC 45 "Authorization," CC 84(1), 183; DNA 2 Provocation. CC 232 "Authorization to carry," FA 2(1) Public good (obscenity), CC 163(3), (4) "Authorization to export," FA 2(1) "Authorization to transport," FA 2(1) DEFINITIONS "Automatic firearm," CC 84(1) "Accused," CC 672.1(1), 716 "Automobile master key," CC 353(5) "Acoustic device," CC 342.1(2) "Bank," IA 35(1) "Act." CC 2: CC Reg. 2005 to 30, IA "Bank-note," CC 2 35(1); MRICP Reg. 2011 to 292, s. "Barrel length," CC 84(2) "Act or omission," CC 7(3.77) "Bet," CC 197(1) "Board," CRA 2(1) "Adjudicator," CDA 2(1) "Bodily harm," CC 2 "Adult," CC 487.04; YCJA 2(1) "Brand element," CannA 2(1) "Adult sentence," YCJA 2(1) "Advertisement for conversion therapy," "Brand-preference promotion," CannA 2(1) **CC 164(8)** "Break," CC 98(2), 321 "Advertisement of sexual services," CC 164(8) "Brother," CC 155(4)

DEFINITIONS—Cont'd "Business," CEA 30(12); FA 2(1) "Canadian," CC 83.01(1) "Canadian crew member," CC 7(2.34) "Canadian Forces," CC 2 "Cannabis," CannA 2(1) "Cannabis accessory," CannA 2(1) "Cannabis plant," CannA 2(1) "Cap," CC 672.64(1) "Carrier," FA 2(1) "Cartridge magazine," CC 84(1) "Cattle," CC 2 "Cause," CEA 44 "Certification authority," CC Reg. 2005 to 30, s. 1 "Cetacean," CC 445.2(1) "Chairperson," CC 672.1(1) "Change," CC 732.1, 742 "Chemical offence-related property," **CannA 2(1)** "Chemical property," CannA 2(1) "Cheque," CC 362(5), 364(3) "Chief firearms officer," CC 84(1), FA 2(1) "Chief Justice," CC 188(4) "Child," CRA 2(1); YCJA 2(1) "Child pornography," CC 163.1(1); **MRICP 1(1)** "Child pornography offence," MRICP 1(1) "Civil aircraft," CC 78(2) "Clerk of the appeal court," CC 785 "Clerk of the court," CC 2, 762(2) "Coastal waters of Canada," CC 339(6) "Commencement," IA 35(1) "Commencement day," FA 2(1) "Commissioner," CRA 2(1); DNA 2 "Commissioner," FA 2(1) "Commissioner of Firearms," CC 84(1) "Commission of offence," CC 467.1(3) "Common betting house," CC 197(1) "Common gaming house," CC 197(1), (2), (4)"Common-law partner," CC 2; FA 2(1) "Communicating," CC 83.221(2), 319(7) "Competent authority," CC 25.1, 113(5); **CannA 2(1); EXA 77** "Complainant," CC 2 "Computer data," CC 2, 83.223(11),

487.011; MRICP 1(1)

```
DEFINITIONS—Cont'd
  "Computer password," CC 342.1(2)
  "Computer program," CC 342.1(2)
  "Computer service," CC 342.1(2); CEA
      31.8
  "Computer system," CC 83.223(11),
      342.1(2)
  "Conference," YCJA 2(1)
  "Confirmed delivery service," YCJA
      2(1)
  "Consent," CC 153.1(2), 273.1(1)
  "Contributing," CC 83.18(3) to (4)
  "Controlled substance," CDA 2(1)
  "Conversion therapy," CC 320.101
  "Conveyance," CC 320.11
  "Copy," CEA 30(12)
  "Corporation," CEA 31(1); IA 35(1)
  "Council," CEA 39(2)
  "Counsel," CC 2, 22(3)
  "Count," CC 2
  "Counterfeit money," CC 448
  "Counterfeit token of value," CC 448
  "County," IA 35
  "Court," CC 83.222(8), 30(12), 44; EXA
      2, 83.223(11), 164(8), 320(8),
      601(10), 672.1(1), 716, 752; CEA
      29(9)
  "Court of appeal," CC 2, 673, 696.3(1);
      EXA 2; YCJA 2(2)
  "Court of criminal jurisdiction," CC 2
  "Credit advance," CC 347(2)
  "Credit card," CC 321, 342(3)
  "Crew member of a Partner State," CC
      7(2.34)
  "Crime of a sexual nature," CC
      490.011(1); SOIRA 3(2)
  "Criminal organization," CC 2, 467.1(1)
  "Criminal organization offence," CC 2
  "Criminal rate." CC 347(2)
  "Crossbow," CC 84(1)
  "Current," CC 448
  "Custodial portion," YCJA 2(1)
  "Custodian," CC 448.1(1)
  "Customs office," FA 2(1)
  "Customs officer," FA 2(1)
  "Data," CC 430(8), 488.01(1), 492.1(8),
      492.2(6), 841; CEA 31.8
  "Database," CC 490.011(1); SOIRA 3(1)
  "Date," CC 342.1(2)
  "Day," CC 2
```

DEFINITIONS—Cont'd

- "Designated criminal offence," CDA 56.1(1)
- "Designated drug offence," CDA 56.1(1)
- "Designated justice," CC 507.1(10)
- "Designated offence," CC 462.3(1), (2), 487.04, 490.011(1), 672.64(1), 752; CannA 2(1); DNA 2
- "Designated organization," MRICP Reg. 2011 to 292, s. 1
- "Designated substance offence," CC 462.48(1); CDA 2(1)
- "Destroy," YCJA 128(7)
- "Device," CC 2, 327(4), 342.2(4)
- "Digital signature certificate," CC Reg. 2005 to 30, s. 1
- "Disclosure," YCJA 2(1)
- "Disorderly house," CC 197(1)
- "Disposition," CC 672.1(1), 672.64(5)
- "Disposition information," CC 672.51(1)
- "Distinguishing mark," CC 417(3)
- "Distribute," CannA 2(1)
- DNA, CC 487.04; DNA 2
- "DNA profile," DNA 2
- "Document," CC 241.4(4), 321, 488.01(1); CEA 39.1(1); EXA 31(1), 489.011
- "Document of title to goods," CC 2
- "Document of title to lands," CC 2
- "Dried cannabis," CannA 2(1)
- "Dual status offender," CC 672.1(1)
- "Duty," CC 219(2)
- "Dwelling-house," CC 2; CannA 2(1)
- "Electro-convulsive therapy," CC 672.61(2)
- "Electromagnetic, acoustic, mechanical or other device," CC 183, 342.1(2)
- "Electronic document," CC 841; CEA 31.8
- "Electronic documents system," CEA 31.8
- "Enactment," CC 6(3)
- "Entity," CC Reg. 2005 to 30, CC 83.01(1), s. 1; EXA 2
- "Entrance," CC 98(3), 350
- "Environment," CC 2
- "Escape," CC 149(2)
- "Evaluating officer," CC 320.11
- "Every one," CC 2
- "Evidence," CC 118, 136(2)
- "Exchequer bill," CC 321

DEFINITIONS—Cont'd

- "Exchequer bill paper," CC 321
- "Executive Committee," CRA 2(1)
- "Explosive substance," CC 2
- "Export," CC 84(1)
- "Expose," CC 214
- "Extradition arrangement," EXA 2
- "Extradition partner," EXA 2
- "Extrajudicial measures," YCJA 2(1)
- "Extrajudicial sanction," YCJA 2(1)
- "Extra-provincial bus transport," MVTA 2(1)
- "Extra-provincial bus undertaking," MVTA 2(1)
- "Extra-provincial motor carrier undertaking," MVTA 2(1)
- "Extra-provincial truck undertaking," MVTA 2(1)
- "Facilitation," CC 83.01(2), 83.19(2), 467.1(2)
- "False document," CC 321
- "False pretence," CC 361
- "Federal Minister," FA 2(1)
- "Financial institution," CEA 29(9)
- "Fine," CC 716
- "Fingerprint examiner," CC 667(4)
- "Firearm," CC 2, 2.1
- "Firearms officer," CC 84(1); FA 2(1)
- "Fishing zone of Canada," CC 477(1)
- "Fixed platform," CC 79
- "Flight," CC 7(8)
- "Flight element," CC 7(2.34), (2.38)
- Forensic DNA analysis, CC 487.04; DNA 2
- "Former Act," FA 2(1)
- "Form of marriage," CC 214
- "Function," CC 342.1(2)
- "Game," CC 197(1)
- "Gaming equipment," CC 197(1)
- "Genocide," CC 318(2), 320(8)
- "Goods," CC 379
- "Government," CC 118; CannA 2(1); CEA 31(1)
- "Government or public facility," CC 2
- "Guardian," CC 150, 214, 280(2)
- "Handgun," CC 84(1)
- "Hash function," CC Reg. 2005 to 30, s.
- "Hate propaganda," CC 320(8)
- "Health professional," CC 423.2(5)

DEFINITIONS—Cont'd DEFINITIONS—Cont'd "Law enforcement officer," CC "Her Majesty's Forces," CC 2 445.01(4) "High-risk accused," CC 672.1(1) "Law of a province," MVTA 2(1) "Highway," CC 2 "Lawyer," CC 488.1(1) "Holder," CC 84(4) "Legal proceeding," CEA 29(9), 30(12) "Holiday," IA 35 "Licence," CC 84(1), 353(5) "Human remains," DNA 2 "Listed entity," CC 83.01(1) "Identifiable group," CC 318(4), 319(7) "Local bus transport," MVTA 2(1) "Illicit cannabis," CannA 2(1) "Local bus undertaking," MVTA 2(1) "Illict substance," CDA 56.1(1) "Local government," CDA 56.1(1) "Imitation firearm," CC 84(1) "Long-term supervision," CC 752 "Import," CC 84(1) "Lottery scheme," CC 207(5), 207.1(4) "Indictment," CC 2, 673; YCJA 2(2) "Lumber," CC 339(6) "Informant," CC 785 "Lumbering equipment," CC 339(6) "Information," CC 785; SOIRA 3(1) "Magistrate," CC 2, 552 "Informational promotion," CannA 2(1) "Main residence," SOIRA 3(1) "Insane," CC 16(2) "Mark," CC 376(3) "Inside information," CC 382.1(4) "Mechanical device," CC 342(2) "Inspector," CannA 2(1); FA 101 "Medical assistance in dying," CC "Insurance charge," CC 347(2) 227(5), 241.1, 241(7), 245(3) "Intercept," CC 183, 342.1(2) "Medical practitioner," CC 227(5), "Interest," CC 347(2), 347.1(1) 241.1, 241(7), 245(3), 672.1(1) "Member of a force," CC 62(2) "International Criminal Court," EXA 2 "Member of police service," SOIRA 3(1) "International cruise ship," CC 207.1(4) "Internationally protected person," CC 2 "Mental disorder," CC 2 "Internet address," MRICP Reg. 2011 to "Military animal," CC 445.01(4) 292, s. 1 "Military justice participant," CC "Internet Service," MRICP 1(1) 423.1(4) "Military law," CC 2 "Intimate image," CC 162.1(2), 164(8) "Minister," CC 672.68(1); CannA 2(1); "Intimate partner," CC 2 CDA 2(1); CRA 2(1); EXA 2; "Investigating authority," DNA 2 **MVTA 2(1)** "Journalist," CC 488.01(1); CEA 39.1(1) "Motor vehicle," CC 2 "Journalistic source," CC 488.01(1); "Municipality," CC 2; CDA 56.1(1) **CEA 39.1(1)** "Municipal official," CC 123(3) "Judge," CC 83.05(11), 44; EXA 2, "Museum," **FA 2(1)** 83.222(8), 83.223(11), 164(8), 320(8), 462.3(1), 488.1(1), 492.1(8), "Newly-born child," CC 2 492.2(6), 493, 552; CannA 2(1); "Newspaper," CC 297, 517(3), 539(4), CDA 2(1); CEA 38 542(3), 648(3) "Judicial proceeding," CC 118 "Night," CC 2 "Justice," CC 2; CannA 2(1); CDA 2(1); "Non-chemical offence-related property," **EXA 2; YCJA 2(2) CannA 2(1)** "Justice system participant," CC 2 "Non-resident," FA 2(1) "Keeper," CC 197(1) "Non-restricted firearm," CC 84(1) "Key pair," CC Reg. 2005 to 30, s. 1 "Nuclear facility," CC 2 "Key staff members," CDA 56.1(1) "Nuclear material," CC 2 "Label," CannA 2(1) "Nurse practitioner," CC 227(5), 241.1, "Law enforcement animal," CC 241(7), 245(3) 445.01(4) "Oath," CEA 44

DEFINITIONS—Cont'd "Offence," CC 183; CVBR 2; YCJA "Offence-related property," CC 2; CDA 2(1) "Offensive weapon," CC 2 "Office," CC 118 "Officer," CC 488.1(1), 488.01(1) "Official," CC 118, 269.1(2); CEA 36.1 "Official fee," CC 347(2) "Ontario Act," CC 490.011(1); SOIRA 3(1) "Operate," CC 320.11 "Optional conditions," CC 742 "Order," CC 785; DNA 2; SOIRA 3(1) "Organization," CC 2; CDA 2(1) "Overdraft," CC 347(2) "Owner," CC 2 "Package," CannA 2(1) "Pardon," CC 490.011(1) "Parent," YCJA 2(1) "Participant," CC 715.25(1); CEA 38 "Participating," CC 83.18(3) to (4) "Partner State," CC 7(2.34), (2.38) "Party," CC 672.1(1) "Passport," CC 57(5) "Payday loan," CC 347.1(1) "Peace officer," CC 2, 7(8) "Penalty," CC 734.8(1) "Period of probation," CRA 2(1) "Person," CC 2; CDA 2(1); IA 35; **MRICP 1(1)** Personal authentication information, CC 342(4) "Person in authority," YCJA 146(9) "Person who collects information," **SOIRA 3(1)** "Pharmacist." CC 241(7), 241.1 "Photograph," CC 491.2(8) "Photographic film," CEA 30(12), 31(1) "Place," CC 98(2), 197(1), 286.1(5), 348(3) "Placement decision," CC 672.1(1) "Police officer," CC 183, 462.48(17) "Possession," CannA 2(1); CDA 2(1) Potentially injurious information, CEA 38 "Practitioner," CDA 2(1) "Precursor," CDA 2(1) "Prescribed," CannA 2(1); CDA 2(1);

CC 84(1), 672.1(1); FA 2(1)

```
DEFINITIONS—Cont'd
  "Pre-sentence report," YCJA 2(1)
  "Primary designated offence," CC
       487.04, 752
  "Principal," CC 426(4)
  "Private communication," CC 183
  "Private key," CC Reg. 2005 to 30, s. 1
  "Prize fight," CC 83(2)
  "Proceeding," CEA 38
  "Proceedings," CC 785
  "Proceeds of crime," CC 462.3(1)
  "Produce," CannA 2(1); CDA 2(1)
  "Progress report," YCJA 88
  "Prohibited act," CC 52(2)
  "Prohibited ammunition," CC 84(1); CC
       Reg. 98 to 462, Sched. Part 5, s. 6
  "Prohibited device," CC 84(1); CC Reg.
       98 to 462, Sched. Part 4, s. 5
  "Prohibited firearm," CC 84(1); CC Reg.
       98 to 462, Sched. Part 1, s. 2
  "Prohibited weapon," CC 84(1); CC
       Reg. 98 to 462, Sched. Part 3, s. 4
  "Prohibition order," CC 84(1)
  "Promote," CannA 2(1)
  "Property," CC 2, 4(2), 428, 430(4.101)
  "Prosecutor," CC 2, 785; CEA 38
  "Protected statement," CC 672.21(1)
  "Provide," CDA 2(1)
  "Provincial authority," MVTA 2(1)
  "Provincial court judge," CC 111(11),
       487.04; FA 76.1
  "Provincial director," YCJA 2(1)
  "Provincial minister," FA 2(1)
  "Psycho-surgery," CC 672.61(2)
  "Publication," YCJA 2(1)
  "Public department," CC 2
  "Public facility," CC 2
  "Public key," CC Reg. 2005 to 30, s. 1
  "Public officer," CC 2, 25.1, 117.07(2);
       492.1(8), 492.2(6); CC Reg. 98 to
       466 generally
  "Public place," CC 150, 197(1), 286.1(5), 319(7); CannA 2(1)
  "Public stores," CC 2
  "Public transit operator," CC 269.01(2)
  "Qualified medical practitioner," CC
       320.11
  "Qualified person," YCJA 34(14)
  "Qualified technician," CC 320.11
  "Railway equipment," CC 2
  "Recognizance," CC 2
```

DEFINITIONS—Cont'd **DEFINITIONS—Cont'd** "Record," CC 278.1; CEA 30(12); "Sexual offence against a child," **SOIRA** YCJA 2(1) "Record suspension," CC 490.011(1); "Ship," CC 79 **CRA 2(1)** "Significant threat to safety of public," "Registrar," CC 84(1), 673 CC 672.5401 "Sister," CC 155(4) "Registration centre," CC 490.011(1); SOIRA 3(1), 7.1 "Solicitor," CC 183 "Registration certificate," CC 84(1) "Space flight," CC 7(2.34), (2.38) "Regulations," FA 2(1) "Space Station," CC 7(2.34) "Release from imprisonment," CC "Specific agreements," EXA 2 109(4), 110(4) "Stamp," CC 376(3) "Release order," CC 2 "Statement," CC 83.221(2), 107(3) "Remediation agreement," CC 715.3(1) "Statements," CC 319(7) "Replica firearm," CC 84(1) "State or entity," EXA 2 "Report," CC 107(3) "Steal." CC 2 "Representative," CC 2 "Subsequent offence," CC 84(5), (1.3), "Required deposit balance," CC 347(2) $(2.\overline{2})$, (3) to (4), (6), 239(2), 244(3), "Responsible person in charge," CDA 272(3), 273(3), 279(1.2), 279.1(2.1), 56.1(1) 344(2) "Restricted firearm," CC 84(1); CC Reg. "Summary conviction court," CC 785; 98 to 462, Sched. Part 2, s. 3 **YCJA 2(2)** "Restricted weapon," CC 84(1) "Summons," CC 2 "Retained," SOIRA 3(1) "Superior court," CC 84(1), 829; FA "Revenue paper," CC 321 76.1 "Superior court of criminal jurisdiction," "Review board," YCJA 2(1), 88 CC 2; YCJA 2(2) "Review Board." CC 490.011(1). "Supervised consumption site," CDA 672.1(1); YCJA 141(12) "Schedule," CC 762(2) 56.1(1) "Supervisor," CC 742 "Secondary designated offence," CC "Territorial division," CC 2 487.04 "Terrorism offence," CC 2 "Secondary residence," SOIRA 3(1) "Terrorist activity," CC 83.01(1), (1.1), "Secure electronic signature," CEA 31.8; CEA Reg. 2005 to 30, s. 2 (1.2)"Terrorist group," CC 83.01(1) "Seditious intention," CC 59(4) "Sell," CC 183; CannA 2(1); CDA 2(1) "Terrorist propaganda," CC 83.222(8) "Senior officer," CC 2 "Testamentary instrument," CC 2 "Senior official," CC 25.1 "Theatre," CC 150 "Three-card monte," CC 206(2) "Sensitive information," CEA 38 "Torture," CC 269.1(2) "Sentence," CC 673, 785; CRA 2(1) "Tracking data," CC 492.1(8) "Serious offence," CC 2, (4); YCJA "Tracking device," CC 492.1(8) 2(1), 467.1(1) "Serious personal injury offence," CC "Trade combination," CC 467(2) 672.81(1.3), 752 "Traffic," CC 342(4), 342.1(2), 355.1; "Serious violent offence," YCJA 2(1) **CDA 2(1)** "Service animal," CC 445.01(4) "Transfer," CC 84(1); FA 21 "Service provider," MRICP Reg. 2011 to "Transmission data," CC 492.2(6) 292, s. 1 "Transmission data recorder," CC "Sex offender," SOIRA 3(1) 492.2(6) "Sexually explicit material," CC 171.1(5) "Trial," CC 785 "Sexual offence," CC 487.055(3) "Trial court," CC 673

DEFINITIONS—Cont'd

- "Trustee," CC 2
- "Undertaking," CC 2
- "Undue hardship," CC 737(2.2)
- "Unfit to stand trial," CC 2
- "United Nations operation," CC 2
- "United Nations personnel," CC 2
- "Utter," CC 448
- "Valuable mineral," CC 2
- "Valuable security," CC 2
- "Vehicle," CC 269.01(2)
- "Vehicle identification number," CC 354(3)
- "Verdict of not criminally responsible on account of mental disorder," CC 672.1(1)
- "Vessel," CC 320.11, 335
- "Victim," CC 2, 715.3(1); CVBR 2; YCJA 2(2)
- "Videoconference," CC 2
- "Violent offence," YCJA 2(1)
- "Voyeuristic recording," CC 164(8)
- "Vulnerable persons," CRA 6.3(1)
- "Warrant," CC 493
- "Weapon," CC 2; 270.1(2)
- "Witness," CC 118
- "Wreck," CC 2
- "Writing," CC 2, 844
- "Young Offenders Act," CC 487.04
- "Young person," CC 153(2), 487.04; CannA 2(1); DNA 2; YCJA 2(1)
- "Youth custody facility," YCJA 2(1)
- "Youth justice court," YCJA 2(1)
- "Youth justice court judge," YCJA 2(1)
- "Youth sentence," YCJA 2(1), 95
- "Youth worker," YCJA 2(1)

DEPOSITION

See also Affidavit

Affirmation in lieu of oath, CEA 14, 15 Preliminary inquiry, CC 540(2), (3) Proof of signing, CEA 10(2)

DETENTION

See also Dangerous Offenders, Judicial Interim Release

Rights on arrest or detention, CA Part I 10

Seized property, CC 490, 491.1

To prevent breach of peace, CC 30

DETENTION—Cont'd

Young person

authorization of provincial authority, YCJA 30(8)

care of responsible person, YCJA 31 Criminal Code, application of, YCJA 28

designated place, YCJA 30(1), (2) determination by provincial authority,

YCJA 30(9) exceptions, YCJA 30(2), (5), (7)

offences, YCJA 139

order respecting detention or release, YCJA 33

separate from adults, YCJA 30(3) transfer by provincial director, YCJA 30(6)

transfer to adult facility, YCJA 30(4)

DIRECTORS AND OFFICERS

Broker reducing stock by selling for own account, CC 384

Criminal liability generally, CC 22.1, 217.1

Duty of persons directing work, CC 217.1 Liability for fraud regarding public stores, CC 418(2)

"Senior officer," defined, CC 2 Theft from company, CC 328(e)

DISARMING PEACE OFFICER

See Peace Officer

DISCHARGE

See also Probation

Absolute and conditional

appeal, CC 730(3)

breach of probation order, CC 730(4) circumstances for granting, CC 730(1)

process in force until discharge, CC 730(2)

report by probation officer, CC 721(1) restitution to victim of offences, CC 738(1)

"sentence" including discharge, CC 673, 785

victim impact statement, CC 722.1 see also Victim Impact Statement

Order of, CC Form 39

Preliminary inquiry, CC 548(1)(b)

DISCLOSURE	DISCLOSURE—Cont'd
See also Personal Record of Complainant,	Government information—Cont'd
Production Orders	sensitive information—Cont'd
Defence, by	prohibited, CEA 38.02, 38.06(3)
expert evidence, CC 657.3(3) to (7) Expert evidence, CC 657.3(3) to (7)	prohibition, order confirming, CEA 38.06(3), 38.07
General, CC 603	regulations concerning, power to
Government information	make, CEA 38.16
confidences of Queen's Privy Council for Canada, CEA 39	report relating to proceedings, CEA 38.05
foreign information obtained in confidence, CC 83.06	review of orders concerning, automatic, CEA 38.04(7), CEA 38.08
income tax information, CC 462.48	
international relations, relating to, see sensitive information	right to fair trial, protection of, and, CEA 38.14
national defence and security, relating to, see sensitive information	when determination takes effect, CEA 38.06(3.01)
potentially injurious information, see	specified public interest, information protected by
right to, CA Part I 7	appeals of orders relating to, CEA
right to sealed packet contents, CC 187	37.1, 37.2
sensitive information	disclosure order, CEA 37(4.1) to (5), (8) to (9), 37.3
agreement to disclose, CEA 38.031,	limitation periods for appeals and
38.04(6) to (7) appeals from orders concerning,	objections, CEA 37(4), 37.1(2), 37.2
CEA 38.04(7), 38.1, 38.09,	objection to disclosure, CEA 37,
38.11, 38.12	37.3
applications to Federal Court re, CEA 38.03, 38.04, 38.06,	prohibition order, CEA 37(6)
38.11, 38.12	right to fair trial, protection of, CEA
authorization by Attorney General of	37.3
Canada, CEA 38.03	Journalistic sources, CEA 39.1
certificate prohibiting disclosure,	Medical records, CC 278.1 to 278.7
CEA 38.13, 38.17, 38.131	Personal record of complainant, CC 278.1 to 278.7
conditions of disclosure, CEA 38.06(2)	Police records, CC 717.2(2), (3), 717.4
court records, CEA 38.04(4) ,	Terrorist group property
38.12(2)	civil and criminal immunity for
defined, CEA 38	disclosure, CC 83.08
entities, designated, CEA 38.01(6),	duty to disclose, CC 83.1(1)
Sched., (8), 38.02(1.1)	Third party records, CC 278.1 to 278.7
fiat of Attorney General taking over prosecution, CEA 38.15, 38.17	DISGUISE
limitation periods for appeals, CEA 38.09(2), 38.1	With intent to commit offence, CC 351(2)
military proceedings, in, CEA	DISGUSTING OBJECT
38.01(5), 38.03(2)	Exhibiting, CC 163(2)(b)
notice to Attorney General of Can-	motive irrelevant, CC 163(5)
ada, CEA 38.01, 38.02(1.1) to	punishment, CC 169
(2), 38.03(3)	service of public good as defence, CC
order for, CEA 38.06, 38.07, 38.08	163(3), (4)

DISPOSITIONS AND DISPOSITION

HEARINGS (MENTAL See also Contempt DISORDER)—Cont'd Disobeying court order, CC 127 By court Disobeying statute, CC 126 authority, CC 672.45(1) DISORDERLY CONDUCT "court," CC 672.1(1) Causing disturbance, CC 175(1)(a) transcript to review Board, CC evidence of peace officer, CC 175(2) 672.45(1.1) Disturbing occupants of dwelling-house, when to be made, CC 672.45(2) CC 175(1)(d) By Review Board evidence of peace officer, CC 175(2) authority, CC 672.47 Disturbing religious worship, CC 176(2), determination of fitness, CC 672.48 "Review Board," CC 672.1(1) Indecent acts, CC 173(1) status quo pending hearing, CC 672.46 Indecent exhibition, CC 175(1)(b) Dual status offenders, see Dual Status Loitering, CC 175(1)(c) Offenders Nudity, CC 174 High-risk accused, see High-Risk consent to prosecution, CC 174(3) Accused Obstructing officiating clergyman, CC Procedure on hearing 176(1) appearance of accused by video links, Trespassing at night, CC 177 CC 672.5(13) DISORDERLY HOUSE assignment of counsel, CC 4(d), Common bawdy-house 672.5(8) to (8.2) arrest, CC 199 attendance of witnesses, CC 672.5(12) "disorderly house," CC 197(1) determination of condition, CC jurisdiction of provincial court judge, 672.5(13.2) **CC** 553(c)(viii) disposition information, CC 672.51 offences, CC 197(1), 810.1 effect of procedural irregularities, CC search, CC 199 672.53 exclusion of public, CC 672.5(6) Common betting house informality, **CC 672.5(2)** arrest, CC 199 inquiry by court re VIS, CC "bet," CC 197(1) 672.5(15.2) "common betting house," CC 197(1) notice of hearing, CC 672.5(5) exemptions from offences, CC 204 notice of sex offender information offences, CC 197(1), 201 registration order, CC 490.018(3) search and seizure, CC 199 parties, CC 672.5(3), (4) Common gaming house presence of accused, CC 672.5(9) arrest, CC 199 record of proceedings, CC 672.5(2) "common gaming house," CC 197(1) removal of accused, CC 672.5(10) exemptions from offences, CC 204 rights of the parties, CC 672.5(11) "game," CC 197(1) rights of victims, CC672.5 "gaming equipment," CC 197(1) rights to counsel, CC 672.5(7) offences, CC 197(1), 201 victim impact statement, CC 672.5(14) Search and seizure, CC 199 to (15.3) DISPOSITIONS AND DISPOSITION Review of dispositions **HEARINGS (MENTAL** by court of appeal, CC 672.72 to DISORDER) 672.78 See also Fitness to Stand Trial, Mental by Review Board, CC 672.5, 672.81, Disorder, Review Boards 672.82, 672.85

DISOBEDIENCE

DISPOSITIONS AND DISPOSITION HEARINGS (MENTAL DISORDER)—Cont'd Stay of proceedings appeal, CC 672.852 court inquiry, CC 672.851(4) review board recommendation, CC 672.851(1)	DISTURBANCE—Cont'd Causing disturbance, CC 175(1)(a) Discharging firearm, CC 175(1)(d) Disturbing occupants of dwelling-house, CC 175(1)(d) Disturbing religious worship or meeting, CC 176(2), (3) Evidence of peace officer, CC 175(2)
stay, CC 672.851(7)	Unlawful assembly, CC 63
Terms of dispositions	
effective date, CC 672.63 general authority, CC 672.54, 672.5401	DNA See DNA Identification, see Forensic DNA Analysis
"no contact" condition, CC 672.542	DNA ANALYSIS
period of disposition, CC 672.54(c), 672.55(2) public safety paramount, CC 672.54,	See DNA Identification, see Forensic DNA Analysis
672.5401	·
safety and security conditions, CC 672.542	DNA AUTHORIZATIONS See Forensic DNA Analysis
"significant threat" etc., CC 672.5401	DNA IDENTIFICATION
treatment not a term, CC 672.55(1)	See also Forensic DNA Analysis
variation of restrictions, CC 672.54(b),	Access, DNA 8.1
(c), 672.56?page 1624	Bodily substances
victim impact statement, CC 672.541	access to, DNA 10(4)
Treatment dispositions (unfit) authority, CC 672.58	destruction, DNA 5.2 (3), (4), 10.1, 10(6)
consent required, CC 672.62	pardoned offenders, of, DNA 10(8)
criteria, CC 672.59(1)	retention pending review, DNA 5.2(1)
effective date, CC 672.63	retesting, DNA 10(2)
evidence required, CC 672.59(2)	storage, DNA 10(1), (8)
exceptions, CC 672.61	technology change, effect of, DNA
notice to accused, CC 672.6	10(2)
Warrant of committal, CC 672.54(c), Form 49, 672.57	transmission of derivative profile, DNA 10(3)
arrest without warrant, CC 672.91	use
execution of warrant, CC 672.9	authorized, DNA 10(5)
release, CC 672.92 , 672.93	Commissioner
DISTINGUISHING MARK	delegation, DNA 5(2)
Applying or removing, CC 417(1)	duties, DNA 5.1, 5.2, 6, 10, 10.1, 13.1
Dealing in public stores, CC 417(2)	powers, DNA 6, 7, 10 Comparison of DNA profiles, DNA 5.5, 6,
"Distinguishing mark," CC 417(3)	6.1 to 6.6
Prescription, CC 416	Consent, written, DNA 5.4
Presumption, CC 421(2)	Convicted offenders index
DISTRESS	access to information removed, DNA
See also Execution of Process, Search and Seizure	9(2) information kept indefinitely, DNA 9(1)
Obstructing lawful distress, CC 129(c)	prescribed contents, DNA 5(4) Crime scene index
DISTURBANCE See also Riot	access to information removed, DNA 8.1

DNA IDENTIFICATION—Cont'd	DOCUMENT
Crime scene index—Cont'd	See also Document of Title, Record,
prescribed contents, DNA 5(3)	Testamentary Instrument
Defective orders/authorizations	Attestation
confirmation or correction, DNA	when proof not required, CEA 34
5.2(2), (4)	Definition, CC 321; EXA 31(1)
destruction of bodily substances, DNA	Deposition, see Affidavit, see Deposition
5.2(4)	Documentary evidence, CEA 54
duties of commissioner re, DNA 5.2	Electronic documents
notice to AG or DMP, DNA 5.2(1)	authenticity, CEA 31.1
retention of bodily substances pending review, DNA 5.2(1)	best evidence rule, CEA 31.2(1) copies, CC 847
review by AG, CC 487.091	data, CC 842, 843
revoked orders/authorizations, DNA	definitions, CC 841; CEA 31.8
5.2(3)	oaths, CC 846
DNA profiles	presumption of integrity, CEA 31.3
convicted offenders index, DNA 5(4) ,	presumptions regarding secure
(5)	electronic signatures, CEA 31.4
crime scene index, DNA 5(3), (5)	printouts, CEA 31.2(2)
principles pertaining to, DNA 4(a), (b)	proof by affidavit, CEA 31.6
Information, see also DNA profiles	rules of laws relating to admissibility,
access to, DNA 7, 8.1, 9, 9.1	CEA 31.7
authorized users, DNA 6.5	signatures, CC 845; CEA 31.4
communication of, DNA 6(1)	writing requirements satisfied by, CC 844
kept indefinitely, DNA 9(1)	Impounding of forgery, CEA 35
use, authorized, DNA 6.5	Inspection, CC 603
National DNA data bank	Judicial notice, CEA 17, 18
establishment, DNA 5	Offences
humanremains index, DNA 5(4.4)	damage or destruction, CC 340, 377
missing persons index, DNA 5(4.2) ,	"false document," CC 321
(4.3)	false document drawing, CC 374(a)
offences, DNA 8, 10(5), 11	forgery, see Forgery
prescribed contents, DNA 5(3) to (5)	making, CC 366
relatives of missing persons index,	register, CC 378
DNA 5.3(2)	using false name, CC 374, 405
victims index, DNA 5(4.1)	uttering, CC 374(b)
voluntary donors index, DNA 5(4.5)	Production
Preconditions	foreign proceedings, CEA 46, 50(2)
missing persons, DNA 5.3(2)	treason and high treason, CC 603, 604
relatives, DNA 5.3(2)	Proof of document
victims, DNA 5.3(1)	banking record, CEA 29
Principles of legislation, DNA 4	business record, CEA 30
Purpose of legislation, DNA 3	certified copy as proof, CEA 21(c),
Regulations, power to make, DNA 12	22(1)(c), 24
Report to Parliament, DNA 13.1	copies or extracts, CEA 33
Review of legislation, DNA 13	Gazette copy as proof, CEA 20(b), 21(a), 22(2), 32(2)
Transfer, DNA 8.2	government appointment, CEA 21, 22
Young offenders, DNA 9.1, 10.1	Imperial document, CEA 20

DOCUMENT—Cont'd Proof of document—Cont'd iudicial record. CEA 23 photograph as proof, CEA 31 Queen's Printer copies, CEA 19, (c), 20(c), 21(b)statute not in derogation of existing law, CEA 36 Proof of service, CC 4(6) to (7) **DOCUMENT OF TITLE** Destroying, etc., CC 340 "Document of title to goods," CC 2 "Document of title to lands," CC 2 Fraudulent concealment, CC 385 Fraudulent registration of title, CC 386 Pledge or lien given by agent, CC 325 Valuation, CC 4(2)(a), (b) DOUBLE JEOPARDY See also pleas permitted, Autrefois Acquit/Convict, Res Judicata More than one act, CC 12 Rights, CA Part I 11(h) **DRIVING OFFENCES** Accident, failure to stop after, CC 320.16 Aggravating factors for sentencing, CC 320.22 Analyst, definition of, CC 320.11 Approved container, definition of, **CC** 320.11 Approved drug screening equipment, definition of, **CC 320.11** Approved instrument definition of, CC 320.11 printouts from, CC 320.33 Approved screening device, definition of, CC 320.11 Attorney General approvals of, CC 320.39 designations of, CC 320.4 Blood samples, CC 320.28, 320.31 Blood tests, CC 320.3 Bodily harm, punishment if, CC 320.2 **Bodily substances** disclosure of results, unauthorized, CC 320.36 samples of, CC 320.28, 320.31

uses, unauthorized, CC 320.36 Breath samples, CC 320.28, 320.31

Certificates, CC 320.32

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

DRIVING OFFENCES—Cont'd

DRUG IMPAIRED DRIVING

See Driving Offences

DRUG OFFENCES

See also Controlled Drugs and Substances
Act, Proceeds of Crime, illicit drug
use, instruments, Literature For
Absolute jurisdiction of PCJ, CC
553(c)(x) to (xi)

Stupefying drug

administering to aid commission of offence, CC 246

victim fine surcharge, CC 737

DUAL STATUS OFFENDERS

See also Dispositions and Disposition Hearings (Mental Disorder), Review Boards

"Dual status offender," CC 672.1(1)

Placement decision by Review Board, CC **672.68(2)**

detention as part of term, CC 672.71 effect of, CC 672.68(5)

factors considered, CC 672.68(3) notice of discharge, CC 672.7

review, CC 672.69(2), (3)

time for, CC 672.68(4)

Priority

custodial disposition, CC 672.67(2) probation order, CC 672.71(2) sentence of imprisonment, CC 672.67(1)

Review of placement decision by appeal to court of appeal, CC 672.72 to 672.78 by Review Board, CC 672.69

DUELLING

Consent not affecting liability, CC 14

DURESS

See compulsion of

DWELLING-HOUSE

Arrest, powers to enter, to carry out authority to enter dwelling without warrant, CC 529.3 authorization to enter dwelling-house, CC 529, 529.2, 529.4; IA 34.1 warrant to enter dwelling-house, CC 529, Form 7.1, 529.1, 529.2, 529.4, 529.5

Defence of dwelling, CC 63(3)

DWELLING-HOUSE—Cont'd

"Dwelling-house," CC 2

Exceptions to offences

mischief, CC 430(7)

sabotage, CC 52(4)

unlawful assembly, CC 63(3)

Forfeiture

criteria/factors to be considered, CC 83.14(9), 490.41(4); CDA 19.1(4) non-forfeiture of property, CC 83.14(6), CDA 19.1(3), 490.41(3) notice requirements, CC 83.14(7), CDA 19.1(1) to (2), 490.41(1) to

Home invasion, sentencing considerations, CC 348.1

Offences

breaking and entering, CC 348
disturbing occupants, CC 175
entering with intent, CC 349, 350
occupant damaging, CC 429(2), 441
possession of house-breaking instruments, CC 351(1)
sentencing, CC 348.1
trespassing at night, CC 177
unlawfully in, CC 349
watching or besetting, CC 423

ELDER ABUSE

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

ELECTION (MODE OF TRIAL)

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

holding preliminary, CC **555.1**, **567.1** trial by judge alone (after preliminary inquiry), CC **536.1**(2), **558**, **566.1**(2)

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

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

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

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

more than one accused, CC 567, 567.1 putting accused to election, CC 536(2), 536.1(2)

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

ELECTION (MODE OF TRIAL)	ELECTRICITY
—Cont'd Refere institute CC 536(2) to (4.3)	Theft, CC 326
Before justice, CC 536(2) to (4.3), 536.1(2) to (4.2)—Cont'd	ELECTRONIC DOCUMENTS
trial by judge alone, CC 536(4),	See Document
536.1(4.1), 558, 566.1(2), 566(2)	EMPLOYMENT
trial by judge and jury, CC 536(2), (4)	Duty of persons directing work, CC 217.1
to (4.2), 536.1(2) to (4.1), 565	Employee's liability for fraud relating to
trial by provincial court judge, CC555, 555.1, 565	public stores, CC 418(2)
Before provincial court judge, CC 554,	Falsification of record, CC 398
555	Intimidation to prevent union member- ship, CC 425
failure to elect, CC 565	Refusal to employ union members, CC
more than one accused, CC 567	425
trial by judge alone, CC 536(2), 558, 566(2)	Retaliation against employees, CC 425.1 Secret commission, CC 426
trial by judge and jury, CC 555(2), (3),	
(3)(a), (5), 555.1(2), 565	Threats against employees, CC 425.1 Whistle-blower protection, CC 425.1
trial by provincial court judge, CC	Work stoppage
536(2), 554, 555, 565	and criminal breach of contract, CC
In writing, CC 536.2	422(2)
Re-election	and mischief, CC 430(6)
general rules, CC 536.2, (3), 561,	and sabotage, CC 52(3)
695(2)	not conspiracy, CC 467(1)
in writing, CC 536.2	ENCUMBRANCE
Nunavut, CC 561.1	
on election of trial by judge alone, CC	See also Document of Title Fraudulent concealment, CC 385(1)(a)
561, 561.1, 563, 563.1	Fraudulent registration, CC 386
on election of trial by judge of Nunavut	Fraudulent sale of real property, CC 387
Court of Justice, CC 561.1	Tradudicit sale of lear property, ee 367
on election of trial by jury, CC 558, 561, 561.1, 566, 566.1	ENDANGERING LIFE
on election of trial by provincial court	See also Assault, Sexual Assault
judge, CC 561(2)	Abandoning child, CC 218
on re-trial ordered by SCC, CC 695(2),	Assault endangering life, CC 268(1)
(3)	By omission where duty to act, CC 217, 217.1
Trial by jury	Duty in medical or surgical treatment, CC
Attorney General requiring, CC 568 , 569	216
deemed election, CC 565	Duty of persons directing work, CC 217.1
waiver upon failure to attend, CC 598	Sexual assault endangering life, CC
Written, CC 536.2	268(1)
Young persons, YCJA 67	ENDORSEMENT
roung persons, regritor	Indictment
ELECTION OFFENCES	amendment, CC 601
Contractor subscribing to election fund,	Offences
CC 121(2)	false name, CC 374
disability on conviction, CC 750(3), (4)	obtaining by false pretence, CC 363
Destroying or defacing document, CC 377(1)(c), (d)	Recognizance, CC 764(4), (4), 766(3), 770

ENDORSEMENT—Cont'd

Warrant

DNA warrant, CC 487.05 for arrest, CC 528 general warrant, CC 487.01 number recorder, CC 492.2, 632 search warrant, CC 487 tracking, CC 482.1

ENEMY

See Alien

ENFORCEMENT

See also Execution of Process Fines, CC 734.6, 734.7 Order for compensation, CC 738, 741 Recovery of penalties, CC 734.6 fines on organizations, CC 735 Use of force in enforcement, CC 25 excessive, CC 26

ENGLISH CRIMINAL LAW

See also Defences (Common Law) Abolition of offences, **CC 9(b)** Application of, **CC 8(2), (3)**

ENTRAPMENT

Generally, CC 8

EQUALITY

Affirmative action programs, CA Part I 6(4), Part I 15(2) Age, CA Part I 15(1), (2)

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

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

Fundamental freedoms for everyone, CA Part I 2

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

Military, CA Part I 11

Mobility rights

affirmative action programs, CA Part I 6(4)

limitations on, CA Part I 6(3)

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

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

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

Race, CA Part I 15(1), Part I 25, (2) Religion, CA Part I 15(1), (2)

EQUALITY—Cont'd

Rights guaranteed equally to both sexes, CA Part I 28

Right to equal protection and equal benefit of the law, CA Part I 15(1)

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

ESCAPE AND RESCUE

See also Unlawfully at Large

Assisting escape, CC 146, 147(a)

Assisting prisoner of war, CC 148

Escape from lawful custody, CC 145(1)

Failure to appear, CC 145

Failure to comply with process, CC 145

Permitting escape, CC 146(a), 147

Prison breach, CC 144

Rescue from lawful custody, CC 147(a)

Sentence for escape, CC 149

"escape," CC 149

Unlawfully at large, CC 145(1)

EVIDENCE

See Specific topics

EXAMINER OF COUNTERFEIT

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

EXCAVATION, DUTY TO SAFEGUARD

Generally, CC 263(2), (3)

EXCHEQUER BILL

Defined, CC 321

Making or possessing paper, CC 369(a)

EXCLUSION OF PUBLIC

See also Publicity, Sexual Activity Evidence

Application, **CC 486(1.1)**

Child witnesses, protection of

accused not to cross-examine, CC 486.3

support person, CC 486.1

Criminal organization and terrorism offence cases

obstructed view testimony, CC 486.2(4) to (6)

testimony outside courtroom, CC 486.2(4) to (6)

General rule of openness, CC 486(1)

adverse inference, whether, CC 486(4)

general exceptions, CC 486(1)

non-disclosure of witness's identity,

CC 486.31

sexual offence exception, CC 486(3)

EXCLUSION OF PUBLIC—Cont'd EXPERT EVIDENCE—Cont'd Obstructed view testimony, CC 486.2(4) Disclosure and production—Cont'd use of material by prosecution, CC 657.3(6) Protecting identity complainant, CC 486.4, 112, 486.5; Limit on number of witnesses, CEA 7 **YCJA 111** Notice of intention to call witness, CC 657.3(3)(a) justice system participant, CC 486.5 witness, CC 486.5; YCJA 111, 112 **EXPLORATION** witness under 18, CC 486(3) to (4.9); Taking specimens of ore or minerals, CC YCJA 111, 112 young person, YCJA 65, 75, 110, 112 **EXPLOSIVES** Sequestered testimony, CC 486.2 Testimony outside court room where See also Fire, Firearms person under 18, CC 486.2 Causing death, CC 80 Causing injury with intent, CC 81 **EXCUSE** Delivery to specified government/public See defences facilities, CC 431.2 **EXECUTION OF PROCESS** definitions, **CC 431.2(1)** See also Arrest, Endorsement, Search and DNA order on conviction or discharge, Seizure, Subpoena CC 487.04, 487.051 Authorization, CC 188.1 exception, armed forces, CC 431.2(3) Duty to produce process, CC 29(1) offence, CC 431.2(2) Execution justified notwithstanding offence outside Canada, CC 7(3.72), defect, CC 25(2) (5) to (7)Execution on holiday, CC 20 Detonation in specified government/ public facilities, CC 431.2 Misconduct in execution, CC 128 definitions, **CC 431.2(1)** Obstruction, CC 129(c) Process issued by court of appeal, CC DNA order on conviction or discharge, 683(4), 839(2) CC 487.04, 487.051 exception, armed forces, CC 431.2(3) Use of force, CC 25 excessive, CC 26 offence, CC 431.2(2) offence outside Canada, CC 7(3.72), **EXHIBITS** (5) to (7)Detention of things seized, CC 490 Discharge in specified government/public Inspection, CC 603 facilities, CC 431.2 Power of court of appeal, CC 683(1)(a), definitions, CC 431.2(1) 839(2) DNA order on conviction or discharge, Release for testing, CC 605(1) CC 487.04, 487.051 Rules of court, CC 482(2) exception, armed forces, CC 431.2(3) EXPERT EVIDENCE offence, CC 431.2(2) See also Physician offence outside Canada, CC 7(3.72), (5) to (7)Disclosure and production Duty of care, CC 79, 80 adjournment to address. CC 657.3(4)(a), 657.3(5)(a) "Explosive or other lethal device," CC 431.2 notice of intention to call witness, CC 657.3(3)(a) "Explosive substance," CC 2 Placement in specified government/public particulars, order for, CC 657.3(3) production of opinion or report, CC facilities, CC 431.2 657.3; CA Part I 7 definitions, CC 431.2(1) remedies for incomplete or non-DNA order on conviction or discharge, CC 487.04, 487.051 disclosure, CC 657.3(4), (5)

EXPLOSIVES—Cont'd EXTORTION, CC 346—Cont'd Placement in specified government/public Punishment/sentence facilities, CC 431.2—Cont'd general, CC 346(1.1)(b) exception, armed forces, CC 431.2(3) where firearm used, CC 346 offence, CC 431.2(2) where home invasion involved, CC offence outside Canada, CC 7(3.72), 348.1 (5) to (7)**EXTRADITION** Possession while prohibited, CC 82 Agreements explosive, CC 82(1) publication in Canada Gazette, EXA 8 possession in association with criminal refusals, EXA 45 organization, CC 82(2) specific, EXA 10 sentences to be served consecutively, Canada, from CC 82.1 appeal, EXA 49 to 56 Taking on board aircraft, CC 78 application of Criminal Code, EXA 19, Using, CC 81 20, 52 DNA order on conviction or discharge, authority to proceed, EXA 15, 16, 23 CC 487.04, 487.051 committal, consent to, EXA 70 in association with criminal organizadischarge, EXA 14, 29(3), 48 tion, CC 231(6.1) evidence, EXA 32 37 **EXPORTING** extraditable conduct, EXA 3 Counterfeit money, CC 452(b) fugitive, EXA 14, 17, 18, 22, 29(3), 48, False representation to obtain carriage, 61,73 CC 401(1) further proceedings, EXA 4 Proceeds of property obtained by crime hearing, EXA 21, 24, 28 in rem prohibition, CC 355.3 judge, EXA 25, 38 Property obtained by crime judicial review, EXA 57 in rem prohibition, CC 355.3 jurisdiction, EXA 5 orders, EXA 26, 27, 59, 67 **EXPOSURE** property seized, EXA 39 See also Indecency, Obscenity remedy for delay, EXA 69 Indecent act, CC 173(1) restrospectivity, EXA 6 Nudity, CC 174 surrendering, EXA 10, 40 to 48, 59 to Of sexual organs 68,71 age-related exceptions to consent, CC waiver of. EXA 72 150.1(2) to (4), (6) warrants, EXA 12 to 14 no prosecution of 12 or 13 year old, Designated extradition partners, EXA 9, CC 150.1(3) Sch. to child under 16, CC 173(2) Foreign state, from EXPRESSION commencement of sentence, EXA 83 Freedom of, CA Part I 2(b) conveyance of fugitive, EXA 81 order, EXA 79, 82 **EXTENSION OF TIME** request by Canada, EXA 78 See also appeal specialty if person in Canada, EXA 80 Generally, CC 839(2) Immunity abrogated, EXA 6.1 Application for leave, CC 678(2) International Criminal Court Dangerous offender assessment applicaarrest at request of tion, CC 752.1(3), 753.01(3) discharge if no proceedings, EXA **EXTORTION, CC 346** 14, 18

defined, EXA 2

Extortion by libel, CC 302

EXTRADITION—Cont'd FAILURE TO APPEAR (ATTEND) International Criminal Court—Cont'd -Cont'd surrender request by, EXA 6.1, 40(5), Section 524, under, CC 512.3 Summons, under, CC 512.1 unscheduled landing en route to, EXA Undertaking, under, CC 512.2 76(a) **FAILURE TO COMPLY** Minister Generally, CC 145(3), (4), (5) functions, EXA 7 powers, **EXA 40, 41** FAILURE TO TESTIFY (COMMENT) power to receive requests, EXA 11 Generally, CEA 4(6) Transit, EXA 74 to 76 FALSE ALARM OF FIRE Transitional provisions, EXA 84, 85 Defence, CC 429(2) **EXTRAORDINARY REMEDIES** Offence, CC 437 Appeal, CC 784 **FALSE INFORMATION** Application of Code provisions, CC 774 Endangering safety of aircraft, CC 77(e) Certiorari appeal, CC 784 **FALSE MESSAGES** availability, CC 776, 779, 782 See Telephone Effect of dismissal of application, CC 780 **FALSE OATH** appeal, CC 784 See False Statement, see Perjury no re-application without fresh evidence, CC 784(3) FALSE PRETENCE order for further detention, CC 775 See also Fraud review of warrant of committal, CC Defined, CC 361 False financial statement, CC 362(1)(c), want of proof of encactment, CC 781 Order for further detention, CC 781 punishment, CC 362(3) Protection of judicial officials, CC 783 Jurisdiction of provincial court judge, CC Review of conviction or order, CC 777, 553, 555(2) 778 Obtaining credit, CC 362(1)(b) Rules of court, CC 482(3)(c) punishment, CC 362(3) Want of proof of enactment not ground, Obtaining execution of valuable security, CC 781 **CC 363** "valuable security," CC 2 **EXTRA-PROVINCIAL OFFENCES** Obtaining food or lodging, CC 364(1) Jurisdiction of court, CC 478 presumption of fraud, CC 364(2) aircraft offences, CC 7 Obtaining goods breach of probation order, CC 733, presumption from dishonoured cheque, 733.1 CC 362(4) guilty plea in court of criminal jurisdic-Obtaining property, CC 320(1), 362(1)(a) tion, CC 478(3) punishment, CC 362 newspaper libel, CC 478(2) Order for particulars, CC 587(1)(b) FABRICATING EVIDENCE **FALSE PROSECUTION** Offence, CC 137 Order for particulars, CC 587 See also Perjury Conspiracy to prosecute falsely, CC Sufficiency of counts, CC 585 465(1)(b) FAILURE TO APPEAR (ATTEND) Public mischief, CC 140 Appearance notice, under, CC 512.2 **FALSE PROSPECTUS** For ICA purposes, **CC 145(3)**, **(4)**

Non-compliance with process, CC 145(2)

Generally, CC 380.1, 400

FALSE STATEMENT

See also Affidavit, False Pretence,
Falsification, Mischief, Oath, Perjury
Acknowledgment in false name, CC 405
Books and documents, CC 397
By agent, CC 426
Employment record, CC 398
Extra-judicial proceedings, CC 131, 134
Indictment
particulars, CC 587
sufficiency of counts, CC 585
Passing off, CC 408
Prospectus or statement of account, CC
400
Receipt under Bank Act, CC 390

To induce police investigation, CC 140(1)

FALSIFICATION

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

Registration of title, CC 386

To obtain carriage, CC 401

FARE

Failure to collect, CC 393
jurisdiction of provincial court judge,
CC 553(c)(viii)

Slug or token, CC 454

FEES AND ALLOWANCES

Summary conviction proceedings, CC 840

FIERI FACIAS

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

FINANCIAL INSTITUTION

See Bank

Index-50

FINANCIAL STATEMENT

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

FINE

See also Punishment, Sentence And other punishment, CC 734(4), (5) Default of payment imprisonment in default, CC 718.3, 719, 734, 734.8, 787 warrant of committal, CC 734.7(1) to (2.1)

Discretion of court, CC 718.3, 734.7
Disposition of proceeds, CC 734.4
Fine option program, CC 736
In addition to other punishment, CC 734(1)

In lieu of forfeiture order, CC 462.37(3), (4)

In lieu of imprisonment, CC 734(1)
Licences, permits, etc., CC 734.5
Organizational accused, CC 735
Partial payment, CC 734.8
Payment not waiver of appeal, CC 820(1)
Recovery
fine on organization, CC 735

Remission, CC 748.1 Suspending payment pending appeal, CC 683(5), (5.1), (6) Time for payment, CC 734.1

Victim fine surcharge (VFS), CC 737; YCJA 42(2)(d), 53(1), 54(2) Young offenders, YCJA 42(2)(d), (10), 50(2), 53, 54(1) to (3)

FINGERPRINTING AND FINGERPRINTS

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

Young persons, YCJA 113

FIRE

Arson, CC 433 to 436
colour of right as defence, CC 429(2)
presumption of intent to defraud, CC
435

FIRE—Cont'd	FIREARMS—Cont'd
By negligence, CC 436(1)	Authorization to transfer
defence, CC 429(2)	ammunition to individuals, FA 25
inference from non-compliance with	application, FA 54, 55
prevention laws, CC 436(2)	as evidence, CC 117.12
organizational liability for, CC 22.1	Chief Firearms Officer, FA 27
Damage to property	definition of "transfer," FA 21
not wholly owned, CC 434	definitions re, CC 2.1
wholly or partially owned, CC 434.1	firearms, FA 23, 23.2, 26, 31
Defence of colour of right, CC 429(2)	form, FA 61
Disregard for human life, CC 433	gun collectors, to, FA 30
False alarm of fire, CC 437	mail-order transfers, FA 32
defence, CC 429(2)	mental disorder and, FA 22
For fraudulent purpose, CC 435(1)	permitted purposes, FA 28, 30
inference from insurance, CC 435(2)	prohibited ammunition/devices/
Possession of incendiary material, device	weapons, FA 24, 26(2)
or explosive substance, CC 436.1	Registrar, FA 31
explosive substance defined, CC 2	restoration, CC 117.06(2)
FIREARMS	restricted firearms or handguns, FA 28
Aboriginal or treaty rights, FA 2(3)	30
Access, orders re limitations on, CC	restricted weapons, FA 26(2)
117.0101	revocation, CC 116, 117.04(4); FA 70
Agreements with provinces, FA 95	term, FA 65(1) to (3)
Ammunition	Authorization to transport, see also autho
authorized transfer to individuals, FA	rization to carry refusal to issue, FA 68, 72, 74 to 76
25	
Amnesty, CC 117.14; CC Reg. 2006 to	revocation, CC 116, 72, 74 to 76, 117.04(4); FA 70
95, 2014 to 56	Certificate of analyst, CC 117.13
Appeal	Chief Firearms Officer
application of Part XXVII of Criminal	authorizing transfer, FA 23.2, 27, 28
Code, FA 81	records of, FA 87 , 90.1
Nunavut, FA 76.1	reporting, loss, finding, theft, and
order, CC 117.11, 117.05(7) to (9)	destruction of firearms to, FA 88
prohibition orders, CC 111(8) to (10)	Collectors, FA 30
to Court of Appeal, FA 80	Commissioner of Firearms
to superior court, FA 77, 78, 79 Authorization to carry	appointment, FA 81.1
application, FA 54, 55	compensation, FA 81.5
as evidence, CC 117.12	delegation by federal minister to, FA
conditions, FA 58, 58.1	81.3
different registered owner, FA 59	duties, FA 81.2, 81.3
form, FA 61	functions, FA 81.2, 81.3
general, FA 57	incapacity, FA 81.4
geographical extent, FA 63	information to be submitted to, FA 94
refusal to issue, FA 68	powers, FA 81.2, 81.3
renewal, FA 67	report to federal Minister, FA 93, 94
restoration of, CC 117.06(2)	superannuation, FA 81.5
revocation, CC 116, 117.04(4); FA 70	vacancy, FA 81.4
term, FA 65	Delegation, FA 98, 99, 100
transferability, FA 62	Electronic filing, FA 91

FIREARMS—Cont'd	FIREARMS—Cont'd
Eligibility to hold licences	Non-restricted
businesses, FA 9	defined, CC 84(1)
completion of safety course, FA 7	prohibited, distinct from, CC 117.15(3)
court orders, FA 6	restricted, distinct from, CC 117.15(3)
international and interprovincial carri-	Notice of refusal or revocation, FA 72
ers, FA 10	Offences
minors, FA 8	actions by Attorney General, FA 116
museums, FA 9(6)	altering cartridge magazine offence,
public safety, FA 5	CC. 104.1
Exempted persons	careless use or storage, CC 86
armed forces, CC 117.08	carrying concealed weapon, CC 90
employees, CC 117.09	carrying while attending public meet-
public officer, CC 117.07, 117.08; CC	ing, CC 89
Reg. 98 to 466 generally	computer data offence, CC 102.1
Exemptions, FA 97 Exportation and importation	contraventions of conditions of
business, FA 62	licences, FA 110
individuals, FA 35	destroying, CC 106
Registrar, FA 42.2, 60	discharging firearm—recklessness, CC
Firearms acquisition certificates, FA 120 ,	244.2
126	discharging in public place, CC 175,
Grandfathered handguns	244
carrying, FA 20	export or import, CC 84(5), (6), 103,
eligibility to hold licence, FA 12(6) to	failure to give up revoked licence, FA
(7)	114
licences generally, see licences	false statements, CC 107; FA 106
renewal of licences, FA 67(2), (3)	losing or finding, CC 105
Industrial approval designations, FA 125,	making automatic firearm, CC 102
126	non-compliance with demand to pro-
Inspections	duce firearm, FA 113
demand to produce firearm, FA 105	pointing, CC 87
duty of inspectors, FA 103	possession, CC 84, 88, 93, 95, 96, 100,
dwelling houses, FA 104	117.01
general, FA 102	tampering, CC 107, 108
Lending, FA 33, 34	trafficking, CC 84 , 99 , 100
Licences	transfer without authority, CC 101
application, FA 54, 55	unauthorized possession, CC 91, 92,
conditions, FA 58, 58.1, 126.1	94, 108
form, FA 61	use in commission of offence, CC
general, FA 56	84(5), (6), 85
geographical extent, FA 63	using firearm in commission of offence
refusal to issue, FA 68, 72, 74 to 81	CC 85(1)
renewal, FA 67	Onus, CC 117.11
revocation, CC 116, 72, 74 to 81,	Orders
117.04(4); FA 70	access, re limitations on, CC 117.0101,
term, FA 64	117.012
transferability, FA 62	access to information, denying, CC
Mental disorder, FA 22 Museum approvals, FA 122, 124, 126	110.2, 117.0102
widelim approvals BA 177 174 176	emergency prominition order • • • • • • • • • • • • • • • • • • •

FIREARMS—Cont'd	FIREARMS—Cont'd
Orders—Cont'd	Prohibition orders—Cont'd
identifying information, to delete, CC 110.3, 117.0103	subsection 111(5), under, CC 110.4, 112
prohibition, CC 111	Reference
see also prohibition order	application, FA 74
subsection 111(5), under, CC 110.4	decision, FA 76
subsection 117.011(3), under, CC	hearing, FA 75
117.012	limitation period, FA 74(2)
Penalties, FA 109, 111, 115	Registrar of Firearms
Permit	access to records of Chief Firearms
minors', FA 121, 126	Officer, FA 90
revocation, FA 135.1	appointment, FA 82
temporary storage permit, FA 135	incapacity, FA 82.1
to carry, FA 129, 130, 132, 133	records of, FA 85, 92
to carry on business, FA 123, 124, 126	references to, deemed, FA 2(2.1)
to transport or convey, FA 131, 132,	responsibilities, FA 60 transference of, FA 86
133	vacancy, FA 82.1
Prohibited firearms	Registration certificates
authorized transfer of, FA 24, 26	application, FA 54, 55, 127, 128
businesses, FA 11(1)	defined, CC 84(1)
carriers, FA 11(3)	exempted firearms, FA 15
individuals, FA 12	form, FA 61
non-restricted, distinct from, CC 117.15(3)	general, FA 12.1, 13
places where possession allowed, FA 12, 17	geographical extent, FA 63 prohibited firearm, FA 12.1
restricted, distinct from, CC 117.15(4)	refusal to issue, FA 69
transporting and using of, FA 19	restricted firearm, FA 12.1
Prohibition orders	restricted to one person, FA 16
appeal, CC 111(8) to (10)	revocation, FA 71
application for, CC 111(1) to (7)	serial number, FA 14
application of Criminal Code, YCJA	temporary, FA 36, 41, 48 term, FA 66
51(7)	transferability, FA 62
authorizations revoked or amended,	Registry
CC 116	Canadian Firearms Registry, FA 83
defined, CC 84(1)	destruction of records, FA 84
discretionary, CC 110; YCJA 51(3)	Regulation, CC 117.15; FA 117, 118
emergency, CC 110.1, 112	Restricted firearms
forfeiture, CC 115, (5), 117.05(4)	carrying, FA 20
lifting of, CC 113	places where possession allowed, FA
mandatory, CC 109; YCJA 51(1), (2)	17
reasons for, YCJA 51(5), (6)	transporting and using, FA 19
records, YCJA 119(3), (10)	Search and seizure, warrant re, CC 117.0
reporting of, FA 89; YCJA 51(8)	Shooting clubs or shooting ranges, FA 29
requirement to surrender, CC 114	134
return to owner, CC 117	FIREARMS ACQUISITION
review, YCJA 52	CERTIFICATE
revocation of, CC 112	See firearms

FITNESS TO STAND TRIAL

See also Assessments (Mental Disorder), Dispositions and Disposition Hearings (Mental Disorder), Review Boards

Appeals from finding of unfitness by accused, CC 675(3) by Attorney General, CC 676(3)

Disposition hearings, see disposition hearings

Presumption of fitness, CC 672.22

Subsequent inquiry as to adequacy of case burden of proof, CC 672.33(3) evidence on inquiry, CC 672.33(4)

procedure on inquiry, CC 672.33(5) requirement, CC 672.33(1), (2)

where prima facie case not made, CC 672.33(6)

Trial of issue

appointment of counsel, CC 672.24 burden of proof, CC 672.23(2) by whom issue tried, CC 672.26, 672.27

direction of trial of issue, CC 672.23(1) finding of fitness, CC 672.28, 672.29 finding of unfitness, CC 672.31,

672.32, 672.851, 672.852 permanently unfit accused, CC

672.851, 672.852 "Unfit to stand trial," CC 2

FIXED PLATFORMS

Offence inside Canada

act of violence, CC 78.1(2)(a)

destroys or causes damage, CC 78.1(2)(b)

destroys or causes damage to maritime navigational facility, CC 78.1(2)(c)

DNA order on conviction or discharge, CC 487.04, 487.051

places anything likely to cause damage, CC 78.1(2)(d)

seizes or exercises control, CC 78.1(1) threats likely to endanger safety, CC 78.1(4)

Offence outside Canada

accessory after the fact, CC 7(2.1), (2.2)

attempt, CC 7(2.1), (2.2)

consent to prosecution, CC 7(7)

FIXED PLATFORMS—Cont'd

Offence outside Canada—Cont'd conspiracy, CC 7(2.1), (2.2) counselling, CC 7(2.1), (2.2) deemed committed in Canada, CC 7(2.1), (2.2)

DNA order on conviction or discharge, CC 487.04, 487.051

prosecution outside Canada, CC 7(6)

FLIGHT

Police, from, CC 320.17

FOLLOWING PERSON

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

FORCE (USE OF)

See also Defences (Statutory)
Defence against provoked assault, CC 35
Defence against unprovoked assault, CC
34

Use of force

excess force, CC 26

in execution of process, CC 25, 26

in fingerprinting, ICA 2(2)

to correct child, CC 43

to defend self, CC 34, 35

to enforce law, CC 25, 26

to maintain discipline on vessel, CC 44

to prevent assault, CC 37

to prevent breach of peace, CC 30

to prevent commission of offence, CC

to prevent escape, CC 25(4), (5) to suppress riot, CC 32

FORCIBLE CONFINEMENT

See Confinement

FORCIBLE DETAINER

Generally, CC 72(2), 73

FORCIBLE ENTRY

Generally, CC 72(1), 73

FOREIGN STATE

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

FORENSIC DNA ANALYSIS

See also DNA Identification

FORENSIC DNA ANALYSIS—Cont'd Arrest warrant, CC 487.0551, Form 5.062 Authorization for second collection of bodily substances where profile not derived from initial collection, CC 487.091 execution of, CC 487.0551(2), 487.07, 487.056 to 487.058, 487.071, 703(2) summons to person not in custody, CC 487.091(3), Form 5.061 Authorization for taking of bodily substances from offender serving sentence attempted murder, offender convicted of, CC 487.055(1)(c.1), (2) certificate required, CC 487.055(2) collection of additional bodily substances where profile not derived from initial collection under, CC 487.091 collection of bodily substances under, CC 487.056(1) conspiracy to commit murder, offender convicted of, CC 487.055(1)(c.1), criteria for determining whether authorization should issue, CC 487.055(3) dangerous offenders, CC 487.055(1)(a), (b), (2) execution of, CC 487.0551(2), Form 5.062, 487.07, 487.056 to 487.058, 487.071, 487.091, 703(2) form of application, Form 5.05 form of authorization, Form 5.06 manner of appearance at hearing, CC 487.055(3.01), Form 5.07, 487.057, 487.071, 498.058 manslaughter, offender convicted of, CC 487.055(1)(e) murderers, CC 487.055 procuring attendance at hearing, CC 487.055, Forms 5.061, 5.062, 487,0551 sex offenders, CC 487.055 **Bodily substances** collection, pursuant to court order or authorization, CC 487.056 to

487.058, 487.07, 487.091

destruction, CC 487.09

```
FORENSIC DNA ANALYSIS—Cont'd
  Bodily substances—Cont'd
    investigative procedures, CC 487.06
    limitation on uses, CC 487.08
    offence of misuse, CC 487.08(4)
    transmission of analysis results, CC
         487.071(1)
    transmission of unused, CC 487.071(2)
  Court order for taking of bodily sub-
       stances on conviction, discharge, or
       NCRMD finding
    appeal from, CC 487.054
    criteria for determining whether order
         should issue, CC 487.051
    discretion of court, CC 487.051(2) to
         (3), 487.053
    exception, CC 487.051(2), (3)
    execution of, CC 487.0551(2), Forms
         5.062, 5.07, 487.07, 487.08,
         487.056 to 487.058, 487.071,
         487.091, 703(2)
    form of, Form 5.03, 5.04
    primary designated offence, CC
         487.051, Forms 5.03, 5.04
    secondary designated offence, CC
         487.051(3), Form :From 5.04
    timing of, CC 487.053
    where not required, CC 487.051(2),
         487.053
  Court order to offender to report for
       sampling
    arrest warrant where non-compliance,
         CC 487.0551, Form 5.062
    form of, CC Form 5.041
    non-compliance with, offence, CC
         487,0552
    power to make, CC 487.051(4),
         487.055(3.11)
  Defective orders/authorizations
    confirmation or correction. DNA
         5.2(2), (4)
    destruction of bodily substances, DNA
         5.2(4)
    duties of commissioner re, DNA 5.2
    notice to AG or DMP, DNA 5.2(1)
    retention of bodily substances pending
         review, DNA 5.2(1)
    review by AG, CC 487.091
  Definitions, CC 487.04, 487.055(3)
  Designated offences, CC 487.04
```

appointment of Minister to manage,

destruction of property pursuant to, CC

CC 490.81(2)

490.81(4) to (7)

FORENSIC DNA ANALYSIS—Cont'd FORFEITURE—Cont'd Destruction of bodily substances, etc., CC Things forfeited 487.09 child pornography, CC 164(4), (5) Execution of warrant, CC 407.0551(2), counterfeit money, token or equipment, 487.07, 703(2) **CC 462** Investigative procedures, CC 487.06 crime comic, CC 164(4), (5) Limitations on use of bodily substances, device to obtain computer system, CC CC 487.08 342.2(2), (3) device to obtain telecommunications failure to comply with order or summons, CC 487.0552 service, CC 327(2), (3) misuse of information, DNA 8, 11 explosive, CC 492(2), (3) FDA, CC 27, 43, 44 misuse of substances and results, CC goods unlawfully carried, CC 401(2) 487.08(3), (4) hate propaganda, CC 319, 320 Results instruments for forging or falsyfying limitation on uses, CC 487.08 credit cards, CC 342.01(2), (3) offence of misuse, CC 487.08(4) interception device, CC 192 transmission of, CC 487.071 lottery or gaming material, CC 199, Summons to report for sampling (6), 206(5)form of, CC Form 5.061 mineral or precious metal, CC 394, 395 non-compliance with, offence, CC obscene matter, CC 164(4), (5) 487.0552 offence-related property, CC 490.1; power to issue, CC 487.055(4), **CDA 20** 487.091(3) things seized pursuant to search warwarrant on non-compliance, CC rant, CC 490(9) 487.0551 things used for child luring, CC 164.2 Warrant to obtain bodily substances things used for child pornography, CC criteria, CC 487.05(2) 164.2 detention of person named, CC things used for movie piracy, CC 487.07(2) 432(3), (4) execution, CC 487.07, 487.057, trademarked goods, CC 412(2) 487.058 used goods, CC 412(2) form of, Form 5.02 weapon, CC 491 information to obtain warrant, CC 487.05, Form 5.01, 487.3 FORFEITURE (OFFENCE-RELATED respect of privacy, CC 487.07(3) PROPERTY) terms and conditions, CC 487.06(2) Dwelling house use of substances and analysis results, criteria/factors to be considered, CC CC 487.08 490.41(4), CDA 19.1(4) Young person, CC 487.04 non-forfeiture of property, CC 490.41(3), CDA 19.1(3) **FORFEITURE** notice requirements, CC 490.41(1) to See also Child Pornography, Forfeiture (2), CDA 19.1(1) to (2) (Offence-Related Property), In rem forfeiture, application for, CC Proceeds of Crime, Recognizance 490.2(1); CDA 17(1) Disposition of proceeds, CC 723 "Judge" defined, CC 490.2(5) Effect of proceeds of crime Management order provisions, CC 462.49

Order for forfeiture, CC 491.1

Remission, **CC 750(1)**

Recovery by civil proceedings, CC 724

FORFEITURE (OFFENCE-RELATED	FORFEITURE (OFFENCE-RELATED
PROPERTY)—Cont'd	PROPERTY)—Cont'd
Management order—Cont'd	Order of forfeiture on conviction, CC
duration of, CC 490.81(8)	490.1 (1); CDA 16 (1)—Cont'd
power of court, CC 490.81(1), (7)	dwelling house—Cont'd
power to manage, CC 490.81 (1), (3) to (4)	non-forfeiture of property, CC 490.41(3); CDA 19.1(3)
variation of, CC 490.81(9)	notice requirements, CC 490.41(1)
Notice of application, CC 490.4(1); CDA	to (2); CDA 19.1(1) to (2)
19(1)	property outside Canada, CC
manner of giving notice, CC 490.4(2);	490.1(2.1); CDA 16(2.1)
CDA 19(2) Order declaring interest not affected by	property related to other offences, CC 490.1(2); CDA 16(2)
forfeiture, CC 490.5(4); CDA 20(4)	suspension of order pending appeal,
appeal from order, CC 490.5(5); CDA	CC 490.7; CDA 22
20(5)	Property outside Canada, CC 490.1(2.1),
application for order, CC 490.5(1);	17(5), 490.2(4.1); CDA 16(2.1)
CDA 20(1)	Recognizance, CC 490.9(2); CDA 15(2)
fixing date for hearing, CC 490.5(2); CDA 20(2)	Restoration of property, CC 490.4(3); CDA 19(3)
notice of application, CC 490.5(3);	Restraint order, CC 490.8; CDA 14
CDA 20(3)	application for, CC 490.8(1); CDA
return of property, CC 490.5(6); CDA	14(1)
20(6)	conditions, CC 490.8(4); CDA 14(2)
suspension of order pending appeal, CC 490.7; CDA 22	management order pending restraint, CC 490.81
Order of forfeiture of property, CC 490.2(2); CDA 17(2)	order, CC 490.8(3) to (3.1); CDA 14(3) to (4)
absconded accused, CC 490.2(3); CDA 17(2), (3)	continues in force, CC 490.8(8); CDA 14(9)
appeals from orders, CC 490.6; CDA 21	contravention of, CC 490.8(9); CDA 14(10)
dwelling house	in writing, CC 490.8(5); CDA 14(6)
criteria/factors to be considered, CC	property outside Canada, CC
490.41(4); CDA 19.1(4)	490.8(3.1); CDA 14(4)
non-forfeiture of property, CC 490.41(3); CDA 19.1(3)	registration of, CC 490.8(7); CDA 14(8)
notice requirements, CC 490.41(1)	service of, CC 490.8(6); CDA 14(7)
to (2); CDA 19.1(1) to (2)	procedure, CC 490.8(2); CDA 14(2)
property outside Canada, CC	Sections 489.1 and 490 applicable, CC
490.1(2.1), 490.2(4.1); CDA	490.9(1); CDA 15(1)
16(2.1)	Transfers, voidable, CC 490.3; CDA 18
suspension of order pending appeal, CC 490.7; CDA 22	FORGERY
who may dispose of forfeited property,	See also Counterfeiting, Uttering
CC 490.2(4); CDA 17(4)	Credit card, CC 342(1)(b)
Order of forfeiture on conviction, CC	Elements of offence
490.1(1); CDA 16(1)	definition, CC 366(1)
appeal from order, CC 490.1 (3); CDA 16 (3)	"make false document," CC 366(2)
dwelling house	when complete, CC 366(3)
criteria/factors to be considered, CC	Exchequer bill paper, public seals, CC
490.41(4); CDA 19.1(4)	369

FORGERY—Cont'd	FRAUD—Cont'd
Impounding forged instrument, CEA 35	Offences—Cont'd
Obtaining property by instrument based	defacing trademark or name, CC
on forgery, CC 375	410 (a)—Cont'd
Passport, CC 57	punishment, CC 412(1)
Public seal, CC 369(c)	defrauding creditors
Punishment for forgery, CC 367	false financial statement, CC 362
Trademark, CC 406, 407	false prospectus, CC 400
forfeiture, CC 412(2) possession of instrument, CC 409	aggravating circumstances, CC 380.1(1) to (1.1)
punishment, CC 412(1) Uttering forged document, CC 368	non-mitigating factors, CC 380.1(2)
FORMS	record of sentencing factors, CC
Deemed good and sufficient, CC 849(1)	380.1(3)
No seal required, CC 849(2) Official languages, CC 849(3)	falsifying book or document, CC 397
	fraudulent conveyance, CC 392
FRAUD	defrauding public or person, CC 380(1)
See also False Pretence	aggravating circumstances, CC
Aggravating circumstances, CC 380.1(1)	380.1(1) to (1.1)
to (1.1) Indictment	jurisdiction of provincial court judge, CC 553(a)(iv), 555(2)
sufficiency of counts, CC 583, 586	minimum punishment, CC 380(1.1)
Non-mitigating factors, CC 380.1(2)	non-mitigating factors, CC 380.1(2)
Offences	prohibition order, CC 380.2
affecting public market, CC 380(2)	record of sentencing factors, CC
aggravating circumstances, CC	380.1(3)
380.1(1) to (1.1) non-mitigating factors, CC 380.1(2)	restitution order, CC 738 , Form 34.1 , 739
record of sentencing factors, CC	false prospectus, CC 400
380.1(3)	aggravating circumstances, CC
artificial securities transactions, CC 382	380.1(1) to (1.1)
aggravating circumstances, CC	non-mitigating factors, CC 380.1(2) record of sentencing factors, CC
380.1(1) to (1.1) non-mitigating factors, CC 380.1(2)	380.1(3)
record of sentencing factors, CC	falsifying book or document, CC 397
380.1(3)	falsifying pedigree, CC 385
bottling under another's mark or name,	fare or toll collection, CC 393
CC 410(b)	trial jurisdiction, CC 553(c)(viii)
forfeiture, CC 412(2)	forgery, CC 375
punishment, CC 412(1)	forgery of trademark, CC 406, 407
broker reducing stock by selling for	fraud by government official, CC 122
own account, CC 384	fraud generally, CC 380(1)
cheating at play, CC 209	punishment
concealment of title document, CC 385	aggravating circumstances, CC
consignment sale, fraudulent disposi-	380.1(1) to (1.1)
tion, CC 389 defacing trademark or name, CC	minimum punishment, CC 380(1.1)
410(a)	non-mitigating factors, CC
forfeiture, CC 412(2)	380.1(2)

RAUD—Cont'd	FRAUD—Cont'd
Offences—Cont'd	Offences—Cont'd
fraud generally, CC 380(1)—Cont'd punishment—Cont'd	passing off, CC 408—Cont'd punishment, CC 412(1)
not exceeding 01675,000, CC	purported receipt, CC 388
380(1)(b)	salting mine or sample, CC 396
over 01675,000, CC 380(1)(a),	title documents
380(1.1)	fraudulent registration, CC 386
prohibition order, CC 380.2	using mails to defraud, CC 381
record of sentencing factors, CC 380.1(3)	uttering counterfeit or noncurrent coin, CC 453
restitution order, CC 738 , Form 34.1 , 739	Order for particulars, CC 587 Prohibition order, CC 380.2
fraud in relation to mineral or precious	breach offence, CC 380.2(4)
metal, CC 394 fraud in relation to public stores, CC	duration, CC 380.2(2)
418	power to make, CC 380.2(1)
fraudulent concealment, CC 341	variation, CC 380.2(3)
title documents, CC 385	FRAUDULENT CONCEALMENT
fraudulent conveyance, CC 392	Generally, CC 341
fraudulent receipt under Bank Act, CC	Mineral or precious metal, CC 394(1)
390 fraudulent registration of title, CC 386	Registration of title, CC 386
fraudulent registration of title, CC 386 fraudulent sale of land, CC 386, 387	Title document, CC 385(1)
fraudulent use of citizenship certificate,	FRAUDULENT CONVEYANCE
CC 58	Generally, CC 392
fraud upon government, CC 121	FRAUDULENT
loss of capacity to contract, CC	MISREPRESENTATION
748(3), (4)	Generally, CC 361
gaming in stocks or merchandise, CC 383	"FREE AND DEMOCRATIC
general offence and punishment, CC	SOCIETY"
380(1), (1.1)	Generally, CA Part I 1
insider trading, prohibited, CC 382.1	FREEDOM OF ASSOCIATION
aggravating circumstances, CC	Generally, CA Part I 2(d)
380.1(1) to (1.1)	FREEDOM OF CONSCIENCE AND
non-mitigating factors, CC 380.1(2) record of sentencing factors, CC	RELIGION
380.1(3)	Generally, CA Part I 2(a)
jurisdiction of provincial court judge,	FREEDOM OF PEACEFUL ASSEMBLY
CC 553(a)(iv), 555(2)	Generally, CA Part I 2(c)
obtaining credit by fraud, CC 362(1)(b)	• • • • • • • • • • • • • • • • • • • •
punishment, CC 362(3)	FREEDOM OF PRESS AND OTHER MEDIA OF COMMUNICATIONS
obtaining execution of valuable security, CC 363	Generally, CBR 1(f); CA Part I 2(b)
obtaining food and lodging, CC 364(1)	**
obtaining transportation, CC 393	FREEDOM OF THOUGHT, BELIEF, OPINION AND EXPRESSION
jurisdiction of provincial court judge,	Generally, CA Part I 2(b)
CC 553(c)(viii)	• • • • • • • • • • • • • • • • • • • •
passing off, CC 408	FUNDAMENTAL FREEDOMS
forfeiture, CC 412(2)	Generally, CA Part I 2

FUNDAMENTAL JUSTICE GAS Generally, CA Part I 7 Theft, CC 326 **GENERAL WARRANT GAMBLING** Generally, CC 487.01 See also Betting, Gaming, Lottery Information to obtain warrant, CC 487.01 Controlling property for gambling, CC sealing order for, CC 487.3 202(1)(c) assisting offence, CC 202(1)(j) **GENOCIDE** Dealing in or keeping gambling device, See also Hate Propaganda CC 202(1)(b) Advocating genocide, CC 318(1) assisting offence, CC 202(1)(j) consent to prosecution, CC 318(3) Exemptions from offences, CC 204 "Genocide," CC 318(2) Importing information, CC 202(1)(g) "Identifiable group," CC 318(4) assisting offence, CC 202(1)(j) Punishment, CC 202(2) To defraud creditors, CC 392 **GAMING GOVERNMENT** See also Betting, Disorderly House, Appointment, proof, CEA 21, 22 Gambling, Lottery Conduct of lotteries, CC 207 Agreeing to purchase or sell privileges, Disclosure of information, see Disclosure CC 202(1)(e) "Government," CC 118 assisting offence, CC 202(1)(j) Offences exemption from offence, CC 204(1) corruption punishment, CC 202(2) breach of trust by official, CC 122 Buying lots; cards or tickets, CC 206(4) bribery of official, CC 121 Cheating at play, CC 192 loss of capacity to contract, CC Conducting game, CC 206(1)(d) to (f) 748(3), (4) exception for agricultural fair. CC contractor subscribing to 206(3) election fund, CC 121(2) Dealing in lots, cards or tickets, CC loss of capacity to contract, CC 206(1)(b) 748(3), (4) Exceptions for joint property, bank "official," CC 118 premiums counterfeiting calls of securities, CC 206(8) government mark, CC 376(2) Forfeiture of property, CC 206(5), (6) "mark," CC 376(3) Gaming in stocks or merchandise, CC proclamation, CC 420 383(1) seal. CC 369 Inducing stake, CC 206(1)(g) fraud by official, CC 122 exception for agricultural fair, CC "official," CC 118 206(3) fraud upon government, CC 121 Jurisdiction of provincial court judge, CC loss of capacity to contract, CC 553(c)(i) to (v) 748(3), (4) Making or advertising scheme, CC influencing appointments, CC 125 206(1)(a) "office," CC 118 Sending device or scheme, CC 206(1)(c) "official," CC 118 Three-card monte printing or using likeness of securities, conducting game, CC 206(1)(h) CC 457 defined, CC 206(2) records and documents permitting game, CC 206(1)(j) certified copy as evidence, CEA 24, receiving bets, CC 206(1)(i) 25, 26(1)

GOVERNMENT—Cont'd	HARASSING COMMUNICATIONS
Offences—Cont'd	Generally, CC 372(3)
records and documents—Cont'd	HARBOUR
notice of production of copy, CEA	See also Accessory after Fact
28	Removing natural bar, CC 440
photograph as evidence, CEA 31	defence, CC 429(2)
record as evidence, CEA 26 young offenders, YCJA 116(1)	, , ,
sedition, CC 59 to 62	HATE PROPAGANDA
selling or purchasing office, CC 124,	See also Genocide
125	Advocating genocide, CC 318(1)
loss of capacity to contract, CC 750	consent of attorney general required,
tobacco, relating to, CC 121.1	CC 318(3) "canacida" CC 318(2)
treason, see Treason	"genocide," CC 318(2) "identifiable group," CC 318(3)
GOVERNOR IN COUNCIL	Forfeiture on conviction, CC 319(4)
Direction for payment of penalty, CC	Public incitement of hatred, CC 319(1)
734.4(3)(b)	"communicating," CC 319(7)
Order prohibiting drilling, CC 70	"identifiable group," CC 319(7)
Order restoring capacity to contract, CC	"public place," CC 319(7)
750(4)	"statements," CC 319(7)
Pardon	Warrant of seizure, CC 320, 320.1
grant, CC 748	Wilful promotion of hatred, CC 319(2)
revocation, CRA 7	"communicating," CC 319(7)
Prescription of distinguishing marks, CC 416	consent of attorney general required, CC 319(6)
Remission of penalties, CC 750	defence, CC 319(3)
Uniform rules of court, CC 482(5)	"identifiable group," CC 319(7)
GUARDIAN	"statements," CC 319(7)
See Abduction, see Parent or Guardian	HATRED
HABEAS CORPUS	
Appeal, CC 784(3), (4), (5)	See Hate Propaganda, Incitement of Hatred
Arrest or detention, CA Part I 10(c)	
Availability	HIGH-RISK ACCUSED
defect in form, CC 782	Appeal, see also review of finding
review of warrant of committal, CC	decision of court, CC 672.64(4)
782	decision of Review Board, CC
No re-application without fresh evidence,	672.81(1.5), 672.84(6)
CC 784(3)	Application to court
Nunavut, CC 573.2	appeal of decision, CC 672.64(4)
Order for further detention, CC 775 Presence of accused mandatory on	detention order, CC 672.64(3)
application, CC 650.01(3)(a)(iii),	factors considered, CC 672.64(2) finding, CC 672.64(1), 672.64(5)
774.1	Assessment order
Protection of judicial officer, CC 783	by court, CC 672.11(d.1)
Rules of court, CC 482(2)(c)	by Review Board, CC 672.121(c)
Want of proof of enactment not ground,	Defined, CC 672.1(1)
CC 781	Detention of, CC 672.64(3)
HANDWRITING	Detention order
Proof. CEA 8	by court. CC 672.64(3)

HIGH TREASON—Cont'd HIGH-RISK ACCUSED—Cont'd Disposition hearing Punishment, CC 47(1), 745(a) Trial jurisdiction, CC 468, 469(a)(i) exceptions, **CC 672.47(4)** extension of time for, CC 672.47(5) accessory after fact, CC 469(b) mandatory review of disposition by attempt, CC 469(d) Board, CC 672.81 conspiracy, CC 469(e) notice to victim: referral to court, CC **HIGHWAY** 672.5(13.3) Defined, CC 2 procedure generally, CC 672.5 Obstructing, CC 423(1)(g) protective conditions, CC 672.542 "significant threat to safety of public," HIJACKING CC 672.5401 See also Aircraft victim impact statements, CC Consent to prosecution, CC 7(7) 672.5(14) to (15.3), 672.541 Interim release, CC 522(1) Factors to consider, CC 672.64(2) Offence of hijacking, CC 76 Findings, CC 672.64(1) DNA order on conviction or discharge, Protected statements CC 487.04, 487.051 admissibility, CC 672.21(3)(c) outside Canada, CC 7(7) Review proceedings HOAX REGARDING TERRORIST appeal re finding, CC 672.84(6) ACTIVITY extension of time, CC 672.81(1.31) to Generally, CC 83.231 hearing and disposition, CC 672.84(4) **HOLIDAY** referral to court, CC 672.84(1) Issue and execution of process, CC 20 review of conditions by Board, CC Taking of verdict, CC 654 672.84(2), 672.84(5) review of dispositions by Board, HOME INVASION mandatory, CC 672.81 Sentencing, aggravating circumstance, review of finding by court, CC CC 348.1 672.84(3) **HOMICIDE** Transfer of proceedings, CC 672.88, 672.89 See also Death, Infanticide, Manslaughter, Murder Variation of restrictions, CC 672.56(1.1), Causing death 672.64(3) acceleration of death, CC 226 **HIGH TREASON** death from injury treatment, CC 225 See also Treason preventable death, CC 224 Conspiracy to commit, CC 46(2)(c) Culpable homicide Corroboration, CC 47(3) defined, CC 222(4), (5) Delivery of trial documents, CC 604 not by influence on mind, CC 228 Indictment Homicide specific charge, CC 582 defined, CC 222(1) statement of overt acts, CC 581(4), exception re false evidence, CC 222(6) 601(9) kinds, CC 222(2) Judicial review of parole ineligibility, CC Non-culpable homicide, CC 222(2), (3) 745.6 Offence defined, CC 46(1), (3)(a) HOSTAGE TAKING Overt acts See also Abduction, Hostage Taking, evidence, CC 55 Kidnapping, Trafficking, Persons statement in indictment, CC 581(4), Culpable homicide constituting murder, 601(9) CC 231(5)(f)

HOSTAGE TAKING—Cont'd IDENTIFICATION OF CRIMINALS Defences —Cont'd compulsion (no defence), CC 17 Photographs—Cont'd publication of identifying information, Defined, CC 279.1(1) ICA 2(3) DNA order on conviction or discharge, use of force in obtaining, ICA 2(2) CC 487.04, 487.051 Internationally protected person, outside Publication of identifying information, Canada, CC 7(3) ICA 2(3) Offence outside Canada, CC 7(3), (3.1), Summons, CC 485.2, Forms 6.1, 6.2 (3.71)Use of force in, ICA 2(2) Punishment **IDENTITY THEFT AND IDENTITY** general, CC 279.1(2) **FRAUD** threat against internationally protected Definition of identity information, CC person, CC 7(3), 424 402.1 where firearm used, CC 279.1(2)(a), Identity fraud, CC 403 (a.1)subsequent offences, CC 279.1(2.1), Identity theft, CC 402.2 (2.2)Trafficking in identity information, CC United Nations or associated personnel, 402.2(2) outside Canada, CC 7(3.71) IGNORANCE OF LAW **HUMAN TRAFFICKING** No defence, CC 19 See Trafficking, Persons IMPAIRED OPERATIONDRIVING ICE, DUTY TO SAFEGUARD OFFENCES **OPENING IN** See also Motor Vehicles Generally, CC 263(1), (3) **IMPORTING IDENTIFICATION OF CRIMINALS** Anything knowing it will be used to pro-See also Fingerprinting and Fingerprints; duce ecstasy or methamphetamine, Forensic DNA Analysis **CDA 7.1** Crown bound by Identification of Anything knowing it will be used to traf-Criminals Act, ICA 1.1 fic in ecstasy or methamphetamine, Failure to appear, for purposes of, CC **CDA 7.1** 145(3), (4), (8), (9) Child pornography, CC 163.1(3) Fingerprints Controlled substances, CDA 6(1), (3) cannabis, ICA 5 Information promoting gambling, CC destruction of, ICA 4, 5 202(1)(g) persons whose fingerprints may be assisting offence, CC 202(1)(j) taken for identification purposes, punishment, CC 202(2) ICA 2(1) Presumption from port of shipment, CC publication of identifying information, 414 ICA 2(3) Proceeds of property obtained by crime use of force in obtaining, ICA 2(2) in rem prohibition, CC 355.3 Limitation of liability for acts taken in furtherance of, ICA 3 Prohibited weapon, CC 103, 104 Order to appear, CC 515.01, Form 11.1 Property obtained by crime, CC 355.3, Photographs 357 cannabis, ICA 5 in rem prohibition, CC 355.3 Restricted weapon, CC 103, 104 destruction of, ICA 4, 5 persons whose photographs may be Weapon, by serviceman, officer, museum, taken for identification purposes, CC 117.07, 117.08; CC Reg. 98 to ICA 2(1) 466 generally

IMPRESSION WARRANT

Generally, CC 487.092

IMPRISONMENT

See Punishment, see Sentence

INCEST

Generally, **CC 155**No corroboration required, **CC 274**Order of prohibition, **CC 161**Removal of child from Canada with intent, **CC 273.3(1)(c)**Sexual activity evidence, see Sexual Activity Evidence

INCITEMENT OF HATRED

Generally, CC 319

INCITEMENT TO MUTINY

Generally, CC 53

Evidence of overt acts, CC 55 statement in indictment, CC 581(4), 601(9)

Superior court jurisdiction, CC 468, 469(a)(iv)

INCLUDED OFFENCES

Plea of guilty, CC 606(4) to (4.4)
Specified included offences
in break, enter and commit, CC 662(6)
in break, enter and steal firearm, CC
662(6)
in criminal negligence causing death/

in criminal negligence causing death/bodily harm, CC 662(5) in first degree murder, CC 662(2) in infanticide/child murder, CC 662(4) in manslaughter, CC 662(5) in murder, CC 662(3), (4)

INDECENCY

See also Exposure, Obscenity
Exposure to person under 16, CC 173(2)
Indecent act, CC 173(1)
Indecent communications, CC 372(2)
Indecent exhibition, CC 175(1)(b)
Indecent matter
delivery by mail, CC 168
punishment, CC 169
Indecent show, CC 163(2)(b)
motive irrelevant, CC 163(5)
punishment, CC 169
service of public good as defence, CC
163(3), (4)

INDECENCY—Cont'd

Indecent theatrical performance presenting or allowing, CC 168(1) punishment, CC 169 taking part, CC 167(2)
Sexual activity evidence, see Sexual Activity Evidence

INDECENT ACT

See Indecency

INDEMNIFICATION OF SURETY

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

INDICTMENT (FORM AND SUBSTANCE)

See also Joinder of Accused and Counts
Amendment, CC 601(2), (3)
adjournment where prejudice, CC
601(5)
as question of law, CC 601(6)
at preliminary inquiry, CC 601(11)
considerations on amendment, CC
601(4)
"court," CC 601(10)

defect in form or substance, CC 601(3)(b), (c) endorsement, CC 601(7)

indictment under wrong Act, CC 601(3)(a)

objection by motion to quash, CC 601(1)

record of amended indictment, CC 601(7), 625

Conviction of included offence, CC 662 Form of indictment, CC 566(1), Form :Form 4, 580

mistake in heading, CC 601(8)

Organizational accused

notice of indictment, CC 621

Particulars, CC 587

amendment of indictment to conform, CC 587(3)(c)

consideration of evidence taken, CC 587(2)

endorsement in record, CC 587(3)(b) general authority, CC 587(1) provision to accused, CC 587(3)(a)

Specific offences

theft from mails, CC 356(2) theft of oysters, CC 323(2)

	Control (PREFERMENT OF)
SUBSTANCE)—Cont'd	—Cont'd
Sufficiency of counts	Authority to prefer, CC 574, 577—Cont'd
general provisions	where preliminary not yet requested,
application of provisions, CC 581(6)	consent required, CC 577(a), (b)
detail of circumstances, CC 581(3),	Bail, effect on, CC 523(1.2)
583	Form of indictment, CC 566(2), Form 4,
headings, mistakes not material, CC 601(8)	566.1(2), 580 No preferment except as provided, CC
no reference to prior convictions, CC 664	576(1)
omissions not ground for objection, CC 583	INDUSTRIAL DISPUTE Watching or besetting, CC 423
	Work stoppage
single transaction, CC 581(1), 590 statement of offence, CC 581(1), (2),	and criminal breach of contract, CC 422(2)
(5)	and mischief, CC 430(6)
specific rules	and sabotage, CC 52(3)
fabricating evidence, CC 585	not conspiracy, CC 467(1)
first degree murder, CC 582	
fraud and false pretences, CC 586	INFANTICIDE
high treason, CC 582	See also Homicide
libel, CC 584	Concealing body as included offence, CC
perjury and false statement, CC 585	662(4)
treasonable offences, CC 581(4),	Conviction barring charge of
601(9)	manslaughter or murder, CC 610(2),
INDICTMENT (PREFERMENT OF)	(4)
Authority to prefer, CC 574, 577	Conviction unless act or omission
after deemed election	not wilful, CC 663
where no preliminary requested, CC	Definition, CC 233
574(1.1), (1.2)	Punishment, CC 237
after election	INFERENCES
where no preliminary requested, CC 574(1.1), (1.2)	See Presumptions and Inferences
after order to stand trial	INFORMANT
by prosecutor, CC 574(1), (1.2)	Defined, CC 785
consent in private prosecutions, CC 574(3)	Hearing of allegations, CC 507, 507.1
consent to inclusion of other charges,	INFORMATION
CC 574(2)	See also Disclosure, Indictment (Form and Substance), Private Prosecution
judge alone trials, CC 566(3), 566.1	After arrest or appearance notice, CC 505
after re-election	cancelling or confirming process, CC
where no preliminary requested, CC 574(1.1), (1.2)	508(1)(b) no laying except as provided, CC
where discharge at preliminary, consent required, CC 577(a), (b)	576(2)
where no preliminary, consent required, CC 577(a), (b)	Arrest or detention, on, CA Part I 10 Certified copy, CC 808
where no preliminary requested, CC 574(1.1), (1.2)	Confirmation by designated justice/ provincial court judge, CC 579.1
where preliminary has commenced,	Endorsement
consent required, CC 577(a), (b)	committal on consent, CC 549(2)
(b)	

INFORMATION—Cont'd Endorsement—Cont'd conviction or order, CC 570(1) election of accused, CC 555(3), 555.1(3) Form of information, CC 506 Hearing by justice, CC 507 issue of process, CC 507(1)(b), 507(4), 507(5) refusal to issue, CC 507(2) release of accused, CC 507(6), (7) Inspection, CC 603 Joinder of accused, see Joinder of Accused and Counts Joinder of counts, see Joinder of Accused and Counts Laying before justice, CC 504 laying otherwise than in person, CC 508.1 no laying except as provided, CC 576(2) referral in private prosecution, CC 579.1 young offenders, YCJA 10(6) Motion to quash, CC 601 adjournment, CC 606(3) Preferring indictment, see Indictment (Preferment of) Private prosecution, in, CC 579.1 Reasons for arrest or detention, CA Part I Referral in private prosecution, CC 579.1 Severance of counts or accused, CC 591(3) Specific offence charged, CA Part I 11(a) Variance between charge and evidence, CC 601(2) Variance not affecting validity, CC 546 adjournment if accused misled, CC 547 Where injury or damage feared, CC 810; YCJA 14(2), 20(2) INNOCENCE, PRESUMPTION OF Generally, CC 6(1)(a); CA Part I 11(d)

INSANE PERSONS AND INSANITY

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

INSANITY AS DEFENCE

See Mental Disorder

INSIDER TRADING

Generally, CC 380.1, 382.1

INSPECTION OF DOCUMENTS

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

INSTRUMENT

See also Document, Testamentary Instrument

Acknowledgement in false name, CC 405 For forging or falsifying credit cards, CC 342.01

Obtain by forged document, CC 375

INSURANCE

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

INTERCEPTION OF PRIVATE COMMUNICATIONS

Agent of state, CC 184.1 Authorization application, CC 185 confidentiality, CC 187

exception for criminal organizations and terrorist groups, CC 185(1.1)

assistance order, CC 487.02

both private communications and radiobased telephone communications, CC 184.6

consent, CC 184.2, 184.3 contents, CC 186(4)

disclosure, CC 187

designation of persons, CC 186(5)

emergency, CC 188

subsequent authorization admissibility of evidence, CC 188(5)

execution in another province, CC 188.1

installation and removal of device, CC 186(5.1)

notification by Attorney General, CC 196

accompanied by affidavit, CC 196(4) application to delay, CC 196(3)

NTERCEPTION OF PRIVATE	INTERCEPTION OF PRIVATE
COMMUNICATIONS—Cont'd	COMMUNICATIONS—Cont'd
Authorization—Cont'd	Offences—Cont'd
notification by Attorney General, CC	unlawful interception, CC 184(1)
196—Cont'd	—Cont'd
exception for criminal organizations and terrorist groups, CC 196(5)	radio-based telephone communications, CC 184.5, 184.6
	report, annual, CC 195
removal, CC 186(5.1), (5.2)	
renewal, CC 186(6), (7)	Packet opening and disclosure, CC 187
requirements, CC 186(1)	INTEREST (CRIMINAL RATE)
exception for criminal organizations	Agreement re, CC 347.01(1)
and terrorism offences, CC	arrangement re, CC 347.01(1)
186(1.1)	offence, CC 347
time limitation in relation to criminal	regulations, CC 347.01(2)
organizations and terrorism offences, CC 186.1	INTERNATIONAL AIRPORT
where interception with consent, CC	
184.2, 184.3	See also Airport
Consent to interception, CC 183.1,	Offence inside Canada, CC 77(f)
184(2)(a)	Offence outside Canada, CC 7(2)(d)
Definitions, CC 183	consent to prosecution, CC 7(7)
Disclosure of packet contents, CC 187	deemed committed in Canada, CC 7(2)
Evidence (primary)	prosecution outside Canada, CC 7(6)
admissibility, CC 184.1(2), 188(5)	INTERNATIONAL LAW
notice of intention to adduce, CC	Protection of persons under, CC 7(10)
189(5)	Retroactive offence, CA Part I 11(g)
particulars, CC 190	INTERNATIONALLY PROTECTED
privileged information, CC 189(6)	PERSON
Immediate interception, imminent harm,	Attack on premises, CC 431
CC 184.4	defence, CC 429(2)
annual report re, CC 195(1)(c),	DNA order on conviction or discharge,
195(2.1), 195(3), 195(5)(c)	CC 487.04, 487.051
notice to object of interception, CC	Consent to prosecution, CC 7(7)
196.1	Hostage taking outside Canada, CC
extension of notice period, CC	7(3.1)
196.1(2) to (5)	Offences against outside Canada, CC
Interception to prevent bodily harm, CC	7(3), (5) to (7)
184.1, 184.4	Proof of status
No civil or criminal liability, CC 188.2	certificate as evidence, CC 7(10)
Offences	Threatening, CC 424
possession of device, CC 191(1)	INTERNATIONAL MARITIME
exceptions, CC 191(2), (3)	NAVIGATION
forfeiture, CC 192	See Maritime Navigation, International
unlawful disclosure, CC 193(2), 193.1	INTERNET
damages, CC 194	
exceptions, CC 193(2), (3)	See also Child Pornography, Computers, Data
unlawful interception, CC 184(1)	Child pornography
damages, CC 194	deletion order, CC 164.1(5)
exceptions, CC 184(2), (3)	destruction of electronic copies, CC
forfeiture, CC 192	164.1(6)
10110110110, 00 1/2	10 101(0)

INTERNET—Cont'd	INTERPRETATION—Cont'd
Child pornography—Cont'd	Operation of legislation—Cont'd
forfeiture, CC 164.2	regulation prior to commencement, IA
mandatory reporting, see Child	7
Pornography	royal assent
seizure, CC 164.1	commencement date, IA 5(2)
Hate propaganda, warrant of forfeiture, CC 320.1	commencement provision, IA 5(3) commencement when no date fixed,
Luring child, CC 172.1	IA 5(4)
Prohibition order, CC 161(1)(d), 161(1.1)	Property and civil rights
to (4)	application of provincial laws, IA 8.1
Service providers	duality of legal traditions, IA 8.1
interception of private communications	terminology, IA 8.2
by	Repeal of legislation
authorized disclosure, CC	at same session, IA 42(2)
193(2)(d)(iii)	effect of, IA 43, 44, 45(1), 45(3)
authorized interception, CC	power reserved to Parliament, IA 42(1)
184(2)(e)	rule of construction relating to power,
authorized retention and use, CC	IA 31(4)
184(3)	Rules of construction
INTERPRETATION	ancillary powers, IA 31(2)
See also Definitions, Statutes	common names, IA 38
Affirmative resolutions, IA 39(1)	corporations, IA 21
as part of enactment amended, IA 42(3)	banking business, authority to carry
at same session of Parliament in which	on, IA 21(3) names of, IA 21(2)
enactment passed, IA 42(2)	powers vested in, IA 21(1)
effect of, IA 45(2) , (4)	Crown, application of enactment to, IA
power reserved to parliament, IA 42(1)	17
Application of, IA 3	definitions, application of, IA 15(1)
Application of provincial laws, IA 8.1	descriptive cross-references, CC 3
Civil law, IA 8.1 to 8.2	enactments remedial, IA 12
Common law, IA 8.1 to 8.2	evidence, IA 25
Definitions	forms, IA 32
for purposes of act itself, IA 2	gender, IA 33(1)
for purposes of interpreting other acts,	grammatical forms, IA 33(3)
IA 35 to 37	historical references, IA 14
Demise of Crown	imperative and permissive construction,
continuation of proceedings, IA 46(2)	IA 11
effect of, IA 46(1)	interpretation provisions, IA 15
Duality of legal traditions, IA 8.1	law always speaking, IA 10
form of, IA 4(1)	liberal construction of YCJA, YCJA
order of, IA 4(2)	3(2)
Negative resolutions, IA 39	majorities, IA 22(1)
Operation of legislation	marginal notes, IA 14
day fixed for commencement or repeal	number, IA 33(2)
judicial notice of, IA 6(3)	oaths, IA 19
operation when date fixed, IA $6(1)$	offences, IA 34
operation when no date fixed, IA	parts of speech, IA 33(3)
6(2)	preambles, IA 13

INTERPRETATION—Cont'd	INTER-PROVINCIAL TRANSFERS
Rules of construction—Cont'd	(MENTAL DISORDER)
private acts, IA 9	Authority, CC 672.86
proclamations, IA 18	Delivery and detention of accused, CC
public officers	672.87
appointment	Jurisdiction of Review Board, CC 672.88,
commencement of, IA 23(5)	672.89
effective day of, IA 23(2), 23(3)	INTERVENING BY ATTORNEY
implied powers respecting, IA 24	GENERAL OF CANADA
powers of	Generally, CC 579.1, 579.01
generally, IA 24(5)	
acting minister, successor, or dep-	INTIMATE IMAGES
uty, IA 24(1) to (4)	See also Voyeurism
remuneration, IA 23(4)	Defence, CC 162.1(3)
retirement	Definition, CC 162.1(2), 164(8)
commencement of, IA 23(5)	Fact, question of, CC 162.1(4)
term of office, deemed, IA 23(1)	Law, question of, CC 162.1(4)
quorum, IA 22(2)	Motive, CC 162.1(4)
references to specified functionaries or	Offence, CC 162.1(1)
officers, IA 31	Prohibition order, CC 162.2
regulations, words in, IA 16	INTIMIDATING PARLIAMENT OR
repeal power, IA 31(4)	LEGISLATURE
reports to parliament, IA 20	Offence, CC 51
statutory powers, IA 24, 31	evidence of, CC 55
"telegraph," IA 37	overt acts, CC 55
time, computation of, IA 26 to 30	statement in indictment, CC 581(4),
after specified day, IA 27(4)	601(9)
beginning and ending of prescribed	Superior court jurisdiction, CC 468,
periods, IA 27(3)	469(a)(iii)
clear days, IA 27(1)	INTIMIDATION
holidays, and, IA 26	Offence relating to justice system partici-
not clear days, IA 27(2)	pant, CC 423.1
period of months after or before	bail conditions, CC 515(4.1) to (4.2)
specified day, IA 28	murder during deemed first degree, CC
time of day, IA 29	231(6.2)
time when specified age attained, IA	recognizance to prevent, CC 810.01
30	witness protections in cases involving,
words and expressions in, YCJA	CC 486 to 486.31, (6), 486.5,
2(2)	515(4.1) to (4.2)
words and expressions in other acts,	Offence simpliciter, CC 423
CC 4(4)	bail conditions, CC 515(4.1) to (4.2)
year, IA 37	murder during deemed first degree, CC 231(6.2)
Substitution	i i
effect of, IA 43, 44	offence relating to journalist, CC 423.1
Territorial operation, IA 8	recognizance to prevent, CC 810.01
INTERPRETER	witness protections in cases involving, CC 486 to 486.31, (6), 486.5,
Deaf person, CA Part I 14	515(4.1) to (4.2)
Person not knowing language, CA Part I	Offences relating to health services
14	generally, CC 423.2

INTIMIDATION—Cont'd JUDICIAL ACTS Offences relating to health services Effect of, CC 3.1 -Cont'd JUDICIAL INTERIM RELEASE defence, CC 423.2(4) See also Appearance Notice, Promise to "health professional," CC 423.2(5) Appear, Recognizance, Summons, interference with access, CC 423.2(2) Undertaking obstruction, CC 423.2(2) "Accused," CC 493 punishment, CC 423.2(3) By justice INTOXICATION, DEFENCE OF aboriginal accused, CC 515(14) Generally, CC 8, 16 alternative to physical presence, CC 515(2.2), (2.3) Extreme, CC 33.1 appearance of accused before justice, Negligence, violence by, CC 33.1 CC 502.1, 503(1) INVASION OF PRIVACY authority, CC 515(1) See Interception of Private Communicacommunity's safety and security, CC tions 515(13) conditions, additional, CC 515(4.1), INVITATION TO SEXUAL TOUCHING (4.2)See Sexual Touching (Invitation to) detention, re-evaluation of, CC **ISSUE ESTOPPEL** 503(1.1) Generally, CC 8, 12; CA Part I 11(h) form of order, CC 515(2) to (4) inquiries to be made by justice, CC 518 JOINDER OF ACCUSED AND COUNTS justification for detention, CC 515(10) See also Indictment (Form and Substance) order re no communication. CC Of accused 515(12) accessory after fact, CC 592 release of accused, CC 519(1), (2) possession of property obtained by reverse onus, CC 515(5) to (8) crime, CC 593 victim's safety and security, CC Of counts, CC 591(1) 515(13) consent of accused, CC 566(3), 574(2), vulnerable populations, CC 515(14) 589 By superior court judge each count separate indictment, CC authority, CC 522(1), (6) 591(2) detention order, CC 522(2), (2.1) on indictment for murder, CC 589 form of order, CC 522(3) severance (separate trials) order re no communication, CC delayed enforcement, CC 591(4.1) 522(2.1) effect on prior Charter decisions, CC release of accused, CC 522(5) 591(4.2) reverse onus, CC 522(2) effect on prior evidentiary decisions, undertaking, CC 522(3) CC 591(4.2) Considerations, see principles and effect on verdict, CC 591(4), (5) considerations of accused, CC 591(3)(b) Direct indictment, effect on, CC 523(1.2) of counts, CC 591(3)(a) Expediting proceedings, CC 526 JOINT TRIALS Failure to comply with conditions See Joinder of Accused and Counts generally, CC 523.1, 524 cancellation, CC 524(3) JOY-RIDING circumstances, CC 523.1(2), 524(2) Generally, CC 335 detention, CC 524(4), 525 JUDGMENT dismissal of charge, CC 523.1(4)

hearing, CC 524(1)

Acknowledgment in false name, CC 405

JUDICIAL INTERIM RELEASE	JUDICIAL INTERIM RELEASE
—Cont'd	—Cont'd
Failure to comply with conditions —Cont'd	Release by judge, CC 522 —Cont'd form, CC Form 11
judicial referral hearing, CC 523.1(1) powers of judge/justice, CC 523.1(3),	Review of order made by justice, CC 520, (3), 521, 523(2)
(5) reasons, CC 524(6)	adjournment of hearing, CC 520(4), 521(4)
release, CC 524 (7)	authority to apply, CC 520(1), 521(1),
release order, CC 524(7)	523(2)?page 1639
	detention of accused, CC 519(3),
review, CC 524(9), (10), 525	(8)(e), 520(7)(d), 521(6), 523(3)
Hearing	disposition, CC 520(7)(d), (e),
appearance of accused, CC 515(2.1)	521(8)(d), 523(3)
evidence, CC 518	evidence and inquiries, CC 518,
inquiries by justice, CC 518	520(7)(a) to (c), 520(9), 521(8)(a)
non-publication order, CC 517	to (c), 521(10), 523(3)
failure to comply, CC 517(2)	further applications, CC 520(8), 521(9)
remand, CC 516	non-publication order, CC 517, 520(9),
"Judge," CC 493	521(10), 523(3)
Order for detention, CC 515(5), (6), (10), (11)	notice, CC 520(2), 521(2)
conditions, CC 515(12)	presence of accused, CC 520 (3), (5),
Pending appeal, see Appeals (Indictable	(6), 521(3)
Offences), see Appeals (Summary	release of accused, CC 519, 520(7)(e), 520(9), 521(8)(d), 521(10), 523(3)
Conviction)	Review of order made by superior court
Principles and consideration	judge, CC 522(4), (iii), 523(2)(c)(ii),
generally, CC 493.1 , 493.2	680
Aboriginal accused, CC 493.2	Trial delay review hearings, CC 525
restraint, CC 493.1	application, timing of, CC 525(1)
vulnerable populations, CC 493.2	cancellation of hearing, CC 525(3)
Procedure on hearing before justice	conduct of hearing, CC 517 to 519
adjournment, CC 516	"judge" defined in Quebec, CC 525 (7)
appearance of accused, CC 515(2.2)	order to be made, CC 525(4)
detention order, CC 519(3), (12)	progress of proceedings, CC 525(4)
effect of order after direct indictment,	release order, CC 525(5)
CC 523(1.2)	surety, declaration of, CC 515.1
evidence and inquiries, CC 518(1)	timing of application, CC 525(1)
form of release, CC 515(2) to (4)	waiver, CC 525(1.1)
grounds for detention, CC 515(10)	Variation of release order, CC 519.1
non-publication order, CC 517(1)	Victim's safety and security, CC 515(13)
onus, CC 515(1)	"Warrant," CC 493
period of order, CC 523(1), (1.1), (1.2)	HIDICIAI NOTICE
release of accused, CC 519(1), (2)	JUDICIAL NOTICE
reverse onus, CC 515(6) to (8)	See also Statutes
review of order, CC 520, 521	Acts of Imperial Parliament, CEA 17
Procedure on hearing before superior	Acts of Parliament, CEA 18
court judge, CC 517, (6), 518(1),	Acts of provincial legislature, CEA 17
519, 522(5)	Rules, regulations, by-laws, CC 781(2)
Release by judge, CC 522	JUDICIAL OFFICER
conditions, CC 522(2.1)	Bribery, CC 119

JUDICIAL PROCEEDING

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

JURISDICTION

See also adjournment, Nunavut Court of Justice, Venue

Accused not present, CC 485(1.1)

Adjournments, see Adjournment (Remands)

Continuation of proceedings, CC 669.2

Court of appeal, see Appeals (Indictable Offences)

Court of criminal jurisdiction

"court of criminal jurisdiction," CC 2 jurisdiction over person, CC 470 offence jurisdiction, CC 469

rule-making authority, CC 482(2), (3)

Defects in jurisdiction

defects in jury process, CC 670 to 672 procedural irregularities, CC 485

Provincial court judge

absolute jurisdiction, CC 553

consent jurisdiction, CC 536(3)

decide to hold preliminary inquiry, CC 555

jurisdiction over person, CC 470 "provincial court judge," CC 2

Summary conviction court, see Summary Conviction Proceedings

Superior court of criminal jurisdiction exclusive jurisdiction, CC 469, 473

general jurisdiction, CC 468

jurisdiction over person, CC 470 rule-making authority, CC 482(1), (3)

"superior court of criminal jurisdiction," CC 2

Territorial (offence) jurisdiction breach of probation, CC 733.1 consent of Attorney General, CC 477.2 conspiracy in or out of Canada, CC 465(5)

credit card offences, CC 342(2) defamatory libel, CC 478(2), (5)

newspaper libel, CC 478(2),

offence between territorial divisions, CC 476(a), (b)

offence elsewhere in province, CC 479

JURISDICTION—Cont'd

Territorial (offence) jurisdiction—Cont'd offence in, above or beyond continental shelf, CC 477.1

offence in aircraft in flight, CC 476(d) offence in fishing zone, CC 477.1(b) offence in territorial waters, CC 477, 477.2

offence in unorganized territory, CC 480

offence in vehicle or vessel, CC 476(c) offence not in province, CC 481 offence re delivery of mail, CC 476(e) offences outside Canada, CC 6(2), 7, 477.1, 481.2

sexual offences against children outside Canada, CC 7(4.1), (4.2)

Trial judge appointed to another court, CC 669.3

Trial judge dies or unable to continue, CC 669.2

Youth court justice, see Youth Criminal Justice

JURY

Additional jurors, see empanelling jury Adjournment when no jury summoned, CC 474

Alternate jurors, see empanelling jury Challenges

challenge for cause, CC 638 challenge in writing, CC 639, Form 41

denial of challenge, CC 639(3) grounds, CC 638

trial of challenge, CC 640

challenge to array, CC 629

direction to return new panel, CC 630

trial of challenge, CC 630 peremptory challenges

of mixed jury, CC 627, 635

order of challenge, CC 635

Discharge of jurors

alternate jurors, CC 642.1(2)

from verdict on severed count, CC 591(4)

of juror during trial, CC 644(1), (2)

of jury on disagreement, CC 653(1)

Disclosure of proceedings, CC 649

Effect of noncompliance, CC 643(3)

JURY—Cont'd	JURY—Cont'd
Empanelling jury	Evidence on trial—Cont'd
additional jurors	proof of ownership and value of prop-
power to order, CC 631(2.2)	erty, CC 657.1
reduction of number to 12, CC	statement of accused, CC 657
652.1(2)	Influencing juror, CC 139(3)(b), (c)
alternate jurors	Limit on access/use of information re, CC
calling persons who have stood by,	631(6)
CC 641(1)	Powers of court preserved, CC 672
cards to be drawn, CC 631(3) to (3.1)	Presence of accused during trial, CC 650(1) to (2), 650.01, 650.02
discharge of, CC 642.1(2)	Publication ban to protect, CC 631(6)
drawing additional names, CC	Qualification of jurors, CC 626
631(5)	Reduction of number to 12, CC 652.1(2)
limit on access/use of information, CC 631(6)	Refreshment, food and lodging, CC 647(5)
power to order, CC 631(2.1)	Separation of jurors, CC 647(1)
publication ban, CC 631(6)	restriction on publication, CC 648
separation of names, CC 643(1.1)	failure to comply, CC 648(2)
substitution of, CC 642.1(1)	Sequestration, CC 647(2)
summoning other jurors when panel	Stand bys
exhausted, CC 642(1)	by judge, CC 633
swearing of, CC 631(4)	calling persons who have stood by, CC
automated means, CC 631.1	641
by sheriff, before swearing, CC 631	Support for juror with physical disability,
calling persons who have stood by, CC 641	CC 627
challenges, see challenges	Treason or high treason copy of panel delivered to accused, CC
composition of jury, ultimate, CC	604
643(1)	Trial by jury compulsory, CC 471
defect in process	exception, CC 473
judgment not stayed, CC 670	Trial of issues, CC 643(2), 652.1
electronic means, CC 631.1	Trial without jury on consent, CC 473
excusing, by judge, CC 632	Verdict
irregularities not affecting verdict, CC 670, 671	defect in process not ground for quashing, CC 671
presiding judge, CC 626.1	disagreement upon verdict, CC 653
protection of juror identity, CC 631(3.1), (6)	recommendation in murder by young person, CC 745.3
publication ban to protect jurors, CC 631(6)	recommendation in second degree mur- der, CC 745.2, 745.3, 745.21
separation of names, CC 643(1.1)	recommendation where multiple
summoning additional jurors when	murders, CC 745.21
panel exhausted, CC 642	review of parole ineligibility, CC 745.6
Evidence on trial	taking on Sunday, CC 654
admissions at trial, CC 655	View by jury, CC 652
character evidence, CC 666	Warning concerning children's evidence,
children's evidence, CC 659	CC 659
of stealing ores or minerals, CC 656	JUSTICE SYSTEM PARTICIPANT
previous conviction, CC 664, 665, 667	Bail conditions to protect, CC 515(4.1) to
proof of age, CC 658	(4.2)

JUSTICE SYSTEM PARTICIPANT —Cont'd

Defined, CC 2

Exclusion of public to protect, CC 486 Intimidation of, CC 423.1

see also Intimidation

murder during deemed first degree, CC 231(6.2)

recognizance, to prevent, CC 810.01 Protection of, CC 486 to 486.3, 486.5, 810.01

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

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

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

Vary, application to, CC 486.51

JUSTIFICATION

See also defences

In offences requiring wilfulness, CC 429(2)

Plea in defamatory libel, CC 611, 612

KIDNAPPING

See also Abduction, Confinement, Hostage Taking

Causing death, CC 231(5)(a)

Internationally protected person outside Canada, CC 7(3)

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

threat to kidnap, CC 424

Offence, CC 279(1)

Punishment where firearm used, CC 279(1.1)(a), (a.1)

subsequent offences, CC 279(1.2), (1.3)

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

factors to consider, CC 279(1.21)

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

LANGUAGE OF COURT

Generally, **CA Part I 19**And provincial laws, **CC 532**Change of venue, **CC 531**Coming into force, **CC 534**

LANGUAGE OF COURT—Cont'd

Jury

mixed jury in Quebec, CC 627 Language used in proceeding, CC 530.2 Regulations, CC 533 Review of provisions, CC 533.1

Right of accused, CC 530 to 530.1

Translation of documents, **CC 530.01**

LAUNDERING PROCEEDS OF CRIME

See also Proceeds of Crime Generally, **CC 462.31**

Controlled drug offences, CDA 7

LAW ENFORCEMENT IMMUNITY

Authorization to commit unlawful acts or omissions

civilian oversight, CC 25.1(3.1)

controlled drugs and substances offences, CC 25.1(14)

definitions, CC 25.1(1)

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

designation of senior officials, CC 25.1(5)

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

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

notification of affected parties, CC 25.4 principle, CC 25.1(2)

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

General protection, CC 25(1), (2) citizen's arrest, CC 494(4)

exception, CC 25(3)

Regulations relating to, CDA 55(2) to (2.1)

Use of force, authorized

aircraft, aboard, CC 27.1

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

arrest of wrong person, CC 28

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

limits upon, CC 26

preventing breach of peace, CC 30

preventing commission of offence, CC 27, 27.1

suppressing riots, CC 32, 33

LEGAL ASSISTANCE

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

LEGAL RIGHTS

Arbitrary detention or imprisonment prohibited, CA Part I 9

Arrest or detention, rights on, CA Part I

Bail, CA Part I 11(e)

Compellability, CA Part I 11(c)

Cruel and unusual treatment or punishment prohibited, CA Part I 12

Double jeopardy prohibited, **CA Part I** 11(h)

Interpreter, CA Part I 14

Life, liberty and security of the person, CA Part I 7

Presumption of innocence, CA Part I 11(d)

Retroactive offences prohibited, CA Part I 11(g)

Self-incrimination, protection against, CA Part I 13

Specific information when charged with offence, CA Part I 11(a)

Trial by jury, **CA Part I 11(f)**

Trial within reasonable time, **CA Part I** 11(b)

Unreasonable search or seizure prohibited, **CA Part I 8**

Variation of penalty benefit of any, CA Part I 11(i)

LETHAL DEVICES

Delivery to specified government/public facilities, CC 431.2

definitions, CC 431.2(1)

DNA order on conviction or discharge, CC 487.04, 487.051

exception, armed forces, CC 431.2(3) offence, CC 431.2(2)

offence outside Canada, CC 7(3.72), (5) to (7)

Detonation in specified government/ public facilities, CC 431.2

definitions, **CC 431.2(1)**

DNA order on conviction or discharge, CC 487.04, 487.051

exception, armed forces, CC 431.2(3) offence, CC 431.2(2)

offence outside Canada, CC 7(3.72), (5) to (7)

LETHAL DEVICES—Cont'd

Discharge in specified government/public facilities, CC 431.2

definitions, CC 431.2(1)

DNA order on conviction or discharge, CC 487.04, 487.051

exception, armed forces, CC 431.2(3) offence, CC 431.2(2)

offence outside Canada, CC 7(3.72), (5) to (7)

"Lethal device," CC 431.2

Placement in specified government/public facilities, CC 431.2

definitions, CC 431.2(1)

DNA order on conviction or discharge, CC 487.04, 487.051

exception, armed forces, CC 431.2(3)

offence, CC 431.2(2)

offence outside Canada, CC 7(3.72), (5) to (7)

LETTERS ROGATORY

Generally, CEA 51(2)

LIBEI

See Blasphemous Libel, see Defamatory Libel, see Sedition

LICENSING

Automobile master key, CC 353(2) Imperial licence, proof, CEA 20

Interception device, CC 191(2)(d), 191(3)

Lottery, CC 207

Proof of non-issuance of licence, CEA 26(2)

LIEUTENANT-GOVERNOR

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

LIFE

Duty of persons undertaking acts dangerous to life, CC 216

Endangering life by abandoning child, CC 218

Impeding attempt to save, CC 263

LIFE IMPRISONMENT

See Parole

LIMITATION

Child pornography reporting offence, MRICP 11

Obscene material, CC 168, 169

LIMITATION—Cont'd LOTTERY Recovery of penalty, CC 734.6(2) Buying tickets, CC 206(4) Summary convictions, CC 786(2) Conducting lottery, CC 206(1)(d) Treason, CC 48 Dealing in tickets, CC 206(1)(b) Trial within a reasonable time, CA Part I Foreign lottery, CC 206(7) Forfeiture of property, CC 206(5), (6) Young persons, YCJA 14(3), 142(4) Jurisdiction of provincial court judge, CC LIVING ON AVAILS 553(c)(iv) Making or advertising scheme, CC See Avails 206(1)(a) LOAN Permitted lottery, CC 207 See also Credit on international cruise ship, CC 207.1 False statement to procure, CC 400 participation from outside province, CC 207(3) to (4.1) LOITERING Provisions not applicable to pari-mutuel Public place, CC 175(1)(c) system, CC 207(5) Trespassing at night, CC 177 Sending lottery device or scheme, CC LONG-TERM OFFENDERS 206(1)(c) Appeal, CC 759 LUMBER Application for finding, **CC 753.1(1)** Dealing in lumbering equipment without Application for remand for assessment, consent, **CC 339(2)** CC 752.1(1) Registered mark as evidence of property, after imposition of sentence, CC 753(3) CC 339(4) exception re hearing requirements, CC Search, CC 339(3) 754(1) Taking possession or defacing mark of extension of time, CC 752.1(3) drift timber, CC 339(1) notice of intention to bring, CC 752.01 report, CC 752.1(2) **LURING CHILD** Evidence of character, CC 757 Defence, CC 172.1(4) Finding, CC 753.1(3.1) Designated offence for dangerous exception, CC 753.1(3.1), 755(1) offender purposes, CC 752 negative, CC 753.1(6) Designated offence for SOIRA purposes, "Substantial risk," CC 753.1(2) CC 490.011(1) Supervision, CC 753.2(1) Forfeiture on conviction, CC 164.2 application for reduction in period, CC Offence, CC 172.1(1) 753.2(3) Offence outside Canada, CC 7(4.1) notice to Attorney General, CC Presumption re age, CC 172.1(2) 753.2(4) Primary designated offence for DNA breach, CC 753.3(1) purposes, CC 487.04 trial and punishment, CC 753.3(2) Prohibition order, CC 161 concurrent sentences and, CC 753.2(2) Punishment, CC 172.1(2) defined, CC 752 Recognizance to prevent offence, CC exception where life sentence imposed, 810.1 CC 755(1) Relief from, CC 164.3 maximum length, CC 755(2) MAIL where new offence, CC 753.4 Jurisdiction over offences, CC 476(e) Transcripts to Correctional Service, CC 760 Letter conveying false message, CC 372(1) Witnesses

victim, CC 753.02

MAIL—Cont'd

Possession of stolen mail, container or Terrorist group property appointment of manager, CC 83.13(2) key, CC 356(1)(b) to (3) joinder of accused, CC 593 appointment of Minister to manage, Proof of government mailing, CEA 26(3) CC 83.13(3) Stopping with intent to rob or search, CC destruction of property pursuant to, CC 83.13(4) to (8) Theft of mail, container or key, CC duration of, CC 83.13(9) 356(1)(a) power of court, CC 83.13(2) to (3), (8) Using mails to defraud, CC 381 power to manage, CC 83.13(2), (4) to MAKING SEXUALLY EXPLICIT MATERIAL AVAILABLE TO procedure, CC 83.13(11) to (12) CHILD variation of, CC 83.13(12) Defence re age of victim, limitation on, **MANDAMUS** CC 171.1(4) Appeal from grant or refusal, CC 784(1), Definition of "sexually explicit material," CC 171.1(5) Rules of court re, CC 482(3)(c) Designated offence for SOIRA purposes, **MANITOBA** CC 490.011(1) Generally, CC 2, 160(11), 164(8), 188(4), Offence, CC 171.1(1) to (2) 320(8), 493, 552, 745.6(3), 812, Offence outside Canada, CC 7(4.1) 814(1) Presumption re age, CC 171.1(3) **MANSLAUGHTER** Primary designated offence for DNA See also Homicide purposes, CC 487.04 Coroner's warrant, CC 529 Prohibition order, CC 161 Culpable homicide as, CC 222(4), (5), Recognizance to prevent offence, CC 810.1 Dangerous operation as included offence, CC 662(5) MANAGEMENT ORDERS Failure to safeguard ice-hole or excava-Offence-related property tion, CC 263(1), (2), (3)(a) appointment of Minister to manage, Flight causing bodily harm or death as CC 490.81(2) included offence, CC 662(5) destruction of property pursuant to, CC Indictment barred, CC 610(2), (4) 490.81(4) to (7) In operation of motor vehicle, vessel or aircraft duration of, CC 490.81(8) included offence, CC 662(5) power of court, CC 490.81(1), (7) Internationally protected person outside power to manage, CC 490.81(1), (3) to Canada, CC 7(3), (5) to (7) **(4)** Punishment, CC 236 variation of, CC 490.81(9) use of firearm, CC 236(a) Proceeds of crime United Nations or associated personnel, appointment of Minister to manage, outside Canada, CC 7(3.71) CC 462.331(2) MARINE SIGNAL destruction of property pursuant to, CC Interfering with signal, CC 439 462.331(4) to (7) defence, CC 429(2) duration of, CC 462.331(8) MARITIME NAVIGATION, power of court, CC 462.331(1), (7) **INTERNATIONAL** power to manage, CC 462.331(1), (3) Offence outside Canada to (4) accessory after the fact, CC 7(2.1), variation of, CC 462.331(9) (2.2)

MANAGEMENT ORDERS—Cont'd

MEDICAL AND PSYCHOLOGICAL MARITIME NAVIGATION, INTERNATIONAL—Cont'd REPORTS—Cont'd Offence outside Canada—Cont'd Young persons, YCJA 34 attempt, CC 7(2.1), (2.2) MEDICAL ASSISTANCE IN DYING consent to prosecution, CC 7(7) Clarification, CC 241(5.1), 241.2(9) conspiracy, CC 7(2.1), (2.2) Code s. 14, non-application of, CC 227(4) counselling, CC 7(2.1), (2.2) Defined, CC 227(5), 241.1, 241(7), deemed committed in Canada, CC 245(3) 7(2.1) **Documents** prosecution outside Canada, CC 7(6) defined, CC 241.4(4) MARK destruction of, CC 241.4 See also Trademark punishment, CC 241.4(3) Counterfeiting government mark, CC Eligibility, **CC 241.2(1)** 376(2) Exemptions "Mark," CC 376(3) generally, CC 227(1) administering noxious thing, CC **MARRIAGE** 245(2) Age of 16 years, CC 293.2 patient, person aiding, CC 241(5) Bigamy, CC 290, 291(1) pharmacist, person aiding, CC 241(4) marriage certificate as evidence, CC practitioner, person aiding, CC 227(2), 291(2) Forced, CC 293.1 241(3) "Form of marriage," CC 214 suicide and, CC 241(2) Polygamy, CC 293 Filing information, CC 241.31 Pretending to solemnize marriage, CC Forgery 294(a) generally, CC 241.4(1) Procuring feigned marriage, CC 292(1) punishment, CC **241.4**(3) corroboration, CC 292(2) Medical practitioner Procuring pretended solemnization, CC defined, CC 227(5), 241.1, 241(7), 294(b) 245(3) Publication of reports of proceedings, CC filing information, CC 241.31 166 independence of, CC 241.2(6) punishment, CC 169 person aiding, CC 227(2), 241(3) Recognizance Mistaken belief, reasonable but, CC generally, CC 810.02(1) 227(3), 241(6) adjudication, CC 810.02(3) Nurse practitioner appearances, CC 810.02(2) defined, CC 227(5), 241.1, 241(7), conditions, CC 810.02(6) to (9) 245(3) duration extended, CC 810.02(4) filing information, CC 241.31 firearms, CC 810.02(7) independence of, CC 241.2(6) refusal to enter into, CC 810.02(5) person aiding, CC 227(2), 241(3) surrender, etc., CC 810.02(8) Pharmacist variances, CC 810.02(9) defined, CC 241(7), 241.1 Register of marriages filing information, CC 241.31 defacing or making false entry, CC informing, CC 241.2(8) 377(1) person aiding, CC 241(4) Solemnization contrary to law, CC 295 Reasonable but mistaken belief, CC MEDICAL AND PSYCHOLOGICAL 227(3), 241(6) REPORTS Resonable knowledge, care and skill, CC

241.2(7)

See also Assessments (Mental Disorder)

MEDICAL ASSISTANCE IN DYING	MINE
—Cont'd	Salting, CC 396(1)
Safeguards	MINERALS
generally, CC 241.2(3)	Forfeiture, CC 394(6), 394.1(4),
comply with, failure to, CC 241.3	395(2)(b)(ii)
death foreseeable, CC 241.2(3)	Fraud, CC 394(1)
death not foreseeable, CC 241.2(3.1)	Fraudulent concealment, CC 394(1)
Sign, inability to, CC 241.2(4)	Possession as proof of theft, CC 656
Witness, independent, CC 241.2(5), (5.1)	Possession of stolen or fraudulently
MENTAL DISORDER	obtained, CC 394.1
See also Assessments (Mental Disorder),	Purchase of, CC 394(3) , (4)(b)
Dispositions and Disposition Hear-	Sale of, CC 394(2), (4)(a)
ings (Mental Disorder), Fitness to	Salting mine or sample, CC 396(1)
Stand Trial, Firearms, Review	Search and seizure, CC 395
Boards Burden of proof, CC 16(3)	Taking for scientific purpose not theft,
Dispositions and disposition hearings, see	CC 333
Dispositions and Disposition Hear-	MINT
ings (Mental Disorder)	Conveying coining instruments out of
Exemption from criminal responsibility,	mint, CC 459
CC 16(1)	MISCARRIAGE
High-risk accused, see High-Risk	
Accused	See Abortion, see Procuring
Presumption against, CC 16(2)	MISCARRIAGES OF JUSTICE
Special verdict	Application for ministerial review
appeals by accused from, CC 675(3)	considerations upon decision by
effect of, CC 672.35	Minister, CC 696.4
on application for federal employ- ment, CC 672.37	determination by court of appeal, CC
form of special verdict, CC 672.34	696.3(3)(a)(ii)
not a previous conviction, CC 672.36	dismissal by Minister, CC
Transfer or lend firearms to, FA 22	696.3(3)(a)(i)
Young persons, YCJA 141	finality of decision, CC 696.3(4)
	form of, CC 696.1(2)
MERCY	referrals to court of appeal, CC 696.3(2), (3)(a)(ii)
See also Miscarriages of Justice, Pardon Royal prerogative, CC 749 , 751	review by Minister, CC 696.2, 696.3,
	696.4
MILITARY LAW	right to bring, CC 696.1 (1)
See also Armed Forces	Court of appeal
Effect of Charter, CA Part I 11(f)	defined, CC 696.3(1)
Effect of Code, CC 5	determination of applications, CC
MILITARY STORES	696.3(3)(a)(ii)
Receiving, CC 420	referrals to, CC 696.3(2), (3)(a)(ii)
presumption of enlistment, CC 421(1)	release pending determination of refer-
MILITARY TRIBUNAL	ence, CC 679(7)
See Armed Forces	Minister of Justice
	duties of Minister
MILITARY UNIFORM	annual report, CC 696.4
Unlawful use, CC 419	considerations on applications, CC
presumption of enlistment, CC 421(1)	696.4

MISCARRIAGES OF JUSTICE—Cont'd MISTAKE Minister of Justice—Cont'd See also Defences duties of Minister-Cont'd Apprehended consent, CC 265(4) review applications, CC 696.2(1), Ignorance of law, CC 19 696.4 Mistake of fact, CC 8 powers of Minister Money, see Currency Offences delegation, CC 696.2(2) Officially induced error, CC 19 investigation, CC 696.2(2) **MISTRIAL** order for new hearing, CC 696.2(3) Trial rulings binding at new trial, CC referral to court of appeal, CC 653.1 696.3(2), (3)(a)(ii) Regulations **MORTGAGE** power to make, CC 696.6 See also Document of Title Release pending determination of refer-Fraudulent concealment, CC 385 ence, CC 679(7) Fraudulent registration, CC 386 Fraudulent sale of property, CC 387 **MISCHIEF** Data, mischief re, CC 342.2, (5), (5.1), MOTOR VEHICLES (8), 430(1.1)See also Driving Offences Property, mischief to, CC 430 Joy-riding, CC 335 cultural property, CC 430(4.2) Master keys, CC 353 defence, CC 429(2) Possession with identification number defined, CC 430(1) removed, CC 354(2), (3) educational institution, CC 430(4.1) Prohibited weapon in, CC 90(2) endangering life, CC 430(2) Theft of, CC 353.1 exceptions, CC 430(6), (7) MOTOR VEHICLE TRANSPORT ACT religious property, CC 430(4.1) Agreements with provinces, MVTA 3.2 war memorial, CC 430(4.11) Annual report, MVTA 25 where property not testamentary instru-Bus transport ment or value over 01675,000, CC license 430(4), (5.1) issue, MVTA 5 where property testamentary instruoperating without, MVTA 4 ment, CC 430(3) tariffs and tolls, MVTA 6 where property value over 01675,000, Drug impaired driving, see Drug Impaired CC 430(3), (5.1) Driving Public mischief, CC 140 Exemptions, MVTA 16 MISLEADING JUSTICE Extra-provincial motor carrier safety Compounding indictable offence, CC 141 applicable safety laws, MVTA 7(3) Conspiring to cause false prosecution, CC safety fitness certificate 465(1)(b) deemed holding, MVTA 23 Fabricating evidence, CC 137 form of, MVTA 7(2) False accusation, CC 140 issuance of, MVTA 8(1), 9, 10 False statement, CC 134 reinstatement of power, MVTA 10 Giving contradictory evidence, CC 136 withdrawal of power, MVTA 9 Obstructing justice, CC 139 operation without, MVTA 7(1) Perjury, CC 131, 132 pending licence applications and, Pretended affidavit, CC 138 **MVTA 24** validity, jurisdictional, MVTA 8(2) Public mischief, CC 140 Taking reward for recovery of goods, CC withdrawal of power to issue, **MVTA 9**

—Cont'd Fines, MVTA 21 Foreign carriers, MVTA 17 International arrangements, MVTA 3.2 Objectives of Act, MVTA 3(1) Offence, MVTA 18 punishment, MVTA 19, 20 Policy statements, MVTA 3(2) Proof of documents, MVTA 22 Regulations, MVTA 16.1 Review of provisions, MVTA 26 Transitional provisions, MVTA 23, 24 Unfair practices, MVTA 17 Venue of prosecutions, MVTA 20.1 MOVIE PIRACY Forfeiture on conviction, CC 432(3), (4) Unauthorized recording of movie for purpose of sale, etc., CC 432(2) simpliciter, CC 432(1) MUNICIPALITY See also Organization Municipal corruption, CC 123 "Municipality," CC 2 Right to proceeds of penalties, CC 734.4(3) Service on, CC 703.2(a) MURDER See also Homicide, Infanticide, Manslaughter Accessory after fact, CC 240 Attempt, CC 239 Classification, CC 231(1), (7) first degree murder, CC 231(2) to (6.2) constructive, CC 231(5) contract, CC 231(6) criminal barassment, CC 231(6.1) form of indictment, CC 582 indictment for second degree murder barred, CC 610(3) Classification, CC 231(1), (7)—Cont'd first degree murder, CC 231(6.1) form of indictment, CC 582 indictment for second degree murder CC 652(3), (4) International arrangements, MVTA 3.2 Classification, CC 231(1), (7)—Cont'd first degree murder, CC 231(6.1) form of indictment, CC 582 indictment for second degree murder barred, CC 432(1) Classification, CC 231(1, (7)—Cont'd first degree murder, CC 231(6.1) form of indictment, CC 582 indictment for second degree murder barred, CC 432(1) Classification, CC 231(1, (7)—Cont'd first degree murder, CC 231(6.1) form of indictment, CC 582 indictment for second degree murder barred, CC 432(3), (4) Internationally protected person outside Canda, CC 7(3), (5) to (7) Judicial review of parole ineligibility, CC C31(1) Classification, CC 231(1, (0), 2) terrorist activity, CC 231(6, 2) foreitine defiberate, CC 231(1, (0) parole ineligibility, CC 245(6, 2) terrorist activity, CC 231(6, 2) terrorist activity, CC 231(6, 2) f	MOTOR VEHICLE TRANSPORT ACT	MURDER—Cont'd
Foreign carriers, MVTA 17 International arrangements, MVTA 3.2 Objectives of Act, MVTA 3(1) Offence, MVTA 18 punishment, MVTA 19, 20 Policy statements, MVTA 22 Regulations, MVTA 16.1 Review of provisions, MVTA 26 Transitional provisions, MVTA 26 Transitional provisions, MVTA 23, 24 Unfair practices, MVTA 17 Venue of prosecutions, MVTA 20.1 MOVIE PIRACY Forfeiture on conviction, CC 432(3), (4) Unauthorized recording of movie for purpose of sale, etc., CC 432(2) simpliciter, CC 432(1) MUNICIPALITY See also Organization Municipal corruption, CC 123 "Municipality," CC 2 Right to proceeds of penalties, CC 734.4(3) Service on, CC 703.2(a) MURDER See also Homicide, Infanticide, Manslaughter Accessory after fact, CC 240 Attempt, CC 239 Classification, CC 231(1), (7) first degree murder, CC 231(2) to (6.2) constructive, CC 231(3) criminal harassment, CC 231(6) criminal organization, CC 231(6.1) form of indictment, CC 582 indictment for second degree murder barred, CC 610(3) parole ineligibility, CC 747, 745.3, 745.51 planned and deliberate, CC 231(2) sentence, CC 745(a), 745.5 terrorist activity, CC 231(6) to (610(3) parole ineligibility, CC 745.5.5 terrorist activity, CC 231(6) consecutive, CC 243(4) to edited where second degree murder appeal regarding order, CC 662(2) second degree murder appeal regarding order, CC 675(2) to (2.3), 676(4) to (6) consecutive, CC 745.2, 745.5, 745.51 jury recommendation, CC 745.2, 745.5, 745.51 parole ineligibility, CC 31(6) consecutive, CC 243(1), (6) consecutive, CC 245(4), (b.1), 745.4, 745.5 Compulsion by threats, cot 231(6) convection barries liability, CC 14 Conspiracy, CC 465(1)(a) Conviction barries clarity, CC 229 Indictment joinder of counts, CC 589 second degree murder jour recommendation, CC 745.2, 745.5, 745.51 jury recommendation, CC 745.1, 745.51 jury recommendation, CC 745.2, 745.5, 745.51 jury recommendation, CC 74	—Cont'd	
International arrangements, MVTA 3.2 Objectives of Act, MVTA 3(1) Offence, MVTA 18 punishment, MVTA 19, 20 Policy statements, MVTA 22 Regulations, MVTA 16.1 Review of provisions, MVTA 23 Unfair practices, MVTA 17 Venue of prosecutions, MVTA 20.1 MOVIE PIRACY Forfeiture on conviction, CC 432(3), (4) Unauthorized recording of movie for purpose of sale, etc., CC 432(2) simpliciter, CC 432(1) MUNICIPALITY See also Organization Municipal corruption, CC 123 "Municipality," CC 2 Right to proceeds of penalties, CC 734.4(3) Service on, CC 703.2(a) MURDER See also Homicide, Infanticide, Manslaughter Accessory after fact, CC 231(2) to (6.2) constructive, CC 231(1), (7) first degree murder, CC 231(2) to (6.2) constructive, CC 231(3) criminal harassment, CC 231(6) criminal organization, CC 231(6.1) form of indictment, CC 582 indictment for second degree murder barred, CC 610(3) parole ineligibility, CC 747, 745.3, 745.5: terrorist activity, CC 231(6.01) verdict where second degree proved, CC 662(2) second degree murder defined, CC 229(a), (b), 231(7) indictment for first degree barred, CC 610(3) parole ineligibility order appeal regarding order, CC 675(2) to (2.3), 676(4) to (6) consecutive, CC 745.21, 745.51 jury recommendation, CC 745.2, 745.3, 745.5 terrorist activity, CC 231(6) condective here second degree murder defined, CC 229(a), (b), 231(7) indictment for first degree barred, CC 610(3) parole ineligibility order appeal regarding order, CC 675(2) to (2.3), 676(4) to (6) consecutive, CC 745.21, 745.51 jury recommendation, CC 745.2, 745.3, 745.5 ferrorist activity, CC 231(6) condective, CC 249(a), (b), 231(7) indictment for first degree barred, CC 610(3) parole ineligibility, CC 746.1(2), (3), 745.2 to 745.3, 745.51 jury recommendation, CC 745.2, 745.3, 745.51 parole ineligibility, CC 746.1(2), (3), 745.2 to 745.3, 745.51 parole ineligibility, CC 746.1(2), (3), 745.2 to 745.3, 745.51 parole ineligibility, CC 746.1(2), (3), 745.2 to 745.3, 745.51 parole ineligibility, CC 746.1(2), (3), 745.2 to 745.3, 745.51 parol		
Objectives of Act, MVTA 3(1) Offence, MVTA 18 punishment, MVTA 19, 20 Policy statements, MVTA 22 Regulations, MVTA 16.1 Review of provisions, MVTA 26 Transitional provisions, MVTA 26 Transitional provisions, MVTA 20.1 MOVIE PIRACY Forfeiture on conviction, CC 432(3), (4) Unauthorized recording of movie for purpose of sale, etc., CC 432(2) simpliciter, CC 432(1) MUNICIPALITY See also Organization Municipal corruption, CC 123 "Municipality," CC 2 Right to proceeds of penalties, CC 734.4(3) Service on, CC 703.2(a) MURDER See also Homicide, Infanticide, Manslaughter Accessory after fact, CC 231(2) constructive, CC 231(5) contract, CC 231(3) criminal harassment, CC 231(6) criminal organization, CC 231(6) criminal organization, CC 231(6.1) form of indictment, CC 582 indictment for second degree murder barred, CC 610(3) T45.21, 745.51 planned and deliberate, CC 231(2) sentence, CC 745(a), 745.5 terrorist activity, CC 231(6.01) verdict where second degree proved, CC 662(2) sentence, CC 745(a), 745.5 terrorist activity, CC 231(6) consecutive, CC 232(3), (4) Intensicional and deliberate, CC 231(2) sentence, CC 745(a), 745.5 terrorist activity, CC 231(6) cC 610(3) parole ineligibility order appeal regarding order, CC 675(2) to (2.3), 676(4) to (6) consecutive, CC 745.21, 745.51 jury recommendation, CC 745.2, 745.5, 745.51 parole ineligibility, CC 746.1(2), (3), 745.2 to 745.3, 745.51 parole ineligibility, CC 746.1(2), (3), 745.2 to 745.3, 745.51 parole ineligibility, CC 746.1(2), (3), 745.2 to 745.3, 745.55 compulsion by threats, no defence, CC 17 Consent not affecting liability, CC 14 Conspiracy, CC 465(1)(a) Conviction barring charge of manslaughter or infanticide, CC 610(2) Coroner's warrant, CC 529 Definition, CC 229 Indictment joinder of counts, CC 599 second degree murder defined, CC 249(a), (b), 231(7) indictment for first degree barred, CC 610(3) parole ineligibility order appeal regarding order, CC 675(2) to (2.3), 676(4) to (6) consecutive, CC 745.4, 745.5, 745.51 panole ineligibility, CC 746.1(2), (3), 745.		
planned and deliberate, CC 231(2) sentence, CC 745(a), 745.5 berroit activity, CC 231(6.01) verdict where second degree proved, CC 662(2) second degree murder defined, CC 229(a), (b), 231(7) indictment for first degree barred, CC 610(3) parole ineligibility order appeal regarding order, CC 645(2) sentence, CC 745.21, 745.51 jury recommendation, CC 745.22, 745.3, 745.21 order made, CC 745.44, 745.5, 745.51 parole ineligibility, CC 745.31, 745.51 parole ineligibility, CC 745.31, 745.51 parole ineligibility, CC 745.32, 745.351 parole ineligibility, CC 745.33, 745.51 parole ineligibility, CC 745.34, 745.51 parole ineligibility, CC 745.35, 745		
Policy statements, MVTA 3(2) Proof of documents, MVTA 22 Regulations, MVTA 16.1 Review of provisions, MVTA 26 Transitional provisions, MVTA 23, 24 Unfair practices, MVTA 17 Venue of prosecutions, MVTA 20.1 MOVIE PIRACY Forfeiture on conviction, CC 432(3), (4) Unauthorized recording of movie for purpose of sale, etc., CC 432(2) simpliciter, CC 432(1) MUNICIPALITY See also Organization Municipal corruption, CC 123 "Municipality," CC 2 Right to proceeds of penalties, CC 734.4(3) Service on, CC 703.2(a) MURDER See also Homicide, Infanticide, Manslaughter Accessory after fact, CC 240 Attempt, CC 239 Classification, CC 231(1), (7) first degree murder, CC 231(2) to (6.2) constructive, CC 231(5) contract, CC 231(5) contract, CC 231(5) contract, CC 231(6) criminal harassment, CC 231(6.1) form of indictment, CC 582 indictment for second degree murder defined, CC 29(a), (b), 231(7) indictment for first degree barred, CC 610(3) parole ineligibility order appeal regarding order, CC 675(2) to (2.3), 676(4) to (6) consecutive, CC 745.21, 745.51 jury recommendation, CC 745.2, 745.3, 745.21 order made, CC 745.4, 745.5, 745.51 parole ineligibility, CC 746.1(2), (3), 745.2 to 745.3, 745.51 sentence, CC 745(b), (b.1), 745.4, 745.5 Compulsion by threats, no defence, CC 17 Consent not affecting liability, CC 14 Conspiracy, CC 465(1)(a) Conviction barring charge of manslaughter constructive, CC 231(6) construction, CC 231(6) construction, CC 232 Indictment joinder of counts, CC 589 severance of counts, CC 591(3)(a) Infanticide as included offence, CC 662(3), (4) Internationally protected person outside Canda, CC 7(3), (5) to (7) Judicial review of parole ineligibility, CC		planned and deliberate, CC 231(2)
verdict where second degree proved, CC 662(2) Regulations, MVTA 16.1 Review of provisions, MVTA 23, 24 Unfair practices, MVTA 17 Venue of prosecutions, MVTA 20.1 MOVIE PIRACY Forfeiture on conviction, CC 432(3), (4) Unauthorized recording of movie for purpose of sale, etc., CC 432(2) simpliciter, CC 432(1) MUNICIPALITY See also Organization Municipal corruption, CC 123 "Municipality," CC 2 Right to proceeds of penalties, CC 734.4(3) Service on, CC 703.2(a) MURDER See also Homicide, Infanticide, Manslaughter Accessory after fact, CC 230 Attempt, CC 239 Classification, CC 231(1), (7) first degree murder, CC 231(5) constructive, CC 231(5) constructive, CC 231(6) criminal harassment, CC 231(6.1) form of indictment, CC 582 indictment for first degree barred, CC 610(3) parole ineligibility order appeal regarding order, CC 675(2) to (2.3), 676(4) to (6) consecutive, CC 745.21, 745.51 jury recommendation, CC 745.2, 745.3, 745.21 order made, CC 745.4, 745.5, 745.51 parole ineligibility, CC 746.1(2), (3), 745.2 to 745.3, 745.51 sentence, CC 745(b), (b.1), 745.4, 745.5 Compulsion by threats, no defence, CC 17 Consent not affecting liability, CC 14 Conspiracy, CC 465(1)(a) Conviction barring charge of manslaughter or infanticide, CC 610(2) Coroner's warrant, CC 529 Definition, CC 229 Indictment for first degree barred, CC 610(3) parole ineligibility order appeal regarding order, CC 675(2) to (2.3), 676(4) to (6) consecutive, CC 745.21, 745.51 jury recommendation, CC 745.21, 745.3, 745.21 order made, CC 745(b), (b.1), 745.4, 745.5 Compulsion by threats, no defence, CC 17 Consent not affecting liability, CC 14 Conspiracy, CC 465(1)(a) Conviction barring charge of manslaughter or infanticide, CC 610(2) Coroner's warrant, CC 529 Definition, CC 229 Indictment for first degree barred, CC 610(3) Infanticide as included offence, CC 662(3), (4) Internationally protected person outside Canda, CC 7(3), (5) to (7) Judicial review of parole ineligibility.	punishment, MVTA 19, 20	sentence, CC 745(a), 745.5
Regulations, MVTA 16.1 Review of provisions, MVTA 26 Transitional provisions, MVTA 23, 24 Unfair practices, MVTA 17 Venue of prosecutions, MVTA 20.1 MOVIE PIRACY Forfeiture on conviction, CC 432(3), (4) Unauthorized recording of movie for purpose of sale, etc., CC 432(2) simpliciter, CC 432(1) MUNICIPALITY See also Organization Municipal corruption, CC 123 "Municipality," CC 2 Right to proceeds of penalties, CC 734.4(3) Service on, CC 703.2(a) MURDER See also Homicide, Infanticide, Manslaughter Accessory after fact, CC 240 Attempt, CC 239 Classification, CC 231(1), (7) first degree murder, CC 231(2) to (6.2) constructive, CC 231(5) contract, CC 231(5) contract, CC 231(6) criminal organization, CC 231(6.1) form of indictment, CC 582 indictment for first degree barred, CC 610(3) parole ineligibility order appeal regarding order, CC 675(2) to (2.3), 676(4) to (6) consecutive, CC 745.21, 745.51 jury recommendation, CC 745.21, 745.51 parole ineligibility, CC 746.1(2), (3), 745.2 to 745.3, 745.51 sentence, CC 745(b), (b.1), 745.4, 745.5 Compulsion by threats, no defence, CC 17 Consent not affecting liability, CC 14 Conspiracy, CC 465(1)(a) Conviction barring charge of manslaughter or infanticide, CC 610(2) Coroner's warrant, CC 529 Definition, CC 229 Indictment joinder of counts, CC 589 severance of counts, CC 591(3)(a) Infanticide as included offence, CC 662(3), (4) Internationally protected person outside Canda, CC 7(3), (5) to (7) Judicial review of parole ineligibility, CC	Policy statements, MVTA 3(2)	terrorist activity, CC 231(6.01)
Review of provisions, MVTA 26 Transitional provisions, MVTA 23, 24 Unfair practices, MVTA 17 Venue of prosecutions, MVTA 20.1 MOVIE PIRACY Forfeiture on conviction, CC 432(3), (4) Unauthorized recording of movie for purpose of sale, etc., CC 432(2) simpliciter, CC 432(1) MUNICIPALITY See also Organization Municipal corruption, CC 123 "Municipality," CC 2 Right to proceeds of penalties, CC 734.4(3) Service on, CC 703.2(a) MURDER See also Homicide, Infanticide, Manslaughter Accessory after fact, CC 230 Attempt, CC 231 Classification, CC 231(1), (7) first degree murder defined, CC 229(a), (b), 231(7) indictment for first degree barred, CC 610(3) parole ineligibility order appeal regarding order, CC 675(2) to (2.3), 676(4) to (6) consecutive, CC 745.21, 745.51 jury recommendation, CC 745.2, 745.3, 745.21 order made, CC 745.4, 745.5, 745.51 parole ineligibility, CC 746.1(2), (3), 745.2 to 745.3, 745.51 sentence, CC 745(b), (b.1), 745.4, 745.5 Compulsion by threats, no defence, CC 17 Consent not affecting liability, CC 14 Conspiracy, CC 465(1)(a) Conviction barring charge of manslaughter or infanticide, CC 610(2) Coroner's warrant, CC 529 Definition, CC 229 Indictment for first degree barred, CC 610(3) parole ineligibility order appeal regarding order, CC 675(2) to (2.3), 676(4) to (6) consecutive, CC 745.21, 745.51 jury recommendation, CC 745.2, 745.3, 745.21 order made, CC 745.4, 745.5, 745.5 Compulsion by threats, no defence, CC 17 Consent not affecting liability, CC 14 Conspiracy, CC 465(1)(a) Conviction barring charge of manslaughter or infanticide, CC 610(2) Coroner's warrant, CC 529 Definition, CC 229 Indictment for first degree murder defined, CC 610(3) parole ineligibility, CC 745.2, 745.3, 745.21 order made, CC 745.4, 745.5, 745.5 Compulsion by threats, no defence, CC 17 Consent not affecting liability, CC 14 Conspiracy, CC 465(1)(a) Conviction barring charge of manslaughter or infanticide, CC 610(2) Coroner's warrant, CC 529 Definition, CC 229 Indictment for country of the first degree murder defin		
Transitional provisions, MVTA 23, 24 Unfair practices, MVTA 17 Venue of prosecutions, MVTA 20.1 MOVIE PIRACY Forfeiture on conviction, CC 432(3), (4) Unauthorized recording of movie for purpose of sale, etc., CC 432(2) simpliciter, CC 432(1) MUNICIPALITY See also Organization Municipality," CC 2 Right to proceeds of penalties, CC 734.4(3) Service on, CC 703.2(a) MURDER See also Homicide, Infanticide, Manslaughter Accessory after fact, CC 231(2) Attempt, CC 239 Classification, CC 231(1), (7) first degree murder, CC 231(2) to (6.2) constructive, CC 231(3) criminal harassment, CC 231(6) criminal organization, CC 231(6.1) form of indictment, CC 582 indictment for first degree barred, CC 610(3) parole ineligibility order appeal regarding order, CC 675(2) to (2.3), 676(4) to (6) consecutive, CC 745.21, 745.51 jury recommendation, CC 745.2, 745.3, 745.21 order made, CC 745.4, 745.5, 745.5 Compulsion by threats, no defence, CC 17 Consent not affecting liability, CC 14 Conspiracy, CC 465(1)(a) Conviction barring charge of manslaughter or infanticide, CC 610(2) Coroner's warrant, CC 529 Definition, CC 229 Indictment joinder of counts, CC 589 severance of counts, CC 591(3)(a) Infanticide as included offence, CC 662(3), (4) Internationally protected person outside Canda, CC 7(3), (5) to (7) Judicial review of parole ineligibility order appeal regarding order, CC 675(2) to (2.3), 676(4) to (6) consecutive, CC 745.21, 745.51 jury recommendation, CC 745.2, 745.5.5 Compulsion by threats, no defence, CC 17 Consent not affecting liability, CC 14 Conspiracy, CC 465(1)(a) Conviction barring charge of manslaughter or infanticide, CC 610(2) Coroner's warrant, CC 529 Definition, CC 229 Indictment of counts, CC 589 severance of counts, CC 591(3)(a) Infanticide as included offence, CC 662(3), (4) Internationally protected person outside Canda, CC 7(3), (5) to (7) Judicial review of parole ineligibility order		
Unfair practices, MVTA 17 Venue of prosecutions, MVTA 20.1 MOVIE PIRACY Forfeiture on conviction, CC 432(3), (4) Unauthorized recording of movie for purpose of sale, etc., CC 432(2) simpliciter, CC 432(1) MUNICIPALITY See also Organization Municipal corruption, CC 123 "Municipality," CC 2 Right to proceeds of penalties, CC 734.4(3) Service on, CC 703.2(a) MURDER See also Homicide, Infanticide, Manslaughter Accessory after fact, CC 230 Attempt, CC 239 Classification, CC 231(1), (7) first degree murder, CC 231(2) to (6.2) constructive, CC 231(3) criminal harassment, CC 231(6) criminal organization, CC 231(6.1) form of indictment, CC 582 indictment for first degree barred, CC 610(3) parole ineligibility order appeal regarding order, CC 675(2) to (2.3), 676(4) to (6) consecutive, CC 745.21, 745.51 jury recommendation, CC 745.2, 745.3, 745.21 order made, CC 745.4, 745.5, 745.5 Compulsion by threats, no defence, CC 17 Consent not affecting liability, CC 14 Conspiracy, CC 465(1)(a) Conviction barring charge of manslaughter or infanticide, CC 610(2) Coroner's warrant, CC 529 Definition, CC 229 Indictment joinder of counts, CC 589 severance of counts, CC 591(3)(a) Infanticide as included offence, CC 662(3), (4) Internationally protected person outside Canda, CC 7(3), (5) to (7) Judicial review of parole ineligibility order appeal regarding order, CC 675(2) to (2.3), 676(4) to (6) consecutive, CC 745.21, 745.51 jury recommendation, CC 745.2, 745.3, 745.21 Order made, CC 745.4, 745.5, 745.5 Compulsion by threats, no defence, CC 17 Consent not affecting liability, CC 14 Conspiracy, CC 465(1)(a) Conviction barring charge of manslaughter or infanticide, CC 610(2) Coroner's warrant, CC 529 Definition, CC 229 Indictment for first degree barred,		
Venue of prosecutions, MVTA 20.1 MOVIE PIRACY Forfeiture on conviction, CC 432(3), (4) Unauthorized recording of movie for purpose of sale, etc., CC 432(2) simpliciter, CC 432(1) MUNICIPALITY See also Organization Municipal corruption, CC 123 "Municipality," CC 2 Right to proceeds of penalties, CC 734.4(3) Service on, CC 703.2(a) MURDER See also Homicide, Infanticide, Manslaughter Accessory after fact, CC 240 Attempt, CC 239 Classification, CC 231(1), (7) first degree murder, CC 231(2) to (6.2) constructive, CC 231(3) criminal harassment, CC 231(6) criminal organization, CC 231(6.1) form of indictment, CC 582 indictment for second degree murder barred, CC 610(3) parole ineligibility order appeal regarding order, CC 675(2) to (2.3), 676(4) to (6) consecutive, CC 745.21, 745.51 jury recommendation, CC 745.2, 745.3, 745.51 parole ineligibility order appeal regarding order, CC 675(2) to (2.3), 676(4) to (6) consecutive, CC 745.21, 745.51 jury recommendation, CC 745.2, 745.3, 745.51 parole ineligibility order appeal regarding order, CC 675(2) to (2.3), 676(4) to (6) consecutive, CC 745.21, 745.51 jury recommendation, CC 745.2, 745.3, 745.21 order made, CC 745.4, 745.5, 745.51 parole ineligibility order appeal regarding order, CC 675(2) to (2.3), 676(4) to (6) consecutive, CC 745.2, 745.3, 745.21 order made, CC 745.4, 745.5, 745.51 parole ineligibility order appeal regarding order, CC 675(2) to (2.3), 676(4) to (6) consecutive, CC 745.2, 745.3, 745.21 order made, CC 745.4, 745.5, 745.51 parole ineligibility order appeal regarding order, CC 675(2) to (2.3), 676(4) to (6) consecutive, CC 745.4, 745.5, 745.51 parole ineligibility, CC 746.1(2), (3), 745.2 to 745.3, 745.51 parole ineligibility order appeal regarding order, CC 675(2) to (2.3), 676(4) to (6) consecutive, CC 745.4, 745.5, 745.51 parole ineligibility order appeal regarding order, CC 675(2) to (2.3), 676(4) to (6) consecutive, CC 745.4, 745.5 Compulsion by threats, no defence, CC 17 Consent not affecting liability, CC 14 Conspirately CC 465(1)(a) Convictio		
Forfeiture on conviction, CC 432(3), (4) Unauthorized recording of movie for purpose of sale, etc., CC 432(2) simpliciter, CC 432(1) MUNICIPALITY See also Organization Municipal corruption, CC 123 "Municipality," CC 2 Right to proceeds of penalties, CC 734.4(3) Service on, CC 703.2(a) MURDER See also Homicide, Infanticide, Manslaughter Accessory after fact, CC 240 Attempt, CC 239 Classification, CC 231(1), (7) first degree murder, CC 231(2) to (6.2) constructive, CC 231(3) criminal harassment, CC 231(6) criminal organization, CC 231(6.1) form of indictment, CC 582 indictment for second degree murder barred, CC 610(3) appeal regarding order, CC 675(2) to (2.3), 676(4) to (6) consecutive, CC 745.2, 745.5, 745.5, 745.5, 1 parole ineligibility, CC 746.1(2), (3), 745.2 to 745.3, 745.5, 1 sentence, CC 745(b), (b.1), 745.4, 745.5 Compulsion by threats, no defence, CC 17 Consent not affecting liability, CC 14 Conspiracy, CC 465(1)(a) Conviction barring charge of manslaughter or infanticide, CC 610(2) Coroner's warrant, CC 529 Definition, CC 229 Indictment joinder of counts, CC 589 severance of counts, CC 591(3)(a) Infanticide as included offence, CC 662(3), (4) Internationally protected person outside Canda, CC 7(3), (5) to (7) Judicial review of parole ineligibility, CC		
Forfeiture on conviction, CC 432(3), (4) Unauthorized recording of movie for purpose of sale, etc., CC 432(2) simpliciter, CC 432(1) MUNICIPALITY See also Organization Municipal corruption, CC 123 "Municipality," CC 2 Right to proceeds of penalties, CC 734.4(3) Service on, CC 703.2(a) MURDER See also Homicide, Infanticide, Manslaughter Accessory after fact, CC 240 Attempt, CC 239 Classification, CC 231(1), (7) first degree murder, CC 231(2) to (6.2) constructive, CC 231(3) criminal harassment, CC 231(6) criminal organization, CC 231(6.1) form of indictment, CC 582 indictment for second degree murder barred, CC 610(3)	•	parole ineligibility order
Unauthorized recording of movie for purpose of sale, etc., CC 432(2) simpliciter, CC 432(1) MUNICIPALITY See also Organization Municipal corruption, CC 123 "Municipality," CC 2 Right to proceeds of penalties, CC 734.4(3) Service on, CC 703.2(a) MURDER See also Homicide, Infanticide, Manslaughter Accessory after fact, CC 240 Attempt, CC 239 Classification, CC 231(1), (7) first degree murder, CC 231(2) to (6.2) constructive, CC 231(5) contract, CC 231(6) criminal harassment, CC 231(6.1) form of indictment, CC 582 indictment for second degree murder barred, CC 610(3) MIRDER See also Homicide, Infanticide, Manslaughter Accessory after fact, CC 240 Attempt, CC 239 Classification, CC 231(1), (7) first degree murder, CC 231(2) to (6.2) constructive, CC 231(5) contract, CC 231(6) criminal organization, CC 231(6.1) form of indictment, CC 582 indictment for second degree murder barred, CC 610(3)		
for purpose of sale, etc., CC 432(2) simpliciter, CC 432(1) MUNICIPALITY See also Organization Municipal corruption, CC 123 "Municipality," CC 2 Right to proceeds of penalties, CC 734.4(3) Service on, CC 703.2(a) MURDER See also Homicide, Infanticide, Manslaughter Accessory after fact, CC 240 Attempt, CC 239 Classification, CC 231(1), (7) first degree murder, CC 231(2) to (6.2) constructive, CC 231(3) criminal harassment, CC 231(6.1) form of indictment, CC 582 indictment for second degree murder barred, CC 610(3) MURDER See also Homicide, Infanticide, Manslaughter Consent not affecting liability, CC 14 Conspiracy, CC 465(1)(a) Conviction barring charge of manslaughter or infanticide, CC 610(2) Coroner's warrant, CC 529 Definition, CC 229 Indictment joinder of counts, CC 589 severance of counts, CC 591(3)(a) Infanticide as included offence, CC 662(3), (4) Internationally protected person outside Canda, CC 7(3), (5) to (7) Judicial review of parole ineligibility, CC		
simpliciter, CC 432(1) MUNICIPALITY See also Organization Municipal corruption, CC 123 "Municipality," CC 2 Right to proceeds of penalties, CC 734.4(3) Service on, CC 703.2(a) MURDER See also Homicide, Infanticide, Manslaughter Accessory after fact, CC 240 Attempt, CC 239 Classification, CC 231(1), (7) first degree murder, CC 231(2) to (6.2) constructive, CC 231(5) contract, CC 231(3) criminal harassment, CC 231(6) criminal organization, CC 231(6.1) form of indictment, CC 582 indictment for second degree murder barred, CC 610(3) MURDER See also Homicide, Infanticide, Manslaughter Consent not affecting liability, CC 14 Conspiracy, CC 465(1)(a) Conviction barring charge of manslaughter or infanticide, CC 610(2) Coroner's warrant, CC 529 Definition, CC 229 Indictment joinder of counts, CC 589 severance of counts, CC 589 severance of counts, CC 591(3)(a) Infanticide as included offence, CC 662(3), (4) Internationally protected person outside Canda, CC 7(3), (5) to (7) Judicial review of parole ineligibility, CC		
See also Organization Municipal corruption, CC 123 "Municipality," CC 2 Right to proceeds of penalties, CC 734.4(3) Service on, CC 703.2(a) MURDER See also Homicide, Infanticide, Manslaughter Accessory after fact, CC 240 Attempt, CC 239 Classification, CC 231(1), (7) first degree murder, CC 231(2) to (6.2) constructive, CC 231(3) criminal harassment, CC 231(6) criminal organization, CC 231(6.1) form of indictment, CC 582 indictment for second degree murder barred, CC 610(3) 745.51 parole ineligibility, CC 746.1(2), (3), 745.2 to 745.3, 745.51 sentence, CC 745(b), (b.1), 745.4, 745.5 Compulsion by threats, no defence, CC 17 Consent not affecting liability, CC 14 Conspiracy, CC 465(1)(a) Conviction barring charge of manslaughter or infanticide, CC 610(2) Coroner's warrant, CC 529 Indictment joinder of counts, CC 589 severance of counts, CC 591(3)(a) Infanticide as included offence, CC 662(3), (4) Internationally protected person outside Canda, CC 7(3), (5) to (7) Judicial review of parole ineligibility, CC 746.1(2), (3), 745.2 to 745.3, 745.51 sentence, CC 745(b), (b.1), 745.4, 745.5 Compulsion by threats, no defence, CC 17 Consent not affecting liability, CC 14 Conspiracy, CC 465(1)(a) Conviction barring charge of manslaughter or infanticide, CC 529 Indictment joinder of counts, CC 589 severance of counts, CC 589 severance of counts, CC 591(3)(a) Infanticide as included offence, CC 662(3), (4) Internationally protected person outside Canda, CC 7(3), (5) to (7) Judicial review of parole ineligibility, CC		
Municipal corruption, CC 123 "Municipality," CC 2 Right to proceeds of penalties, CC 734.4(3) Service on, CC 703.2(a) MURDER See also Homicide, Infanticide, Manslaughter Accessory after fact, CC 240 Attempt, CC 239 Classification, CC 231(1), (7) first degree murder, CC 231(2) to (6.2) constructive, CC 231(3) criminal harassment, CC 231(6) criminal organization, CC 231(6.1) form of indictment, CC 582 indictment for second degree murder barred, CC 610(3) march 123, 745.2 to 745.3, 745.51 sentence, CC 745(b), (b.1), 745.4, 745.5 Compulsion by threats, no defence, CC 17 Consent not affecting liability, CC 14 Conspiracy, CC 465(1)(a) Conviction barring charge of manslaughter or infanticide, CC 610(2) Coroner's warrant, CC 529 Indictment joinder of counts, CC 589 severance of counts, CC 589 severance of counts, CC 591(3)(a) Infanticide as included offence, CC 662(3), (4) Internationally protected person outside Canda, CC 7(3), (5) to (7) Judicial review of parole ineligibility, CC 746.1(2), (3), 745.2 to 745.3, 745.51 sentence, CC 745(b), (b.1), 745.4, 745.5 Compulsion by threats, no defence, CC 17 Consent not affecting liability, CC 14 Conspiracy, CC 465(1)(a) Conviction barring charge of manslaughter or infanticide, CC 529 Indictment joinder of counts, CC 589 severance of counts, CC 591(3)(a) Infanticide as included offence, CC 662(3), (4) Internationally protected person outside Canda, CC 7(3), (5) to (7) Judicial review of parole ineligibility, CC		
Right to proceeds of penalties, CC 734.4(3) Service on, CC 703.2(a) MURDER See also Homicide, Infanticide, Manslaughter Accessory after fact, CC 240 Attempt, CC 239 Classification, CC 231(1), (7) first degree murder, CC 231(5) constructive, CC 231(5) contract, CC 231(3) criminal harassment, CC 231(6) criminal organization, CC 231(6.1) form of indictment, CC 582 indictment for second degree murder barred, CC 610(3) sentence, CC 745(b), (b.1), 745.4, 745.5 Compulsion by threats, no defence, CC 17 Consent not affecting liability, CC 14 Conspiracy, CC 465(1)(a) Conviction barring charge of manslaughter or infanticide, CC 610(2) Coroner's warrant, CC 529 Indictment joinder of counts, CC 589 severance of counts, CC 591(3)(a) Infanticide as included offence, CC 662(3), (4) Internationally protected person outside Canda, CC 7(3), (5) to (7) Judicial review of parole ineligibility, CC	Municipal corruption, CC 123	
745.5 734.4(3) Service on, CC 703.2(a) MURDER See also Homicide, Infanticide, Manslaughter Accessory after fact, CC 240 Attempt, CC 239 Classification, CC 231(1), (7) first degree murder, CC 231(2) to (6.2) constructive, CC 231(3) criminal harassment, CC 231(6) criminal organization, CC 231(6.1) form of indictment, CC 582 indictment for second degree murder barred, CC 610(3) 745.5 Compulsion by threats, no defence, CC 17 Consent not affecting liability, CC 14 Conspiracy, CC 465(1)(a) Conviction barring charge of manslaughter or infanticide, CC 610(2) Coroner's warrant, CC 529 Indictment joinder of counts, CC 589 severance of counts, CC 589 severance of counts, CC 591(3)(a) Infanticide as included offence, CC 662(3), (4) Internationally protected person outside Canda, CC 7(3), (5) to (7) Judicial review of parole ineligibility, CC	1	` ''
Service on, CC 703.2(a) MURDER See also Homicide, Infanticide, Manslaughter Accessory after fact, CC 240 Attempt, CC 239 Classification, CC 231(1), (7) first degree murder, CC 231(2) to (6.2) constructive, CC 231(3) criminal harassment, CC 231(6) criminal organization, CC 231(6.1) form of indictment, CC 582 indictment for second degree murder barred, CC 610(3) Consent not affecting liability, CC 14 Conspiracy, CC 465(1)(a) Conviction barring charge of manslaughter or infanticide, CC 610(2) Coroner's warrant, CC 529 Indictment joinder of counts, CC 589 severance of counts, CC 591(3)(a) Infanticide as included offence, CC 662(3), (4) Internationally protected person outside Canda, CC 7(3), (5) to (7) Judicial review of parole ineligibility, CC		745.5
See also Homicide, Infanticide, Manslaughter Accessory after fact, CC 240 Attempt, CC 239 Classification, CC 231(1), (7) first degree murder, CC 231(2) to (6.2) constructive, CC 231(5) contract, CC 231(3) criminal harassment, CC 231(6) criminal organization, CC 231(6.1) form of indictment, CC 582 indictment for second degree murder barred, CC 610(3) Conspiracy, CC 465(1)(a) Conviction barring charge of manslaughter or infanticide, CC 610(2) Coroner's warrant, CC 529 Indictment joinder of counts, CC 589 severance of counts, CC 591(3)(a) Infanticide as included offence, CC 662(3), (4) Internationally protected person outside Canda, CC 7(3), (5) to (7) Judicial review of parole ineligibility, CC		
slaughter Accessory after fact, CC 240 Attempt, CC 239 Classification, CC 231(1), (7) first degree murder, CC 231(2) to (6.2) constructive, CC 231(5) contract, CC 231(3) criminal harassment, CC 231(6) criminal organization, CC 231(6.1) form of indictment, CC 582 indictment for second degree murder barred, CC 610(3) Conviction barring charge of manslaughter or infanticide, CC 610(2) Coroner's warrant, CC 529 Indictment joinder of counts, CC 589 severance of counts, CC 591(3)(a) Infanticide as included offence, CC 662(3), (4) Internationally protected person outside Canda, CC 7(3), (5) to (7) Judicial review of parole ineligibility, CC	MURDER	
Accessory after fact, CC 240 Attempt, CC 239 Classification, CC 231(1), (7) first degree murder, CC 231(2) to (6.2) constructive, CC 231(5) contract, CC 231(3) criminal harassment, CC 231(6) criminal organization, CC 231(6.1) form of indictment, CC 582 indictment for second degree murder barred, CC 610(3) ter or infanticide, CC 610(2) Coroner's warrant, CC 529 Indictment joinder of counts, CC 589 severance of counts, CC 591(3)(a) Infanticide as included offence, CC 662(3), (4) Internationally protected person outside Canda, CC 7(3), (5) to (7) Judicial review of parole ineligibility, CC	See also Homicide, Infanticide, Man-	
Attempt, CC 239 Classification, CC 231(1), (7) first degree murder, CC 231(2) to (6.2) constructive, CC 231(5) contract, CC 231(3) criminal harassment, CC 231(6) criminal organization, CC 231(6.1) form of indictment, CC 582 indictment for second degree murder barred, CC 610(3) Coroner's warrant, CC 529 Definition, CC 229 Indictment joinder of counts, CC 589 severance of counts, CC 591(3)(a) Infanticide as included offence, CC 662(3), (4) Internationally protected person outside Canda, CC 7(3), (5) to (7) Judicial review of parole ineligibility, CC	•	
Classification, CC 231(1), (7) first degree murder, CC 231(2) to (6.2) constructive, CC 231(5) contract, CC 231(3) criminal harassment, CC 231(6) criminal organization, CC 231(6.1) form of indictment, CC 582 indictment for second degree murder barred, CC 610(3) Definition, CC 229 Indictment joinder of counts, CC 589 severance of counts, CC 591(3)(a) Infanticide as included offence, CC 662(3), (4) Internationally protected person outside Canda, CC 7(3), (5) to (7) Judicial review of parole ineligibility, CC	•	Coroner's warrant, CC 529
first degree murder, CC 231(2) to (6.2) constructive, CC 231(5) contract, CC 231(3) criminal harassment, CC 231(6) criminal organization, CC 231(6.1) form of indictment, CC 582 indictment for second degree murder barred, CC 610(3) Indictment joinder of counts, CC 589 severance of counts, CC 591(3)(a) Infanticide as included offence, CC 662(3), (4) Internationally protected person outside Canda, CC 7(3), (5) to (7) Judicial review of parole ineligibility, CC		Definition, CC 229
constructive, CC 231(5) contract, CC 231(3) criminal harassment, CC 231(6) criminal organization, CC 231(6.1) form of indictment, CC 582 indictment for second degree murder barred, CC 610(3) joinder of counts, CC 589 severance of counts, CC 591(3)(a) Infanticide as included offence, CC 662(3), (4) Internationally protected person outside Canda, CC 7(3), (5) to (7) Judicial review of parole ineligibility, CC		
contract, CC 231(3) criminal harassment, CC 231(6) criminal organization, CC 231(6.1) form of indictment, CC 582 indictment for second degree murder barred, CC 610(3) severance of counts, CC 591(3)(a) Infanticide as included offence, CC 662(3), (4) Internationally protected person outside Canda, CC 7(3), (5) to (7) Judicial review of parole ineligibility, CC		joinder of counts, CC 589
criminal harassment, CC 231(6) criminal organization, CC 231(6.1) form of indictment, CC 582 indictment for second degree murder barred, CC 610(3) Infanticide as included offence, CC 662(3), (4) Internationally protected person outside Canda, CC 7(3), (5) to (7) Judicial review of parole ineligibility, CC		severance of counts, CC 591(3)(a)
form of indictment, CC 582 indictment for second degree murder barred, CC 610(3) Internationally protected person outside Canda, CC 7(3), (5) to (7) Judicial review of parole ineligibility, CC	· · · · · · · · · · · · · · · · · · ·	
form of indictment, CC 582 indictment for second degree murder barred, CC 610(3) Internationally protected person outside Canda, CC 7(3), (5) to (7) Judicial review of parole ineligibility, CC	criminal organization, CC 231(6.1)	
barred, CC 610(3) Judicial review of parole ineligibility, CC	form of indictment, CC 582	
	barred, CC 610(3)	Judicial review of parole ineligibility, CC 745.6(2)
system participant, CC 231(6.2) Manslaughter as included offence, CC	system participant, CC 231(6.2)	Manslaughter as included offence, CC
jury recommendation re youths, CC		
		_
of police officer, prison guard or employee, CC 231(4) consecutive parole ineligibility orders judge's order, CC 745.51		
order made, CC 744.1 jury recommendation, CC 745.21		,

MURDER—Cont'd

Multiple—Cont'd judicial review of parole ineligibility, CC 745.6(2)

Provocation reducing to manslaughter, CC 232

Punishment, CC 235, 745.1, 745.3 attempt, where use of firearm, CC 239(1)(a), (3), 239(1)(a.1), 239(2) multiple murders, CC 745.21, 745.51 persons under 18, CC 745.1 persons under 16 at time of offence,

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

CC 745.3

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

MUSEUM

Acquisition of weapons, **FA 9(6)** Employee handling firearms, CC 117.09(4), (5)

Transfers of weapons, CC 117.07, 117.09

MUTINY

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

NARCOTIC OFFENCES

See Drug Offences

NECESSARIES OF LIFE

Duty to provide, CC 215(1) Failure to provide, CC 215(2) presumptions, CC 215(4) punishment, CC 215(3) Support as condition of probation, CC 732.1(3)(e)

NEW BRUNSWICK

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

NEWFOUNDLAND

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

NEWSPAPER

See also Defamatory Libel, Publicity "Newspaper," CC 297, 478(5)

NEW TRIAL

See Appeals

NON-COMMUNICATION ORDER

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

NORTHWEST TERRITORIES

"Appeal court," CC 812 Application of Code provisions, CC 8(1) "Appropriate Chief Justice," CC 745.6(3) "Court of appeal," CC 2 Empanelling jury challenge for cause, CC 638 Forfeiture of recognizance, CC 762(1) "Judge" under Part XIX, CC 552 "Judge" under Part XVI, CC 493 Preferring indictment, CC 577 "Superior court of criminal jurisdiction," CC₂ Venue for summary conviction appeal,

NORTHWEST TERRITORIES ACT

Generally, CC 8(1)

CC 814(4)

NOTARIAL ACT OR INSTRUMENT

Copy as proof, CEA 27

NOTICE

Notice of appeal court of appeal, CC 678, 839(2) election for new trial, CC 686(5) summary conviction appeal court, CC 815(1), 830(3) notification of clerk of court, CC 821(1) Supreme Court of Canada, CC 694 Notice of application inspection of bank account, CEA 29(6) interception of communication, CC 185 leave to appeal, CC 678, 839(2) election for new trial, CC 686(5) preventive detention, CC 754(1) release of exhibits, CC 605(1) release pending appeal or new trial, CC 679(2) review of order for release, CC 521(2)

Index-82

NOTICE—Cont'd	NUCLEAR TERRORISM
Notice of expert testimony, CC 657.3(3)	Alteration of device or material
to (7) Notice of hearing	with intent to compel/inhibit act, CC 82.4
forfeiture of recognizance, CC 771(1)(b)	with intent to damage/harm/kill, CC 82.3
for sureties to show cause, CC 773(2) Notice of indictment of organization, CC	Armed forces exception to offences, CC 82.7
621	Commission of indictable offence
Notice of intention to produce	with intent to obtain access to facility, CC 82.5
business record or affidavit, CEA 30(7) certificate of examiner of counterfeit, CC 461(3)	with intent to obtain device/material, CC 82.5
certificate of failure to appear, CC	Definition of "device," CC 82.2
145(11)	DNA order on conviction
certificate of fingerprint examiner, CC 667(4)	primary designated offences, CC 487.04
copy of document, CEA 28	Making of device, CC 82.3
transcript of intercepted communication, CC 189(5)	Offence outside Canada, committed, CC 7(2.21)
Notice of intention to re-elect	Possession, etc. of device/material, CC 82.3
non-jury trial, CC 565(3)	Serious disruption of facility's operations
provincial court judge, CC 561(3), (4), 561.1(4) to (7)	with intent to compel/inhibit act, CC 82.4
Notice of intention to seek greater punishment, CC 83.27, 665	with intent to damage/harm/kill, CC 82.3
Notice of intention to tender "credible	Serious interference with facility
and trustworthy" evidence at prelim, CC 540(8)	with intent to compel/inhibit act, CC 82.4
Notice of obligation to comply with sex offender registration requirements, CC 490.02	with intent to damage/harm/kill, CC 82.3
Notice of prescribing distinguishing mark,	Threats, CC 82.6 Use of device/material
CC 416	with intent to compel/inhibit act, CC
Notice of recommencement of proceedings, CC 579(2)	82.4 with intent to damage/harm/kill, CC
Notice of sex offender information registration order, CC 490.018	82.3 Wiretap for, CC 183 "offence"
Notice to person posting child pornography, CC 164.1(2)	(a)(xii.01) to (xii.03)
Proof of service, CC 4(6) to (7); CEA 40	NUDITY
Sheriff's notice	Generally, CC 174
of trial, CC 560(3)	NUISANCE
that accused in custody, CC 560(1), (2)	See also Mischief
NOVA SCOTIA	Common nuisance, CC 180
Generally, CC 2, 188(4), 493, 534, 552, 745.6(3), 812	Failure to perform duty in burial, CC 182(a)
,	Interference with dead body, CC 182(b)
NOXIOUS THING	NUNAVUT
Administering, CC 245(1)	"Appeal court," CC 812(2), 829(2)

NUNAVUT—Cont'd NUNAVUT COURT OF JUSTICE Application of Code provisions, CC 8(1) -Cont'd "Appropriate Chief Justice," CC 745.6(3) Preliminary inquiry in—Cont'd continuation of proceedings as, where "Attorney General," CC 2 subject matter is testamentary "Court of appeal," CC 2 instrument or value exceeds Election, CC 536.1(2) to (4.2), 536.2, 01675000, CC 555.1(2), (3) 561.1, 565(2), 567.1, 569 decision to hold, where appears offence Indictment, preferment of, CC 566.1, 577 should be prosecuted by indict-"Judge" under Part XIX, CC 552 ment, CC 555.1 "Judge" under Part XVI, CC 493 pre-inquiry hearing, CC 536.4 Preliminary inquiry request for, CC 536.1(3) to (4.2), (1.2), agreement to limit scope, CC 536.5, 556(4), 574(1.1), 577 549(1.1) Re-election procedures in, CC 536.2, general, CC 555.1 561.1, 562.1, 563.1, 565, 567.1, 569, jurisdiction, CC 536.1(5) 598 pre-inquiry hearing, CC 536.4 Trial procedures in remand, CC 536.1(1) mode of trial where multiple accused, request for, CC 536.1(3) to (4.2), (1.2), CC 567.1 556(4), 574(1.1), 577 mode of trial where new trial ordered "Provincial court judge," FA 76.1 following appeal, CC 686(5), Re-election, CC 536.2, 561.1, 562.1, (5.01)563.1 taking of evidence on trial by judge "Superior court," FA 76.1 alone, CC 557 "Superior court of criminal jurisdiction," **OATH** See also Affidavit, Affirmation, Perjury Venue for summary conviction appeal, Administration, CEA 13 **CC 814(4)** without authority, CC 138 NUNAVUT COURT OF JUSTICE Affirmation in lieu, **CEA 15** Applications for review of decisions of Child, CEA 16(1), 16.1 appeal from decision made on review, Contradictory evidence, CC 136 CC 573.1(7) Electronic, CC 846 grounds of review, CC 573.1(3) False statement under oath, CC 133 limitation, CC 573.1(2) order for particulars, CC 587(1)(a) orders subject to review, CC 573.1(1), sufficiency of counts, CC 585(b) Oath administered abroad, CEA 52 to 54 powers of reviewing judge, CC Perjury, CC 131 573.1(4), (5) order for particulars, CC 587(1)(a) rules governing, CC 573.1(6) sufficiency of counts, CC 585(a) Election procedures in, CC 536.1, 555.1, Refusal to be sworn, CC 545(1) 565, 567.1, 569, 598 Requirement of sworn evidence on retrial, CC 686(5.1), (5.2) preliminary inquiry, CC 540(1)(a) Habeas corpus Where mental capacity challenged, CEA availability, in respect of orders and 16(1) warrants of, CC 573.2 Witness in foreign proceedings, CEA 49 Jurisdiction, CC 536.1(5), 553, 554, 557, 558, 560, 573 OBEDIENCE TO DE FACTO LAW Preferred indictment in, CC 566.1 Generally, CC 15 Preliminary inquiry in **OBSCENITY** agreement to limit scope, CC 536.5,

See also Crime Comic

549(1.1)

OBSCENITY—Cont'd **OFFENCE** Appeal from forfeiture or restoration, CC See also Jurisdiction 164(6) Abolition of common law offences, CC 9 Consent to prosecute where order of for-Included offences, CC 662 feiture, CC 164(7) No conviction of child under 12, CC 13 Delivering by mail, CC 168 Offence under more than one Act, CC 12 punishment, CC 169 Rights of persons charged with, CA Part Exposing to public view, CC 163(2)(a) consent to prosecution, CC 164(7) motive irrelevant, CC 163(5) **OFFENDER** presumption of obscenity, CC 163(8) Definition, CC 2 punishment, CC 169 OFFENSIVE WEAPON service of public good as defence, CC See Weapon 163(3) Forfeiture, CC 164(3), (4) **OFFICER, PEACE** Mailing, CC 168, 169 See also Judicial Interim Release Obscene theatrical performance Release or detention of accused, CC 498. presenting or allowing, CC 167(1) 499 punishment, CC 169 taking part, CC 167(2) **OFFICIAL Publishing** See also Bribery, Corruption, Official consent to prosecution, CC 164(7) Documents ignorance no defence, CC 163(6) Certified copy as evidence, CEA 24 motive irrelevant, CC 163(5) Destruction etc., CC 340 presumption of obscenity, CC 163(8) OFFICIAL DOCUMENTS punishment, CC 169 Identity documents, CC 56.1 service of public good as defence, CC definition of identity document, CC 163(3), (4) 56.1(3) Restoration after seizure, CC 164(5) exceptions, CC 56.1(2) Sale, CC 163(2)(a) punishment, CC 56.1(4) consent to prosecution, CC 164(7) motive irrelevant, CC 163(5) **OIL WELL** presumption of obscenity, CC 163(8) Arson, CC 433, 434 punishment, CC 169 Salting, CC 396 service of public good as defence, CC **ONTARIO** 163(3), (4) Generally, CC 2, 184(4), 493, 552, Summons, CC 164(2) 745.6(3), 812 punishment, CC 169 Warrant of seizure, CC 164(1) **OPERATE** See also Motor Vehicles OBSTRUCTION Definition, CC 214 Execution of process, CC 129(c) Highway, CC 423(1)(g) ORDER TO STAND TRIAL Justice, CC 139 Generally, CC 548(1)(a), 549 Officiating clergyman, CC 176(1) Peace officer, CC 129(a) **ORE** Public officer, CC 129(b) See also Minerals Saving of vessel, CC 438(1) Possession as proof of theft, CC 656 Saving of wreck, CC 438(2) Taking for scientific purpose, not theft, Use of property, CC 430(1)(c), (d) **CC 333**

ORGANIZATION Appearance, CC 538, 556, 620, 800(3), 802.1 default, CC 556(2), 622, 623, 800(3) Attributing liability to duty of persons directing work, CC 217.1 "every one" includes, CC 2 negligence offences, CC 22.1 other offences, CC 22.2 Criminal, see Criminal Organization Criminal responsibility duty of persons directing work, CC 217.1 "every one" includes, CC 2 negligence offences, CC 22.1 other offences, CC 22.2 Duty of persons directing work, CC 217.1 Enforcement of judgment, CC 735 Greater punishment where previous conviction, CC 727(4) Notice of indictment, CC 621 "Organization" defined, CC 2; CDA 2(1) Party liability negligence offences, CC 22.1 other offences, CC 22.1 "Person" defined, CDA 2(1) Punishment, CC 718.21, (3.2), 732.1(3.1), 735 "Representative," defined, CC 2 Request for preliminary inquiry failure to request, CC 556(3), (4) "Senior officer," defined, CC 2 Sentencing fines, CC 735 general considerations, CC 718.21 probation conditions, CC 732.1(3.1), (3.2)Service of process on, CC 703.2

ORGANIZATIONAL LIABILITY

Terrorist, see Terrorist Group

Trial and conviction, CC 623

See Organization

ORGANS, TRAFFICKING IN HUMAN

Financial transactions, CC 240.1(2)
Punishment, CC 240.1(3)
Removal without consent, CC 240.1(1)

OVERCOMING RESISTANCE TO COMMISSION OF OFFENCE

Generally, CC 246

OWNER

"Owner," CC 2
Ownership of property, CC 588
Theft by owner or joint owner, CC 328(a), (d)

OYSTER BED AND OYSTERS

Description in indictment, CC 323(2) Presumption of ownership, CC 323(1)

PARDON

See also Record Suspension Removal of disabilities, CC 750(2) Royal prerogative of mercy, CC 748; CRA 9

Trial outside Canada, CC 465(7)

PARENT OR GUARDIAN

See also Abduction
Abandoning child under 10, CC 218
Attending youth court, YCJA 27
Correction of child by force, CC 43
liability for excessive force, CC 26
Duty to provide necessaries, CC
215(1)(a)
Failure to provide necessaries, CC 215(2)

necessaries provided by another no defence, CC 215(4)(d)
presumption of failure, CC 215(4)(c)
presumption of parentage, CC 215(4)(b)
punishment, CC 215(3)
Notice to parent, YCJA 26
Procuring sexual activity, CC 170
Sexual activity evidence, see Sexual
Activity Evidence

PAROLE

See also Murder
Dangerous offenders, CC 761
Eligibility in life imprisonment, CC 745
to 746.1
day parole, CC 746.1(2)
young offenders convicted of murder, CC 746.1(3)
early parole prohibited, CC 746.1(1)
information in respect of parole, CC
745.01

Sexual exploitation, CC 153(1)

PAROLE—Cont'd	PARTY TO OFFENCE—Cont'd
Eligibility in life imprisonment, CC 745	Common intention to effect unlawful
to 746.1 —Cont'd	purpose, CC 21(2)
review of eligibility, CC 745.6	Counselling
information provided by victim, CC	general
745.63(1.1)	offence committed, CC 22(1), (2)
temporary absence, CC 746.1(2)	offence not committed, CC 464
young offenders convicted of mur-	particular offences
der, CC 746.1(3) Eligibility in scheduled offences, CC	insubordination by serviceman, CC 62
743.6	piratical acts, CC 75
Multiple murders, CC 745.21, 745.51	sexual touching, CC 152
Second degree murder	suicide, CC 241(1)
recommendation by jury, CC 745.2,	Defined, CC 22(3)
745.3, 745.21	Indictment of other parties, CC 23.1
sentence by judge, CC 745.4, 745.5	_
PARTICULARS	Organizations
See also Indictment	negligence offences, CC 22.1 other offences, CC 22.2
Amendment at trial, CC 601(2)	Party to offence defined, CC 21 to 22.2
Order for particulars, CC 587	
•	Principal, CC 21(1)(a)
PARTNER	Sexual assault party to, CC 272(1)(d)
Theft by, CC 328(d)	PASSING OFF
PARTNERSHIP	Forfeiture, CC 412(2)
See Organization	Offence, CC 408
PARTY TO OFFENCE	Punishment, CC 412(1)
See also Accessory after Fact, Aiding and	PASSPORT
Abetting, Counselling	Appearance at trial, CC 57(7)
Accessory after fact, CC 23	Deposit as condition of release, CC
defined, CC 23(1)	515(4)(f)
indictment of other parties, CC 23.1,	False statement to procure, CC 57(2)
592	Forging or uttering, CC 57(1)
murder, CC 240	forgery generally, CC 366
punishment, CC 240, 463	"false document," CC 57(4)(b), 321
treason or high treason	Jurisdiction, CC 57(6)
delivery of trial documents, CC 604	"Passport," CC 57(5)
Aiding or abetting	Possession of forged passport, CC 57(3)
abettor party to offence, CC 21(1)(c)	
aider party to offence, CC 21(1)(b)	PEACE BOND
particular offences	Generally, CC 810 to 811; YCJA 14(2),
betting offences, CC 202(1)(j)	20(2)
cruelty to animals, CC 446	PEACE OFFICER
desertion, CC 54, 56	See also Public Officer, Release from
enemy alien, CC 50	Custody
escape, CC 146 to 148	Assault on, CC 270(1)(a)
feigned marriage, CC 292	aggravated assault, CC 270.02
prize fight, CC 83(1)	assault with a weapon or causing bodily
suicide, CC 241(1)(b)	harm, CC 270.01
treason, CC 46 , 50	Bribery, CC 120

PEACE OFFICER—Cont'd Delivery of arrested person to officer, CC 494(3) Disarming, CC 270.1 Failure to assist officer, CC 129(b) Inducing investigation by false statement, CC 140 Murder as first degree, CC 231(2) Obstruction in execution of duty, CC

Obstruction in execution of process, CC 129(c)

Officer permitting escape, CC 146, 147 "Peace officer," CC 2

"flight," CC 7(8)

Personation, CC 130, 130.1

"Police officer," CC 462.48(17)

Protection, CC 25

129(a)

arrest without warrant, CC 495(3)

offence, CC 503(4)

Use of force, CC 25

excessive force, CC 26

Weapons, CC 117.07, 117.08; CC Reg. 98 to 466 generally

Wilful misconduct in execution of process, CC 128

PEDIGREE

False pedigree of title, CC 385(1)(a)

PENALTY

See also Fine, Punishment, Sentence Application of money paid, CC 734.8(5) Imprisonment in lieu, CC 734(1) reduction on part payment, CC 734.8 Payment to provincial treasurer, CC 734.4(1) "Penalty," CC 734.8(1) Recovery by action, CC 734.6 Variation of, CA Part I 11(i)

PENITENTIARY

Preventing escape from, **CC 25(5)** Unlawful assemblies and riots reading proclamation, **CC 67**

PERJURY

See also Contradictory Evidence
Evidence
answers to incriminating questions,
CEA 5(2); CA Part I 13
corroboration, CC 133

PERJURY—Cont'd

Indictment
sufficiency of counts, CC 585(a)
Liability in case of affirmation, CEA
15(2)
Offence of perjury, CC 131
Order for particulars, CC 587(1)(a)
Privilege against self-incrimination, CEA
5(2); CA Part I 11(c)
Punishment, CC 132
Statement not permitted or authorized by law, CC 131(3), 134(1)
Video links, CC 131(1.1)

PERSONAL RECORD OF COMPLAINANT

COMPLAINANT

Admissibility, re, CC 278.92 to 278.98

Appeal from order, re, CC 278.91

Application for production
content and form, CC 278.3(3)
costs orders, CC 278.3(3)
counsel, right to, CC 278.4(2.1)
forum, CC 278.3(1), (2)
grounds, insufficient, CC 278.3(4)
hearing in camera, CC 278.4(1)
persons who may appear, CC 278.4(2)
service of application and subpoena,
CC 278.3(5), (6)

Application of legislation, CC 278.1
Definition of "record," CC 278.1

Definition of "record," CC 278.1

Production to accused
conditions on production, CC 278.7(3)
copy to prosecutor, CC 278.7(4)
factors considered, CC 278.7(2)
power of court to order, CC 278.7(1)
publication ban, CC 278.9
reasons for decision, CC 278.8
retention of record by court, CC
278.7(6)
use limited to proceedings, CC
278.7(5)

Production to court for review duty of court upon review, CC 278.6(1) factors considered, CC 278.5(2) hearing in camera, CC 278.6 power of court to order, CC 278.5(1) publication ban, CC 278.9 reasons for decision, CC 278.8 retention of record by court, CC 278.7(6)

PERSONAL RECORD OF COMPLAINANT—Cont'd Publication ban, CC 278.9 offence re, CC 278.9(2)	PLEA—Cont'd Inquiry—Cont'd serious personal injury offence, CC 606(4.1)
PERSONATION Acknowledgment in false name, CC 405 Aggravating circumstance, CC 130.1 Peace officer, CC 130, 130.1 Public officer, CC 130, 130.1	Presence of accused for, CC 650(1) Refusal to plead, CC 606(2) Special pleas, CC 606(1) autrefois acquit/convict, CC 607 allowance of plea, CC 609 conviction of attempt, CC 661(2)
PHOTOGRAPH	discharge in previous proceedings,
See also Search and Seizure As evidence of record or instrument, CEA 30(3), 31	evidence of identity of charges, CC 608
Photographic evidence, CC 491.2	indictment adding circumstances of aggravation, CC 610(1)
PHYSICIAN Duty of care in surgical or medical treat-	infanticide and manslaughter, CC 610(4)
ment, CC 216 Presence at prize fight, CC 83(1)(c) Protection from prosecution, CC 45 causing child's death at birth, CC 238(2)	murder and manslaughter or infanticide, CC 610(2) first and second degree, CC 610(3) right, CA Part I 11(h)
PIRACY	justification, CC 607(2), 611, 612
Compulsion by threats no defence, CC 17 Piracy by law of nations, CC 74	combined with plea of not guilty, CC 612(2) pardon, CC 607
Piratical acts, CC 75	Validity of, CC 606(4.4)
DNA order on conviction or discharge, CC 487.04, 487.051	POINTING A FIREARM
Superior court jurisdiction, CC 468, (vii), 469(a)(vi)	See Firearms
PLEA	POLICE See Process Officers and Public Officers
See also Defences	See Peace Officer, see Public Officer
Adjournment to plead, CC 606(3) By organization, CC 621(2), 622	POLYGAMY Offence, CC 293
Duty to inform, CC 606(4.3) Guilty or not guilty, CC 606(1) after special plea, CC 607(4) conditions for accepting guilty, CC 606(1.1)	POOL-SELLING Exemptions from offences, CC 204(1) Offences, CC 202(1) Punishment, CC 202(2) Search warrant, CC 199(1)
consent jurisdiction for guilty plea, CC 478(3), 479	PORNOGRAPHY See Child Pornography
defences under plea of not guilty, CC 613	POSSESSION
guilty to other offence, CC 606(4) validity of guilty, CC 606(1.2) young persons, YCJA 36(1), (2) Inquiry	See also Firearms Elements of possession, CC 4(3) when complete, CC 358 Offences
indictable offences, CC 606(4.2) murder, CC 606(4.1)	anything knowing it will be used to

POSSESSION—Cont'd POSSESSION—Cont'd Property obtained by crime, CC 354, 355, Offences—Cont'd methamphetamine. CDA 7.1 355.4. 355.5—Cont'd credit card, CC 342(1)(c) anything knowing it will be used to traffic in ecstasy or for purpose of trafficking, offence, CC methamphetamine, CDA 7.1 355.4, 355.5 armed forces certificate or identificajoinder of accused, CC 593 tion, CC 419(c), (d) jurisdiction of provincial court judge, automobile master kev. CC 353 CC 553, 555(2) clippings of current coin, CC 451 mail, container or key, CC 356(1)(b) controlled substance, CDA 4(1), 5(2), mineral or precious metal, CC 394 6(2)offence outside Canada, CC 357 counterfeiting instruments, CC presumption where vehicle identifica-376(1)(c), 458 tion counterfeit mark, CC 376(2)(b) number removed, CC 354(2), (3) counterfeit money, CC 450 proof of ownership or value, CC counterfeit stamp, CC 376(1)(b) 657.1(1) device to obtain telecommunication punishment, CC 355, 355.5 service, CC 32 for purpose of trafficking, CC 355.5 explosive substance, CC 436.1 not exceeding 01675,000, CC 355(b) fraudulently obtained valuable minerover 01675,000, CC 355(a) als, CC 394.1 POSSESSION FOR PURPOSE OF incendiary device or material, CC TRAFFICKING 436.1 Anything knowing it will be used to trafinstruments fic in ecstasy or methamphetamine, breaking and entering offence, CDA 7.1 coin-operated device, CC 352 Controlled substance, offence, CDA 5(2) house-breaking, CC 351(1) Proceeds of property obtained by crime, counterfeiting, CC 376(1)(c), 458 offence, CC 355.4, 355.5 forgery, CC 369(b) Property obtained by crime, offence, CC trademark. CC 409, 412 355.4, 355.5 to obtain telecommunication service. **CC 326** POSTAGE STAMP interception devices, CC 191 As chattel, CC 4(1) ore or mineral, CC 656 As property, CC 2 paper to make bank note. CC 369(a) Counterfeit, CC 376(1) proceeds of property obtained by crime Value, CC 4(1) for purpose of trafficking, CC POSTAL CARD 355.4, 355.5 As chattel, CC 4(1) prohibited weapon, CC 91, 92 As property, CC 2 property obtained by crime for purpose Value, CC 4(1) of trafficking, CC 355.4, 355.5 restricted weapon, CC 91, 92 POWER OF ATTORNEY slug or counterfeit token, CC 454 Theft by holder, CC 331, 332 stolen valuable minerals, CC 394.1 PRECIOUS METALS weapon, for dangerous purpose, CC 88 Forfeiture, **CC 394, 395** wreck, CC 415 Fraud, CC 394 "Possession," CC 4(3) Fraudulent concealment, CC 394 Property obtained by crime, CC 354, 355, 355.4, 355.5 Presumption from possession, CC 656 compensation to purchaser, CC 726 Search and seizure, CC 395

PRECIOUS METALS—Cont'd	PRELIMINARY INQUIRY—Cont'd
Tampering with mine sample, CC 396	Evidence—Cont'd
PRE-HEARING CONFERENCES	"credible and trustworthy"—Cont'd
Generally, CC 482(3)(c), 625.1	reading in at trial prohibited, CC 715(4)
PRELIMINARY INQUIRY	for accused, CC 541
Absconding accused, CC 544	hearsay, admissibility of, CC 540(7) to
Absence of accused, authorized	(9)
admission of evidence, CC 715	non-publication order, CC 539, 542(2)
permission to be absent, CC	power to receive, CC 540
537(1)(j.1)	reading at trial, CC 715
warning to accused re admissibility of	exception, CC 715(4)
evidence, CC 537(1.01)	reply evidence, CC 537(1)(g)
Address	statement by accused, CC 541(3)
by prosecutor, CC 537(1)(h)	taking of evidence, CC 540
to accused, CC 541 (1)	transcript, CC 715.01
Adjournment, CC 537(1)(a)	variance not affecting validity, CC
early resumption of inquiry, CC	546(c), 547
537(1)(e)	where inquiry limited by agreement, CC 536.5, 549(1.1)
irregularity misleading accused, CC	Exclusion of public or witnesses, CC
547	537(1)(h)
witness refusing to testify, CC 545	Fitness of accused, see Fitness to Stand
Adjudication, CC 548 Admission or confession by accused, CC	Trial
542	Inability of justice to continue, CC 547.1
Agreement to limit scope, CC 536.5, 549(1.1)	Inappropriate questioning, limiting, CC 537(1.1)
Appearance by organization, CC 538 , 556	Inquiry by justice, CC 535
Appearance of accused by counsel or	Irregularity not affecting validity, CC 546
closed-circuit television, CC	adjournment, CC 547
537(1)(j)	Jurisdiction, CC 535, 536.1(5), 543, 548
Committal for trial, CC 548	Place of inquiry, CC 537(1)(a)
by consent, CC 549	Powers of justice, CC 537, 548
endorsement of information, CC	Pre-inquiry hearing, CC 536.4
548(2)	Prosecutor
fix date for trial, CC 548(2.1)	address, CC 537 (1)(f)
offence charged, CC 548(1)(a)	agreement to limit scope of inquiry, CC
other indictable offence in respect of same transaction, CC 548(1)(a)	536.5
transmission of record, CC 551	reply evidence, CC 537(1)(g)
Discharge of accused, CC 548(1)(b)	request for preliminary inquiry, CC 536(4), 536.1(3)
Election by accused, CC 536(2), 536.1(2)	statement of issues and witnesses, CC
Evidence	536.3
confession, CC 542(1)	Reading evidence at trial, CC 715
"credible and trustworthy"	Regulation by justice, CC 537(1)(i)
appearance of witness for examina-	Remand
tion, CC 540(9)	to custody, CC 537(1)(c)
notice of intention to tender, CC 540(8)	bringing accused before justice, CC 537(1)(e)
power to receive, CC 540(7)	for purposes of ICA, CC 537(1)(b)

assistance order, CC 487.02

PRELIMINARY INQUIRY—Cont'd PRESENCE OF ACCUSED—Cont'd Remand—Cont'd Accused absconding to justice of another jurisdiction, CC accused deemed present, CC 715(3) 543(1) at preliminary inquiry, CC 544 transmission of evidence, CC 543(2) at trial, CC 475 to Nunavut Court Judge, CC 536.1(1) Appeal, CC 650.01, 650.02, 683(2.1), 688, 822, 839(2) to provincial court judge, CC 536(1), Appearance by designated counsel of rec-**(3)** ord, CC 650.01, 650.02 Request for Appearance by organization, CC 538, accused organization, failure to request, 556, 620, 623, 800, 802.1 CC 556(3), (4) Appearing personally, accused not, CC duty of court where not made, CC 485(1.1) 536(4.3), (4), 536.1(4.2), 556(3) Bail hearing, CC 515(2.2), (2.3) endorsement on information, CC Conditions for remote appearance, CC 536(4.1), 536.1(4) 715.23 to 715.24 notice of right to, CC 536(2), 536.1(2) Dangerous offender application, CC Nunavut, in, CC 536.1(3) to (4.2) 650.01, 650.02, 758?page 1650 preferred indictment where not made, Disposition hearing, CC 672.5(13) CC 574(1.1), (1.2), 577 Fitness of accused, see Fitness to Stand requirement, CC 536(4), 536.1(3) Trial where multiple accused, CC 536(4.2), Habeas corpus application, CC 536.1(4.1) 650.01(3)(a)(iii), 774.1 Statement of issues and witnesses, CC Plea of guilty, CC 650(1) to (2), 536.3 650.01(3)(c) Transcript Preliminary inquiry, CC 537(1)(j) to (k), transmission to clerk, CC 551 650.01, 650.02 transmission to justice having jurisdicadmission of evidence, CC 715 tion, CC 543(2) permission to be absent, CC Trial of issue of fitness, CC 672.23(1), 537(1)(j.1) (2)(a), 672.25(1), 672.27(b) warning to accused re admissibility of Variance not affecting validity, CC 546 evidence, CC 537(1.01) adjournment, CC 547 Remote appearance Witnesses, see also Witness generally, CC 715.23 to 715.24 application of general Code provision, appeals, CC 683(2.1), 688(2.1), 822, CC 697 839(2) bail hearing, CC 515(2.2), (2.3) deposition, CC 540 disposition hearing, CC 672.5(13) exclusion. **CC** 537(1)(h) preliminary inquiry, CC 537(1)(j) to inappropriate questioning of, limiting, (k) CC 537(1.1) trial, CC 650(1) prisoner as witness, CC 527 Summary conviction trial, CC 650.01, recognizance to testify at trial, CC 550 650.02, 800, 802.1 refusal to testify, CC 545 Summons re Identification of Criminals witness for accused, CC 541(1), (4), Act, CC 485.2, Forms 6.1, 6.2 **(5)** Trial requirement of, CC 650(1) to (2), where accused absent but counsel 650.01, 650.02 present, CC 544(5) PRESERVATION (OF DATA) Young persons, YCJA 67(7), (8) Demand PRESENCE OF ACCUSED generally, CC 487.012(1)

See also Absconding

PRESERVATION (OF DATA)—Cont'd PRESUMPTIONS AND INFERENCES Demand—Cont'd -Cont'd conditions for making, CC 487.012(2) Distinguishing mark on public stores, CC 421(2) conditions within, CC 487.012(5) Document as conclusive evidence, IA 25 destruction of data, CC 487.0194(1), 487.0199 Failure to provide necessaries, CC 215(4) expiry, CC 487.012(4) False pretence, dishonoured cheque, CC 362(4) further demand, no, CC 487.012(6) Firearm serial number defaced, CC limitation, CC 487.012(3) 108(1)(a) offence, CC 487.0197, 487.0199 Fire set negligently, CC 436(2) revocation, CC 487.012(4) Fraud by holder of fire insurance, CC self-incrimination, CC 487.0196 435(2) Order Fraud in obtaining food and lodging, CC generally, CC 487.013(1) 364(2) assistance order, CC 487.02 Importation, port of shipment, CC 414 conditions for making, CC 487.013(2) Indictable or summary conviction, IA 34 conditions in, CC 487.019 Innocence, CA Part I 11(d), Part I destruction of data, CC 487.0194(2), 6(1)(a)487.0199 Intent to affect assay, CC 396(2) expiry, CC 487.013(6) Intent to commit offence in dwellingform, CC 487.013(4) house, CC 349(2) limitation, CC 487.013(5) Luring child, CC 172.1(3) offence, CC 487.0198, 487.0199 Making sexually explicit material availoffence against law of foreign state, able to child, **CC 171.1(3)** CC 487.013(3) Newspaper proprietor and defamatory particulars, production of, CC libel, CC 303 487.0192 Ownership of property, CC 588 prohibiting disclosure, CC 487.0191 Parentage, CC 215(4)(b) self-incrimination, CC 487.0196 Proceeds of crime, CC 462.39 Report, CC 487.021(2) Property in lumber or equipment, CC Review, CC 487.021(1) 339(4) Sanity, CC 16 PRESERVATION OF ORDER IN Seditious intention, CC 59(4) **COURT** Summary conviction not appealed, CC See also Contempt Application, **CC 486**(**1.1**) Theft of ore or minerals, CC 656 Exclusion of public, CC 486(1) Unlawfully in dwelling house, CC 349(2) Power to preserve, CC 484 Vehicle identification number removed. PRESUMPTIONS AND INFERENCES CC 354(2), (3) Age, CC 171.1(3), 172.1(3), 172.2(3), Wilfulness, CC 429(1) 658(2) PREVENTION OF CRIME Agreement or arrangement—offence Use of force, CC 27 against child, CC 172.2(3) excessive force, CC 26 Arson, intent to defraud, CC 435(2) Baiting animals, CC 446(4) PREVENTIVE DETENTION Breaking and entering, CC 348(2)(a) See dangerous offender Breaking out, CC 348(2)(b) PREVIOUS CONVICTIONS Cattle theft, CC 338(3) Cheque dishonoured, CC 362(4), (5) See also Character Evidence

PREVIOUS CONVICTIONS—Cont'd

Adducing evidence

accused not appearing, CC 665

in answer to evidence of good character, **CC 666**

in support of greater punishment, CC 665

notice, CC 665

Bar to prosecution, CC **610**, **661**(**2**)

Certificate, CEA 12(2)

Greater punishment for subsequent offences

gaming and betting, CC 202(2)

motor vehicle offence, CC 255(4)

use of firearm in commission of offence, CC 84(5), (6), 85(3)(b)

Indictment, information, to contain no reference, CC 664, 789(2)

Manner of proving, 667 CEA 12(2)

PRINCE EDWARD ISLAND

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

PRIOR INCONSISTENT STATEMENT

(Aaa) Generally, CEA 9 to 11

PRISON

See also Escape and Rescue, Prisoner Delivery of prisoner, CC 744

Employee as peace officer, CC 2

Murder of keeper as first degree, CC 231(4)(b)

Protection of authorities, CC 28(2)(b)

Riot, CC 67

Sentence to penitentiary, CC 731

PRISONER

See also Escape and Rescue, Prison

Assisting escape, prisoner of war, CC 148

Delivery to prison, CC 744

Employee as peace officer, CC 2

Murder of keeper as first degree, CC 231(4)(b)

Procuring attendance, CC 527

form of order, CC 527(3) to (5)

Protection of authorities, CC 28

Riot, CC 67

Sentence to penitentiary, CC 743.1

Statement of conviction on delivery, CC 744

Transfer of prisoner, CC 527(7) to (9)

PRIVACY

See also Interception of Private Communications

Business record, CEA 30(10)(a)(ii), (iii)

Communications within marriage, CEA **4**(3)

Documentary evidence for foreign proceedings, CEA 50(2)

PRIVATE PROSECUTION

Confirmation hearing

appearance of Attorney General, CC **507.1(4)**

court shopping prohibited, CC 507.1(7)

exemptions, CC 507.1(9)

information deemed not laid, CC 507.1(5), (6)

issuance of process, CC 507(2) to (8), 507.1(2) to (8)

new evidence for new hearing, CC 507.1(7)

procedure when witnesses attend, CC 507(2), 507.1(8)

referral of information, CC 507.1(1)

"Designated justice," CC 507.1(10)

Intervention by Attorney General, CC 579.1, 579.01

Laying information, CC 504

Preferred indictment in, CC 574(3), 577(b)

Recommencement as public prosecution, CC 579(2), 579.1(2)

Referral of information, CC 507.1(1)

Stay by Attorney General, CC **579**(1), **579.1**(2)

Summons or warrant to compel attendance

conditions for issuance, CC 507.1(3)

endorsement authorizing release, CC 507(6), 507.1(8)

undertaking or appearance notice

deemed confirmed, CC 507(7), 507.1(8)

information deemed not laid, CC 507.1(5), (6)

power to issue, CC 507(4), (8), 507.1(2)

procedure when witnesses attend, CC 507(2), 507.1(8)

process compulsory, CC 507(2), 507.1(8)

PRIVATE PROSECUTION—Cont'd Summons or warrant to compel attendance-Cont'd process in blank prohibited, CC 507(5), 507.1(8) Young persons, against, YCJA 24 **PRIVILEGE** Documents in possession of lawyer, CC 488.1 Foreign proceedings, CEA 50(2) Intercepted communications, CC 189(6) Public interest immunity (Crown privilege) confidences of Queen's Privy Council for Canada, CEA 39 international relations, see sensitive information national defence and security, see sensitive information potentially injurious information, see sensitive information sensitive information agreement to disclose, CEA 38.031, 38.04(6) to (7) appeals from orders concerning, CEA 38.04(7), 38.1, 38.09, 38.11, 38.12 applications to Federal Court re Attorney General of Canada, by, **CEA 38.04(1)** confidentiality of, CEA 38.04(4) evidence admissible to determine, **CEA 38.06(3.1)** ex parte representations, public hearing, CEA 38.11(2) general, CEA 38.04(2) procedure, CEA 38.04(5) protective order, CEA 38.12 special rules, **CEA 38.11(1), (1.1)** termination, CEA 38.04(7) authorization by Attorney General of Canada, CEA 38.03 certificate prohibiting disclosure, CEA 38.13, 38.131 annual report re, CEA 38.17 review of certificate, CEA 38.131 court records, CEA 38.04(4), 38.12(2) defined, CEA 38 disclosure conditions, CEA 38.06(2)

```
PRIVILEGE—Cont'd
  Public interest immunity (Crown privi-
       lege)—Cont'd
    sensitive information—Cont'd
       disclosure order, CEA 38.06, 38.07,
            38.08
       disclosure prohibited, CEA 38.02,
            38.06(3)
         prohibition, order confirming,
              CEA 38.06(3), 38.07
       entities, designated, Sched., (8),
            38.01(6), 38.02(1.1)
       fiat of Attorney General taking over
            prosecution, CEA 38.15
         annual report re, CEA 38.17
       limitation periods for appeals, CEA
            38.09(2), 38.1
       military proceedings, in, CEA
            38.01(5), 38.03(2)
       notice to Attorney General of Can-
            ada, CEA 38.01, 38.02(1.1) to
            (2), 38.03(3)
         exceptions, CEA 38.01(6) to (8),
              38.02(2)
       regulations concerning, power to
            make, CEA 38.16
       report relating to proceedings, CEA
            38.05
       review of orders concerning,
            automatic, CEA 38.04(7), 38.08
       right to fair trial, protection of, and,
            CEA 38.14
       when determination takes effect,
            CEA 38.06(3.01)
    specified public interest
       appeals of orders relating to, CEA
            37.1, 37.2
       disclosure order, CEA 37(4.1) to (5),
            (8) to (9), 37.3
       limitation periods for appeals and
            objections, CEA 37(4), 37.1(2),
            37.2
       objection to disclosure on basis of,
            CEA 37(1)
         application to Federal Court for
              determination, CEA 37(3)(a),
              37(4)
         body other than superior court, to,
              CEA 37(3)
```

evidence admissible to determine,

CEA 37(6.1), (9)

PRIVILEGE—Cont'd PROBATION—Cont'd Public interest immunity (Crown privi-Pre-sentence report, CC 721(1) lege)—Cont'd Report by probation officers, CC 721 specified public interest—Cont'd content of report, CC 721(3) objection to disclosure on basis of, copy of report, CC 721(5) CEA 37(1)—Cont'd Termination of period, CRA 2(2) obligation of court, person or Victim impact statement, CC 722(1) body, **CEA 37(1.1)** see also Victim Impact Statement right to fair trial, protection of, copies, CC 722.1 **CEA 37.3** superior court, to, CEA 37(2), PROCEEDS OF CRIME (3)(b)Defined, CC 462.3(1) when determination effective, Designated offences **CEA 37(7)** defined, CC 462.3(1) to (2) prohibition order, CEA 37(6) regulations defining, power to make, right to fair trial, protection of, CEA CC 462.3(2) 37.3 Disclosure Self-incrimination, CEA 5; CA Part I income tax information, CC 462.48 11(c), Part I 13 informants, immunity of, CC 462.47 PRIZE FIGHT order for disclosure, CC 462.48(3) to Attending, CC 83(1)(c) Engaging in prize fight, CC 83(1)(a) Forfeiture "Prize fight," CC 83(2) derived from other offences, CC Promoting, CC 83(1)(b) 462.37(2) designated offence, committed in rela-**PROBATION** tion to, CC 462.37(1) Bodily substance, see Bodily Substance notice of application, CC 462.41 Conditions, CC 732.1(2) to (3.2) fine in lieu of, CC 462.37(3) to (5) change in circumstances. CC 732.2(3) inference from value of property, CC compelling appearance of accused, CC 462.39 732.2(6) in rem hearing, CC 462.38 organizations, for, CC 732.1(3.1), (3.2) relief or change in conditions after appeal from order, CC 462.44 conviction of offence, CC application for forfeiture, CC 732.2(5) 462.38(1) restitution, CC 738(1) notice of application, CC 462.41 Conviction while under probation, CC orders for forfeiture, CC 462.38(2) 732.2(5) to (2.1) Order property outside Canada, CC breach, CC 733.1 462.38(2.1) duration, CC 732.2(2) person deemed absconded, CC effective date, CC 732.2(1) 462.38(3) form, CC 732.1(4) particular circumstances, CC 462.37(2.01) making of order, CC 731(1) pattern of criminal activity, CC reading and delivery of order, CC 462.37(2.04), (2.05) 732.1(5), (6) property outside Canada, order respectsuspension pending appeal, CC 683(5), ing, CC 462.37(2.1), 462.38(2.1) (5.1), (6)relief from, CC 462.42 transfer, CC 733(1) court unable to act, CC 733(2) restitution, CC 689 Organizations, for, CC 732.1(3.1), (3.2) voidable transfers, CC 462.4

PROCEEDS OF CRIME—Cont'd	PROCEEDS OF CRIME—Cont'd
From commission of drug offences, CDA	Special search warrant—Cont'd
18	report to judge of property seized
Income tax information, disclosure of, CC 462.48	forwarding to clerk of trial court, CC 462.36
Informants, immunity of, CC 462.47	provided to owner, CC 462.32(4)(c)
Laundering, CC 462.31	requirement for, CC 462.32(4)(b)
Management order	return of proceeds, CC 462.32(4.1)
appointment of Minister to manage, CC 462.331(2)	review of, CC 462.34 PROCLAMATION
destruction of property pursuant to, CC	
462.331(4) to (7)	Judicial notice of, CC 781(2) Order to prohibit drilling, CC 70(1)
duration of, CC 462.331(8)	Proof, CEA 21, 22
power of court, CC 462.331(1), (7)	Imperial proclamation, CEA 20
power to manage, CC 462.331(1), (3) to (4)	Riot proclamation, CC 67, 68
variation of, CC 462.331(9)	PROCURING
Regulations, CC 462.5	See also Avails, Counselling
Restraint order	Commission of offence
generally, CC 462.33	offence committed, CC 22(1), (2)
application, CC 462.33(1)	offence not committed, CC 464
automatic expiry of, CC 462.35	"Counsel" includes, CC 22(3)
copies of documents, CC 462.46	Feigned marriage, CC 292(1)
disposal of property restrained, CC	Offence
462.43	generally, CC 286.3(1)
appeal from order, CC 462.44	18 years of age, sexual services from, CC 286.3(2)
property outside Canada, CC	PRODUCTION OF RECORDS
462.43(2)	See also Disclosure, Production Orders
forwarding to clerk of trial court, CC 462.36	Banking record, CEA 29(6)
management order pending restraint,	Business record, CEA 30(3) to (5)
CC 462.331	Certified copy, CEA 28(1)
property outside Canada, CC	Copy of record in proceedings, CEA 28
462.33(3.1)	Foreign proceedings, CEA 46, 50(2)
review of, CC 462.34	Orders for, see Production Orders
suspension pending appeal, CC 462.45	Power of court on appeal, CC 683(1)(a),
Special search warrant	839(2)
generally, CC 462.32	Records of automobile master key sales,
automatic expiry of, CC 462.35	CC 353(3), (4)
disposal of property seized, CC 462.43	Witness statements, written, CEA 10(1)
appeal from order, CC 462.44	PRODUCTION ORDERS
property outside Canada, CC 462.43(2)	Appeal court, power to make, CC 683(1)(a), 839(2)
execution of warrant, CC 462.32(2.1) ,	Application for review of, CC 487.0193
(2.2), (3)	Banking records, for, CEA 29(6)
detention of property, CC	Business records, for, CEA 30(3), (5)
462.32(4)(a)	Commercial information, for
management order post seizure, CC 462.331	copies of business records, for, CEA 30(3)

PRODUCTION ORDERS—Cont'd PRODUCTION ORDERS—Cont'd Commercial information, for—Cont'd Personal record of complainant, for part of business record, for, CEA 30(5) —Cont'd production to accused—Cont'd right of court to examine record, CEA 30(6) reasons for decision, CC 278.8 Destruction of data, CC 487.0194(1), retention of record by court, CC 487,0199 278.7(6) Financial information, for use limited to proceedings, CC 278.7(5) generally, CC 487.018(1) production to court for review compulsion by order only, CEA 29(5) duty of court upon review, CC conditions for making, CC 487.018(3) 278.6(1) conditions in, CC 487.019 factors considered, CC 278.5(2) copying of records, for, CEA 29(6) hearing in camera, CC 278.6 form, CC 487.018(4) power of court to order, CC 278.5(1) identification of person, CC 487.018(2) publication ban, CC 278.9 inspection of records, for, CEA 29(6) reasons for decision, CC 278.8 limitation, CC 487.018(5) retention of record by court, CC Foreign proceedings, re 278.7(6) power to order production, CEA 46 publication ban, CC 278.9 self-crimination protection, CEA 50 Related orders General order assistance, CC 487.02 generally, CC 487.014(1) particulars, production of, CC conditions for making, CC 487.014(2) 487.0192 conditions in, CC 487.019 prohibiting disclosure, CC 487.0191 form, CC 487.014(3) Report, CC 487.021(2) limitation, CC 487.014(4) Review, CC 487.021(1) Offence, CC 487.0198 Sealing order re information to obtain, Personal record of complainant, for CC 487.3 appeal from order re, CC 278.91 Self-incrimination, CC 487.0196 application for production Sentencing court, power to make, CC content and form, CC 278.3(3) 723(3) costs orders, **CC 278.3(3)** Third party records, see personal record forum, CC 278.3(1), (2) of complainant, for grounds, insufficient, CC 278.3(4) Tracing specified communications, for hearing in camera, CC 278.4(1) generally, CC 487.015(1) persons who may appear, CC conditions for making, CC 487.015(2) 278.4(2) conditions in, CC 487.019 publication ban, CC 278.9 form, CC 487.015(3) offence re, CC 278.9(2) limitation, CC 487.015(5) service of application and subpoena, report, CC 487.015(6) CC 278.3(5), (6) service, CC 487.015(4) application of legislation, CC 278.1 Tracking data, for definition of "record," CC 278.1 generally, CC 487.017(1) production to accused conditions for making, CC 487.017(2) conditions on production, CC conditions in, CC 487.019 278.7(3) form, CC 487.017(3) copy to prosecutor, CC 278.7(4) limitation, CC 487.017(4) factors considered, CC 278.7(2) Transmission data, for power of court to order, CC 278.7(1) generally, CC 487.016(1) publication ban, CC 278.9 conditions for making, CC 487.016(2)

PRODUCTION ORDERS—Cont'd

Transmission data, for—Cont'd form, CC 487.016(3) limitation, CC 487.016(4) Witness statements, written, for, CEA 10(1)

PROHIBITION

See Extraordinary Remedies

PROHIBITION ORDER

See also Firearms

Attending public park frequented by children, CC 161

Attending public swimming pool frequented by children, CC 161

Breach offence, CC 380.2(4)

Communication or contact with child, CC 161

Employment involving authority over property, re, CC 380.2

Fraud. CC 380.2

Internet access, CC 161

Volunteering with children, CC 161 Working with children, CC 161

PROMISE TO APPEAR

See also Judicial Interim Release Confirmation or cancellation by justice, CC 508(1)

Effect after direct indictment, CC 523(1.2)

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

Failure to appear, CC 145(3)

Giving on holiday, CC 20

Time in force, CC 523, 735

Warrant may issue, CC 512

PROMISSORY NOTE

See also Valuable Security
Photograph as evidence, CEA 31(2)

PROOF OF SERVICE

See Service

PROPERTY

See defence, see Fire, see Mischief, see Possession

PROPERTY AND CIVIL RIGHTS

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

PROPERTY OBTAINED BY CRIME

See also Possession

Bringing into Canada, offence, CC 357 Exportation prohibited in rem, CC 355.3 Importation prohibited in rem, CC 355.3 Possession for purpose of trafficking, CC

355.4, 355.5

Trafficking in, CC 355.2, 355.5

PROSPECTUS

False, CC 400

PROTECTION OF LAW

Right of individual, CBR 1(6)

PROTECTION OF PERSONS ENFORCING LAW

See also Defence

Judicial officers

no proceedings when conviction quashed, CC 783

Master of ship, CC 44

Parent or schoolteacher, CC 43

Person enforcing law, CC 25(1)

as included offence, CC 662(5)

assisting peace officer, CC 25(1), 28,

execution of process, CC 25(2), 28, 29(3)

lawful arrests, CC 25(4)

preventing escape, CC 25(5)

from a penitentiary, CC 25(5)

suppressing riot, CC 32, 33

use of force, CC 25(3), 27

deadly force, CC 25(3), (4), (5)

excessive force, CC 26

self-preservation, CC 25(3)

Public officers, CC 25

Surgeon performing operation, CC 45

PROTECTION OF PRIVACY

See Interception of Private Communications

PROVINCIAL COURT JUDGE (FORMERLY MAGISTRATE)

(Aaa) Generally, CC 2, 483, 553, 554(1)

PROVINCIAL LAWS

Application of, **IA 8.1**

Language of court and, CC 582

Proof of service and, CC 4(6.1)

Service in accordance with, CC 701.1

PROVOCATION

See also Manslaughter

Illegal arrest and provocation, CC 232(4)

Provoked assault, CC 35

Reduction of murder to manslaughter, CC 232(1)

What constitutes, CC 232(2)

PROWLING AT NIGHT

(Aaa)Generally, CC 177

PSYCHIATRIC OBSERVATION

See Assessments (Mental Disorder)

PUBLIC

See exclusion of public and publicity

PUBLICATION

See also Libel, Obscenity

Admission or confession at preliminary, CC 542(2)

Ban on, see Publicity

Defamatory libel, CC 299

see also Defamatory Libel

Evidence from preliminary, CC 539, 542(2)

Obscene matter, CC 163

consent to prosecution after seizure, CC 164(7)

punishment, CC 169

Prohibitions

evidence taken at preliminary inquiry, CC 539

evidence taken at show cause hearing, CC 517

identity of complainant or witness, CC 486.4, 486.5, 810.5

sexual activity of complainant, CC 276 when jury separated, CC 648

Publishing judicial proceedings

not defamatory libel, CC 305

Punishment, CC 169

restriction when jury separated, CC 648

Rules of court, CC 482(4)

Seditious libel, CC 59

sufficiency of counts, CC 584

Sexual offences

identity of complainant, CC 486.4

PUBLICATION BAN

See Publicity

PUBLIC CONVEYANCE

Fraud in fare collection, CC 393(1)

jurisdiction of provincial court judge, CC 553(c)(viii)

Fraudulently obtaining transportation, CC 393(3)

Interfering with transportation facilities, CC 248

PUBLIC DOCUMENT

Certified copy as evidence, CEA 24, 25

PUBLIC INTEREST IMMUNITY

See Privilege

PUBLICITY

Non-disclosure of witness's identity, CC 486.31

Order restricting publication

application, CC 486.4, 486.5, 672.501(5), 810.5

factors to be considered, CC **486.5**, **672.501**(3)

for certain offences, CC 486.4, 486.5 juror identity, to protect, CC 631(6)

Prohibition (ban) re

child pornography, CC 672.501(2) evidence at preliminary inquiry, CC

539, 542(2)

evidence at show cause hearing

judicial interim release, CC 517, 520(9), 521(10)

identity of complainant, CC 486.4, 112, 486.5, 810.5; YCJA 111

identity of juror, CC 631(6)

not criminally responsible, CC 672.501(3)

sexual offence, CC 672.501(1)

trial information where jury not present, CC 648

witness under, CC 18, 112, 486.3; YCJA 111

young offenders, YCJA 69, 75, 110,

PUBLIC MISCHIEF

(Aaa) Generally, CC 140

PUBLIC OFFICER

See also Police Officer

Assault on, CC 270(1)(a)

Authorization to commit unlawful acts and omissions, see Law Enforcement Immunity

PUBLIC OFFICER—Cont'd	PUBLIC TRANSIT OPERATOR
Breach of trust, CC 122	Assault against
Bribery, CC 120	aggravating factor, CC 269.01(1)
Disability on conviction, CC 748(2)	definitions re, CC 269.01(2)
Failure to assist, CC 129(b)	Defined, CC 269.01(2)
False return, CC 399	PUBLIC UTILITY
Misconduct executing process, CC 128	Breach of contract likely to interrupt, CC
Obstructing, CC 129(a)	422
Personation, CC 130, 130.1	
Protection, CC 25	PUNISHMENT
"Public officer," CC 2	See also Sentence, Youth Criminal Justice
Use of force, CC 25	Alternative measures
excessive force, CC 26	defined, CC 716
Vacancy in office on conviction, CC	disclosure of records, CC 717.4
748(1)	government records, CC 717.3
Weapons, CC 117.07; CC Reg. 98 to 466	police records, CC 717.2 records of persons dealt with, CC 717.1
generally	when may be used, CC 717(1)
PUBLIC PEACE	admissions not admissible in evi-
See Breach of Peace	dence, CC 717(3)
See Breach of Feace	laying of information, etc., CC
PUBLIC PLACE	717(5)
Offences in public place	no bar to proceedings, CC 717(4)
causing disturbance, CC 175(1)(a)	restriction on use, CC 717(2)
indecent act, CC 173(1)	Certiorari to review, CC 777(2)
indecent exhibition, CC 163(2)(b),	Conditional sentence, CC 742.1
175(1)(c)	Degrees of punishment, CC 718.3
loitering, CC 175(1)(c)	Fine
nudity, CC 174(1)(a)	and other punishment, CC 734(4), (5)
soliciting, CC 213	default in payment
"Public place," CC 150, 197(1), 319(7)	imprisonment in default
PUBLIC REVENUE	commencement of term, CC 719(1), (5)
False statement or return, CC 399	consecutive terms, CC 718.3(4)
PUBLIC SEAL	cumulative punishments, CC 718.3(5)
Forgery, CC 369(c)	limit on terms, CC 718.3(3), (5), 734(4), 787(2)
PUBLIC STORES	reduction on part payment, CC
Distinguishing mark	734.8
applying or removing, CC 417(1)	sentence by summary conviction
prescription, CC 416	court, CC 787(2)
Military stores	warrant of committal, CC 734.7(1)
receiving, CC 420	to (2)
"Public stores," CC 2	discretion of court, CC 718.3, 734.7
Selling defective stores, CC 418(1)	disposition of proceeds, CC 734.4
loss of capacity to contract, CC 750(3),	fine option program, CC 736
(4)	in lieu of other punishment, CC 734(1)
Unlawful transactions, CC 417(2)	licences, permits, CC 734.5
presumption, CC 421(2)	organizational accused, CC 735

PUNISHMENT—Cont'd	PUNISHMENT—Cont'd
Fine—Cont'd	Minimum punishment, CC 718.3(2), 734
partial payment, CC 734.8	Non-communication order, CC 743.21
payment not waiver of appeal, CC	Organizations, CC 727(4), 734.6, 735
820(1)	Parole ineligibility, CC 743.6, 745 to
recovery	745.51
fine on organization, CC 735	Principles of sentence
remission, CC 748.1	fundamental principle, CC 718.1
stay of payment, CC 683(5), (5.1), (6),	other sentencing principles, CC 718.2
822(1)	Procedure and evidence
time for payment, CC 734.1	copies of documents, CC 722.1
victim fine surcharge, CC 737	information accepted, CC 724
Greater punishment for subsequent offence	disputed facts, CC 724(3)
gaming and betting, CC 202(2)	relevant information, CC 726.1
pardon not affecting, CC 748(4)	where jury, CC 724(2)
use of firearm in commission of	inquiry by court, CC 726.3
offence, CC 84(5), (6), 85(3)(b)	offender may speak to sentence, CC
Greater punishment for terrorist activity,	726
CC 83.27	other offences, CC 725
notice to offender, CC 83.27(2)	previous convictions, CC 727
Imprisonment	proof of certificate of analyst, CC 729
calculation of term, CC 735	reasons for sentence, CC 726.2
commencement of term, CC 719(3) to	report by probation officer, CC 721
(5)	sentence justified by any court, CC 728
conditional sentence	sentencing proceedings, CC 720
compulsory conditions, CC 742.3	submissions on facts, CC 723
firearm, etc., prohibitions, CC 742.2	victim impact statement, CC 722
imposing of, CC 742.1	Purpose of sentencing, CC 718
procedure on breach of condition,	Restitution order, see also Restitution
CC 742.6	generally, CC 737.1 (1)
reading and delivery of order, CC 742.3(3), (4)	adjournment, CC 737.1(3)
supervisor may propose changes to	form, CC 737.1(4)
conditions, CC 742.4	inquiry by court, CC 737.1(2)
suspension pending appeal, CC	reasons, CC 737.1(5)
683(5), (5.1), (6)	Subsequent conviction
transfer of order, CC 742.5	pardon not affecting punishment, CC
where person imprisoned for new	748(4)
offence, CC 742.7	Terrorism
fine in lieu, CC 734	additional, for "terrorist activity," CC
organizations, CC 735	83.27
intermittent, CC 732(1)	notice to offender, CC 83.27(2)
legality of detention, CC 775	aggravating circumstance, CC
life imprisonment, CC 745	718.2(a)(v)
see also Parole	sentences served consecutively, CC
prison or penitentiary, CC 743.1	83.26
sentence served according to regulations, CC 743.3	sentencing principles, CC 718.2(a)(v)
where no other provision, CC 743	PYRAMID SELLING
Liability limited, CC 6(1)(b)	(Aaa)Generally, CC 206(1)(e)

OUEBEC RECEIVING (Aaa) Generally, CC 2, 8.2, 164(8), 183, See Possession 188(4), 320(8), 488.1(1), 493, 534, RECOGNIZANCE 552, 745.6(3), 772(2), 812; IA 8.1 See also Judicial Interim Release, Terror-**OUEEN** ism Alarming the Queen Acknowledgment in false name, CC 405 evidence of overt acts, CC 55 Arrest not vacating, CC 765 statement in indictment, CC 581(4), Arrest of accused 601(9) on another charge, CC 765 Bodily harm or assassination, CC on application of surety, CC 766, 767 46(1)(a) Before officer in charge evidence of overt acts, CC 55 confirmation or cancellation by justice, statement in indictment, CC 581(4), **CC 508** 601(9)failure to appear, CC 145 punishment, CC 47(1), (4) laying of information, CC 505 specific charge of high treason, CC 582 Conditions in, **CC 810(3.02)** Demise of Crown, IA 46 RACE application for forfeiture, CC 771(1) See Equality endorsement, CC 770 Deposit of money or other valuable secu-**RADIO** See also Telecommunication Service transfer on forfeiture, CC 771(4) False message, CC 372(1) transmission to clerk on default, CC **RAILWAY EQUIPMENT** 770(4) Breach of contract likely to delay, CC Effect after direct indictment, CC 523(1.2) 422(1)(e) Fraud in obtaining transportation, CC Effect of remand to another jurisdiction, CC 453(b) 393(3) Interfering with safety of persons, CC Entering into on holiday, CC 20 248 Forfeiture application, CC 762(1) **REAL PROPERTY** committal of sureties, CC 773 Fraudulent concealment of title docupayment of penalties, CC 734.4 ments, CC 385(1) Form, CC Form 32 Fraudulent registration of title, CC 386 Offences, to prevent, see peace, to keep Ownership, CC 588 On certiorari application, CC 779 REASONS FOR JUDGMENT On release pending appeal or new trial, Furnishing to court of appeal, CC 682(2) CC 679(5) Grounds of dissent on appeal, CC 677 arrest after release, CC 679(6) Reserving decision, CC 645(4) On summary conviction appeal, CC 816, 817, 818 **RECEIPT** Peace, to keep Fraudulent receipt under Bank Act, CC breach of, CC 811 criminal organization offence feared, Photograph as evidence, CEA 31(2) CC 810.01 Purported receipt, CC 388 damage feared, CC 810 Valuation, CC 4(3) forced marriage, CC 810.02 RECEIVER GENERAL forms, Forms 23, 32 Payment of penalties, CC 723(2) injury feared, CC 810

RECOGNIZANCE—Cont'd RECORD—Cont'd Judicial proceeding—Cont'd Peace, to keep—Cont'd intimidation of justice system entitlement of parties to appeal, CC participants feared, CC 810.01 682(4) marriage under age of 16 years, CC entry of stay of proceedings, CC 810.02 579(1) serious personal injury offence feared, furnishing to court of appeal, CC CC 810.02 682(2) sexual offence feared. CC 810.1 indictment amended, CC 625 terrorism offence feared, CC 810.011 transmission, CC 543, 570, 599, 682(2), 821 terrorist activity feared, CC 83.3 change of venue, CC 599(3), (4) young persons, against, YCJA 14(4), preliminary inquiry, CC 551 Recognizance of witness at preliminary, RECORD SUSPENSION CC 550 Application for default, CC 705(2) disclosure of decisions, CRA 9.01 recognizance after arrest, CC 706 ineligible persons, CRA 4(2), Sched. 1 Refusal to enter into, CC 810(3.01) amendments re, CRA 4(5) Sheriff's certificate of committal, CC exceptions, CRA 4(3) 766(3) onus for exception, CRA 4(4) Sureties restrictions on, CRA 4(1) additional sureties, CC 764(2) right to bring, CRA 3(1), 4 application for relief, CC 766 Board arrest of accused, CC 766(2) jurisdiction, CRA 2.1 committal on forfeiture, CC 73 quorum, CRA 2.2 discharge, CC 764(3) Civil disabilities, removal of, CC 750(2) render of accused, CC 766, 767 Custody of records, CRA 6 rights reserved, CC 768 Discharges, CRA 6.1 Terrorist activity/offences to prevent, see Disclosure Terrorism approval of records for, CRA 6(3) Time in force, CC 523, 735, 763, 764 decisions of Board, CRA 9.01 Transfer of order, CC 810.22 discharges of, CRA 6.1 Vacating, CC 523(2), 766 Minister, by, CRA 6.3(6) not vacated by arrest on other charge, persons or organizations, to, CRA **CC 765** 6.3(7)Video conference, appearance via, CC police forces, by, CRA 6.3(7) 810.21 police forces to, CRA 6.2, 6.3(5) to (8) RECORD DNA orders and, DNA 10(8) See also Document, Register Effect of, CRA 2.3, 8 Automobile master key sales, CC 353(3) cessation. CRA 7.2 Bank record as evidence, CEA 29 Employment applications and, CRA 8 Business record as evidence, CEA 30 Executive committee False extract or copy, CC 378 functions, CRA 4.4 Imperial record Expiration of sentence, CRA 4.3 proof, CEA 20 Grounds for grant by board factors considered, CRA 4.1(1), (3) Judicial proceeding custody of record, CC 559(2) onus on applicant, CRA 4.1(2) repute of administration of justice, entering of particulars, CC 587(3)(b) entitlement of Minister of Justice, CC CRA 4.1(1)(b) 682(5) tests applicable, CRA 4.1(1)

RECORD SUSPENSION—Cont'd	RECORD SUSPENSION—Cont'd
Ineligibility periods, CRA 4(1), 4.01	Waiting period where refused, CRA
Ineligible persons, CRA 4(2) to (5),	4.2(4)
Sched. 1	REDUCTION OF IMPRISONMENT ON
Inquiries	PARTIAL PAYMENT
duty of Board to make, CRA 4.2(1)	See Compensation and Restitution
representations	
Board to consider, CRA 4.2(3)	RE-ELECTION
entitlement to make, CRA 4.2(2)	See Election (Mode of Trial)
Offences	REGISTER
indictable offences, CRA 4(1)(a),	Destroying or defacing, CC 377(1)
Sched. 1, 4.1, 4(2)	False extract, CC 378
scheduled offences, CRA 4(2) to (5), Sched. 1, 4.1	Fraudulent registration of title, CC 386
sexual offences, scheduled, CRA 4(2)	REGISTRAR
to (5), Sched. 1, 4.1	Referral of appeal for summary determi-
summary conviction offences, CRA	nation, CC 685
4(1)(b), Sched. 1, 4.1, 4(2)	REGULATIONS
Record of conviction	"Designated offence," defining, CC
removal of disabilities, CC 750(2)	462.3(2)
royal prerogative of mercy, CC 748, 749; CRA 9	Law enforcement, concerning, CDA 55(2) to (2.1)
Regulations concerning, power to make, CRA 9.1	Miscarriages of justice, respecting, CC 696.6
Report to Parliament, CRA 11	Proof
Reverse onus, CRA 4(4), 4.1(2)	judicial notice, CC 781(2); CEA 21, 22
Revocation	"Serious offence," defining, CC 467.1(4)
powers of Board, CRA 7	Service of sentence according to regula-
representations	tions, CC 732(1)
Board to consider, CRA 7.1(2)	Young offenders, YCJA 154
entitlement to make, CRA 7.1(1)	RELEASE FROM CUSTODY
Right to apply for, CRA 3(1), 4	See also Judicial Interim Release
Sexual offences, for, CRA 4(2) to (5),	By peace officer
Sched. 1, Sched. 2, 4.1, 6.3	where arrested without warrant, CC
amendment of schedules, CRA 4(5),	498(1)
6.3(9)	where arrested with warrant, CC 499
notation of records, CRA 6.3(2)	Contents of
disclosure of information, CRA	appearance notice, CC 500, Form 9
6.3(6), (7)	undertaking, CC 501
predicate offences, CRA Sched. 2	
request to forward record to	RELIGIOUS WORSHIP
Minister, CRA 6.3(5)	Disturbance, CC 176
use of information, CRA 6.3(4), (8)	REMAND
verification, CRA 6.3(3)	See Adjournment (Remands)
operation of disclosure provisions, CRA 6.4	REMAND FOR OBSERVATION
SOIRA orders and	See Assessments (Mental Disorder)
domestic offenders, CC 490.015(3), (5)	REMEDIATION AGREEMENTS
international offenders, CC 490.026(5)	Admissions as evidence, CC 715.33(2),
Transfer of offenders, CRA 3	715.34(2)
	\ /

REMOTE ATTENDANCE—Cont'd REMEDIATION AGREEMENTS —Cont'd Principles, CC 715.21, 715.22 Completion, order declaring successful, Reasons, CC 715.221 CC 715.4 Videoconference provisions, CC 715.22 Conditions for, CC 715.32(1) RESCUE Conflicts of interest re monitor, CC See Escape and Rescue 715.35 Considerations/factors, CC 715.32(2), (3) RESIDENTIAL PREMISES Contents See Dwelling-House mandatory, CC 715.34(1) RESISTING ARREST optional, CC, 715.34(3) Assault with intent, CC 270(1)(b) Court Causing death approval, application for, CC 715.37 first degree murder, CC 231(4) definition of, CC 715.3(1) order for approval, CC 715.37(6) **RES JUDICATA** Deadline, CC 715.41 See also Plea Definition of, CC 715.3(1) (Aaa) Generally, CC 8, 12; CA Part I Definitions, CC 715.3 11(h) Evidence, admissions as, CC 715.33(2), RESTITUTION 715.34(2) Ability to pay, CC 739.1 Inform, duty to, CC 715.36 Bodily harm, CC 738(1)(b), (c), 738(2) Monitor, independent, CC 715.35 Civil remedy not affected, CC 741.2 Negotiation, invitation for, CC 715.33(1) Claim form, CC Form 34.1 Notice to organization, CC 715.33(1) Condition of probation, CC 738(1), (2) Offence, definition of, CC 715.3(1) Fraud offences, for, CC Form 34.1 Organization, definition of, CC 715.3(1) More than one person, CC 739.3 Publication, CC 715.42 Notice of orders, CC 741.1 Purpose, CC 715.31 Order for restitution. CC 491.1 Regulations, CC 715.43 Payment under order, CC 739.2 Stays of proceedings, CC 715.37(7), Person acting in good faith, to, CC 739 715.4, 715.39(3) Powers of court on appeal, CC 689(1), Termination orders, CC 715.39 822(1), 839(2) Variation orders, CC 715.38 Priority to forfeiture order, CC 740 Victim Property, CC 738(1)(a), 738(2) acting on behalf of, CC 715.3(2) Public authority, CC 739.4 consideration re approval, CC Rules of court, CC 482(3)(d)(iv) 715.37(3) Seized property, CC 489.1 definition of, CC 715.3(1) Suspension of order, CC 683(5), (5.1), duty to inform, CC 715.36 (6), 822(1), 839(2)impact statement, CC 715.37(4) surcharge, CC 715.37(5) RESTRICTED DRUGS See Drug Offences REMOTE ATTENDANCE Accused, CC 715.23 to 715.243 RETROACTIVITY Attendance, CC 715.21 Prohibition against laws, CA Part I 11(g) Audioconference provisions, CC 715.22 RETURN Cessation, CC 715.222 False return by public officer, CC 399 Judge, CC 715.26 Sheriff's return, CC 773 Juries, CC 715.27

REVENUE PAPER

Defined, CC 321

Justice, CC 715.36 Participants, CC 715.25

REVENUE PAPER—Cont'd

Making or possessing, CC 369

REVIEW BOARDS

See also Dispositions and Disposition Hearings (Mental Disorder), Fitness to Stand Trial

Appeals from, see Dispositions and Disposition Hearings (Mental Disorder)

Assessment orders, see Assessments (Mental Disorder)

Composition

chairperson, CC 672.4(1)

members, CC 672.39

quorum, CC 672.41(1)

transitional, CC 672.4(2), 672.41(2)

Dispositions and disposition hearings, see Dispositions and Disposition Hearings (Mental Disorder)

Establishment of, CC 672.38

Inter-provincial transfers, see Inter-Provincial Transfers (Mental Disorder)

Powers, CC 672.43

"Review Board," CC 672.1(1)

Review of dispositions, see Dispositions and Disposition Hearings (Mental Disorder)

Rules, CC 672.44

Sex offender information registration duty to notify subject of discharge, CC 490.02915(2)

duty to notify subject of order, CC 490.018, 490.02915(2)

entitlement to copy of order, CC 490.018(1)(d)(i)

Stay of proceedings—permanently unfit accused

notice to accused, CC 672.851(2) power to recommend, CC 672.851(1)

REWARD

Recovery of goods obtained by crime, CC 142

RIGHT NOT TO BE ARBITRARILY DETAINED OR IMPRISONED

(Aaa)Generally, CA Part I 9

RIGHT TO COUNSEL

See Counsel

RIGHT TO LIFE AND LIBERTY

(Aaa)Generally, CBR 1(a); CA Part I 7; CRA 9

RIOT

Duty to disperse or arrest, CC 33 neglect of duty, CC 69

Failure to disperse, CC 68(b), (c)

Hindering reading of proclamation, CC 68(a)

Proclamation, CC 67, 68

Protection of persons enforcing law, CC 32, 33

Punishment, CC 65

where identity concealed, CC 65(2)

Riot defined, CC 64

Use of force to suppress, CC 32

ROBBERY

Armed robbery, CC 343(d)

Offences, CC 98.1, 343

Punishment/sentence

DNA order on conviction discharge, CC 487.04, 487.051

general, CC 344(1)(b)

where firearm stolen, **CC 98.1**

where firearm used, CC 344(1)(a),

(a.1)

subsequent offences, CC 344(2), (3) where home invasion involved, CC 348.1

where intent to steal firearm, **CC 98.1** Stopping mail with intent, **CC 345** To steal firearm, **CC 98.1**

ROYAL CANADIAN MOUNTED POLICE

Assisting deserter, CC 56

ROYAL PREROGATIVE OF MERCY

(Aaa)Generally, CC 749, 751

RULES OF COURT

General, CC 482

Judicial notice, CC 781(2)

Power to make, CC 482(1), (2), 482.1

Publication, CC 482(4)

Review of parole eligibility, CC 745.64

Subject-matter, CC 482(3)

Taking of commission evidence, CC 714

Uniform rules, CC 482(5)

SABOTAGE

Mischief, CC 430 Offence, CC 52 evidence of overt acts, CC 55 Statement in indictment, CC 581(4)

SAFE-BREAKING

See also Breaking and Entering, Break-in Instruments

Possession of instruments, CC 351(1)

SANITY

See also Mental Disorder Presumption of, no mental disorder, CC 16(2)

SASKATCHEWAN

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

SCHOOLTEACHER

Correction of pupil, CC 43 excessive force, CC 26

SCURRILOUS MATTER

Delivery by mail, CC 168 punishment, CC 169

SEAL OF COURT

Forms not requiring, CC 849(2) sealing order, CC 487.3

SEARCH AND SEIZURE

See also Forfeiture, Proceeds of Crime. Search Warrants, Terrorist Group

Assistance order, CC 487.02

Banking record, CEA 29(7)

Cocks in cock-pit, CC 447(2)

Counterfeit and equipment, CC 462(2)

Crime comic. CC 164

Detention of things seized, CC 490

Disorderly house, CC 199

Disposition of things seized, CC 117.05, (11), 490(9)

Drugs, CDA 11 to 13

Explosives, CC 492

Firearms

forfeiture of seized thing, CC 117.03(3) no finding or application, CC 117.06 return of seized thing, CC 117.03(2) seizure on failure to produce authorization, CC 117.03(1)

SEARCH AND SEIZURE—Cont'd

Firearms—Cont'd without warrant, CC 117.02, (3), 117.04(2)

General warrant, CC 487.01

electronic surveillance, CC 487.01(4),

Hate propaganda, CC 320(2) to (7), 320.1

Management of seized property

destruction of property pursuant to order, CC 490.81(4) to (7)

duration of order, CC 490.81(8)

power of court to order, CC 490.81(1),

power to manage, CC 490.81(1), (3) to

variation of order, CC 490.81(9)

Minerals and precious metals, CC 395

Obscene matter, CC 164

Photographic evidence of property, CC 491.2(1)

admissibility, CC 491.2(2)

attendance for examination, CC 491.2(6)

certificate, CC 491.2(3)

notice of intention to produce, CC 491.2(5)

production of property, CC 491.2(7) secondary evidence, CC 491.2(4)

Preservation of things seized, CC 490

Report by peace officer, CC 489.1(1)(b)

Restitution of seized property, CC 489.1(1)(a)

Terrorist property, see Terrorist Group

Theft by bailee, CC 324

Transmittal to clerk of court, CC 490

Warrant, see Search Warrants

SEARCH WARRANTS

See also Search and Seizure, Telewarrants Application for, CC 117.04(1)

Assistance order, CC 487.02

Detention of things seized, CC 490

appeal from disposition order, CC 490(17)

basis for detention, CC 490(1)

copies of returned documents, CC 490(13), (14)

detention pending appeal, CC 490(12) disposal of seized items, CC 490(9), (11), 490.01

SEARCH WARRANTS—Cont'd	SECRET COMMISSION
Detention of things seized, CC 490	(Aaa)Generally, CC 426
—Cont'd	SECURE ELECTRONIC SIGNATURES
examination by person interested, CC 490(15), (16)	Admissibility, CC 845
further detention, CC 490(2), (3)	Certification authority, CEA Reg. 2005 to
return of seized property, CC 490(5) to	30, ss. 1, 4
(11), 490.01	Definitions, CEA 31.8; CEA Reg. 2005
Execution of warrant	to 30, ss. 1, 2
execution by day unless otherwise provided, CC 488	Digital signature certificate, CEA Reg. 2005 to 30, ss. 1 to 3
execution in another territorial division, CC 487(2), Form 28, (4)	Presumptions re, CEA 31.4; CEA Reg. 2005 to 30, s. 5
journalistic sources, CC 488.01 to 488.02	Process, prescribed, CEA Reg. 2005 to 30, ss. 2 to 5
seizure of explosives, CC 492	Technology, prescribed, CEA Reg. 2005
seizure of items not specified, CC 489	to 30, ss. 2 to 5
Form of warrant, CC 487(3), Form 5	SECURITIES
Information to obtain warrant	Affecting public market, CC 380(2)
form, CC Form 1	aggravating circumstances, CC
requirement, CC 487(1)	380.1(1) to (1.1)
sealing order, CC 487.3	non-mitigating factors, CC 380.1(2)
Management of seized property, see Search and Seizure	record of sentencing factors, CC 380.1(3)
Report by peace officer	Broker selling for own account, CC 384
form, CC 489.1(3), Form 5.2	Defrauding public or person of valuable
requirement, CC 489.1(1), (3)	security, CC 380(1)
Restriction on publicity, CC 487.2	aggravating circumstances, CC
Return of things seized, CC 489.1(1),	380.1(1) to (1.1)
490.01, 490(1)(a), 490(5) to (11)	minimum punishment, CC 380(1.1)
Seizure of things not specified, CC 489	non-mitigating factors, CC 380.1(2)
Solicitor-client claims, see Solicitor-Cli-	prohibition order, CC 380.2
ent Privilege Specialized warrants	restitution order, CC 738, Form 34.1,
controlled substances, CDA 11(1)	Destruction of valuable security, CC
counterfeit, CC 462(2)	340(b)
disorderly houses, CC 199	False prospectus, CC 400
drugs, CDA 11(1)	aggravating circumstances, CC
hate propaganda, CC 320(1), 320.1	380.1(1) to (1.1)
lumber or lumbering equipment, CC	non-mitigating factors, CC 380.1(2)
339(3) obscene material, CC 164(1)	record of sentencing factors, CC 380.1(3)
precious metals, CC 395	Falsification or destruction, CC 397(1)
proceeds of crime, CC 462.32, 489	Gaming in stocks, CC 383(1)
telewarrants, CC 487.1	Insider trading, CC 382.1
,	aggravating circumstances, CC
SECOND-HAND GOODS	380.1(1) to (1.1)
Sale without disclosure, CC 411	non-mitigating factors, CC 380.1(2)
forfeiture, CC 412(2)	record of sentencing factors, CC
punishment, CC 412(1)	380.1(3)

SECURITIES—Cont'd

Manipulating exchange transactions, CC 382

aggravating circumstances, CC 380.1(1) to (1.1)

non-mitigating factors, CC 380.1(2) record of sentencing factors, CC 380.1(3)

Printing or using likeness of bank or government securities, CC 457(1), (2)

Tipping, CC 382.1(2)

aggravating circumstances, CC 380.1(1) to (1.1)

non-mitigating factors, CC 380.1(2) record of sentencing factors, CC 380.1(3)

"Valuable security," CC 2 valuation, CC 4(2)

SEDITION

Armed forces, CC 62

Punishment, CC 61

Seditious conspiracy, CC 59(3)

Seditious intention, CC 59(4)

exception, CC 60

Seditious libel, CC 59(2)

proof, CC 584(3)

sufficiency of counts, CC 584(1), (2)

Seditious words, CC 59(1)

Superior court jurisdiction, CC 468, 469(a)(v)

SEIZURE

See Search and Seizure, see Search Warrants, see Telewarrants, see Solicitor-Client Privilege

SELF DEFENCE

See also Defences (Statutory) (Aaa)Generally, **CC 34 to 35**

SELF-INCRIMINATION

Answers to incriminating questions, CEA 5(2); CA Part I 13

Non-compellability as witness against self, CA Part I 11(c), Part I 13 Right to silence, CA Part I 7; YCJA 146(2)(b)

SENTENCE

See also Compensation and Restitution, Costs, Discharge, Fine, Prohibition Order, Punishment

SENTENCE—Cont'd

Appeal against sentence, CC **687**, **822**(1), **839**(2)

Commencement, CC 719

Consecutive sentence, CC 718.3(4), 745.21, 745.51

Delay for treatment, CC 720(2)

Indeterminate detention, CC 753, 753.01 appeal, CC 759

Interim release not part of term, CC 719(2)

Intimate partner, violence involving, CC 718.3(8)

Non-communication order, CC 743.21

Order for compensation, CC 738

Parole ineligibility order, CC 743.6

Purpose, principles and objectives, CC 718 to 718.21

Report by probation officer, CC 721(1)

Subsequent conviction

pardon not affecting sentence, CC 748(4)

Time spent in custody as affecting, CC 719(3)

exception, CC 719(3.1)

reasons, CC 719(3.2)

record of proceedings, CC 719(3.2) validity not affected, CC 719(3.4)

Variation on certiorari, CC 777(2)

Victim fine surcharge, CC 737

Victim impact statement, CC 722(1) see also Victim Impact Statement

copies, CC 722.1

Vulnerability, CC 718.04, 718.201

Vulnerable persons, offences involving, CC 718.04

Where sentence not specifically provided, CC 126, 127, 743

Young offender

transfer of jurisdiction, CC 743.5

SERVANT

See Employment

SERVICE

See also Notice

In accordance with provincial laws, CC 4(6.1), 701.1

On Sunday or holiday, CC 20

SERVICE—Cont'd	SEX OFFENDER INFORMATION
Proof of service of any document, CC	REGISTRATION—Cont'd
4(6) to (7)	Exemption orders—Cont'd
in accordance with provincial laws, CC	offenders convicted abroad—Cont'd
4(6.1) Summons, CC 4(7), 509(2)	notice requirements, CC 490.02905(5), 490.02907
Summons, ee 4(1), 305(2)	registration of information re,
SEVERANCE	SOIRA 8.1(2)
See Joinder of Accused and Counts	variation order, application for, CC
(Aaa)Generally, CC 551.3(1)(g)(v),	490.029051
591(3) to (6)	Forms
SEX OFFENDER INFORMATION	notice of obligation to comply with
REGISTRATION	SOIRA, CC 490.019, Form 53, Form 54, 490.02901
Appeals	order to comply with SOIRA, CC
compliance orders, CC 490.014	490.012(1) to (2), Form 52
exemption orders	Information management
domestic offender, CC 490.024	database administration, SOIRA 14
offender convicted abroad, CC 490.02906	destruction of information, SOIRA 15
termination orders	removal of information, SOIRA 15
domestic offender, CC 490.017,	research, authorization of, SOIRA 13
490.029	retention of information, SOIRA 15
offender convicted abroad, CC	International transfer of offenders
490.0291	appeals, CC 490.029113, 490.06,
transferred offender, CC 490.02914	490.02914
Canada Border Services Agency	exemption orders, CC 490.029111 , 490.04
collection of information, SOIRA	notice
15.2(1)	release, before, CC 490.29.15
disclosure of information, SOIRA	requirements re, CC 490.029114,
15.2(2)	490.07
registration of information, SOIRA 8.1(5.1)	termination orders, CC 490.02912,
Correction of information, SOIRA 12	490.02913
Definitions, see Definitions	variation orders, CC 490.029112,
Disclosure of information	490.05
authorized, CC 490.03; SOIRA 15.1	Interpretation of legislation, CC 490.011(2); SOIRA 3
Canada Border Services Agency,	Offences
SOIRA 15.2(2)	breach of prohibitions, SOIRA 17
unauthorized, SOIRA 16(4)	certificate evidence to prove, CC
Exemption orders	490.031(3) to (5)
domestic offenders	non-compliance with obligations, CC
appeals re, CC 490.024	490.031
application for, CC 490.023	non-compliance with orders, CC
deemed application, CC 490.028	490.031
notice requirements, CC 490.025	provision of false or misleading infor-
registration of information re,	mation, CC 490.0311; SOIRA 17
SOIRA 8.1(2) to (4) offenders convicted abroad	Order to comply with requirements appeal from, CC 490.014
appeals re, CC 490.02906	commencement, CC 490.013(1)
application for, CC 490.02905	duration, CC 490.013
application for, CC 470.02703	Guranon, CC 770.013

SEX OFFENDER INFORMATION SEX OFFENDER INFORMATION REGISTRATION—Cont'd REGISTRATION—Cont'd Order to comply with requirements **Prohibitions** —Cont'd combination, unauthorized, SOIRA duties of court, CC 490.012, 490.018 16(3.1) failure to make, CC 490.012(4), comparison, unauthorized, SOIRA 490.0132 16(3) form, CC 490.012(1) to (2), Form 52 consultation, unauthorized, SOIRA notice requirements, CC 490.018 16(2) powers of court disclosure, unauthorized, SOIRA 16(4) generally, CC 490.012, 490.018 linking, unauthorized, **SOIRA 16(3.1)** appeals, re, CC 490.06 persons, unauthorized, **SOIRA 16(1)** exemption orders, re, CC 490.04 use, unauthorized, SOIRA 16(2) notice, requirements re, CC 490.07 Purpose of legislation, **SOIRA 2(1)** variation orders, re, CC 490.05 Registration requirements reasons, CC 490.0131 exemption orders termination order appeal from, CC 490.024, 490.02906 appeal from, CC 490.017 application for, CC 490.023, application for, CC 490.016 490.02905 duties of court re, CC 490.016 notice requirements, CC 490.016(3), deemed application, CC 490.028 490.017(2) duties of court re. CC 490.023. powers of court re, CC 490.016 490.02905 reasons for decision re, CC jurisdiction, CC 490.023(1.1) 490.016(2) notice requirements, CC 490.025, right to apply for, CC 490.015(1) 490.02905(5), 490.02907 Persons collecting information powers of court re, CC 490.023, Canada Border Services Agency, 490.02905 **SOIRA 15.2(1)** reasons for decision, CC 490.023(3) obligations removal of information from confidentiality, SOIRA 9(4) database, CC 490.023(4), correction of information. SOIRA 12 490.02905(4) destruction of fingerprints, SOIRA right to apply for, CC 490.023(1) 9(3) form, CC 490.019, Form 53, Form 54, privacy, SOIRA 9(4) 490.02901 provision of information to offender, notice of **SOIRA 9(1)** persons who may be served, CC registration of information, SOIRA 8 490.02, 490.02902 to 8.2 service of, CC 490.021, 490.02903 powers offenders' obligations collection of fingerprints, SOIRA 9(2) commencement date, CC 490.022(1), 490.02904(1) Persons registering information Canada Border Services Agency, compliance generally, CC 490.019, **SOIRA 8.1(5.1)** 490.02901 obligations duration of, CC 490.022(3), copy of information, to provide, 490.02904(3) **SOIRA 11** end date, CC 490.022(2), registration of information, SOIRA, 490.02904(2) 8, 8.1, 8.2, 10 order to comply with, see order to Principles re, SOIRA 2(2) comply with requirements

SEX OFFENDER INFORMATION	SEX OFFENDER INFORMATION
REGISTRATION—Cont'd	REGISTRATION—Cont'd
Registration requirements—Cont'd termination orders	Termination orders—Cont'd
domestic offender, CC 490.015 to	appeal from—Cont'd offender convicted abroad, CC
490.017, 490.026 to 490.028	490.0291
offender convicted abroad, CC	transferred offender, CC 490.02914
490.02908 to 490.02909	application for
transferred offender, CC 490.02912 to 490.02913	domestic offender, CC 490.015 , 490.026
Regulations, power to make federal, CC 490.032; SOIRA 19	offender convicted abroad, CC 490.02908
provincial, SOIRA 18	transferred offender, CC 490.02912
Reporting requirements	deemed application, CC 490.028
correctional officials' obligations	duties of court re
notice before release, CC	domestic offender, CC 490.016,
490.02915(1) offenders' obligations	490.027
absence from Canada, during, SOIRA 4.3	offender convicted abroad, CC 490.02909
absence from Canada, notification of,	transferred offender, CC 490.02913
re, SOIRA 6	jurisdiction, CC 490.015 (6),
arrival in Canada, offender convicted	490.026(6)
abroad, CC 490.02911	notice requirements
change of information, notification	domestic offender, CC 490.016(3),
of, re, CC 490.02911(2);	490.017(2), 490.027(3),
SOIRA 4.1, 5.1	490.029(2)
first obligation, SOIRA 4(1), 4(2)	offender convicted abroad, CC
information provision, re, CC 490.02911; SOIRA 5, 5.1	490.02909(3), 490.0291(2)
leaving Canada, before, SOIRA 4(4)	transferred offender, CC
means of reporting, SOIRA 4(3),	490.02913(3), 490.02914(2)
4.1(2)	powers of court re
new obligation, CC 490.02911(1.1) orders and, SOIRA 4.2	domestic offender, CC 490.016 , 490.027
registration centre, SOIRA 7.1	offender convicted abroad, CC
reporting dates, CC 490.02911(1) ,	490.02909
CC 490.02911(2); SOIRA 4(1),	transferred offender, CC 490.02913
4(2)	re-application
subsequent obligation, CC 490.02911(2); SOIRA 4.1, 5.1	domestic offender, CC 490.015(5),
young offenders, CC 490.011(2);	490.026(5)
SOIRA 7	offender convicted abroad, CC 490.02908(4)
Review Board's obligations	transferred offender, CC
notice on disposition, CC	490.02912(4)
490.02915(2)	reasons for decision
Review of legislation	domestic offender, CC 490.016(2),
committee to conduct, SOIRA 21.1 (1) report re, SOIRA 21.1 (2)	490.027(2)
Termination orders appeal from	offender convicted abroad, CC 490.02909(2)
domestic offender, CC 490.017, 490.029	transferred offender, CC 490.02913(2)

SEX OFFENDER INFORMATION REGISTRATION—Cont'd

Termination orders—Cont'd time for application domestic offender, CC 490.015(1) to (3), (5), 490.026(2) to (5) offender convicted abroad, CC 490.02908(2) to (4) transferred offender, CC 490.02912(2) to (4)

Young offenders, rights re, CC 490.011(2); SOIRA 7

SEXUAL ACTIVITY (HOUSEHOLDER PERMITTING)

See also Child (Aaa)Generally, CC 171 Removal of child from Canada with intent, CC 273.3(1)(c)

SEXUAL ACTIVITY (PROCURING)

See also Child, Sexual Services (Aaa)Generally, CC 170
Removal of child from Canada with intent, CC 273.3(1)(c)

SEXUAL ACTIVITY EVIDENCE

Admissible evidence of, CC 276(2), (3) Conditions of admissibility, CC 276(2) Considerations/factors, CC 276(3) General rule of admissibility, CC 276(1) Interpretation, CC 276(4)

SEXUAL ASSAULT

See also Trafficking, Persons
Aggravated, CC 273
internationally protected person,
outside Canada, CC 7(3)
punishment where firearm used, CC
273(2)(a), (a.1)
subsequent offences, CC 273(3), (4)
punishment where victim under 16, CC
272(2)(a.2)
Causing bodily harm, CC 272
"bodily harm" defined, CC 2
internationally protected person,
outside Canada, CC 7(3)
punishment where firearm used, CC
272(2)(a), (a.1)

subsequent offences, CC 272(3), (4)

punishment where victim under 16, CC

273(2)(a.2)

SEXUAL ASSAULT—Cont'd

Causing bodily harm, CC 272—Cont'd United Nations or associated personnel, outside Canada, CC 7(3.71)

Consent, CC 150.1, 265(3), 273.1(1) honest belief, CC 265(4), 273.2 of person under 16, CC 150.1(1) to (2.2), (6)

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

Mistaken belief as to age, CC 150.1(4), (6)

Offence, CC 271

punishment where victim under 16, CC 271(a), (b)

Party to offence, CC 272(1)(d)

Rules of evidence

corroboration, CC 274

obstructed view testimony, CC 486.2

recent complaint, CC 275

sexual activity evidence, see Sexual Activity Evidence

sexual reputation, CC 277

testimony outside courtroom, CC 486.2 videotaped complaint, CC 715.1

Safeguarding identity, CC 486.4, 486.5

Spouse, CC 278

Threats to third party, CC 272(1)(b)

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

punishment where victim under 16, CC 273(2)(a.2)

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

With weapon, CC 272(1)(a)

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

punishment where firearm used, CC 272(1)(a), 273(2)(a.1)

punishment where victim under 16, CC 273(2)(a.2)

subsequent offences, CC 272(3), (4) United Nations or associated personnel, outside Canada, CC 7(3.71)

SEXUAL EXPLOITATION

Consent of person under 16, CC **150.1(1)**Disabled person, of
consent
accused's belief as to consent, CC **153.1(6)**

SEXUAL EXPLOITATION—Cont'd	SEXUAL SERVICES—Cont'd
Disabled person, of—Cont'd	Aiding and abetting, CC 286.5(2)
consent—Cont'd	Commodification of, CC 286.1 to 286.5
belief in consent not a defence, CC	Communicating to provide for
153.1(5)	consideration, CC 213(1.1)
definition of, CC 153.1(2)	Immunities re, CC 286.5
no consent obtained, CC 153.1(3),	Interfering with traffic, CC 213(1)
(4) 	Material benefit from
offence, CC 153.1(1)	generally, CC 286.2(1)
Inference, CC 153(1.2)	aggravating factor, CC 286.2(6)
Mistake of age, CC 150.1(5) Offence, CC 153(1)	exception, whether, CC 286.2(4), (5)
Order of prohibition, CC 161	immunity, CC 286.5(1)
	presumption, CC 286.2(3)
Person with disability, CC 153.1	18 years of age, from person under, CC
Punishment, CC 153(1.1) Recognizance to prevent offence, CC	286.2(2)
810.1	Obtaining CG 28(1(1)
Removal of child from Canada with	generally, CC 286.1(1)
intent, CC 273.3(1)(b)	convictions, sequence of, CC 286.1(4) "place" defined, CC 286.1(5)
Rules of evidence, see Sexual Assault, see	"public place" defined, CC 286.1(5)
Sexual Activity Evidence	subsequent offences, CC 286.1(3)
Safeguarding identity, CC 486.4, 486.5	18 years of age, from person under, CC
SEXUAL INTERCOURSE	286.1(2)
Completion of act, CC 4(5)	Procuring
Completion of act, CC 4(3)	generally, CC 286.3(1)
SEXUAL INTERFERENCE	18 years of age, from person under, CC
Accused aged twelve or thirteen, CC 150.1(3)	286.2(3)
Consent of person under 16, CC 150.1(1) to (2.2), (6)	SEXUAL TOUCHING (INVITATION TO)
Mistake of age, CC 150.1(4), (6) Offence, CC 151	Accused aged twelve or thirteen, CC 150.1(3)
Order of prohibition, CC 161	Consent of person under 16, CC 150.1(1)
Removal of child from Canada with	to (2.2), (6)
intent, CC 273.3(1)(a)	Offence, CC 152
Rules of evidence, see Sexual Assault, see	Order of prohibition, CC 161
Sexual Activity Evidence	Removal of child from Canada with
Safeguarding identity, CC 486.4, 486.5	intent, CC 273.3(1)(a)
SEXUAL OFFENCE	Rules of evidence, see Sexual Assault, see
Breach, CC 811	Sexual Activity Evidence
Historic offences, CC 156	SHERIFF
Recognizance, CC 810.1	As peace officer, CC 2
	Certificate of committal, CC 766(3)
SEXUAL SERVICES	Committal of surety, CC 773(4)
See also Avails, Disorderly House,	Execution of writ of fieri facias, CC
Procuring, Soliciting, Trafficking,	772(1)
Persons	certificate of return, CC 773(1)
Advertisement of	Murder as first degree, CC 231(4)(a)
definition of, CC 164(8)	Notice of committal, CC 560(1)(a),
immunity, CC 286.5 (1)	560(2)
offence, CC 286.4	Notice of trial, CC 560

SHIP

See also Vessels, Maritime Navigation, International

Particular offences

act of violence, CC 78.1(2)(a)

destroys or causes damage, CC 78.1(2)(b)

destroys or causes damage to maritime navigational facility, CC 78.1(2)(c)

DNA order on conviction or discharge, CC 487.04, 487.051

false communication, CC 78.1(3)

places anything likely to cause damage, CC 78.1(2)(d)

seizes or exercises control, CC 78.1(1) threats endangering safe navigation, CC 78.1(4)

SLUG OR TOKEN

Fraudulent manufacture, sale or possession, CC 454

SOLEMN DECLARATION

See Affidavit

SOLICITING

(Aaa) Generally, CC 213

SOLICITOR

See also Counsel

Fraudulent concealment of title document, CC 385

Interception of communications, CC 186(2), (3)

Privilege respecting documents, CC 488.1 "Solicitor," CC 183

SOLICITOR-CLIENT PRIVILEGE

Application to determine issue, CC 488.1(3), (4)

Definitions

"custodian," CC 488.1(1)

"document," CC 488.1(1)

"judge," CC 488.1(1)

"lawyer," CC 488.1(1)

"officer," CC 488.1(1)

Examination and copying, CC 488.1(2), (8)

(Aaa) Generally, CC 488.1

Hearing of application

determination of issue, CC 488.1(4)(d)

SOLICITOR-CLIENT PRIVILEGE

—Cont'd

Hearing of application—Cont'd inspection of documents, CC 488.1(4)(a), (b)

notice of hearing, CC 488.1(10)

order where no application, CC 488.1(6)

valid privilege claim, CC 488.1(5)

Seizure, CC 488.1(2)

SPACE STATION

Definitions, CC 7(2.34)

Offence committed by Canadian crew member, CC 7(2.3)

Offence committed by crew member of Partner State, CC 7(2.31)

Proceedings by Attorney General of Canada, CC 7(2.32)

consent of Attorney General of Canada, CC 7(2.33)

SPECIFIC PLEAS

See Plea

SPOUSE

See also Marriage, Privilege

As witness, CEA 4

Compulsion of, CC 18

Duty to provide necessaries, CC 215(1)(b)

Failure to provide necessaries, CC 215(2)

necessaries provided by another no defence, CC 215(4)(d)

punishment, CC 215(3)

Grandfathered individual, next of kin, **FA** 12(7)

Interview with, on firearms licence application, FA 55(2)

Intimidation, CC 423(1)(a)

exception, CC 423(2)

punishment, CC 423(1)

Privilege for communications, CEA 4(3)

Restitution to, CC 738(1)(c)

Sentencing principles protecting, CC 718.2(a)(ii)

Sexual assault by, CC 278

Sureties to protect, CC 810(1)

STALKING ANOTHER PERSON

See Criminal Harassment

STAMP	STATUTES—Cont'd
As chattel, CC 4(2)	Regulation—Cont'd
As property, CC 2	service of sentence according to regula-
Counterfeiting or mutilating, CC	tions, CC 732(1)
376(1)(a)	STATUTORY DECLARATION
Possession of counterfeit, CC 376(1)(b)	See Affidavit
"Stamp," CC 376(3)	STAY OF PROCEEDINGS
Value, CC 4(2)	By Attorney General, CC 579(1)
STATEMENT OF ACCOUNT	recommencement, CC 579(1)
False, CC 400	Permanently unfit accused, against
STATEMENT OF ACCUSED	appeal from stay, CC 672.852
At preliminary, CC 541, 542	assessment order on inquiry, CC
publication, CC 542(2), (3)	672.851(5)
use in evidence, CC 657	effect of stay, CC 672.851(9)
Inspection, CC 603	inquiry by court re, CC 672.851(1)
Young person, YCJA 10(4), 146	notice to accused of recommendation, CC 672.851(2)
STATUTES	order by court, CC 672.851(7), (8)
See also Interpretation, Judicial Notice, Youth Criminal Justice	recommendation by Review Board, CC 672.851(1)
Application	Stay of judgment
common law, CC 8(3)	not stayed for defect in jury process,
Criminal Code	CC 670
Northwest Territories, CC 8(1)(a)	Stay pending appeal
Yukon, CC 8(1)(b)	payment of fine, CC 683(5)
effect of business records provisions,	recognizance, CC 683(5.1), (7)
CEA 30(1) Identification of Criminals Act, YCJA	re-sentencing and, CC 683(7)
113(1)	revocation of stay, CC 686(6)
law of England, CC 8(2)	undertaking, CC 683(5.1), (7)
offences under more than one Act, CC	Summary conviction proceedings, CC 579(1), 795
pre-Confederation statutes offences	STOCKS AND SHARES
abolished, CC 9(c)	See Securities
Construction	STOLEN GOODS
cross-references, CC 3	See also Possession, Property Obtained by
expressions taken from other Acts, CC	Crime
4(4)	Bringing into Canada, CC 357
Disobeying statute, CC 15, 126 Evidence	Taking reward for recovery, CC 142
Queen's Printer copies as evidence,	STREET RACING
CEA 19, 20(c), 21(b), 22(1)(b)	See Criminal Negligence, see Bodily
Proclamation	Harm, see Death, see Motor
order to prohibit drilling, CC 70	Vehicles, see Prohibition Order
proof, CEA 21, 22	
Imperial proclamation, CEA 20	STUPEFYING DRUG
riot proclamation, CC 67, 68	To aid commission of offence, CC 246
Regulation	SUBPOENA
judicial notice, CC 781(2)	See also Witness
proof, CEA 21, 22	Contents, CC 700

SUBPOENA—Cont'd	SUMMARY CONVICTION
Issuance, CC 698, 699	PROCEEDINGS—Cont'd
Service, CC 701	Punishment, CC 787—Cont'd
Territorial effect, CC 702	joint offenders—Cont'd
Video links, CC 700.1 SUICIDE	payment of fine not waiver of appeal, CC 820(1)
	"Sentence," CC 785
Counselling or aiding, CC 241(1) consent not affecting liability, CC 14	"Summary conviction court," CC 785 Trial procedure, CC 795
SUMMARY CONVICTION PROCEEDINGS	adjournment, CC 803 adjudication, CC 804
Adjournment, CC 803(1), (2)	appearance by defendant counsel or
Appeal, see Appeal (Summary Convictions)	agent, CC 650.01, (3), 650.02, 800(2), 802.1
Application of Code provisions, CC 786(1) , 795	non-appearance, CC 803(2), (3) technological appearance, CC
Conviction, CC 804	650.02
memorandum, CC 806(1) warrant of committal, CC 806(2)	trial proceedings, CC 650.01, 650.02, 800(1), 802.1
Costs, CC 809(1)	appearance by prosecutor
Evidence examination of witnesses, CC 802(2),	dismissal or adjournment on non- appearance, CC 799 , 803 (4)
(3) taking of evidence, CC 801(2)	technological appearance, CC 650.02
Fees and allowances, CC 840	trial proceeding, CC 650.02, 800(1)
Information	arraignment, CC 801(1)
amendment	conviction, CC 804
dismissal, CC 799, 803(4), 804	memorandum, CC 806(1)
order and certificate, CC 808	warrant of committal, CC 806(2)
defined, CC 785	dismissal of information, CC 799,
form, CC 788(1), 789	803(4), 804
negativing exceptions, CC 794(1)	order and certificate, CC 808
reference to previous conviction, CC 789(2)	examination of witnesses, CC 802(2), (3)
separate trial of counts, CC 591(3)(a),	ex parte trial, CC 803(2), (3)
795	full answer and defence, CC 802(1)
sufficiency of counts, CC 581, 583,	new trial
795	interim release, CC 822(3)
Jurisdiction	venue, CC 822(2)
one justice may act, CC 788(2)	separate trial of counts, CC 591(3)(a)
territorial jurisdiction, CC 798	Warrant of committal, CC 806(2), (3)
two or more justices, CC 790(2)	SUMMONS
Limitation on proceedings, CC 786(2)	
Previous conviction	Appearance of accused other than by designated counsel, requiring, CC
reference in information, CC 789(2)	650.01(4)
"Proceedings," CC 785	Effect after direct indictment, CC
Punishment, CC 787	523(1.2)
costs, CC 809	Failure to appear, CC 145 , 512.1
joint offenders	summary conviction proceedings, CC
disposal of penalties, CC 807	803(2), (3)

See also Recognizance

SUMMONS—Cont'd	SURETY—Cont'd
Form and content, CC 509(1), (4), (5)	Declaration, CC Form 12
Irregularity not affecting validity, CC 546	Indemnification
adjournment, CC 547	by surety, CC 139(1)(b)
Issuance	of surety, CC 139(1)(a)
after laying of information, CC 507,	Render of accused, CC 766, 767
507.1, 509	Rights of, CC 768
on holiday, CC 20	Substitution of, CC 767.1
power of one justice, CC 788(2)(b)	SURGICAL OPERATION
private prosecution, in, CC 507.1	See also Physician
upon failure to appear after adjourn-	Duty of knowledge, skill and care, CC
ment, CC 485	216
Person charged, to, CC Form 6	Surgeon protected, CC 45
Service	
by peace officer, CC 509(2)	SURVEYOR
on designated counsel of record, CC 650.01	Interference with boundary mark, CC 443(2)
on organization, CC 703.2	TELECOMMUNICATION SERVICE
Signing in blank, CC 507(5), 507.1(8)	See also Radio
Summons to show cause in seizure of	Device to obtain use without payment,
obscene matter, CC 164(2)	CC 327
Time in force, CC 523, 736(2) Where jurisdiction lost, CC 485(2)	Equipment exempt from seizure, CC
where jurisdiction lost, CC 465(2)	199(6)
SUNDAY	Means of telecommunication, CC 4(8)
Service on, CC 20	Theft of service, CC 326(1)
Taking of jury verdict, CC 654	TELEGRAPH OR TELEGRAM
SUPERIOR COURT OF CRIMINAL	Equipment exempt from seizure, CC
JURISDICTION	199(6)
Defined, CC 2	False message, CC 372(1)
Jurisdiction over offences, CC 468, 469	Messages facilitate betting, CC 199(1),
Power to make rules, CC 482(1)	(2)
SURETIES TO KEEP PEACE	TELEPHONE
Breach of recognizance, CC 811	
Criminal organization offence feared, CC	Equipment exempt from seizure, CC 199(6)
810.01	False communication, CC 372(1)
Damage feared, CC 810	Harassing communications, CC 372(3)
Forms, CC Forms 23, 32	Indecent communications, CC 372(3)
Injury feared, CC 810	Messages to facilitate betting, CC
Intimidation of justice system participants	202(1)(i)
feared, CC 810.01	TELEWARRANTS
Serious personal injury offence feared, CC 810.02	See also Search and Seizure
Sexual offence feared, CC 810.1	
Terrorism offence feared, CC 810.011	Generally, CC 487.1(1) to (11)
Terrorist activity feared, CC 83.3	Means of telecommunication, CC 529.5
Young persons, against, YCJA 14(4),	TENANT IN COMMON
20(2)	Theft, CC 328(d)
` '	TEDDITODIAI DIVICIONI
SURETY	TERRITORIAL DIVISION

Offences deemed committed in, CC 476

TERRORISM—Cont'd

Facilitating terrorist activity—Cont'd Offences in unorganized territory, CC 480(1) DNA order on conviction or discharge. Provisional districts or new divisions, CC CC 487.04, 487.051 480(2) "facilitation," CC 83.19(2) "Territorial division," CC 2 leaving Canada to facilitate, CC 83.191 offence, CC 83.19(1) TERRITORIAL JURISDICTION offence outside Canada, CC 7(3.74), See Jurisdiction 83.191 **TERRORISM** sentences served consecutively, CC See also Terrorist Financing, Terrorist 83.26 Group "terrorist activity," CC 83.01(1) to Annual reports (1.2)arrest warrants, re, CC 83.31(4) Financing of, see Terrorist Financing Forfeiture, see Terrorist Group investigative hearings, re, CC 83.31(4) Harbouring terrorist preventive arrests without warrant, re, CC 83.31(2) to (4) disclosure of income tax information Arrest, CC 83.3 for investigation of, CC 462.48(1.1) see also preventive arrest DNA order on conviction or discharge, Bail, see generally, see Judicial Interim CC 487.04, 487.051 Release likely terrorist, CC 83.23(2) additional conditions, CC 515(4.2), offence, CC 83.23 (4.3)(a)condition prohibiting possession of offence outside Canada, CC 7(3.74) firearms, CC 515(4.1)(a.1) sentences served consecutively, CC 83.26 reverse onus, CC 515(6)(a)(iii) Hoax regarding terrorist activity, CC Concealing terrorist 83.231 disclosure of income tax information Instructing to carry out terrorist activity for investigation of, CC 462.48(1.1) disclosure of income tax information for investigation of, CC DNA order on conviction or discharge, 462.48(1.1) CC 487.04, 487.051 offence, CC 83.22(1) likely terrorist, CC 83.23(2) proof, Crown burden, CC 83.22(2) offence, CC 83.23 sentences served consecutively, CC offence outside Canada, CC 7(3.74) 83.26 sentences served consecutively, CC "terrorist activity," CC 83.01(1) to 83.26 (1.2)Electronic surveillance, see generally, see Investigative hearing Interception of Private Communications annual reports re operation of provisions, CC 83.31(4) authorization sunset clauses. CC 83.32 standard for issuance, relaxed, CC List of entities, see Terrorist Group 185(1.1), 186(1.1) Nuclear, see Nuclear Terrorism time limitation, extended, CC 186(1.1) Offences outside Canada, CC 7(3.74) Parole, power of court to delay for eligible offences, CC 183 offence, CC 743.6(1.2) subject notification period, extended, CC 196(5) Peace bonds, see recognizances Facilitating terrorist activity Preventive arrest disclosure of income tax information annual reports re operation of provifor investigation of, CC sions, CC 83.31(2) to (4) 462.48(1.1) opinions, CC 83.31(3.1)

TERRITORIAL DIVISION—Cont'd

TERRORISM—Cont'd	TERRORISM—Cont'd
Preventive arrest—Cont'd	Recognizances—Cont'd
authority to make, without warrant, CC	terrorism offence, to prevent—Cont'd
83.3(4)	order for detention or release with
duty of peace officer, CC 83.3(5)	conditions, CC 810.01(3)
sunset clauses, CC 83.32, 83.33(2)	procedure, CC 810.01(7)
taking before judge	refusal to enter, effect of, CC
adjournment for recognizance hear-	810.01(4)
ing, CC 83.3(7)	variance, CC 810.01(6)
order of detention or release, CC	terrorist activity, to prevent
83.3(7) timing of, CC 83.3(6)	annual report re operation of provisions, CC 83.31(2) to (4)
transitional provisions, CC 83.33(2)	opinions, CC 83.31(2.1)
Proceedings	appearance, CC 83.3(3)
jurisdiction, CC 83.25	breach of, CC 811
preventive arrest, on, CC 83.3(6) to (7)	conditions
recognizance with conditions, on	firearms, CC 83.3(10) to (12)
application for, CC 83.3(8)	reasons, where not imposed, CC
Property, see Terrorist Group	83.3(12)
Public Safety Minister, CC 83.031 to	surrender, etc., CC 83.3 (11)
83.0392	variance, CC 83.3(13)
Punishment	consent of Attorney General required
additional, for "terrorist activity," CC	to lay information, CC 83.3(1)
83.27	forms, CC 83.3(14); Form 23, 32
notice to offender, CC 83.27(2)	hearing before judge, CC 83.3(8)
aggravating circumstance, CC	procedure, CC 83.3(14)
718.2(a)(v)	laying information, CC 83.3(2)
sentences served consecutively, CC	order for detention or release with
83.26	conditions, CC 83.3(8)
sentencing principles, CC 718.2(a)(v)	procedure, CC 83.3 (14)
Recognizances	refusal to enter, effect of, CC 83.3(9)
terrorism offence, to prevent	variance, CC 83.3(13)
adjudication, CC 810.01(3)	Seizure, see Terrorist Group
appearance, CC 810.01(2)	Sunset clauses, CC 83.32, 83.33
breach of, CC 811	"Terrorism offence," CC 2
conditions	Terrorist activity
firearms, CC 810.01(5) to (5.2)	additional punishment for, CC 83.27
in recognizance, CC 810.01(4.1)	arrest to prevent, CC 83.3(4) concealing person likely to carry out,
reasons, where not imposed, CC 810.01(5.2)	CC 83.23(2)
surrender, etc., CC 810.01(5.1)	concealing person who has carried out,
variance, CC 810.01(6)	CC 83.23(1)
consent of Attorney General required	defined, CC 83.01(1) to (1.2)
to lay information, CC	facilitating, CC 83.19, 83.191
810.01(1)	harbouring person likely to carry out, CC 83.23(2)
duration extended, CC 810.01(3.1)	harbouring person who has carried out,
forms, CC 810.01(7), Forms 23, 32	CC 83.23(1)
hearing before judge, CC 810.01(3)	instructing to carry out, CC 83.22
procedure, CC 810.01(7)	leaving Canada to commit, CC 83.191
laying information, CC 810.01(1)	leaving Canada to facilitate, CC 83.202
, ,	, , , , , , , , , , , , , , , , , , , ,

TERRORISM—Cont'd TERRORIST FINANCING—Cont'd Terrorist activity—Cont'd Inviting person to provide property for murder during deemed first degree, CC terrorist purposes 231(6.01) disclosure of income tax information for investigation of, CC offences outside Canada, CC 7(3.74), 83.191, 83.202 462.48(1.1) offence, CC 83.03 recognizance to prevent, CC 83.3 offence outside Canada, CC 7(3.74) Witness protection in cases involving sentences served consecutively, CC exclusion of public, CC 486 83.26 limits on cross-examination by Making financial or related services availaccused, CC 486.3(2) to (5) able for terrorist purposes obstructed view testimony, CC disclosure of income tax information 486.2(2) to (6) for investigation of, CC publication ban, CC 486.5 462.48(1.1) recognizances, CC 83.3, 810.01 offence, CC 83.03 testimony outside courtroom, CC offence outside Canada, CC 7(3.74) 486.2(2) to (6) sentences served consecutively, CC 83.26 TERRORIST FINANCING Possessing property for terrorist purposes Collecting/making available/providing disclosure of income tax information property or services for terrorist for investigation of, CC purposes 462.48(1.1) disclosure of income tax information offence, CC 83.04(b) for investigation of, CC offence outside Canada, CC 7(3.74) 462.48(1.1) sentences served consecutively, CC offence, CC 83.03 83.26 offence outside Canada, CC 7(3.74) Using property for terrorist purposes, CC sentences served consecutively, CC 83.03(2), 83.04(a) 83.26 disclosure of income tax information Collecting/providing property for certain for investigation of, CC activities 462.48(1.1) disclosure of income tax information offence, CC 83.04(b) for investigation of, CC offence outside Canada, CC 7(3.74) 462.48(1.1) sentences served consecutively, CC offence, CC 83.02 83.26 offence committed outside Canada, CC Witness protection in cases involving 7(3.73) exclusion of public, CC 486 sentences served consecutively, CC limits on cross-examination by 83.26 accused, CC 486.3(2) to (5) Disclosure of income tax information for obstructed view testimony, CC investigation of, **CC 462.48(1.1)** 486.2(2) to (6) Inviting person to provide, financial or publication ban, CC 486.5 related services available for terrorist testimony outside courtroom, CC purposes 486.2(2) to (6) disclosure of income tax information TERRORIST GROUP for investigation of, CC See also Terrorism 462.48(1.1) Commission of offence for offence, CC 83.03 bail, see generally, see Judicial Interim offence outside Canada, CC 7(3.74) Release sentences served consecutively, CC additional conditions, CC 515(4.2), 83.26 (4.3)(a)

TERRORIST GROUP—Cont'd	TERRORIST GROUP—Cont'd
Commission of offence for—Cont'd	List of entities—Cont'd
bail, see generally, see Judicial Interim	application for removal—Cont'd
Release—Cont'd	application for judicial review of
condition prohibiting possession of	refusal—Cont'd
firearms, CC 515(4.1)(a.1)	evidence admissible on applica-
reverse onus, CC 515(6)(a)(iii)	tion, CC 83.05(6.1), (3), 83.06(1)
disclosure of income tax information	foreign information obtained in
for investigation of, CC 462.48(1.1)	confidence, CC 83.06
DNA order on conviction or discharge,	procedural rights of applicant, CC
CC 487.04, 487.051	83.05(6), 83.06(3)
offence, CC 83.2	publication of notice of final order,
offence outside Canada, CC 7(3.74)	CC 83.05(7)
parole, power of court to delay for	right to apply, CC 83.05(5)
offence, CC 743.6(1.2)	application to Minister, CC 83.05(2), 83.07
sentences served consecutively, CC	deemed decision where none
83.26	made, CC 83.05(3)
Defined, CC 83.01(1)	judicial review of decision, CC
Disclosure of income tax information for	83.05(5)
investigation of, CC 462.48(1.1)	mistaken identity, in case of, CC
Instructing to carry out activity for	83.07
bail, see generally Judicial Interim Release	notice of decision, CC 83.05(4)
	establishment of, CC 83.05 (1) to (1.1)
additional conditions, CC 515(4.2), (4.3)(a)	recommendation by Minister, CC
condition prohibiting possession of	83.05(1.1)
firearms, CC 515(4.1)(a.1)	regulations re, CC 83.05(1); CC Reg. 2002 to 284 generally, 2012 to
reverse onus, CC 515(6)(a)(iii)	103
disclosure of income tax information	review of, CC 83.05(8.1) to (10)
for investigation of, CC	Participation in activity of
462.48(1.1)	bail, see generally Judicial Interim
DNA order on conviction or discharge,	Release
CC 487.04, 487.051	additional conditions, CC 515(4.2),
offence, CC 83.21(1)	(4.3)(a)
offence outside Canada, CC 7(3.74)	condition prohibiting possession of
parole, power of court to delay for	firearms, CC 515(4.1)(a.1) reverse onus, CC 515(6)(a)(iii)
offence, CC 743.6(1.2)	criteria/factors to determine, CC
proof, Crown burden, CC 83.21(2)	83.18(4)
sentences served consecutively, CC	definitions
83.26	"participating or contributing," CC
Leaving Canada to commit offence for,	83.18(3) to (4)
CC 83.201	disclosure of income tax information
Leaving Canada to participate in activity of, CC 83.181	for investigation of, CC
List of entities	462.48(1.1)
application for removal	DNA order on conviction or discharge,
11	CC 487.04, 487.051
application for judicial review of refusal	leaving Canada to participate, CC 83.181
duties of court CC 83 05(6)	offence CC 83 18(1)

TERRORIST GROUP—Cont'd	TERRORIST GROUP—Cont'd
Participation in activity of—Cont'd	Property—Cont'd
offence outside Canada, CC 7(3.74),	forfeiture—Cont'd
83.181	use of proceeds, CC 83.14(5.1) to
parole, power of court to delay for	(5.2)
offence, CC 743.6(1.2)	regulations re, CC 83.14(5.2)
proof, Crown burden, CC 83.18(2)	restitution, CC 83.17(2)
sentences served consecutively, CC	varying order, CC 83.14(10) to (11)
83.26	freezing
Property audit	civil immunity for compliance, CC
civil and criminal immunity for	83.08(2) equities maintained vis a vis frozen
reporting, CC 83.11(3)	property, CC 83.09(3)
duty to conduct, CC 83.11(1)	exemptions from prohibitions, CC
exemption regulations, power to	83.09
make, CC 83.11(4)	ministerial authorization of activity
offence relating to, CC 83.12, 83.24,	otherwise prohibited, CC
83.25	83.09(2), (4)
reporting requirements, monthly, CC 83.11(2), (4)	offence relating to, CC 83.12 , 83.24 , 83.25
exclusions, CC 83.11(4)	prohibitions
subject entities, CC 83.11(1)	dealing, CC 83.08(1)(a)
disclosure	exemptions from, CC 83.09
civil immunity for disclosure, CC 83.08	provision of services, CC 83.08(1)(c)
duty to disclose, CC 83.1(1)	transactions, CC 83.08(1)(b)
offence relating to, CC 83.12, 83.24, 83.25	management of restrained/seized prop- erty
forfeiture	appointment of manager, CC
appeal from order relating to	83.13(2) to (3)
interim preservation rights, CC 83.16(1)	appointment of Minister to manage, CC 83.13(3)
order refusing to grant, CC 83.16(2)	destruction of property pursuant to, CC 83.13(4) to (8)
application for order of, CC 83.14	duration of order, CC 83.13(9)
contents of, CC 83.14(2)	power of court to order, CC 83.13(2)
granting of order, CC 83.14(5),	to (3), (8)
83.16(2), 83.17(2)	power to manage, CC 83.13(2), (4)
notice of, CC 83.14(4), (7)	to (5)
refusing of order, CC 83.14(6)	variation of order, CC 83.13(12)
respondents, CC 83.14(3)	restraint and seizure
third party interests, CC 83.14(8) to (11)	application for restraining order or warrant, CC 83.13
disposition of property, CC 83.15	contents of, CC 83.13(1.1)
dwelling house, CC 83.14(9)	management order pending
other provisions unaffected, CC 83.17(1)	restraint/seizure, CC 83.13(2) to (10)
restitution to victims of crime, priority for, CC 83.17(2)	powers of court, CC 83.13(1) to (3), (8)
setting aside order, CC 83.14(10) to	procedure, CC 83.13(11) to (12)
(11), 83.17(2)	disposition of property, CC 83.15

CITECC 328(c)

Motor vehicle, CC 333.1

Member stealing from society, CC 328(e) Misappropriation of funds, CC 332

TERRORIST GROUP—Cont'd THEFT—Cont'd Witness protection in cases involving Ore or mineral specimen, CC 333 exclusion of public, CC 486 presumption from possession, CC 656 limits on cross-examination by Owner committing theft, CC 328(a) accused, CC 486.3(2) to (5) obstructed view testimony, CC indictment, CC 323(2) 486.2(4) to (6) presumption of ownership, CC 323(1) publication ban, CC 486.5 Partner committing theft, CC 328(d) recognizances, CC 83.3, 810.01 Person required to account, CC 330(1) testimony outside courtroom, CC Punishment, CC 334 486.2(4) to (6) not exceeding 01675,000, CC 334(b) over 01675,000, CC 334(a) TESTAMENTARY INSTRUMENT Robbery, CC 343 Destruction, CC 340(b) "Steal." CC 2 Fraud, CC 380(1)(a) Telecommunication service, CC 326(1) Mischief, CC 430(3) Tenant in common, CC 328(d) Obtaining by false pretence punishment, CC 362(2)(a) THREATENING Possession of property obtained by crime, Extortion by threats, CC 346(1) CC 354(1) Internationally protected person, CC 7(3), "Testamentary instrument," CC 2 424 Theft, CC 322(1) Intimidation, CC 423(1)(b) not in absolute jurisdiction of Sureties to keep peace, CC 810 to 811; provincial court judge, CC 553(a) YCJA 14(2), 20(2) punishment, CC 334(a) Threats of violence or injury to property, CC 423(1)(a) THEATRICAL PERFORMANCE United Nations or associated personnel, Immoral, indecent or obscene, CC 167 outside Canada, CC 7(3.71), 424.1 punishment, CC 169 Uttering threats, CC 264.1 "Theatre," CC 150 TIED SALES THEFT Obscene matter, CC 169 Agent pledging goods, CC 325 Attorney committing theft, CC 331, 332 **TIMBER** Bailee stealing things under seizure, CC See Lumber TIME Cattle, CC 338(1), (2) Holidays excluded, CEA 29(9) Credit card, CC 342(1)(a) Director or officer stealing from company, TIME CLOCK CC 328(e) Falsification of employment record, CC Electricity or gas, CC 326(1)(a) 398 Elements of offence, CC 322(1) **TIPPING** From mail, CC 356 (Aaa)Generally, CC 380.1, 382.1 Identity, see Identity Theft and Identity Fraud Jurisdiction of provincial court, CC 553, See also Document of Title 555(2) Fraudulent concealment, CC 385(1) Lessee stealing from reversioner,

Fraudulent registration, CC 386

exceptions, CC 121.1(2) to (3)

TOBACCO

Contraband

Person under 18, CC 279.011

TOBACCO—Cont'd TRADE UNION And conspiracy in restraint of trade, CC Contraband—Cont'd offence re. CC 121.1(1) 466(2), 467 punishment, CC 121.1(4) Appearance, CC 538, 556, 620, 800(3) default, CC 556(2), 622, 623, 800(3) TOKEN Criminal responsibility Advertising counterfeit, CC 460(1)(a) duty of persons directing work, CC use of counterfeit, CC 454 217.1 "Counterfeit token of value," CC 448 "every one" includes, CC 2 TOLL negligence offences, CC 22.1 other offences, CC 22.2 Fraud in collection, CC 393 Discrimination and intimidation, CC 425 **TORTURE** Enforcement of judgment, CC 735 Definitions, **CC 269.1(2)** Greater punishment where previous Derivative evidence inadmissible, CC conviction, CC 727(4) 269.1(4) Notice of indictment, CC 621 Internationally protected person, outside "Organization" defined, CC 2 Canada, **CC** 7(3) Party liability Offence, CC 269.1(1) negligence offences, CC 22.1 "Superior orders" defence precluded, CC other offences, CC 22.1 269.1(3) Punishment, CC 718.21, (3.2), 732.1(3.1), United Nations or associated personnel. 735 outside Canada, CC 7(3.71) "Representative," defined, CC 2 TRACKING WARRANT Request for preliminary inquiry Sealing order for information to obtain, failure to request, CC 556(3), (4) CC 487.3 "Senior officer," defined, CC 2 Sentencing TRADE DESCRIPTION fines, CC 735 False, CC 408 general considerations, CC 718.21 forfeiture, CC 412(2) probation conditions, CC 732.1(3.1), punishment, CC 412(1) (3.2)**TRADEMARK** Service of process on, CC 703.2 See also Distinguishing Mark Trial and conviction, CC 623 Offences TRAFFICKING, DRUGS bottling under another's mark, CC See also Possession for Purpose of Traf-410(b) ficking defacing or removing, CC 410(a) Offence, CDA 5(1) forgery, CC 406, 407 instruments for forging, CC 409(1) Punishment, CDA 5(3), (4) passing off, CC 408(a) TRAFFICKING, PERSONS Order of forfeiture, CC 412(2) Consent, invalidity of, CC 279.01(2), Punishment, CC 412(1) 279.011(2) TRADE NAME Documents, withholding or destruction, CC 279.03 Offences Exploitation, CC 279.04 bottling under another's name, CC 410(b) factors, CC 279.04(2) organ or tissue removal, CC 279.04(3) defacing or removing, CC 410(a) passing off, CC 408(a) Material benefit, CC 279.02 Order of forfeiture, CC 412(2) Offence outside of Canada, CC 7(4.11)

Punishment, CC 412(1)

TRAFFICKING, PERSONS—Cont'd Simpliciter, CC 279.01

TRAFFICKING, PROPERTY **OBTAINED BY CRIME**

Offence, CC 355.2 Punishment, CC 355.5

TRANSFER OF CHARGES

Offence outside province, CC 478(3) Offence within province, CC 479 Probation order, CC 739

TRANSPORTATION

Fraud in fare collection, CC 393(1), (2) Fraudulently obtaining, CC 393(3) iurisdiction of provincial court judge. CC 553(c)(viii)

Interfering with safety of persons, CC 248

TRAPS LIKELY TO CAUSE BODILY HARM

Aggravated offences causing bodily harm, CC 247(2), (4) causing death, CC 247(5) offence-related place causing bodily harm, CC 247(4) simpliciter, CC 247(3) General/simpliciter offence, CC 247(1)

TREASON

See also High Treason Compulsion by threats, CC 17 Corroboration, CC 47(3) Delivery of trial documents, CC 604 Judicial review of parole ineligibility, CC 745.6 Limitation period, CC 48(1) Offence of treason, CC 46 Overt acts act of conspiring, CC 46(4)

evidence, CC 55 statement in indictment, CC 581(4), 601(9)

treasonable words, CC 48

Punishment, CC 47(2), (4) Superior court jurisdiction, CC 468, 469(a)(i), 469(b), 469(d), 469(e)

TREASURER OF PROVINCE

Payment of penalties, CC 734.4

TREATY

Proof of treaty, CEA 21 Imperial treaty, CEA 20

TRESPASS

At night, CC 177 Forcible detainer, CC 72(2) Forcible entry, CC 72(1), 73 Sabotage, CC 52(2)(b) evidence of overt acts. CC 55 statement in indictment, CC 581(4)

TRIAL (INDICTMENT)

See also specific topics and Jury Adjudication reserved decision in trial without jury, CC 645(4)

Appearance

accused, CC 650(1) to (2), 650.01, 650.02

designated counsel of record, CC 650.01, 650.02

prosecutor, CC 650.02

technological, CC 650(1), 650.02

By judge alone

application of Code provisions, CC 572 fixing time and place for trial, CC 560, 562

judge as court of record, CC 559(1)

By provincial court judge

application of Code provisions, CC 572 fixing time and place for trial, CC 561(7), 562

transmission of record, CC 570(3)

Continuation of proceedings, CC 669.2

Exclusion of public, CC 486(1)

Fair and public hearing, CA Part I 11(d)

Full answer and defence, CC 650(3)

Independent and impartial tribunal, CA **Part I 11(d)**

Jury, CA Part I 11(f)

Military tribunal, CA Part I 11(f)

Presence of accused, CC 650(1) to (2), 650.01, 650.02

Presiding judge

death or inability to continue, CC 669.2 may differ from judge presiding over jury selection, CC 626.1

Reasonable time, CA Part I 11(b)

Record

acquittal, CC 570(2)

TRIAL (INDICTMENT)—Cont'd

Record-Cont'd

conviction or order, CC 570(1)

of proceedings, CC 624, 625

Summing up

by defence, CC 651(2)

by prosecutor, CC 651(1)

order of addressing jury, CC 651(3)

joint accused, CC 651(4)

Taking of evidence, CC 646

Warrant of committal, CC 570(5), (6)

Without jury

on consent, CC 473

TRIAL (SUMMARY CONVICTION)

See Summary Conviction Proceedings

TRIAL DE NOVO

Appeal against sentence

power of court, CC 822(6)

Grounds for holding, CC 822(4)

Objections to conviction or order, CC 822(7)(b)

Objections to information or process, CC 822(7)(a)

Reading in evidence, CC 822(5)

TRUST

Breach of, CC 336

By public officer, CC 122

Conversion with intent to defraud, CC 336

Misappropriation of funds, CC 332

Sexual exploitation by person in position of, CC 153

Theft by holder of power of attorney, CC 331, 332

Theft by person required to account, CC 330

"Trustee," CC 2

TRUST COMPANY

See Bank

UNAUTHORIZED RECORDING OF A MOVIE

(Aaa)Generally, CC 432

UNDERTAKING

See also Judicial Interim Release

Contents of, CC 501

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

Failure to appear, CC 145, 512.2

UNDERTAKING—Cont'd

Failure to comply with conditions, CC 145

Form, CC Form 10

Giving on holiday, CC 20

Release after arrest, CC 597(3)

Release pending appeal or new trial, CC 679(5)

arrest after release, CC 679(6)

Summary conviction appeal, CC 816, 817

Time in force, CC 523(1), (1.1)

"Undertaking," CC Form 11

Varying, CC 502

UNITED NATIONS PERSONNEL

Attack on accommodation, premises or transport, CC 431.1

defence, CC 429(2)

DNA order on conviction or discharge, CC 487.04, 487.051

Offences against, outside Canada, CC 7(3.71), (5) to (7)

consent to prosecute, where accused not citizen, CC 7(7)

Proof of status

certificate as evidence, CC 7(10)

Threatening, CC 424.1

UNLAWFUL ASSEMBLY

Offence, CC 63(1), (2)

Punishment, CC 66

where identity concealed, CC 66(2)

Riot, CC 64, 67 to 69

UNLAWFUL DRILLING

(Aaa)Generally, CC 70

UNLAWFULLY AT LARGE

See also Judicial Interim Release

Failure to attend court, CC 145(2), (5), (8) to (11)

Failure to comply, CC 145(3), (5), (8), (10), (11)

Without lawful excuse, CC 145(1)(b)

USED GOODS

Sale without disclosure, CC 411

forfeiture, CC 412(2)

punishment, CC 412(1)

USE OF FORCE

See Defences (Statutory)

UTTERING

See also Counterfeiting, Currency
Offences, Forgery
Clipped coin, CC 455(b)
Counterfeit money, CC 452(a)
completion of counterfeit, CC 461(1)
Counterfeit or non-current coin, CC 453
Defaced coin, CC 456
Document in false name, CC 374(b)
Forged document, CC 368
Forged passport, CC 57(1)(b)
Slug or counterfeit token, CC 454
Threats, CC 264.1
"Utter," CC 448

UTTERING THREATS

(Aaa)Generally, CC 264.1

VALUABLE SECURITY

Destroying or obliterating, CC 340 Falsification, CC 397 Obtaining by false pretence, CC 363 "Valuable security" defined, CC 2 Valuation, CC 4(2)

VAULT-BREAKING

Possession of instruments, CC 351(1)

VEHICLE

See also Driving Offences, Motor Vehicles

VEHICLE IDENTIFICATION NUMBER

Defined, CC 353.1(2), 354(3)
Presumption where removed, CC 354(2),
(3)

Tampering

offence, CC 353.1(1) to (3) punishment, CC 353.1(4)

VENEREAL DISEASE

Advertising cure, CC 163

VENUE

See also Jurisdiction
Change of venue, CC 599
Conveyance of prisoner, CC 600
grounds, CC 599(1)
payment of expenses, CC 599(2)
to court speaking language of accused,
CC 531
transmission of record, CC 599(4), (5)
Newspaper libel, CC 478(2)

VENUE—Cont'd

New trial in summary conviction, CC 822(2)

Summary, CC 814

Summary conviction appeals, CC 814

VERDICT

See also Jury

Conviction of included offence, CC 662 Defect in process not ground for quash-

ing, CC 671

Disagreement of jury, CC 653

Full offence charged, attempt proved, CC 660

Full offence proved on charge of attempt, CC 661

Infanticide, CC 663

Recommendation in second degree murder, CC 743, 743.1

Taking verdict on Sunday, CC 654

VESSELS

See also Aircraft, Motor Vehicles Endangering safety of, CC 78.1 Fraud in obtaining transportation, CC 393(3)

Interfering with saving, CC 438

defence, CC 429(2)

Joy-riding, CC 335

Jurisdiction over offences, CC 476 offences on territorial waters, CC 477 offences outside Canada, CC 6(3)(a)

Making fast to marine signal, CC 439 defence, CC 429(2)

Piracy, CC 74, 75

Removing natural bar to harbour, CC 440 defence, CC 429(2)

Wreck, CC 415

VICTIM IMPACT STATEMENT

See also Community Impact Statement Adjournment, CC 722(3) Conditions of exclusion, CC 722(7) Consideration by sentencing court, CC 722(8)

Content, CC 722(1)

Copy of statement, CC 722.1

Evidence concerning victim admissible, CC 722(9)

Form, CC 722(4)

Inquiry by court, CC 722(2)

VICTIM IMPACT STATEMENT	VICTIMS—Cont'd
—Cont'd	Bill of rights—Cont'd
Mental disorder verdict	rights—Cont'd
disposition hearing, CC 672.5(14) to	restitution order, CVBR 16
(15.3)	retaliation, CVBR 10
No bar to other evidence, CC 722(9)	security, CVBR 9
Photograph, CC 722(6)	testimonial aids, CVBR 13
Presentation of statement, CC 722(5)	victim impact statement, CVBR 15
"Victim," CC 2, 722(4)	views, CVBR 14
VICTIMS	status, CVBR 27
	"victim" defined, CVBR 2
See also Restitution; Victim Impact State-	Defined, CC 2; CVBR 2; YCJA 2(2)
ment; Victim Surcharge; Witness	Judicial interim release of accused, CC
Acting on behalf of, CC 2.2; CVBR 3	515(13)
Bill of rights	Safety and security of, CC 515(13)
acting of victim's behalf, CVBR 3 adverse inference, no, CVBR 23	VICTIM SURCHARGE
appeal, no, CVBR 29	
application provisions, CVBR 18	Amount of surcharge, CC 737(2)
Canada, entering/remaining, CVBR 24	Amounts applied to aid victims, CC 737(5)
cause of action, no, CVBR 28	Enforcement, CC 737(7)
criminal justice system, CVBR 5	Exception, CC 737(2.1) to (2.4), (8)
definitions, CVBR 2	Increase in surcharge, CC 737(6)
exceptions, CVBR 4	Notice to offender, CC 737(6)
exercise of rights, CVBR 19	Power to order suspension pending
interpretation, CVBR 2 to 5, 20 to 22	appeal, CC 683(5), (5.1), (6)
"offence" defined, CVBR 2	Time for payment, CC 737(4)
remedies	
authority, CVBR 25(2)	VIDEO AND AUDIO EVIDENCE
complaints, CVBR 25 to 26	Audio evidence
federal entity, CVBR 25(1)	appeals, on, CC 683(2.2)
mechanism re complaints, CVBR	witness inside Canada, CC 683(2.2)
25(3)	witness outside Canada, CC 683(2.2),
provincial entity, CVBR 26	714.3
territorial entity, CVBR 26	Cessation, CC 714.41
rights	Consent, CC 714.8
generally, CVBR 6 to 17	Costs of technology, CC 714.7
accused, information about, CVBR 8	Oath or affirmation, CC 714.5
enforcement of restitution, CVBR 17	Other laws applying, CC 714.6
exercise of, CVBR 19	Reasons, CC 714.4
general information, CVBR 6	Video links
identity protection, CVBR 12	appeals, on, CC 683(2.2)
information, CVBR 6 to 8	contempt, CEA 50(1.2)
intimidation, CVBR 10	laws about witnesses applying, CEA
investigations, CVBR 7	50(1.1)
offender information, CVBR 8	perjury, CC 131(1.1)
participation, CVBR 14 to 15	subpoena, CC 700.1
privacy, CVBR 11	witness in Canada, CC 683(2.2), 714.1;
proceedings, CVBR 7	CEA 46(2)
protection, CVBR 9 to 13	witness outside Canada, CC 683(2.2),
restitution, CVBR 16 to 17	714.2

VIDEOCONFERENCES

See Video and Audio Evidence

VIDEOTAPED EVIDENCE

(Aaa)Generally, CC 715.1, 715.2

VIEW

(Aaa) Generally, CC 652

VIOLENCE

Extortion, CC 346(1)

Intimidation, CC 423(1)(a)

Threatening or using to overcome resistance to theft, CC 343(a)

VOYEURISM

Defence, CC 162(6)

Exemption, **CC 162(3)**

Motives, CC 162(7)

Offence, CC 162(1), (4)

Punishment, CC 162(5)

WAGERING

See Betting

WANT OF PROSECUTION

Dismissal

procedural irregularities, CC 485(3) recommencement of proceeding, CC

summary conviction appeal, CC 825

WAR CRIMES

Special pleas, CC 607(6)

Superior court jurisdiction, CC 469(c.1)

WAR MEMORIAL

Mischief re. CC 430(4.11)

WARRANT

See also Arrest, Search Warrants, Telewarrants, Witness

Appearance of accused other than by designated counsel, **CC 650.01(4)**

Arrest, for, CC Form 7

Assistance order, CC 487.02

Bodily impressions, CC 487.092

Bodily substances for forensic DNA analysis, see Forensic DNA Analysis

Commital, for, CC Form 8

Duties of persons executing, CC 487.093

WARRANT—Cont'd

Dwelling-house, powers to enter, to carry out arrests

warrant to enter dwelling-house, CC **529.1, Form 7.1**

authorization to enter included in warrant of arrest, CC 529(1)

execution, CC 529(2)

omitting announcement before entry, CC 529.4(1)

exception, CC 529.4(3)

execution of authorization, CC

529.4(2)

reasonable terms and conditions, CC 529.2

sealing order for information to obtain, CC 487.3

telewarrant, CC 529.5

Endorsement, CC Form 28

in another jurisdiction, CC 528, 543

release of accused, CC 507(6), 507.1(8)

General warrant, information for, CC 487.01

sealing order, CC 487.3

video surveillance, CC 487.01(4), (5)

Preserved data, destruction of, CC 487.0194(4)

Restriction on publicity, CC 487.2

Sealing order for information to obtain, CC 487.3

Search warrant, see Search Warrants

Telewarrants, CC 487.1, 528(1.1), 529.5 see also Telewarrants

Tracking device, for, CC 492.1

Transmission data recorder, for, CC 492.2

Warrant for arrest of accused, see Arrest

Warrant for arrest of witness, CC 698(2),

705

absconding witness, CC 704

refusal to give evidence, CC 545(1)

Warrant of committal

contempt, CC Form 25

default in payment of costs of appeal, CC 827(3)

default in payment of fine, CC 734.7

detention in custody, CC 519(3),

521(6) to (10)

execution of warrant, CC 744

failure to enter recognizance to keep peace, CC 810, Form 23, 810.1

WARRANT—Cont'd WITNESS Warrant of committal—Cont'd See also Binding Over, Child Witnesses for contempt, CC 708(3), Form 25 (Protection of), Commission Evidence. Corroboration forfeiture of amounts, CC Form 27 non-compliance with release order, CC Absconding witness 519(1)(b), 519(3) arrest, CC 704, 706 on conviction, CC 570, 806(2), 828(2) warrant, CC 704 admissibility as evidence, CC 806(3) endorsement in another jurisdiction, on forfeiture of recognizance, CC 773 CC 528 refusal to be sworn / to give evidence, Accused as witness, CEA 4 CC Form 20 Accused not to cross-examine child witseizure of things not specified, CC 489 ness. CC 486.3 Administration of oath, CEA 13 vacating release order, CC 521(6) video surveillance, CC 487.01(4), (5) Adverse witness, CEA 9(1) Warrant of committal of witness Affirmation in lieu of oath, CEA 14 Appeal (witness on hearing) contempt, CC Form 25 failure to enter recognizance, CC 550, powers of court, CC 683(1) Form 24 Application of Code provisions, CC 697 refusal to be sworn / to give evidence, Arrest, CC 704 CC Form 20 detention or release. CC 706 Warrant remanding to prison, CC 516, Capacity of witness challenged 537(1)(c) child, CEA 16(1); YCJA 151 Warrant to convey accused to justice of mental capacity challenged, CEA 16(1) another jurisdiction, CC 543 Child witness, protection of, CC 486.6 Where jurisdiction lost, CC 485(2) Commission evidence, see Commission Evidence WATCHING OR BESETTING Contradictory evidence, CC 136 (Aaa)Generally, CC 423(1)(f), 423(2) Corroboration, see Corroboration WEAPON Difficulty communicating See also Firearms evidence of person with mental disabil-Assault, CC 265(1)(c), 267(a) ity, CEA 6(2)Defined, CC 2 evidence of person with physical dis-Discharge firearm with intent, CC 244 ability, **CEA 6(1)** Forfeiture or return to owner, CC 491 identification of accused, CEA 6.1 "Offensive weapon," CC 2 inquiry, CEA 6(3) Sexual assault, CC 272(1)(a) Examination in Canada for foreign, CEA Taking on board aircraft, CC 78 46 Expert witness WILFUL DAMAGE limit on number. CEA 7 See Mischief Failure to attend WILFULNESS contempt, CC 708(1) Defence to offences involving wilfulness, warrant, CC 705 CC 429(2) Identification of accused, CEA 6.1 Presumption, CC 429(1) Identity, CC 486.4, 486.5, 810.5 Intimidation, CC 139(3) Misleading justice, CC 131 to 141 See Testamentary Instrument

Mute witness, **CEA 6**

810.5

Non-disclosure of identity, CC 486.31,

Obstructed view testimony, CC 486.2

WIRETAPPING

tions

See Interception of Private Communica-

WITNESS—Cont'd	YOUTH CRIMINAL JUSTICE—Cont'd
Outside Canada	Adjudication—Cont'd
commission evidence, CC 709, 712	plea of not guilty, YCJA 36(2)
Perjury, CC 131, 132	Adult sentence
Person with disability, CEA 6	age, prescribed, YCJA 64
Preliminary inquiry	application by Crown for
recognizance and committal, CC 550	appeal from, YCJA 37, 72(5)
refusing to testify, CC 545	assessment for, YCJA 34
Previous inconsistent statement, CEA 9 to 11	commencement, CC 719(1); YCJA 74(3)
Prisoner as witness, CC 527	conviction, as, YCJA 74(2), (3)
Proceedings, CEA 43 to 51	Criminal Code, application of, YCJA
Procuring attendance	67(8), (9), 74(1)
subpoena	custodial placement, see imprisonment,
contents, CC 700	placement upon duty of AG to consider
endorsement in another jurisdiction,	hearing, YCJA 71
CC 528	included offences, YCJA 64(3), 69
for absconding witness, CC 704	murder, for, CC 745.1 to 745.5,
issuance, CC 698, 699	746.1(3)
service, CC 701	notice requirements, YCJA 64(2) to
territorial effect, CC 702, 703 warrant, CC 698	(3), 69, 81
Production of written statement, CEA	onus, YCJA 72(2)
10(1)	pre-sentence report, YCJA 72(3)
Proof of conviction, CEA 12(2)	procedure for application or notice,
Reading in evidence	YCJA 81
from preliminary, CC 715	reasons, YCJA 72(4)
summary conviction appeal, CC 822(5)	right to bring, YCJA 64(1), 68, 69
Sequestered testimony, CC 486.2	test applicable, YCJA 72(1), (1.1)
Support person, CC 486.1	election, YCJA 67
Treason and high treason	hearing, YCJA 71
list of witnesses delivered to accused, CC 604	imposition of, duties of court respecting, YCJA 73
Video links, CEA 46(2), (1.2), 50(1.1)	imprisonment
Videotaped complaint, CC 715.1, 715.2	life sentence, CC 745 to 745.5
WORKPLACE SAFETY	placement upon, YCJA 37, 76, 79, 80
Duty of persons directing work, CC 217.1	jury trial, YCJA 67(6), (9)
WOUNDING	notices regarding, YCJA 64(2), 68, 69
See also Bodily Harm, Weapon, Wreck	parole, CC 743.5(3); YCJA 77
Concealing or dealing with, CC 415	preliminary inquiry, YCJA 67(7), (8)
Interfering with saving, CC 438(2)	pre-sentence report, YCJA 40
defence, CC 429(2)	release entitlement, YCJA 78
Wreck, CC 2	serious violent offence
WICCK, CC 2	assessment where alleged, YCJA
YOUNG OFFENDERS	34(1)(b)(iii)
See Youth Criminal Justice	continuation in custody, YCJA 98
VOLTH CDIMINAL HISTIGE	definition, YCJA 2(1)
YOUTH CRIMINAL JUSTICE	intensive rehabilitative custody,
Adjudication plea of guilty, YCJA 36(1)	YCJA 42(7) proof of offence, CC 667
DICA OF QUILLY, I CAIA 30(1)	Droof of otherice, UU nn/

YOUTH CRIMINAL JUSTICE—Cont'd	YOUTH CRIMINAL JUSTICE—Cont'd
Adult sentence—Cont'd	Appeals—Cont'd
serious violent offence—Cont'd	summary conviction offences—Cont'd
records re, YCJA 120(3)	deemed election, YCJA 37(7)
trial procedure	offences tried jointly, YCJA 37(6)
Criminal Code, application of, YCJA 67(9)	youth sentence on review, from, YCJA 37(11)
election, YCJA 67	transfer of youth sentence, and, YCJA
where required, YCJA 72(1)(b),	57(2)
73(1)	Appearance
Adult status offender	procedure on appearance, YCJA 32
application of act, YCJA 14(5)	unrepresented accused, YCJA 32(3) to
continuation of proceedings against,	(5)
YCJA 14(4) continuation of youth sentence, YCJA	waiver of procedural requirements, YCJA 32(2)
42(17), 89, 92, 93	Assessments, see medical and psychologi-
custodial placement upon conviction,	cal reports
YCJA 76(2), (5), (9), 89, 92(4) status uncertain, YCJA 16	Cautions, YCJA 6
transfer to adult facilities, YCJA 30(4),	Commencement of proceedings, YCJA 162
(5), 92(1) to (3), 93	Conditional supervision, see custody and
Alternative measures, see extrajudicial measures	supervision
Appeals	Construction of Act, YCJA 2(2), 3(2)
adult sentence, order re, from, YCJA	Contempt of court, YCJA 15, 37(2) to (3)
37(4), 71, 76(5)	Continuation of proceedings, YCJA 14(4)
consolidation, YCJA 37(4)	Contraventions Act offences
contempt, for, YCJA 37(2) to (3); CC	attendance of parents, YCJA 27(2)
10	jurisdiction, YCJA 14(1)
Criminal Code, application of, YCJA	notices, YCJA 26(3), (6), (7)
37(1), (5), (9)	Corrections and Conditional Release Act, application of, YCJA 77(2)
indictable offences	Criminal Code, application of
generally, YCJA 37(1) to (3); CC Part XXI	generally, YCJA 140
contempt, YCJA 37(2), (3); CC 10	appeal provisions, YCJA 37
deemed election, YCJA 37(7)	attendance of accused provisions,
forum, Nunavut, YCJA 37(9); CC	YCJA 132(2), (4), 142(3)
839	bail provisions, YCJA 28, 29(2), 33
forum where YJC is superior court,	bail review provisions, YCJA 33
YCJA 37(8)	compelling appearance provisions,
offences tried jointly, YCJA 37(6)	YCJA 28
Supreme Court of Canada, to, YCJA 37(10)	contempt provisions, YCJA 14(4) costs provisions, YCJA 142(5)
youth sentence on review, from, YCJA 37(11)	dangerous offender provisions, YCJA 74(1)
publication ban, from, YCJA 37(4)	definition provisions, YCJA 2(2)
review of custody and, YCJA 94(7)	forfeiture of recognizance provisions,
"serious violent offence" determina-	YCJA 135(6), (7)
tion, from, YCJA 37(4)	forms provisions, YCJA 154(2)
summary conviction offences	indictable offence appeal provisions,
generally, YCJA 37(5)	YCJA 37(1), (6)

YOUTH CRIMINAL JUSTICE—Cont'd YOUTH CRIMINAL JUSTICE—Cont'd Criminal Code, application of—Cont'd Custody and supervision, see also detenlimitation period provisions, YCJA tion before sentencing; youth 142(4) sentence-Cont'd custody and supervision order-Cont'd long-term offender provisions, YCJA conditions, setting, YCJA 42(2)(n), 74(1) mental disorder provisions, YCJA 141 continuation of custody, YCJA 94, peace bond provisions, YCJA 14(2), 95, 98 to 101, 103(2)(b), 104 20(2) deferred, YCJA 42(2)(p), 42(6), 105 preliminary inquiry provisions, YCJA to 109 67(8) reviews, YCJA 42(6), 94, 95, 101, prohibition order provisions, YCJA 104(5), 108 to 109 42(2)(j), 51levels of custody, YCJA 85 to 88 sentencing provisions, YCJA 42(2)(j), principles, YCJA 83(2), 84, 85(5) 50, 51, 74(1), 78 to 80, 92(4) summary conviction appeal provisions, provincial regulations respecting, **YCJA 88 YCJA 37(5), (6)** purpose, YCJA 83(1) summary conviction trial provisions, reintegration leave, YCJA 91 **YCJA 142** reviews, YCJA 87, 88, 94 to 96, 101, trial provisions, YCJA 67(9), 142 103, 108, 109 Custody and supervision, see also detenseparation from adults, requirement, tion before sentencing; youth **YCJA 84** sentence transfers, YCJA 85(4) to (7), 86 to 88, adult status offenders, YCJA 76(2), 89, 89(2), 92, 93 92, 93 youth worker, designation and role, breach of conditions, YCJA 102, 103, YCJA 90 106 to 109 Declarations of principle conditional supervision custody and supervision, re, YCJA apprehension of young person for 83(2) breach, YCJA 107 extrajudicial measures, re, YCJA 4 breach of order, YCJA 106 to 109 general, YCJA 3(1) conditions, setting, YCJA 105 Detention before sentencing deferred custody and supervision application for detention or release order and, YCJA 42(6) court to hear, YCJA 33(1), 33(8) recommendation of provincial direcnotice to prosecutor, YCJA 33(2) tor re, YCJA 96 notice to young person, YCJA 33(3) reviews, YCJA 94, (4), (7), (8), 95, review of orders, YCJA 33(5) to (7), 96(3), 108, 109 suspension of, YCJA 106, 109(2)(b) s. 469 offences, YCJA 33(8), (9) continuation of custody waiver of notice, YCJA 33(4) application of Attorney General, authorization of provincial authority, **YCJA 104** YCJA 30(8) application of provincial director, Criminal Code, application of, YCJA YCJA 98 to 100 reasons, YCJA 100, 104(5) designated place of temporary detenreports, YCJA 99, 104(5) tion in, **YCJA 30(1)** exception, YCJA 30(7) reviews, YCJA 94, 95, 101, 104(5) offence relating to, YCJA 139 custody and supervision order justification for, YCJA 29(2) breach of order, YCJA 42(6), 102, 103, 108 onus, YCJA 29(3)

YOUTH CRIMINAL JUSTICE—Cont'd	YOUTH CRIMINAL JUSTICE—Cont'd
Detention before sentencing—Cont'd	Evidence—Cont'd
responsible person, placement in care	young person, of, YCJA 151(b)
of, YCJA 31, 139	Exclusion from hearing, YCJA 132
offence relating to, YCJA 139	Extrajudicial measures
separation from adults, requirement,	adequacy, YCJA 4.1
YCJA 30(3)	admissibility in evidence
exception, YCJA 30(7)	prohibited, YCJA 9, 10(4)
social measure, as, prohibited, YCJA	alternative measures
28.1	continuation as, YCJA 165(5)
transfers in custody	cautions
adult facility, to, YCJA 30(4), (5)	generally, YCJA 6, 9
court, to and from, YCJA 30(2)	Crown, YCJA 8
designated places, between, YCJA	police, YCJA 7
30(6) Election, mode of trial, YCJA 67	continuation, after age 18, YCJA 14(4)
Employment applications	objectives, YCJA 5
offence relating to, YCJA , 139 (3)	principles, general, YCJA 4, 6, 9, 10
prohibited content, YCJA 82(3)	records re, YCJA 115(1.1), 119(4)
Evidence	referrals, YCJA 6, 9
admissions, YCJA 10(4), 146, 149	sanctions
age, of	admissions inadmissible, YCJA
certificate, by, YCJA 148(2)	10(4)
inference, permissible, YCJA 148(4)	availability, YCJA 10(1) to (3)
parental testimony, by, YCJA 148(1)	conditions, YCJA 10(2)
record, by, YCJA 142(2)	judicial proceedings, effect on,
reliable information, by, YCJA	YCJA 10(5) to (6)
148(3)	laying of information, and, YCJA 10(6)
agreements concerning	notice to parent of, YCJA 11
material evidence, YCJA 150	principles, general, YCJA 10(1) to
undisputed facts, YCJA 149	(3)
child of, YCJA 151(a); CEA 16	res judicata, and, YCJA 10(2)(g),
confessions, YCJA 146	10(5) to (6)
documents, validity of, YCJA 153	use, restriction on, YCJA 10(1), (3)
extrajudicial measures, of, YCJA 9,	transitional provisions, YCJA 165(5)
10(4)	victim rights respecting, YCJA 12
material	warnings, YCJA 6, 9
consent to admission, YCJA 150	Forfeiture of recognizances, YCJA 134,
seals, YCJA 153	135
service, proof of, YCJA 152	Forms, YCJA 154
statements, admissibility of	Identification of Criminals Act, applica-
extrajudicial measures, made in con-	tion of, YCJA 113
nection with, YCJA 10(4)	Interprovincial agreements, YCJA 58,
general law applicable, YCJA	156, 164
146(1)	Judges
medical assessments, in, YCJA 147	disqualification, YCJA 130
persons in authority, to, YCJA	substitution, YCJA 131
146(2) to (9)	Limitation periods, YCJA 14(3), 142(4)
psychological assessments, in, YCJA 147	Medical and psychological reports, YCJA 34
undisputed facts, of, YCJA 149	Mental disorder, YCJA 141

YOUTH CRIMINAL JUSTICE—Cont'd	YOUTH CRIMINAL JUSTICE—Cont'd
Offences	Organization of system—Cont'd
authorizing use of prescribed employ-	youth justice court—Cont'd
ment application, YCJA 139(3)	deemed, YCJA 13(2), (3)
breach of deferred custody and supervi-	designation of, YCJA 13(1)
sion order, YCJA 42(6), 106 to	disqualification of judges, YCJA 13
109	jurisdiction, YCJA 14, (3), 15, 58(2)
breach of publication ban, YCJA	rules, YCJA 17
110(1), 111(1), 138	substitution of judges, YCJA 131
classification of, IA 34; YCJA 37(7),	youth worker, YCJA 90
142(2) contempt, CC 10; YCJA 15, 27(4)(a),	Parent or guardian
37(3)	notices to, YCJA 26
failure to comply with disposition or	order requiring attendance
youth sentence, YCJA 137	failure to attend, CC 10, 37(3), 787;
failure to comply with order to attend	YCJA 27(4)
court (parent), CC 10; YCJA	power of court to issue, YCJA 27(1)
27(4), 37(4)	service, YCJA 27(3)
failure to comply with undertaking re	unavailable in ticket proceedings, YCJA 27(2)
condition of placement in care of	warrant to enforce, YCJA 27(5)
responsible person, YCJA 31(3),	testimony re age, YCJA 148(1)
139	Peace bond, YCJA 14(2), 20(2)
failure to destroy information, YCJA 138	Policy, YCJA 3(1)
failure to destroy record, YCJA 138	Pre-charge screening, YCJA 23(1), (2)
failure to keep information separate,	Preliminary inquiry, YCJA 67(7), (8)
YCJA 138	Private prosecutions, YCJA 24
failure to prevent unauthorized access	Procedure
to information, YCJA 138	counts charged in information, YCJA
interference with disposition or youth	143
sentence, YCJA 136	subpoena, YCJA 144
unauthorized access to records, YCJA	warrant, YCJA 145
118(1), 138	Programs
unauthorized detention of young	community-based
person, YCJA 30, 139	power to establish, YCJA 157
unauthorized disclosure of information, YCJA 129, 138	types authorized, YCJA 157
use of prescribed employment applica-	extrajudicial sanction, as condition of,
tion, YCJA 139(3)	YCJA 10(2)(a)
Organization of system	intensive support and supervision,
clerks of court, YCJA 21	YCJA 42(2)(1), 42(3)
conferences, YCJA 19	non-residential, attendance at, YCJA
justices of the peace, YCJA 20	42(2)(m), 42(3)
provincial directors	Publication bans
delegation, authorized, YCJA 22	appeals from, YCJA 37(4)
review board, YCJA 25(3), (4), (7), 87,	application for leave to publish identity
88, 114, 119(1)(h), 120(4)(c),	offender, YCJA 110(4) to (6)
132(3)	victim or witness, YCJA 111(3)
transitional provisions, YCJA 165	exceptions, YCJA 110(2), (3), 111(2),
youth justice court	112
contempt against, YCJA 15	identity of offender, YCJA 110
court of record, YCJA 13(4)	identity of victim, YCJA 111

YOUTH CRIMINAL JUSTICE—Cont'd	YOUTH CRIMINAL JUSTICE—Cont'd
Publication bans—Cont'd	Records—Cont'd
identity of witness, YCJA 111	disclosure of information in—Cont'd
offences relating to, YCJA 138	provincial director, by, YCJA
Purpose of legislation	125(5), (6)
custody and supervision provisions,	reports, for, YCJA 125(5)
YCJA 83(1)	research purposes, for, YCJA 119(8)
sentencing provisions, YCJA 38(1)	120(5), 123(6) schools, to, YCJA 125(6)
Records	time limit, YCJA 125(8)
access	youth worker, by, YCJA 125(5), (6)
adult sentence, records re, YCJA 117	disposal of, YCJA 128
application for, outside access	fingerprints, YCJA 113
period, YCJA 123	introduction into evidence, YCJA
archivists, by, YCJA 128(6)	119(7)
authorization requirement, YCJA	offences relating to, YCJA 138
117, 118, 119(9)(b)	photographs, YCJA 113
conviction during access period, effect on, YCJA 119(9), (6),	types that may be kept
120(4)	court, YCJA 114
extrajudicial measures, records re,	government, YCJA 116(1)
YCJA 115(1.1), 119(4)	police, YCJA 113, 115
forensic DNA analysis, records re,	private, YCJA 116(2)
YCJA 119(6)	Referrals, YCJA 6, 35
form of, YCJA 122	Referral to child welfare agency, YCJA
medical reports, YCJA 119(5), (6)	35
period of, YCJA 119(2), (3), 120(3),	Regulations, power to make, YCJA 155
121, 128(1)	Responsible person
persons having, YCJA 119(1), (4) to	placement in care of, YCJA 31
(6), 120, 124, 128(6)	review re certain offences, YCJA 24.1 Right to counsel, YCJA 25
pre-sentence report, undisclosed,	Rules, YCJA 17, (4), 19(3), 155
YCJA 119(5)	Sex offender information registration, CC
prohibition orders, records re, YCJA	490.011(2) ; SOIRA 7
119(3), (10)	Transfer of charges, YCJA 133
psychological reports, YCJA 119(5), (6)	Transitional provisions, YCJA 158 to 169
R.C.M.P. records, YCJA 120	Violent offence
young person, by, YCJA 124	custodial sentence, YCJA 39(1), 42(7).
destruction of, YCJA 125 (7)(c), 128	98
disclosure of information in	definition, YCJA 2(1)
application for, YCJA 127	publication ban exception, YCJA
archivists' records, YCJA 126	110(2)(b)
Attorney General, by, YCJA 125(2),	serious violent offence, see adult
(3), (6)	sentence
duties of recipient, YCJA 125(7),	Warnings, YCJA 6
129	Youth sentence, see also custody and supervision
foreign state, to, YCJA 125(3)	agreement of provincial director,
form of, YCJA 122	YCJA 42(3)
insurance company, to, YCJA 125(3)	alternatives, YCJA 42(2)
peace officer, by, YCJA 125(1) , (3),	assessment for purpose of, YCJA
(4), (6)	34(2)(c)

YOUTH CRIMINAL JUSTICE—Cont'd YOUTH CRIMINAL JUSTICE—Cont'd Youth sentence, see also custody and Youth sentence, see also custody and supervision—Cont'd supervision-Cont'd fines, YCJA 42(2)(d), (10), 50(2), 53, attendance, YCJA 42(2)(m), (10), 42(11), 54(7), 58(1) 54(1) to (3) combination with Code sentences, CC inconsistent orders, YCJA 42(11) 743.5 intensive rehabilitative custody and supervision, CC 743.5; YCJA commencement, YCJA 42(12), (6), 43, 56(5) 42(2)(r), (8), (13), 42(7), 43 to 46, committal to custody, see also custody 58(1) and supervision orders intensive support and supervision, YCJA 42(2)(1), 42(11), 55, 56, custody during transfer, YCJA 30, (3), 49(2)interference with, YCJA 136 deemed continuous, where, YCJA 47(1) interprovincial arrangements, YCJA 58 jurisdiction, transfer of, CC 743.5 general principles, YCJA 39 limitation, YCJA 38(2)(a) intermittent, YCJA 47(2), (3) order of, conditions for, YCJA 72(1.1), placement on conviction, YCJA 83 73(2) to 88, (5), 89, 92(4) orders, possible, YCJA 42(2) warrant of committal, YCJA 49(1) payment to innocent purchaser, YCJA community service, YCJA 42(2)(i), 42(2)(g), (4), (5), 54(1) 54(7) to (10) pre-sentence report, YCJA 39(6), 40 compensation, YCJA 42(2)(e), (4), (5), principles, general, YCJA 38(2) (10), 54(1)principles re custody, YCJA 39, 83(2), compensation in kind or services, 98(4) YCJA 42(2)(h), (10), 54(4) to (8) probation orders, YCJA 42(2)(k), consecutive, YCJA 42(13) 42(11), 55, 56 considerations, YCJA 42(1) prohibition orders, YCJA 42(2)(j), 51, consolidation rules, CC 743.5; YCJA 43 to 47 publication ban, YCJA 110 contempt, for, YJCA 15(4) purpose, YCJA 38(1) continuation of custody, YCJA 98 to reasons, YCJA 39(9), 48, 51(6), 100 101, 104 recommendation of conference, YCJA continuation when adult, YCJA 42(17), 89, 92, 93 restitution, YCJA 42(2)(f), (10), 54(4) Criminal Code, application of, YCJA to (5) 50, 51(7) review board, YCJA 25(3), (4), (7), 87, custodial placement, YCJA 83 to 89, 88, 114, 119(1)(h), 120(4)(c), 92(4), 92(5) 132(3) custody and supervision orders, CC reviews 743.5: YCJA 42(2)(n) to (r). appeals from, YCJA 37(11) 42(4) to (8), 42(13), 43 to 46, 58, appearance order, YCJA 59(6), 94(8) deferred custody and supervision, CC conditional supervision, YCJA 94, 743.5; YCJA 42(2)(p), 42(5) (4), (7), (8), 95, 96(3), 108, 109 breach of order, YCJA 42(6) continuation of custody, YCJA 94, definition, YCJA 2(1) 95, 101, 104(5) duration, YCJA 42(14) to (16), 53(1), custodial sentences generally, YCJA 54(8) 94, 95 factors, YCJA 38(3), (9), 39(3), 54(7) custody and supervision orders, failure to comply with, YCJA 137 YCJA 42(6), 94, 95, 101,

YOUTH CRIMINAL JUSTICE—Cont'd

Youth sentence, see also custody and supervision—Cont'd reviews—Cont'd

104(5), 108 to 109

decision after review, YCJA 52(3),

59(7), **88**, **94**(19), **96**(4) level of custody, **YCJA 87**, **88**

non-custodial sentence, YCJA 59, 60 notices, YCJA 25(9), (8), 59(5), 88, 94(13) to (18), 96(4)

pending appeal, YCJA 59(5), 94(7), 96(4)

progress report, YCJA 59(3), (4), 88, 94(9) to (12), 96(4)

prohibition orders, YCJA 52

transitional provisions, YCJA 161(3)

right to counsel on, YCJA 25(3)(e), 25(9)(f)

serious violent offence, for, YCJA 42(2)(0), 42(7)

statement re custody and supervision, YCJA 42(4)

termination, effect of, YCJA 82 transfer of, YCJA 57 transfer to adult facility, YCJA 92 transitional provisions, YCJA 161

YOUTH CRIMINAL JUSTICE—Cont'd

Youth sentence, see also custody and supervision—Cont'd treatment or care, CC 743.5; YCJA 42(2)(r), (8), 42(7), 91(1)(b)(iv), 141(11)

victim fine surcharge, YCJA 42(2)(d), 53(1), 54(2)

victim funding, YCJA 42(2)(d), 53(1), 54(2)

YUKON

"Appeal court," CC 812

Application of Code provisions, CC 8(1)

"Appropriate Chief Justice," CC 745.6(3)

"Attorney General," CC 2

"Court of appeal," CC 2

Empanelling jury

challenge for cause, CC 638

Forfeiture of recognizance, CC 762(1)

"Judge" under Part XIX, CC 552

"Judge" under Part XVI, CC 493

Preferring indictment, CC 577

Proclamations, etc. of Lieutenant Governor, **CEA 22(2)**

"Superior court of criminal jurisdiction,"
CC 2

Venue for summary conviction appeal, CC 814(4)