



# Table of Contents

## CRIMINAL CODE

### SHORT TITLE

- 1 Short title
  - § CC1:1 Commentary
  - § CC1:2 Related Provisions

### INTERPRETATION (SS. 2–3)

- 2 Definitions
  - § CC2:1 Commentary
  - § CC2:2 Case Law
  - § CC2:3 Related Provisions
- 2.1 Further definitions—firearms
  - § CC2.1:1 Commentary
  - § CC2.1:2 Related Provisions
- 2.2 Acting on victim’s behalf
  - § CC2.2:1 Commentary
  - § CC2.2:2 Related Provisions
- 2.3 Concurrent jurisdiction
  - § CC2.3:1 Commentary
  - § CC2.3:2 Related Provisions
- 3 Descriptive cross-references
  - § CC3:1 Commentary
  - § CC3:2 Case Law
  - § CC3:3 Related Provisions

### PART I (SS. 3.1–45)

#### GENERAL

- 3.1 Effect of judicial acts
  - § CC3.1:1 Commentary
  - § CC3.1:2 Case Law
  - § CC3.1:3 Related Provisions
- 4 Postcard a chattel, value
  - § CC4:1 Commentary
  - § CC4:2 Case Law
  - § CC4:3 Related Provisions
- 5 Canadian Forces not affected
  - § CC5:1 Commentary
  - § CC5:2 Case Law
  - § CC5:3 Related Provisions
- 6 Presumption of innocence

- § CC6:1 Commentary
- § CC6:2 Case Law
- § CC6:3 Related Provisions
- 7 Offences committed on aircraft
  - § CC7:1 Commentary
  - § CC7:2 Case Law
  - § CC7:3 Related Provisions
- 8 Application to territories
  - § CC8:1 Commentary
  - § CC8:2 Case Law
  - § CC8:3 Related Provisions
- 9 Criminal offences to be under law of Canada
  - § CC9:1 Commentary
  - § CC9:2 Case Law
  - § CC9:3 Related Provisions
- 10 Appeal
  - § CC10:1 Commentary
  - § CC10:2 Case Law
  - § CC10:3 Related Provisions
- 11 Civil remedy not suspended
  - § CC11:1 Commentary
  - § CC11:2 Case Law
  - § CC11:3 Related Provisions
- 12 Offence punishable under more than one Act
  - § CC12:1 Commentary
  - § CC12:2 Case Law
  - § CC12:3 Related Provisions
- 13 Child under twelve
  - § CC13:1 Commentary
  - § CC13:2 Case Law
  - § CC13:3 Related Provisions
- 14 Consent to death
  - § CC14:1 Commentary
  - § CC14:2 Related Provisions
- 15 Obedience to *de facto* law
  - § CC15:1 Commentary
  - § CC15:2 Case Law
  - § CC15:3 Related Provisions
- 16 Defence of mental disorder
  - § CC16:1 Commentary
  - § CC16:2 Case Law
  - § CC16:3 Related Provisions
- 17 Compulsion by threats
  - § CC17:1 Commentary
  - § CC17:2 Case Law
  - § CC17:3 Related Provisions
- 18 Compulsion of spouse
  - § CC18:1 Commentary

TABLE OF CONTENTS

- § CC18:2 Related Provisions
- 19 Ignorance of the law
  - § CC19:1 Commentary
  - § CC19:2 Case Law
  - § CC19:3 Related Provisions
- 20 Certain acts on holidays valid
  - § CC20:1 Commentary
  - § CC20:2 Case Law
  - § CC20:3 Related Provisions

**PARTIES TO OFFENCES**

- 21 Parties to offence
  - § CC21:1 Commentary
  - § CC21:2 Case Law
  - § CC21:3 Related Provisions
- 22 Person counselling offence
  - § CC22:1 Commentary
  - § CC22:2 Case Law
  - § CC22:3 Related Provisions
- 22.1 Offences of negligence—organizations
  - § CC22.1:1 Commentary
  - § CC22.1:2 Related Provisions
- 22.2 Other offences—organizations
  - § CC22.2:1 Commentary
  - § CC22.2:2 Related Provisions
- 23 Accessory after the fact
  - § CC23:1 Commentary
  - § CC23:2 Case Law
  - § CC23:3 Related Provisions
- 23.1 Where one party cannot be convicted
  - § CC23.1:1 Commentary
  - § CC23.1:2 Case Law
  - § CC23.1:3 Related Provisions
- 24 Attempts
  - § CC24:1 Commentary
  - § CC24:2 Case Law
  - § CC24:3 Related Provisions

**PROTECTION OF PERSONS ADMINISTERING AND ENFORCING THE LAW**

- 25 Protection of persons acting under authority
  - § CC25:1 Commentary
  - § CC25:2 Case Law
  - § CC25:3 Related Provisions
- 25.1 Definitions
  - § CC25.1:1 Commentary
  - § CC25.1:2 Case Law
  - § CC25.1:3 Related Provisions
- 25.2 Public officer to file report

- § CC25.2:1 Commentary
- § CC25.2:2 Related Provisions
- 25.3 Annual report
  - § CC25.3:1 Commentary
  - § CC25.3:2 Related Provisions
- 25.4 Written notification to be given
  - § CC25.4:1 Commentary
  - § CC25.4:2 Related Provisions
- 26 Excessive force
  - § CC26:1 Commentary
  - § CC26:2 Case Law
  - § CC26:3 Related Provisions
- 27 Use of force to prevent commission of offence
  - § CC27:1 Commentary
  - § CC27:2 Case Law
  - § CC27:3 Related Provisions
- 27.1 Use of force on board an aircraft
  - § CC27.1:1 Commentary
  - § CC27.1:2 Related Provisions
- 28 Arrest of wrong person
  - § CC28:1 Commentary
  - § CC28:2 Related Provisions
- 29 Duty of person arresting
  - § CC29:1 Commentary
  - § CC29:2 Case Law
  - § CC29:3 Related Provisions
- 30 Preventing breach of peace
  - § CC30:1 Commentary
  - § CC30:2 Related Provisions
- 31 Arrest for breach of peace
  - § CC31:1 Commentary
  - § CC31:2 Case Law
  - § CC31:3 Related Provisions

#### **SUPPRESSION OF RIOTS**

- 32 Use of force to suppress riot
  - § CC32:1 Commentary
  - § CC32:2 Case Law
  - § CC32:3 Related Provisions
- 33 Duty of officers if rioters do not disperse
  - § CC33:1 Commentary
  - § CC33:2 Related Provisions

#### **SELF-INDUCED EXTREME INTOXICATION**

- 33.1 Offences of violence by negligence
  - § CC33.1:1 Commentary
  - § CC33.1:2 Case Law
  - § CC33.1:3 Related Provisions

TABLE OF CONTENTS

**DEFENCE OF PERSON**

- 34 Defence—use or threat of force
  - § CC34:1 Commentary
  - § CC34:2 Case Law
  - § CC34:3 Related Provisions

**DEFENCE OF PROPERTY**

- 35 Defence—property
  - § CC35:1 Commentary
  - § CC35:2 Case Law
  - § CC35:3 Related Provisions
- 36 [Repealed 2012, c. 9, s. 2.]
- 37 [Repealed 2012, c. 9, s. 2.]

**[HEADING REPEALED 2012, C. 9, S. 2.]**

- 38 [Repealed 2012, c. 9, s. 2.]
- 39 [Repealed 2012, c. 9, s. 2.]
- 40 [Repealed 2012, c. 9, s. 2.]
- 41 [Repealed 2012, c. 9, s. 2.]
- 42 [Repealed 2012, c. 9, s. 2.]

**PROTECTION OF PERSONS IN AUTHORITY**

- 43 Correction of child by force
  - § CC43:1 Commentary
  - § CC43:2 Case Law
  - § CC43:3 Related Provisions
- 44 [Repealed 2001, c. 26, s. 294.]
- 45 Surgical operations
  - § CC45:1 Commentary
  - § CC45:2 Related Provisions

**PART II OFFENCES AGAINST PUBLIC ORDER (SS. 46–83)**

**TREASON AND OTHER OFFENCES AGAINST THE QUEEN'S AUTHORITY AND PERSON**

- 46 High treason
  - § CC46:1 Commentary
  - § CC46:2 Related Provisions
- 47 Punishment for high treason
  - § CC47:1 Commentary
  - § CC47:2 Related Provisions
- 48 Limitation
  - § CC48:1 Commentary
  - § CC48:2 Related Provisions

**PROHIBITED ACTS**

- 49 [Repealed 2018, c. 29, s. 1.]
- 50 Assisting alien enemy to leave Canada, or omitting to prevent treason
  - § CC50:1 Commentary
  - § CC50:2 Related Provisions
- 51 Intimidating Parliament or legislature
  - § CC51:1 Commentary
  - § CC51:2 Related Provisions
- 52 Sabotage
  - § CC52:1 Commentary
  - § CC52:2 Related Provisions
- 53 Inciting to mutiny
  - § CC53:1 Commentary
  - § CC53:2 Related Provisions
- 54 Assisting deserter
  - § CC54:1 Commentary
  - § CC54:2 Related Provisions
- 55 Evidence of overt acts
  - § CC55:1 Commentary
  - § CC55:2 Related Provisions
- 56 Offences in relation to members of R.C.M.P.
  - § CC56:1 Commentary
  - § CC56:2 Related Provisions

**OFFICIAL DOCUMENTS**

- 56.1 Identity documents
  - § CC56.1:1 Commentary
  - § CC56.1:2 Related Provisions
- 57 Forgery of or uttering forged passport
  - § CC57:1 Commentary
  - § CC57:2 Case Law
  - § CC57:3 Related Provisions
- 58 Fraudulent use of certificate of citizenship
  - § CC58:1 Commentary
  - § CC58:2 Related Provisions

**SEDITION**

- 59 Seditious words
  - § CC59:1 Commentary
  - § CC59:2 Case Law
  - § CC59:3 Related Provisions
- 60 Exception
  - § CC60:1 Commentary
  - § CC60:2 Case Law
  - § CC60:3 Related Provisions
- 61 Punishment of seditious offences
  - § CC61:1 Commentary

TABLE OF CONTENTS

- § CC61:2 Related Provisions
- 62 Offences in relation to military forces
  - § CC62:1 Commentary
  - § CC62:2 Related Provisions

**UNLAWFUL ASSEMBLIES AND RIOTS**

- 63 Unlawful assembly
  - § CC63:1 Commentary
  - § CC63:2 Case Law
  - § CC63:3 Related Provisions
- 64 Riot
  - § CC64:1 Commentary
  - § CC64:2 Case Law
  - § CC64:3 Related Provisions
- 65 Punishment of rioter
  - § CC65:1 Commentary
  - § CC65:2 Case Law
  - § CC65:3 Related Provisions
- 66 Punishment for unlawful assembly
  - § CC66:1 Commentary
  - § CC66:2 Case Law
  - § CC66:3 Related Provisions
- 67 Reading proclamation
  - § CC67:1 Commentary
  - § CC67:2 Case Law
  - § CC67:3 Related Provisions
- 68 Offences related to proclamation
  - § CC68:1 Commentary
  - § CC68:2 Case Law
  - § CC68:3 Related Provisions
- 69 Neglect by peace officer
  - § CC69:1 Commentary
  - § CC69:2 Related Provisions

**UNLAWFUL DRILLING**

- 70 Orders by Governor in Council
  - § CC70:1 Commentary
  - § CC70:2 Related Provisions

**[HEADING REPEALED 2018, C. 29, S. 4.]**

- 71 [Repealed 2018, c. 29, s. 4.]

**FORCIBLE ENTRY AND DETAINER**

- 72 Forcible entry
  - § CC72:1 Commentary
  - § CC72:2 Case Law
  - § CC72:3 Related Provisions

- 73 Punishment
  - § CC73:1 Commentary
  - § CC73:2 Related Provisions

**PIRACY**

- 74 Piracy by law of nations
  - § CC74:1 Commentary
  - § CC74:2 Related Provisions
- 75 Piratical acts
  - § CC75:1 Commentary
  - § CC75:2 Related Provisions

**OFFENCES AGAINST AIR OR MARITIME SAFETY**

- 76 Hijacking
  - § CC76:1 Commentary
  - § CC76:2 Related Provisions
- 77 Endangering safety of aircraft or airport
  - § CC77:1 Commentary
  - § CC77:2 Related Provisions
- 78 Offensive weapons and explosive substances
  - § CC78:1 Commentary
  - § CC78:2 Related Provisions
- 78.1 Seizing control of ship or fixed platform
  - § CC78.1:1 Commentary
  - § CC78.1:2 Related Provisions

**DANGEROUS MATERIALS AND DEVICES**

- 79 Duty of care re explosive
  - § CC79:1 Commentary
  - § CC79:2 Case Law
  - § CC79:3 Related Provisions
- 80 Breach of duty
  - § CC80:1 Commentary
  - § CC80:2 Case Law
  - § CC80:3 Related Provisions
- 81 Using explosives
  - § CC81:1 Commentary
  - § CC81:2 Case Law
  - § CC81:3 Related Provisions
- 82 Possession of explosive
  - § CC82:1 Commentary
  - § CC82:2 Case Law
  - § CC82:3 Related Provisions
- 82.1 Sentences to be served consecutively
  - § CC82.1:1 Commentary
  - § CC82.1:2 Related Provisions
- 82.2 Definition of “device”



TABLE OF CONTENTS

- § CC82.2:1 Commentary
- § CC82.2:2 Related Provisions
- 82.3 Possession, etc., of nuclear material, radioactive material or device
  - § CC82.3:1 Commentary
  - § CC82.3:2 Related Provisions
- 82.4 Use or alteration of nuclear material, radioactive material or device
  - § CC82.4:1 Commentary
  - § CC82.4:2 Related Provisions
- 82.5 Commission of indictable offence to obtain nuclear material, etc.
  - § CC82.5:1 Commentary
  - § CC82.5:2 Related Provisions
- 82.6 Threats
  - § CC82.6:1 Commentary
  - § CC82.6:2 Related Provisions
- 82.7 Armed forces
  - § CC82.7:1 Commentary
  - § CC82.7:2 Related Provisions

**PRIZE FIGHTS**

- 83 Engaging in prize fight
  - § CC83:1 Commentary
  - § CC83:2 Related Provisions

**PART II.1 TERRORISM (SS. 83.01–83.33)**

**INTERPRETATION**

- 83.01 Definitions
  - § CC83.01:1 Commentary
  - § CC83.01:2 Case Law
  - § CC83.01:3 Related Provisions

**FINANCING OF TERRORISM**

- 83.02 Providing or collecting property for certain activities
  - § CC83.02:1 Commentary
  - § CC83.02:2 Related Provisions
- 83.03 Providing, making available, etc., property or services for terrorist purposes
  - § CC83.03:1 Commentary
  - § CC83.03:2 Case Law
  - § CC83.03:3 Related Provisions
- 83.031 Definition of “Public Safety Minister”
  - § CC83.031:1 Commentary
  - § CC83.031:2 Related Provisions
- 83.032 Authorization
  - § CC83.032:1 Commentary
  - § CC83.032:2 Related Provisions
- 83.033 Notice of refusal

- § CC83.033:1 Commentary
- § CC83.033:2 Related Provisions
- 83.034 Additional security reviews
  - § CC83.034:1 Commentary
  - § CC83.034:2 Related Provisions
- 83.035 Renewal of authorization
  - § CC83.035:1 Commentary
  - § CC83.035:2 Related Provisions
- 83.036 Amendment to authorization
  - § CC83.036:1 Commentary
  - § CC83.036:2 Related Provisions
- 83.037 Authorization — suspension and revocation
  - § CC83.037:1 Commentary
  - § CC83.037:2 Related Provisions
- 83.038 Assistance to Public Safety Minister
  - § CC83.038:1 Commentary
  - § CC83.038:2 Related Provisions
- 83.039 Judicial review
  - § CC83.039:1 Commentary
  - § CC83.039:2 Related Provisions
- 83.0391 Regulations
  - § CC83.0391:1 Commentary
  - § CC83.0391:2 Related Provisions
- 83.0392 Annual report
  - § CC83.0392:1 Commentary
  - § CC83.0392:2 Related Provisions
- 83.04 Using or possessing property for terrorist purposes
  - § CC83.04:1 Commentary
  - § CC83.04:2 Related Provisions

**LIST OF ENTITIES**

- 83.05 Establishment of list
  - CAN. REG. 2002-284 Regulations Establishing a List of Entities
    - § CC83.05:1 Commentary
    - § CC83.05:2 Related Provisions
- 83.06 Admission of foreign information obtained in confidence
  - § CC83.06:1 Commentary
  - § CC83.06:2 Related Provisions
- 83.07 Mistaken identity
  - § CC83.07:1 Commentary
  - § CC83.07:2 Related Provisions

**FREEZING OF PROPERTY**

- 83.08 Freezing of property
  - § CC83.08:1 Commentary
  - § CC83.08:2 Related Provisions
- 83.09 Exemptions
  - § CC83.09:1 Commentary

TABLE OF CONTENTS

- § CC83.09:2 Related Provisions
- 83.1 Disclosure
  - § CC83.1:1 Commentary
  - § CC83.1:2 Related Provisions
- 83.11 Audit
  - § CC83.11:1 Commentary
  - § CC83.11:2 Related Provisions
- 83.12 Offences—freezing of property, disclosure or audit
  - § CC83.12:1 Commentary
  - § CC83.12:2 Related Provisions

**SEIZURE AND RESTRAINT OF PROPERTY**

- 83.13 Seizure and restraint of assets
  - § CC83.13:1 Commentary
  - § CC83.13:2 Related Provisions

**FORFEITURE OF PROPERTY**

- 83.14 Application for order of forfeiture
  - § CC83.14:1 Commentary
  - § CC83.14:2 Related Provisions
- 83.15 Disposition of property
  - § CC83.15:1 Commentary
  - § CC83.15:2 Related Provisions
- 83.16 Interim preservation rights
  - § CC83.16:1 Commentary
  - § CC83.16:2 Related Provisions
- 83.17 Other forfeiture provisions unaffected
  - § CC83.17:1 Commentary
  - § CC83.17:2 Related Provisions

**PARTICIPATING, FACILITATING, INSTRUCTING AND HARBOURING**

- 83.18 Participation in activity of terrorist group
  - § CC83.18:1 Commentary
  - § CC83.18:2 Case Law
  - § CC83.18:3 Related Provisions
- 83.181 Leaving Canada to participate in activity of terrorist group
  - § CC83.181:1 Commentary
  - § CC83.181:2 Related Provisions
- 83.19 Facilitating terrorist activity
  - § CC83.19:1 Commentary
  - § CC83.19:2 Case Law
  - § CC83.19:3 Related Provisions
- 83.191 Leaving Canada to facilitate terrorist activity
  - § CC83.191:1 Commentary
  - § CC83.191:2 Related Provisions
- 83.2 Commission of offence for terrorist group
  - § CC83.2:1 Commentary

- § CC83.2:2 Case Law
- § CC83.2:3 Related Provisions
- 83.201 Leaving Canada to commit offence for terrorist group
  - § CC83.201:1 Commentary
  - § CC83.201:2 Related Provisions
- 83.202 Leaving Canada to commit offence that is terrorist activity
  - § CC83.202:1 Commentary
  - § CC83.202:2 Related Provisions
- 83.21 Instructing to carry out activity for terrorist group
  - § CC83.21:1 Commentary
  - § CC83.21:2 Case Law
  - § CC83.21:3 Related Provisions
- 83.22 Instructing to carry out terrorist activity
  - § CC83.22:1 Commentary
  - § CC83.22:2 Related Provisions
- 83.221 Counselling commission of terrorism offence
  - § CC83.221:1 Commentary
  - § CC83.221:2 Related Provisions
- 83.222 Warrant of seizure
  - § CC83.222:1 Commentary
  - § CC83.222:2 Related Provisions
- 83.223 Order to computer system's custodian
  - § CC83.223:1 Commentary
  - § CC83.223:2 Related Provisions
- 83.23 Concealing person who carried out terrorist activity
  - § CC83.23:1 Commentary
  - § CC83.23:2 Related Provisions

#### **HOAX REGARDING TERRORIST ACTIVITY**

- 83.231 Hoax—terrorist activity
  - § CC83.231:1 Commentary
  - § CC83.231:2 Related Provisions

#### **PROCEEDINGS AND AGGRAVATED PUNISHMENT**

- 83.24 Attorney General's consent
  - § CC83.24:1 Commentary
  - § CC83.24:2 Related Provisions
- 83.25 Jurisdiction
  - § CC83.25:1 Commentary
  - § CC83.25:2 Related Provisions
- 83.26 Sentences to be served consecutively
  - § CC83.26:1 Commentary
  - § CC83.26:2 Case Law
  - § CC83.26:3 Related Provisions
- 83.27 Punishment for terrorist activity
  - § CC83.27:1 Commentary
  - § CC83.27:2 Related Provisions

TABLE OF CONTENTS

**[HEADING REPEALED 2019, C. 13, S. 145.]**

83.28 [Repealed 2019, c. 13, s. 145.]

83.29 [Repealed 2019, c. 13, s. 145.]

**RECOGNIZANCE WITH CONDITIONS**

83.3 Attorney General's consent

§ CC83.3:1 Commentary

§ CC83.3:2 Related Provisions

83.31 Annual report (section 83.3)

§ CC83.31:1 Commentary

§ CC83.31:2 Related Provisions

83.32 Sunset provision

§ CC83.32:1 Commentary

§ CC83.32:2 Related Provisions

83.33 Transitional provision—section 83.3

§ CC83.33:1 Commentary

§ CC83.33:2 Related Provisions

**PART III FIREARMS AND OTHER WEAPONS (SS. 84–117.15)**

**INTERPRETATION**

84 Definitions

CAN. REG. 98-462 Regulations Prescribing Certain Firearms and Other  
Weapons, Components and Parts of Weapons,  
Accessories, Cartridge Magazines, Ammunition and  
Projectiles as Prohibited or Restricted

§ CC84:1 Commentary

§ CC84:2 Case Law

§ CC84:3 Related Provisions

**USE OFFENCES**

85 Using firearm in commission of offence

§ CC85:1 Commentary

§ CC85:2 Case Law

§ CC85:3 Related Provisions

86 Careless use of firearm, etc.

§ CC86:1 Commentary

§ CC86:2 Case Law

§ CC86:3 Related Provisions

87 Pointing a firearm

§ CC87:1 Commentary

§ CC87:2 Case Law

§ CC87:3 Related Provisions

**POSSESSION OFFENCES**

88 Possession of weapon for dangerous purpose

§ CC88:1 Commentary

- § CC88:2 Case Law
- § CC88:3 Related Provisions
- 89 Carrying weapon while attending public meeting
  - § CC89:1 Commentary
  - § CC89:2 Case Law
  - § CC89:3 Related Provisions
- 90 Carrying concealed weapon
  - § CC90:1 Commentary
  - § CC90:2 Case Law
  - § CC90:3 Related Provisions
- 90.1 [Repealed 1995, c. 39, s. 139.]
- 91 Unauthorized possession of firearm
  - § CC91:1 Commentary
  - § CC91:2 Case Law
  - § CC91:3 Related Provisions
- 91.1 [Repealed 1995, c. 39, s. 139.]
- 92 Possession of firearm knowing its possession is unauthorized
  - § CC92:1 Commentary
  - § CC92:2 Related Provisions
- 93 Possession at unauthorized place
  - § CC93:1 Commentary
  - § CC93:2 Related Provisions
- 94 Unauthorized possession in motor vehicle
  - § CC94:1 Commentary
  - § CC94:2 Case Law
  - § CC94:3 Related Provisions
- 95 Possession of prohibited or restricted firearm with ammunition
  - § CC95:1 Commentary
  - § CC95:2 Case Law
  - § CC95:3 Related Provisions
- 95.1 [Repealed 1995, c. 39, s. 139.]
- 96 Possession of weapon obtained by commission of offence
  - § CC96:1 Commentary
  - § CC96:2 Related Provisions
- 97 [Repealed 2008, c. 20, s. 3.]
- 98 Breaking and entering to steal firearm
  - § CC98:1 Commentary
  - § CC98:2 Related Provisions
- 98.1 Robbery to steal firearm
  - § CC98.1:1 Commentary
  - § CC98.1:2 Related Provisions

**TRAFFICKING OFFENCES**

- 99 Weapons trafficking
  - § CC99:1 Commentary
  - § CC99:2 Related Provisions
- 100 Possession for purpose of weapons trafficking
  - § CC100:1 Commentary

TABLE OF CONTENTS

- § CC100:2 Case Law
- § CC100:3 Related Provisions
- 101 Transfer without authority
  - § CC101:1 Commentary
  - § CC101:2 Related Provisions

**ASSEMBLING OFFENCE**

- 102 Making automatic firearm
  - § CC102:1 Commentary
  - § CC102:2 Related Provisions

**COMPUTER DATA OFFENCE**

- 102.1 Possession of computer data
  - § CC102.1:1 Commentary
  - § CC102.1:2 Related Provisions

**EXPORT AND IMPORT OFFENCES**

- 103 Importing or exporting knowing it is unauthorized
  - § CC103:1 Commentary
  - § CC103:2 Related Provisions
- 104 Unauthorized importing or exporting
  - § CC104:1 Commentary
  - § CC104:2 Related Provisions

**OFFENCE RELATING TO ALTERING CARTRIDGE MAGAZINE**

- 104.1 Altering cartridge magazine
  - § CC104.1:1 Commentary
  - § CC104.1:2 Related Provisions

**OFFENCES RELATING TO LOST, DESTROYED OR DEFACED WEAPONS, ETC.**

- 105 Losing or finding
  - § CC105:1 Commentary
  - § CC105:2 Related Provisions
- 106 Destroying
  - § CC106:1 Commentary
  - § CC106:2 Related Provisions
- 107 False statements
  - § CC107:1 Commentary
  - § CC107:2 Related Provisions
- 108 Tampering with serial number
  - § CC108:1 Commentary
  - § CC108:2 Case Law
  - § CC108:3 Related Provisions

**PROHIBITION ORDERS**

- 109 Mandatory prohibition order
  - § CC109:1 Commentary

- § CC109:2 Case Law
- § CC109:3 Related Provisions
- 109.1 [Repealed 1995, c. 39, s. 139.]
- 110 Discretionary prohibition order
  - § CC110:1 Commentary
  - § CC110:2 Case Law
  - § CC110:3 Related Provisions
- 110.1 Application for emergency prohibition order
  - § CC110.1:1 Commentary
  - § CC110.1:2 Related Provisions
- 110.2 Order denying access to information
  - § CC110.2:1 Commentary
  - § CC110.2:2 Related Provisions
- 110.3 Order to delete identifying information
  - § CC110.3:1 Commentary
  - § CC110.3:2 Related Provisions
- 110.4 Order under subsection 111(5)
  - § CC110.4:1 Commentary
  - § CC110.4:2 Related Provisions
- 111 Application for prohibition order
  - § CC111:1 Commentary
  - § CC111:2 Case Law
  - § CC111:3 Related Provisions
- 112 Revocation of prohibition order under subsection 110.1(3) or 111(5)
  - § CC112:1 Commentary
  - § CC112:2 Related Provisions
- 113 Lifting of prohibition order for sustenance or employment
  - § CC113:1 Commentary
  - § CC113:2 Related Provisions
- 114 Requirement to surrender
  - § CC114:1 Commentary
  - § CC114:2 Related Provisions
- 115 Forfeiture
  - § CC115:1 Commentary
  - § CC115:2 Case Law
  - § CC115:3 Related Provisions
- 116 Authorizations revoked or amended
  - § CC116:1 Commentary
  - § CC116:2 Related Provisions
- 117 Return to owner
  - § CC117:1 Commentary
  - § CC117:2 Case Law
  - § CC117:3 Related Provisions
- 117.01 Possession contrary to order
  - § CC117.01:1 Commentary
  - § CC117.01:2 Case Law
  - § CC117.01:3 Related Provisions



TABLE OF CONTENTS

**LIMITATIONS ON ACCESS**

- 117.0101 Application for emergency limitations on access order
  - § CC117.0101:1 Commentary
  - § CC117.0101:2 Related Provisions
- 117.0102 Order denying access to information
  - § CC117.0102:1 Commentary
  - § CC117.0102:2 Related Provisions
- 117.0103 Order to delete identifying information
  - § CC117.0103:1 Commentary
  - § CC117.0103:2 Related Provisions
- 117.0104 Order under subsection 117.011(5)
  - § CC117.0104:1 Commentary
  - § CC117.0104:2 Related Provisions
- 117.011 Application for order
  - § CC117.011:1 Commentary
  - § CC117.011:2 Related Provisions
- 117.012 Revocation of order under subsection 117.0101(3) or 117.011(5)
  - § CC117.012:1 Commentary
  - § CC117.012:2 Related Provisions

**SEARCH AND SEIZURE**

- 117.02 Search and seizure without warrant where offence committed
  - § CC117.02:1 Commentary
  - § CC117.02:2 Related Provisions
- 117.03 Seizure on failure to produce authorization
  - § CC117.03:1 Commentary
  - § CC117.03:2 Related Provisions
- 117.04 Application for warrant to search and seize
  - § CC117.04:1 Commentary
  - § CC117.04:2 Case Law
  - § CC117.04:3 Related Provisions
- 117.05 Application for disposition
  - § CC117.05:1 Commentary
  - § CC117.05:2 Case Law
  - § CC117.05:3 Related Provisions
- 117.06 Where no finding or application
  - § CC117.06:1 Commentary
  - § CC117.06:2 Related Provisions

**EXEMPTED PERSONS**

- 117.07 Public officers
  - CAN. REG. 98-466 Regulations Prescribing Public Officers
    - § CC117.07:1 Commentary
    - § CC117.07:2 Related Provisions
- 117.071 Preclearance officers
  - § CC117.071:1 Commentary
  - § CC117.071:2 Related Provisions

- 117.08 Individuals acting for police force, Canadian Forces and visiting forces
  - § CC117.08:1 Commentary
  - § CC117.08:2 Related Provisions
- 117.09 Employees of business with licence
  - § CC117.09:1 Commentary
  - § CC117.09:2 Related Provisions
- 117.1 Restriction
  - § CC117.1:1 Commentary
  - § CC117.1:2 Related Provisions

#### **GENERAL**

- 117.11 Onus on the accused
  - § CC117.11:1 Commentary
  - § CC117.11:2 Case Law
  - § CC117.11:3 Related Provisions
- 117.12 Authorizations, etc., as evidence
  - § CC117.12:1 Commentary
  - § CC117.12:2 Related Provisions
- 117.13 Certificate of analyst
  - § CC117.13:1 Commentary
  - § CC117.13:2 Related Provisions
- 117.14 Amnesty period
  - § CC117.14:1 Commentary
  - § CC117.14:2 Related Provisions
- 117.15 Regulations
  - § CC117.15:1 Commentary
  - § CC117.15:2 Related Provisions

### **PART IV OFFENCES AGAINST THE ADMINISTRATION OF LAW AND JUSTICE (SS. 118–149)**

#### **INTERPRETATION**

- 118 Definitions
  - § CC118:1 Commentary
  - § CC118:2 Case Law
  - § CC118:3 Related Provisions

#### **CORRUPTION AND DISOBEDIENCE**

- 119 Bribery of judicial officers, etc.
  - § CC119:1 Commentary
  - § CC119:2 Case Law
  - § CC119:3 Related Provisions
- 120 Bribery of officers
  - § CC120:1 Commentary
  - § CC120:2 Case Law
  - § CC120:3 Related Provisions

TABLE OF CONTENTS

121 Frauds on the government  
§ CC121:1 Commentary  
§ CC121:2 Case Law  
§ CC121:3 Related Provisions  
121.1 Selling, etc., of tobacco products and raw leaf tobacco  
§ CC121.1:1 Commentary  
§ CC121.1:2 Related Provisions  
122 Breach of trust by public officer  
§ CC122:1 Commentary  
§ CC122:2 Case Law  
§ CC122:3 Related Provisions  
123 Municipal corruption  
§ CC123:1 Commentary  
§ CC123:2 Case Law  
§ CC123:3 Related Provisions  
124 Selling or purchasing office  
§ CC124:1 Commentary  
§ CC124:2 Related Provisions  
125 Influencing or negotiating appointments or dealing in offices  
§ CC125:1 Commentary  
§ CC125:2 Related Provisions  
126 Disobeying a statute  
§ CC126:1 Commentary  
§ CC126:2 Case Law  
§ CC126:3 Related Provisions  
127 Disobeying order of court  
§ CC127:1 Commentary  
§ CC127:2 Case Law  
§ CC127:3 Related Provisions  
128 Misconduct of officers executing process  
§ CC128:1 Commentary  
§ CC128:2 Related Provisions  
129 Offences relating to public or peace officer  
§ CC129:1 Commentary  
§ CC129:2 Case Law  
§ CC129:3 Related Provisions  
130 Personating peace officer  
§ CC130:1 Commentary  
§ CC130:2 Related Provisions  
130.1 Aggravating circumstance  
§ CC130.1:1 Commentary  
§ CC130.1:2 Related Provisions

**MISLEADING JUSTICE**

131 Perjury  
§ CC131:1 Commentary  
§ CC131:2 Case Law  
§ CC131:3 Related Provisions

- 132 Punishment
  - § CC132:1 Commentary
  - § CC132:2 Case Law
  - § CC132:3 Related Provisions
- 133 Corroboration
  - § CC133:1 Commentary
  - § CC133:2 Case Law
  - § CC133:3 Related Provisions
- 134 Idem
  - § CC134:1 Commentary
  - § CC134:2 Related Provisions
- 135 [Repealed R.S.C. 1985, c. 27 (1st Supp.), s. 17.]
- 136 Witness giving contradictory evidence
  - § CC136:1 Commentary
  - § CC136:2 Case Law
  - § CC136:3 Related Provisions
- 137 Fabricating evidence
  - § CC137:1 Commentary
  - § CC137:2 Case Law
  - § CC137:3 Related Provisions
- 138 Offences relating to affidavits
  - § CC138:1 Commentary
  - § CC138:2 Case Law
  - § CC138:3 Related Provisions
- 139 Obstructing justice
  - § CC139:1 Commentary
  - § CC139:2 Case Law
  - § CC139:3 Related Provisions
- 140 Public mischief
  - § CC140:1 Commentary
  - § CC140:2 Case Law
  - § CC140:3 Related Provisions
- 141 Compounding indictable offence
  - § CC141:1 Commentary
  - § CC141:2 Case Law
  - § CC141:3 Related Provisions
- 142 Corruptly taking reward for recovery of goods
  - § CC142:1 Commentary
  - § CC142:2 Related Provisions
- 143 [Repealed 2018, c. 29, s. 8.]

**ESCAPES AND RESCUES**

- 144 Prison breach
  - § CC144:1 Commentary
  - § CC144:2 Related Provisions
- 145 Escape and being at large without excuse
  - § CC145:1 Commentary
  - § CC145:2 Case Law

TABLE OF CONTENTS

- § CC145:3 Related Provisions
- 146 Permitting or assisting escape
  - § CC146:1 Commentary
  - § CC146:2 Related Provisions
- 147 Rescue or permitting escape
  - § CC147:1 Commentary
  - § CC147:2 Case Law
  - § CC147:3 Related Provisions
- 148 Assisting prisoner of war to escape
  - § CC148:1 Commentary
  - § CC148:2 Related Provisions
- 149 Service of term for escape
  - § CC149:1 Commentary
  - § CC149:2 Related Provisions

**PART V SEXUAL OFFENCES, PUBLIC MORALS AND  
DISORDERLY CONDUCT (SS. 150–182)**

**INTERPRETATION**

- 150 Definitions
  - § CC150:1 Commentary
  - § CC150:2 Case Law
  - § CC150:3 Related Provisions

**SEXUAL OFFENCES**

- 150.1 Consent no defence
  - § CC150.1:1 Commentary
  - § CC150.1:2 Case Law
  - § CC150.1:3 Related Provisions
- 151 Sexual interference
  - § CC151:1 Commentary
  - § CC151:2 Case Law
  - § CC151:3 Related Provisions
- 152 Invitation to sexual touching
  - § CC152:1 Commentary
  - § CC152:2 Case Law
  - § CC152:3 Related Provisions
- 153 Sexual exploitation
  - § CC153:1 Commentary
  - § CC153:2 Case Law
  - § CC153:3 Related Provisions
- 153.1 Sexual exploitation of person with disability
  - § CC153.1:1 Commentary
  - § CC153.1:2 Case Law
  - § CC153.1:3 Related Provisions
- 154 [Repealed R.S.C. 1985, c. 19 (3rd Supp.), s. 1.]
- 155 Incest
  - § CC155:1 Commentary

- § CC155:2 Case Law
- § CC155:3 Related Provisions
- 156 Historical offences
  - § CC156:1 Commentary
  - § CC156:2 Related Provisions
- 157 [Repealed R.S.C. 1985, c. 19 (3rd Supp.), s. 2.]
- 158 [Repealed R.S.C. 1985, c. 19 (3rd Supp.), s. 2.]
- 159 [Repealed 2019, c. 25, s. 54.]
- 160 Bestiality
  - § CC160:1 Commentary
  - § CC160:2 Case Law
  - § CC160:3 Related Provisions
- 161 Order of prohibition
  - § CC161:1 Commentary
  - § CC161:2 Case Law
  - § CC161:3 Related Provisions
- 162 Voyeurism
  - § CC162:1 Commentary
  - § CC162:2 Case Law
  - § CC162:3 Related Provisions
- 162.1 Publication, etc., of an intimate image without consent
  - § CC162.1:1 Commentary
  - § CC162.1:2 Case Law
  - § CC162.1:3 Related Provisions
- 162.2 Prohibition order
  - § CC162.2:1 Commentary
  - § CC162.2:2 Related Provisions

#### **OFFENCES TENDING TO CORRUPT MORALS**

- 163 Obscene materials
  - § CC163:1 Commentary
  - § CC163:2 Case Law
  - § CC163:3 Related Provisions
- 163.1 Definition of “child pornography”
  - § CC163.1:1 Commentary
  - § CC163.1:2 Case Law
  - § CC163.1:3 Related Provisions
- 164 Warrant of seizure
  - § CC164:1 Commentary
  - § CC164:2 Case Law
  - § CC164:3 Related Provisions
- 164.1 Warrant of seizure
  - § CC164.1:1 Commentary
  - § CC164.1:2 Related Provisions
- 164.2 Forfeiture after conviction
  - § CC164.2:1 Commentary
  - § CC164.2:2 Related Provisions
- 164.3 Relief from forfeiture

TABLE OF CONTENTS

§ CC164.3:1 Commentary  
§ CC164.3:2 Related Provisions  
165 [Repealed 2018, c. 29, s. 13.]  
166 [Repealed 1994, c. 44, s. 9.]  
167 Immoral theatrical performance  
§ CC167:1 Commentary  
§ CC167:2 Case Law  
§ CC167:3 Related Provisions  
168 Mailing obscene matter  
§ CC168:1 Commentary  
§ CC168:2 Case Law  
§ CC168:3 Related Provisions  
169 Punishment  
§ CC169:1 Commentary  
§ CC169:2 Related Provisions  
170 Parent or guardian procuring sexual activity  
§ CC170:1 Commentary  
§ CC170:2 Related Provisions  
171 Householder permitting prohibited sexual activity  
§ CC171:1 Commentary  
§ CC171:2 Related Provisions  
171.1 Making sexually explicit material available to child  
§ CC171.1:1 Commentary  
§ CC171.1:2 Case Law  
§ CC171.1:3 Related Provisions  
172 Corrupting children  
§ CC172:1 Commentary  
§ CC172:2 Case Law  
§ CC172:3 Related Provisions  
172.1 Luring a child  
§ CC172.1:1 Commentary  
§ CC172.1:2 Case Law  
§ CC172.1:3 Related Provisions

**DISORDERLY CONDUCT**

172.2 Agreement or arrangement—sexual offence against child  
§ CC172.2:1 Commentary  
§ CC172.2:2 Case Law  
§ CC172.2:3 Related Provisions  
173 Indecent acts  
§ CC173:1 Commentary  
§ CC173:2 Case Law  
§ CC173:3 Related Provisions  
174 Nudity  
§ CC174:1 Commentary  
§ CC174:2 Case Law  
§ CC174:3 Related Provisions  
175 Causing disturbance, indecent exhibition, loitering, etc.

- § CC175:1 Commentary
- § CC175:2 Case Law
- § CC175:3 Related Provisions
- 176 Obstructing or violence to or arrest of officiating clergyman
  - § CC176:1 Commentary
  - § CC176:2 Case Law
  - § CC176:3 Related Provisions
- 177 Trespassing at night
  - § CC177:1 Commentary
  - § CC177:2 Case Law
  - § CC177:3 Related Provisions
- 178 [Repealed 2018, c. 29, s. 14.]
- 179 [Repealed 2019, c. 25, s. 60.]

#### **NUISANCES**

- 180 Common nuisance
  - § CC180:1 Commentary
  - § CC180:2 Case Law
  - § CC180:3 Related Provisions
- 181 [Repealed 2019, c. 25, s. 62.]
- 182 Dead body
  - § CC182:1 Commentary
  - § CC182:2 Case Law
  - § CC182:3 Related Provisions

#### **PART VI INVASION OF PRIVACY (SS. 183–196.1)**

##### **DEFINITIONS**

- 183 Definitions
  - § CC183:1 Commentary
  - § CC183:2 Case Law
  - § CC183:3 Related Provisions
- 183.1 Consent to interception
  - § CC183.1:1 Commentary
  - § CC183.1:2 Related Provisions

##### **INTERCEPTION OF COMMUNICATIONS**

- 184 Interception
  - § CC184:1 Commentary
  - § CC184:2 Case Law
  - § CC184:3 Related Provisions
- 184.1 Interception to prevent bodily harm
  - § CC184.1:1 Commentary
  - § CC184.1:2 Related Provisions
- 184.2 Interception with consent
  - § CC184.2:1 Commentary
  - § CC184.2:2 Case Law



TABLE OF CONTENTS

§ CC184.2:3 Related Provisions

184.3 Application—telecommunication producing writing

§ CC184.3:1 Commentary

§ CC184.3:2 Related Provisions

184.4 Immediate interception—imminent harm

§ CC184.4:1 Commentary

§ CC184.4:2 Case Law

§ CC184.4:3 Related Provisions

184.5 Interception of radio-based telephone communications

§ CC184.5:1 Commentary

§ CC184.5:2 Related Provisions

184.6 One application for authorization sufficient

§ CC184.6:1 Commentary

§ CC184.6:2 Related Provisions

185 Application for authorization

§ CC185:1 Commentary

§ CC185:2 Case Law

§ CC185:3 Related Provisions

186 Judge to be satisfied

§ CC186:1 Commentary

§ CC186:2 Case Law

§ CC186:3 Related Provisions

186.1 Time limitation in relation to criminal organizations and terrorism offences

§ CC186.1:1 Commentary

§ CC186.1:2 Case Law

§ CC186.1:3 Related Provisions

187 Manner in which application to be kept secret

§ CC187:1 Commentary

§ CC187:2 Case Law

§ CC187:3 Related Provisions

188 Applications to specially appointed judges

§ CC188:1 Commentary

§ CC188:2 Case Law

§ CC188:3 Related Provisions

188.1 Execution in Canada

§ CC188.1:1 Commentary

§ CC188.1:2 Case Law

§ CC188.1:3 Related Provisions

188.2 No civil or criminal liability

§ CC188.2:1 Commentary

§ CC188.2:2 Related Provisions

189 Notice of intention to produce evidence

§ CC189:1 Commentary

§ CC189:2 Case Law

§ CC189:3 Related Provisions

190 Further particulars

§ CC190:1 Commentary

- § CC190:2 Related Provisions
- 191 Possession, etc.
  - § CC191:1 Commentary
  - § CC191:2 Case Law
  - § CC191:3 Related Provisions
- 192 Forfeiture
  - § CC192:1 Commentary
  - § CC192:2 Related Provisions
- 193 Disclosure of information
  - § CC193:1 Commentary
  - § CC193:2 Case Law
  - § CC193:3 Related Provisions
- 193.1 Disclosure of information received from interception of radio-based telephone communications
  - § CC193.1:1 Commentary
  - § CC193.1:2 Related Provisions
- 194 Damages
  - § CC194:1 Commentary
  - § CC194:2 Related Provisions
- 195 Annual report
  - § CC195:1 Commentary
  - § CC195:2 Related Provisions
- 196 Written notification to be given
  - § CC196:1 Commentary
  - § CC196:2 Case Law
  - § CC196:3 Related Provisions
- 196.1 Written notice—interception in accordance with section 184.4
  - § CC196.1:1 Commentary
  - § CC196.1:2 Related Provisions

**PART VII DISORDERLY HOUSES, GAMING AND BETTING (SS. 197–213)**

**INTERPRETATION**

- 197 Definitions
  - § CC197:1 Commentary
  - § CC197:2 Case Law
  - § CC197:3 Related Provisions

**PRESUMPTIONS**

- 198 [Repealed 2018, c. 29, s. 16.]

**SEARCH**

- 199 Warrant to search
  - § CC199:1 Commentary
  - § CC199:2 Case Law
  - § CC199:3 Related Provisions

TABLE OF CONTENTS

**OBSTRUCTION**

200 [Repealed R.S.C. 1985, c. 27 (1st Supp.), s. 30.]

**GAMING AND BETTING**

- 201 Keeping gaming or betting house
  - § CC201:1 Commentary
  - § CC201:2 Case Law
  - § CC201:3 Related Provisions
- 202 Betting, pool-selling, book-making, etc.
  - § CC202:1 Commentary
  - § CC202:2 Case Law
  - § CC202:3 Related Provisions
- 203 Placing bets on behalf of others
  - § CC203:1 Commentary
  - § CC203:2 Related Provisions
- 204 Exemption
  - § CC204:1 Commentary
  - § CC204:2 Case Law
  - § CC204:3 Related Provisions
- 205 [Repealed R.S.C. 1985, c. 52 (1st Supp.), s. 1.]
- 206 Offence in relation to lotteries and games of chance
  - § CC206:1 Commentary
  - § CC206:2 Case Law
  - § CC206:3 Related Provisions
- 207 Permitted lotteries
  - § CC207:1 Commentary
  - § CC207:2 Case Law
  - § CC207:3 Related Provisions
- 207.1 Exemption—lottery scheme on an international cruise ship
  - § CC207.1:1 Commentary
  - § CC207.1:2 Related Provisions
- 208 [Repealed R.S.C. 1985, c. 27 (1st Supp.), s. 32.]
- 209 Cheating at play
  - § CC209:1 Commentary
  - § CC209:2 Case Law
  - § CC209:3 Related Provisions

**[HEADING REPEALED 2019, C. 25, S. 73.]**

- 210 [Repealed 2019, c. 25, s. 73.]
- 211 [Repealed 2019, c. 25, s. 73.]

**[HEADING REPEALED 2014, C. 25, S. 13.]**

- 212 [Repealed 2014, c. 25, s. 13.]

**OFFENCES IN RELATION TO OFFERING, PROVIDING OR OBTAINING  
SEXUAL SERVICES FOR CONSIDERATION**

- 213 Stopping or impeding traffic
  - § CC213:1 Commentary

- § CC213:2 Case Law
- § CC213:3 Related Provisions

## **PART VIII OFFENCES AGAINST THE PERSON AND REPUTATION (SS. 214-320.104)**

### **INTERPRETATION**

- 214 Definitions
  - § CC214:1 Commentary
  - § CC214:2 Related Provisions

### **DUTIES TENDING TO PRESERVATION OF LIFE**

- 215 Duty of persons to provide necessaries
  - § CC215:1 Commentary
  - § CC215:2 Case Law
  - § CC215:3 Related Provisions
- 216 Duty of persons undertaking acts dangerous to life
  - § CC216:1 Commentary
  - § CC216:2 Case Law
  - § CC216:3 Related Provisions
- 217 Duty of persons undertaking acts
  - § CC217:1 Commentary
  - § CC217:2 Case Law
  - § CC217:3 Related Provisions
- 217.1 Duty of persons directing work
  - § CC217.1:1 Commentary
  - § CC217.1:2 Related Provisions
- 218 Abandoning child
  - § CC218:1 Commentary
  - § CC218:2 Case Law
  - § CC218:3 Related Provisions

### **CRIMINAL NEGLIGENCE**

- 219 Criminal negligence
  - § CC219:1 Commentary
  - § CC219:2 Case Law
  - § CC219:3 Related Provisions
- 220 Causing death by criminal negligence
  - § CC220:1 Commentary
  - § CC220:2 Case Law
  - § CC220:3 Related Provisions
- 221 Causing bodily harm by criminal negligence
  - § CC221:1 Commentary
  - § CC221:2 Case Law
  - § CC221:3 Related Provisions

TABLE OF CONTENTS

**HOMICIDE**

- 222 Homicide
  - § CC222:1 Commentary
  - § CC222:2 Case Law
  - § CC222:3 Related Provisions
- 223 When child becomes human being
  - § CC223:1 Commentary
  - § CC223:2 Case Law
  - § CC223:3 Related Provisions
- 224 Death that might have been prevented
  - § CC224:1 Commentary
  - § CC224:2 Related Provisions
- 225 Death from treatment of injury
  - § CC225:1 Commentary
  - § CC225:2 Case Law
  - § CC225:3 Related Provisions
- 226 Acceleration of death
  - § CC226:1 Commentary
  - § CC226:2 Related Provisions
- 227 Exemption for medical assistance in dying
  - § CC227:1 Commentary
  - § CC227:2 Related Provisions
- 228 Killing by influence on the mind
  - § CC228:1 Commentary
  - § CC228:2 Related Provisions

**MURDER, MANSLAUGHTER AND INFANTICIDE**

- 229 Murder
  - § CC229:1 Commentary
  - § CC229:2 Case Law
  - § CC229:3 Related Provisions
- 230 [Repealed 2019, c. 25, s. 78.]
- 231 Classification of murder
  - § CC231:1 Commentary
  - § CC231:2 Case Law
  - § CC231:3 Related Provisions
- 232 Murder reduced to manslaughter
  - § CC232:1 Commentary
  - § CC232:2 Case Law
  - § CC232:3 Related Provisions
- 233 Infanticide
  - § CC233:1 Commentary
  - § CC233:2 Case Law
  - § CC233:3 Related Provisions
- 234 Manslaughter
  - § CC234:1 Commentary
  - § CC234:2 Case Law
  - § CC234:3 Related Provisions

- 235 Punishment for murder
  - § CC235:1 Commentary
  - § CC235:2 Case Law
  - § CC235:3 Related Provisions
- 236 Manslaughter
  - § CC236:1 Commentary
  - § CC236:2 Case Law
  - § CC236:3 Related Provisions
- 237 Punishment for infanticide
  - § CC237:1 Commentary
  - § CC237:2 Related Provisions
- 238 Killing unborn child in act of birth
  - § CC238:1 Commentary
  - § CC238:2 Related Provisions
- 239 Attempt to commit murder
  - § CC239:1 Commentary
  - § CC239:2 Case Law
  - § CC239:3 Related Provisions
- 240 Accessory after fact to murder
  - § CC240:1 Commentary
  - § CC240:2 Case Law
  - § CC240:3 Related Provisions

#### **TRAFFICKING IN HUMAN ORGANS**

- 240.1 Removal without informed consent
  - § CC240.1:1 Commentary
  - § CC240.1:2 Related Provisions

#### **SUICIDE**

- 241 Counselling or aiding suicide
  - § CC241:1 Commentary
  - § CC241:2 Case Law
  - § CC241:3 Related Provisions

#### **MEDICAL ASSISTANCE IN DYING**

- 241.1 Definitions
  - § CC241.1:1 Commentary
  - § CC241.1:2 Related Provisions
- 241.2 Eligibility for medical assistance in dying
  - § CC241.2:1 Commentary
  - § CC241.2:2 Related Provisions
- 241.3 Failure to comply with safeguards
  - § CC241.3:1 Commentary
  - § CC241.3:2 Related Provisions
- 241.31 Filing information—practitioners
  - § CC241.31:1 Commentary
  - § CC241.31:2 Related Provisions

TABLE OF CONTENTS

- 241.4 Forgery
  - § CC241.4:1 Commentary
  - § CC241.4:2 Related Provisions

**NEGLECT IN CHILD-BIRTH AND CONCEALING DEAD BODY**

- 242 Neglect to obtain assistance in childbirth
  - § CC242:1 Commentary
  - § CC242:2 Case Law
  - § CC242:3 Related Provisions
- 243 Concealing body of child
  - § CC243:1 Commentary
  - § CC243:2 Case Law
  - § CC243:3 Related Provisions

**BODILY HARM AND ACTS AND OMISSIONS CAUSING DANGER TO THE PERSON**

- 244 Discharging firearm with intent
  - § CC244:1 Commentary
  - § CC244:2 Case Law
  - § CC244:3 Related Provisions
- 244.1 Causing bodily harm with intent—air gun or pistol
  - § CC244.1:1 Commentary
  - § CC244.1:2 Related Provisions
- 244.2 Discharging firearm—recklessness
  - § CC244.2:1 Commentary
  - § CC244.2:2 Case Law
  - § CC244.2:3 Related Provisions
- 245 Administering noxious thing
  - § CC245:1 Commentary
  - § CC245:2 Case Law
  - § CC245:3 Related Provisions
- 246 Overcoming resistance to commission of offence
  - § CC246:1 Commentary
  - § CC246:2 Case Law
  - § CC246:3 Related Provisions
- 247 Traps likely to cause bodily harm
  - § CC247:1 Commentary
  - § CC247:2 Related Provisions
- 248 Interfering with transportation facilities
  - § CC248:1 Commentary
  - § CC248:2 Related Provisions

**[HEADING REPEALED 2018, C. 21, S. 14.]**

- 249 [Repealed 2018, c. 21, s. 14.]
- 249.1 [Repealed 2018, c. 21, s. 14.]
- 249.2 [Repealed 2018, c. 21, s. 14.]
- 249.3 [Repealed 2018, c. 21, s. 14.]
- 249.4 [Repealed 2018, c. 21, s. 14.]

- 250 [Repealed 2018, c. 21, s. 14.]
- 251 [Repealed 2018, c. 21, s. 14.]
- 252 [Repealed 2018, c. 21, s. 14.]
- 253 [Repealed 2018, c. 21, s. 14.]
- 253.1 [Repealed 2018, c. 21, s. 14.]
- 254 [Repealed 2018, c. 21, s. 14.]
- 254.01 [Repealed 2018, c. 21, s. 14.]
- 254.1 [Repealed 2018, c. 21, s. 14.]
- 255 [Repealed 2018, c. 21, s. 14.]
- 255.1 [Repealed 2018, c. 21, s. 14.]
- 256 [Repealed 2018, c. 21, s. 14.]
- 257 [Repealed 2018, c. 21, s. 14.]
- 258 [Repealed 2018, c. 21, s. 14.]
- 258.1 [Repealed 2018, c. 21, s. 14.]
- 259 [Repealed 2018, c. 21, s. 14.]
- 260 [Repealed 2018, c. 21, s. 14.]
- 261 [Repealed 2018, c. 21, s. 14.]
- § CC261:1 Commentary
- 262 Impeding attempt to save life
  - § CC262:1 Commentary
  - § CC262:2 Related Provisions
- 263 Duty to safeguard opening in ice
  - § CC263:1 Commentary
  - § CC263:2 Case Law
  - § CC263:3 Related Provisions
- 264 Criminal harassment
  - § CC264:1 Commentary
  - § CC264:2 Case Law
  - § CC264:3 Related Provisions

## ASSAULTS

- 264.1 Uttering threats
  - § CC264.1:1 Commentary
  - § CC264.1:2 Case Law
  - § CC264.1:3 Related Provisions
- 265 Assault
  - § CC265:1 Commentary
  - § CC265:2 Case Law
  - § CC265:3 Related Provisions
- 266 Assault
  - § CC266:1 Commentary
  - § CC266:2 Related Provisions
- 267 Assault with a weapon or causing bodily harm
  - § CC267:1 Commentary
  - § CC267:2 Case Law
  - § CC267:3 Related Provisions
- 268 Aggravated assault
  - § CC268:1 Commentary



TABLE OF CONTENTS

§ CC268:2 Case Law  
§ CC268:3 Related Provisions  
269 Unlawfully causing bodily harm  
§ CC269:1 Commentary  
§ CC269:2 Case Law  
§ CC269:3 Related Provisions  
269.01 Aggravating circumstance—assault against a public transit operator  
§ CC269.01:1 Commentary  
§ CC269.01:2 Related Provisions  
269.1 Torture  
§ CC269.1:1 Commentary  
§ CC269.1:2 Related Provisions  
270 Assaulting a peace officer  
§ CC270:1 Commentary  
§ CC270:2 Case Law  
§ CC270:3 Related Provisions  
270.01 Assaulting peace officer with weapon or causing bodily harm  
§ CC270.01:1 Commentary  
§ CC270.01:2 Case Law  
§ CC270.01:3 Related Provisions  
270.02 Aggravated assault of peace officer  
§ CC270.02:1 Commentary  
§ CC270.02:2 Related Provisions  
270.03 Sentences to be served consecutively  
§ CC270.03:1 Commentary  
§ CC270.03:2 Related Provisions  
270.1 Disarming a peace officer  
§ CC270.1:1 Commentary  
§ CC270.1:2 Related Provisions  
271 Sexual assault  
§ CC271:1 Commentary  
§ CC271:2 Case Law  
§ CC271:3 Related Provisions  
272 Sexual assault with a weapon, threats to a third party or causing  
bodily harm  
§ CC272:1 Commentary  
§ CC272:2 Case Law  
§ CC272:3 Related Provisions  
273 Aggravated sexual assault  
§ CC273:1 Commentary  
§ CC273:2 Case Law  
§ CC273:3 Related Provisions  
273.1 Meaning of “consent”  
§ CC273.1:1 Commentary  
§ CC273.1:2 Case Law  
§ CC273.1:3 Related Provisions  
273.2 Where belief in consent not a defence  
§ CC273.2:1 Commentary

- § CC273.2:2 Case Law
- § CC273.2:3 Related Provisions
- 273.3 Removal of child from Canada
  - § CC273.3:1 Commentary
  - § CC273.3:2 Case Law
  - § CC273.3:3 Related Provisions
- 274 Corroboration not required
  - § CC274:1 Commentary
  - § CC274:2 Case Law
  - § CC274:3 Related Provisions
- 275 Rules respecting recent complaint abrogated
  - § CC275:1 Commentary
  - § CC275:2 Case Law
  - § CC275:3 Related Provisions
- 276 Evidence of complainant's sexual activity
  - § CC276:1 Commentary
  - § CC276:2 Case Law
  - § CC276:3 Related Provisions
- 276.1 [Repealed 2018, c. 29, s. 22.]
- 276.2 [Repealed 2018, c. 29, s. 22.]
- 276.3 [Repealed 2018, c. 29, s. 22.]
- 276.4 [Repealed 2018, c. 29, s. 22.]
- 276.5 [Repealed 2018, c. 29, s. 22.]
- 277 Reputation evidence
  - § CC277:1 Commentary
  - § CC277:2 Case Law
  - § CC277:3 Related Provisions
- 278 Spouse may be charged
  - § CC278:1 Commentary
  - § CC278:2 Related Provisions
- 278.1 Definition of "record"
  - § CC278.1:1 Commentary
  - § CC278.1:2 Case Law
  - § CC278.1:3 Related Provisions
- 278.2 Production of record to accused
  - § CC278.2:1 Commentary
  - § CC278.2:2 Case Law
  - § CC278.2:3 Related Provisions
- 278.3 Application for production
  - § CC278.3:1 Commentary
  - § CC278.3:2 Case Law
  - § CC278.3:3 Related Provisions
- 278.4 Hearing *in camera*
  - § CC278.4:1 Commentary
  - § CC278.4:2 Related Provisions
- 278.5 Judge may order production of record for review
  - § CC278.5:1 Commentary
  - § CC278.5:2 Case Law

TABLE OF CONTENTS

§ CC278.5:3 Related Provisions

278.6 Review of record by judge

§ CC278.6:1 Commentary

§ CC278.6:2 Related Provisions

278.7 Judge may order production of record to accused

§ CC278.7:1 Commentary

§ CC278.7:2 Case Law

§ CC278.7:3 Related Provisions

278.8 Reasons for decision

§ CC278.8:1 Commentary

§ CC278.8:2 Related Provisions

278.9 Publication prohibited

§ CC278.9:1 Commentary

§ CC278.9:2 Related Provisions

278.91 Appeal

§ CC278.91:1 Commentary

§ CC278.91:2 Related Provisions

278.92 Admissibility—accused in possession of records relating to complainant

§ CC278.92:1 Commentary

§ CC278.92:2 Case Law

§ CC278.92:3 Related Provisions

278.93 Application for hearing—sections 276 and 278.92

§ CC278.93:1 Commentary

§ CC278.93:2 Case Law

§ CC278.93:3 Related Provisions

278.94 Hearing—jury and public excluded

§ CC278.94:1 Commentary

§ CC278.94:2 Case Law

§ CC278.94:3 Related Provisions

278.95 Publication prohibited

§ CC278.95:1 Commentary

§ CC278.95:2 Related Provisions

278.96 Judge to instruct jury—re use of evidence

§ CC278.96:1 Commentary

§ CC278.96:2 Related Provisions

278.97 Appeal

§ CC278.97:1 Commentary

§ CC278.97:2 Related Provisions

278.98 Reasons

§ CC278.98:1 Commentary

§ CC278.98:2 Related Provisions

**KIDNAPPING, TRAFFICKING IN PERSONS, HOSTAGE TAKING AND ABDUCTION**

279 Kidnapping

§ CC279:1 Commentary

§ CC279:2 Case Law

- § CC279:3 Related Provisions
- 279.01 Trafficking in persons
  - § CC279.01:1 Commentary
  - § CC279.01:2 Case Law
  - § CC279.01:3 Related Provisions
- 279.011 Trafficking of a person under the age of eighteen years
  - § CC279.011:1 Commentary
  - § CC279.011:2 Case Law
  - § CC279.011:3 Related Provisions
- 279.02 Material benefit—trafficking
  - § CC279.02:1 Commentary
  - § CC279.02:2 Related Provisions
- 279.03 Withholding or destroying documents—trafficking
  - § CC279.03:1 Commentary
  - § CC279.03:2 Related Provisions
- 279.04 Exploitation
  - § CC279.04:1 Commentary
  - § CC279.04:2 Related Provisions
- 279.05 Sentences to be served consecutively
  - § CC279.05:1 Commentary
  - § CC279.05:2 Related Provisions
- 279.1 Hostage taking
  - § CC279.1:1 Commentary
  - § CC279.1:2 Related Provisions
- 280 Abduction of person under age of 16
  - § CC280:1 Commentary
  - § CC280:2 Case Law
  - § CC280:3 Related Provisions
- 281 Abduction of person under age of 14
  - § CC281:1 Commentary
  - § CC281:2 Case Law
  - § CC281:3 Related Provisions
- 282 Abduction in contravention of custody or parenting order
  - § CC282:1 Commentary
  - § CC282:2 Case Law
  - § CC282:3 Related Provisions
- 283 Abduction
  - § CC283:1 Commentary
  - § CC283:2 Case Law
  - § CC283:3 Related Provisions
- 284 Defence
  - § CC284:1 Commentary
  - § CC284:2 Case Law
  - § CC284:3 Related Provisions
- 285 Defence
  - § CC285:1 Commentary
  - § CC285:2 Case Law
  - § CC285:3 Related Provisions

TABLE OF CONTENTS

- 286 No defence
  - § CC286:1 Commentary
  - § CC286:2 Case Law
  - § CC286:3 Related Provisions

**COMMODIFICATION OF SEXUAL ACTIVITY**

- 286.1 Obtaining sexual services for consideration
  - § CC286.1:1 Commentary
  - § CC286.1:2 Case Law
  - § CC286.1:3 Related Provisions
- 286.2 Material benefit from sexual services
  - § CC286.2:1 Commentary
  - § CC286.2:2 Case Law
  - § CC286.2:3 Related Provisions
- 286.3 Procuring
  - § CC286.3:1 Commentary
  - § CC286.3:2 Case Law
  - § CC286.3:3 Related Provisions
- 286.4 Advertising sexual services
  - § CC286.4:1 Commentary
  - § CC286.4:2 Case Law
  - § CC286.4:3 Related Provisions
- 286.5 Immunity—material benefit and advertising
  - § CC286.5:1 Commentary
  - § CC286.5:2 Related Provisions

**[HEADING REPEALED 2019, C. 25, S. 111.]**

- 287 [Repealed 2019, c. 25, s. 111.]
- 288 [Repealed 2018, c. 29, s. 28.]

**VENEREAL DISEASES**

- 289 [Repealed R.S.C. 1985, c. 27 (1st Supp.), s. 41.]

**OFFENCES AGAINST CONJUGAL RIGHTS**

- 290 Bigamy
  - § CC290:1 Commentary
  - § CC290:2 Case Law
  - § CC290:3 Related Provisions
- 291 Punishment
  - § CC291:1 Commentary
  - § CC291:2 Related Provisions
- 292 Procuring feigned marriage
  - § CC292:1 Commentary
  - § CC292:2 Related Provisions
- 293 Polygamy
  - § CC293:1 Commentary
  - § CC293:2 Related Provisions

- 293.1 Forced marriage
  - § CC293.1:1 Commentary
  - § CC293.1:2 Related Provisions
- 293.2 Marriage under age of 16 years
  - § CC293.2:1 Commentary
  - § CC293.2:2 Related Provisions

**UNLAWFUL SOLEMNIZATION OF MARRIAGE**

- 294 Pretending to solemnize marriage
  - § CC294:1 Commentary
  - § CC294:2 Related Provisions
- 295 Marriage contrary to law
  - § CC295:1 Commentary
  - § CC295:2 Related Provisions

**[HEADING REPEALED 2018, C. 29, S. 30.]**

- 296 [Repealed 2018, c. 29, s. 30.]

**DEFAMATORY LIBEL**

- 297 Definition of “newspaper”
  - § CC297:1 Commentary
  - § CC297:2 Related Provisions
- 298 Definition
  - § CC298:1 Commentary
  - § CC298:2 Case Law
  - § CC298:3 Related Provisions
- 299 Publishing
  - § CC299:1 Commentary
  - § CC299:2 Related Provisions
- 300 Punishment of libel known to be false
  - § CC300:1 Commentary
  - § CC300:2 Case Law
  - § CC300:3 Related Provisions
- 301 Punishment for defamatory libel
  - § CC301:1 Commentary
  - § CC301:2 Related Provisions
- 302 Extortion by libel
  - § CC302:1 Commentary
  - § CC302:2 Related Provisions
- 303 Proprietor of newspaper presumed responsible
  - § CC303:1 Commentary
  - § CC303:2 Related Provisions
- 304 Selling book containing defamatory libel
  - § CC304:1 Commentary
  - § CC304:2 Related Provisions
- 305 Publishing proceedings of courts of justice
  - § CC305:1 Commentary

## TABLE OF CONTENTS

- § CC305:2 Related Provisions
- 306 Parliamentary papers
  - § CC306:1 Commentary
  - § CC306:2 Related Provisions
- 307 Fair reports of parliamentary or judicial proceedings
  - § CC307:1 Commentary
  - § CC307:2 Related Provisions
- 308 Fair report of public meeting
  - § CC308:1 Commentary
  - § CC308:2 Related Provisions
- 309 Public benefit
  - § CC309:1 Commentary
  - § CC309:2 Related Provisions
- 310 Fair comment on public person or work of art
  - § CC310:1 Commentary
  - § CC310:2 Related Provisions
- 311 When truth a defence
  - § CC311:1 Commentary
  - § CC311:2 Related Provisions
- 312 Publication invited or necessary
  - § CC312:1 Commentary
  - § CC312:2 Related Provisions
- 313 Answer to inquiries
  - § CC313:1 Commentary
  - § CC313:2 Related Provisions
- 314 Giving information to person interested
  - § CC314:1 Commentary
  - § CC314:2 Related Provisions
- 315 Publication in good faith for redress of wrong
  - § CC315:1 Commentary
  - § CC315:2 Related Provisions
- 316 Proving publication by order of legislature
  - § CC316:1 Commentary
  - § CC316:2 Related Provisions

## VERDICTS

- 317 Verdicts in cases of defamatory libel
  - § CC317:1 Commentary
  - § CC317:2 Related Provisions

## HATE PROPAGANDA

- 318 Advocating genocide
  - § CC318:1 Commentary
  - § CC318:2 Case Law
  - § CC318:3 Related Provisions
- 319 Public incitement of hatred
  - § CC319:1 Commentary
  - § CC319:2 Case Law

- § CC319:3 Related Provisions
- 320 Warrant of seizure
  - § CC320:1 Commentary
  - § CC320:2 Related Provisions
- 320.1 Warrant of seizure
  - § CC320.1:1 Commentary
  - § CC320.1:2 Related Provisions

#### **CONVERSION THERAPY**

- 320.101 Definition of “conversion therapy”
  - § CC320.101:1 Commentary
  - § CC320.101:2 Related Provisions
- 320.102 Conversion therapy
  - § CC320.102:1 Commentary
  - § CC320.102:2 Related Provisions
- 320.103 Promoting or advertising
  - § CC320.103:1 Commentary
  - § CC320.103:2 Related Provisions
- 320.104 Material benefit
  - § CC320.104:1 Commentary
  - § CC320.104:2 Related Provisions

#### **PART VIII.1 OFFENCES RELATING TO CONVEYANCES (SS. 320.11–320.4)**

##### **INTERPRETATION**

- 320.11 Definitions
  - § CC320.11:1 Commentary
  - § CC320.11:2 Case Law
  - § CC320.11:3 Related Provisions

##### **RECOGNITION AND DECLARATION**

- 320.12 Recognition and declaration
  - § CC320.12:1 Commentary
  - § CC320.12:2 Related Provisions

##### **OFFENCES AND PUNISHMENT**

- 320.13 Dangerous operation
  - § CC320.13:1 Commentary
  - § CC320.13:2 Case Law
  - § CC320.13:3 Related Provisions
- 320.14 Operation while impaired
  - § CC320.14:1 Commentary
  - § CC320.14:2 Case Law
  - § CC320.14:3 Related Provisions
- 320.15 Failure or refusal to comply with demand
  - § CC320.15:1 Commentary



TABLE OF CONTENTS

§ CC320.15:2 Case Law  
§ CC320.15:3 Related Provisions  
320.16 Failure to stop after accident  
§ CC320.16:1 Commentary  
§ CC320.16:2 Case Law  
§ CC320.16:3 Related Provisions  
320.17 Flight from peace officer  
§ CC320.17:1 Commentary  
§ CC320.17:2 Case Law  
§ CC320.17:3 Related Provisions  
320.18 Operation while prohibited  
§ CC320.18:1 Commentary  
§ CC320.18:2 Case Law  
§ CC320.18:3 Related Provisions  
320.19 Punishment  
§ CC320.19:1 Commentary  
§ CC320.19:2 Related Provisions  
320.2 Punishment in case of bodily harm  
§ CC320.2:1 Commentary  
§ CC320.2:2 Related Provisions  
320.21 Punishment in case of death  
§ CC320.21:1 Commentary  
§ CC320.21:2 Related Provisions  
320.22 Aggravating circumstances for sentencing purposes  
§ CC320.22:1 Commentary  
§ CC320.22:2 Related Provisions  
320.23 Delay of sentencing  
§ CC320.23:1 Commentary  
§ CC320.23:2 Related Provisions  
320.24 Mandatory prohibition order  
§ CC320.24:1 Commentary  
§ CC320.24:2 Case Law  
§ CC320.24:3 Related Provisions  
320.25 Stay of order pending appeal  
§ CC320.25:1 Commentary  
§ CC320.25:2 Case Law  
§ CC320.25:3 Related Provisions  
320.26 Earlier and subsequent offences  
§ CC320.26:1 Commentary  
§ CC320.26:2 Related Provisions

**INVESTIGATIVE MATTERS**

320.27 Testing for presence of alcohol or drug  
§ CC320.27:1 Commentary  
§ CC320.27:2 Case Law  
§ CC320.27:3 Related Provisions  
320.28 Samples of breath or blood—alcohol  
§ CC320.28:1 Commentary

- § CC320.28:2 Case Law
- § CC320.28:3 Related Provisions
- 320.29 Warrants to obtain blood samples
  - § CC320.29:1 Commentary
  - § CC320.29:2 Case Law
  - § CC320.29:3 Related Provisions
- 320.3 Testing blood—drug or alcohol
  - § CC320.3:1 Commentary
  - § CC320.3:2 Related Provisions

#### **EVIDENTIARY MATTERS**

- 320.31 Breath samples
  - § CC320.31:1 Commentary
  - § CC320.31:2 Case Law
  - § CC320.31:3 Related Provisions
- 320.32 Certificates
  - § CC320.32:1 Commentary
  - § CC320.32:2 Case Law
  - § CC320.32:3 Related Provisions
- 320.33 Printout from approved instrument
  - § CC320.33:1 Commentary
  - § CC320.33:2 Related Provisions
- 320.34 Disclosure of information
  - § CC320.34:1 Commentary
  - § CC320.34:2 Related Provisions
- 320.35 Presumption of operation
  - § CC320.35:1 Commentary
  - § CC320.35:2 Case Law
  - § CC320.35:3 Related Provisions

#### **GENERAL PROVISIONS**

- 320.36 Unauthorized use of bodily substance
  - § CC320.36:1 Commentary
  - § CC320.36:2 Related Provisions
- 320.37 Refusal to take sample
  - § CC320.37:1 Commentary
  - § CC320.37:2 Related Provisions
- 320.38 Regulations
  - § CC320.38:1 Commentary
  - § CC320.38:2 Related Provisions
- 320.39 Approval—Attorney General of Canada
  - § CC320.39:1 Commentary
  - § CC320.39:2 Related Provisions
- 320.4 Designation—Attorney General
  - § CC320.4:1 Commentary
  - § CC320.4:2 Related Provisions

### **PART IX OFFENCES AGAINST RIGHTS OF PROPERTY (SS. 321–378)**

TABLE OF CONTENTS

**INTERPRETATION**

- 321 Definitions
  - § CC321:1 Commentary
  - § CC321:2 Case Law
  - § CC321:3 Related Provisions

**THEFT**

- 322 Theft
  - § CC322:1 Commentary
  - § CC322:2 Case Law
  - § CC322:3 Related Provisions
- 323 Oysters
  - § CC323:1 Commentary
  - § CC323:2 Related Provisions
- 324 Theft by bailee of things under seizure
  - § CC324:1 Commentary
  - § CC324:2 Case Law
  - § CC324:3 Related Provisions
- 325 Agent pledging goods, when not theft
  - § CC325:1 Commentary
  - § CC325:2 Related Provisions
- 326 Theft of telecommunication service
  - § CC326:1 Commentary
  - § CC326:2 Case Law
  - § CC326:3 Related Provisions
- 327 Possession of device to obtain use of telecommunication facility or service
  - § CC327:1 Commentary
  - § CC327:2 Case Law
  - § CC327:3 Related Provisions
- 328 Theft by or from person having special property or interest
  - § CC328:1 Commentary
  - § CC328:2 Case Law
  - § CC328:3 Related Provisions
- 329 [Repealed 2000, c. 12, s. 94.]
- 330 Theft by person required to account
  - § CC330:1 Commentary
  - § CC330:2 Case Law
  - § CC330:3 Related Provisions
- 331 Theft by person holding power of attorney
  - § CC331:1 Commentary
  - § CC331:2 Related Provisions
- 332 Misappropriation of money held under direction
  - § CC332:1 Commentary
  - § CC332:2 Case Law
  - § CC332:3 Related Provisions
- 333 Taking ore for scientific purpose
  - § CC333:1 Commentary

- § CC333:2 Related Provisions
- 333.1 Motor vehicle theft
  - § CC333.1:1 Commentary
  - § CC333.1:2 Related Provisions
- 334 Punishment for theft
  - § CC334:1 Commentary
  - § CC334:2 Related Provisions

**OFFENCES RESEMBLING THEFT**

- 335 Taking motor vehicle or vessel or found therein without consent
  - § CC335:1 Commentary
  - § CC335:2 Case Law
  - § CC335:3 Related Provisions
- 336 Criminal breach of trust
  - § CC336:1 Commentary
  - § CC336:2 Case Law
  - § CC336:3 Related Provisions
- 337 [Repealed 2018, c. 29, s. 33.]
- 338 Fraudulently taking cattle or defacing brand
  - § CC338:1 Commentary
  - § CC338:2 Related Provisions
- 339 Taking possession, etc., of drift timber
  - § CC339:1 Commentary
  - § CC339:2 Case Law
  - § CC339:3 Related Provisions
- 340 Destroying documents of title
  - § CC340:1 Commentary
  - § CC340:2 Related Provisions
- 341 Fraudulent concealment
  - § CC341:1 Commentary
  - § CC341:2 Related Provisions
- 342 Theft, forgery, etc., of credit card
  - § CC342:1 Commentary
  - § CC342:2 Case Law
  - § CC342:3 Related Provisions
- 342.01 Instruments for copying credit card data or forging or falsifying credit cards
  - § CC342.01:1 Commentary
  - § CC342.01:2 Case Law
  - § CC342.01:3 Related Provisions
- 342.1 Unauthorized use of computer
  - § CC342.1:1 Commentary
  - § CC342.1:2 Case Law
  - § CC342.1:3 Related Provisions
- 342.2 Possession of device to obtain unauthorized use of computer system or to commit mischief
  - § CC342.2:1 Commentary
  - § CC342.2:2 Related Provisions

TABLE OF CONTENTS

**ROBBERY AND EXTORTION**

- 343 Robbery
  - § CC343:1 Commentary
  - § CC343:2 Case Law
  - § CC343:3 Related Provisions
- 344 Robbery
  - § CC344:1 Commentary
  - § CC344:2 Case Law
  - § CC344:3 Related Provisions
- 345 Stopping mail with intent
  - § CC345:1 Commentary
  - § CC345:2 Related Provisions
- 346 Extortion
  - § CC346:1 Commentary
  - § CC346:2 Case Law
  - § CC346:3 Related Provisions

**CRIMINAL INTEREST RATE**

- 347 Criminal interest rate
  - § CC347:1 Commentary
  - § CC347:2 Case Law
  - § CC347:3 Related Provisions
- 347.01 Agreement or arrangement
  - § CC347.01:1 Commentary
  - § CC347.01:2 Related Provisions
- 347.1 Definitions
  - § CC347.1:1 Commentary
  - § CC347.1:2 Related Provisions

**BREAKING AND ENTERING**

- 348 Breaking and entering with intent, committing offence or breaking out
  - § CC348:1 Commentary
  - § CC348:2 Case Law
  - § CC348:3 Related Provisions
- 348.1 Aggravating circumstance—home invasion
  - § CC348.1:1 Commentary
  - § CC348.1:2 Case Law
  - § CC348.1:3 Related Provisions
- 349 Being unlawfully in dwelling-house
  - § CC349:1 Commentary
  - § CC349:2 Case Law
  - § CC349:3 Related Provisions
- 350 Entrance
  - § CC350:1 Commentary
  - § CC350:2 Case Law
  - § CC350:3 Related Provisions
- 351 Possession of break-in instrument

- § CC351:1 Commentary
- § CC351:2 Case Law
- § CC351:3 Related Provisions
- 352 Possession of instruments for breaking into coin-operated or currency exchange devices
  - § CC352:1 Commentary
  - § CC352:2 Case Law
  - § CC352:3 Related Provisions
- 353 Selling, etc., automobile master key
  - § CC353:1 Commentary
  - § CC353:2 Case Law
  - § CC353:3 Related Provisions
- 353.1 Tampering with vehicle identification number
  - § CC353.1:1 Commentary
  - § CC353.1:2 Related Provisions

**POSSESSION AND TRAFFICKING**

- 354 Possession of property obtained by crime
  - § CC354:1 Commentary
  - § CC354:2 Case Law
  - § CC354:3 Related Provisions
- 355 Punishment
  - § CC355:1 Commentary
  - § CC355:2 Case Law
  - § CC355:3 Related Provisions
- 355.1 Definition of “traffic”
  - § CC355.1:1 Commentary
  - § CC355.1:2 Related Provisions
- 355.2 Trafficking in property obtained by crime
  - § CC355.2:1 Commentary
  - § CC355.2:2 Related Provisions
- 355.3 *In rem* prohibition
  - § CC355.3:1 Commentary
  - § CC355.3:2 Related Provisions
- 355.4 Possession of property obtained by crime—trafficking
  - § CC355.4:1 Commentary
  - § CC355.4:2 Related Provisions
- 355.5 Punishment
  - § CC355.5:1 Commentary
  - § CC355.5:2 Related Provisions
- 356 Theft from mail
  - § CC356:1 Commentary
  - § CC356:2 Case Law
  - § CC356:3 Related Provisions
- 357 Bringing into Canada property obtained by crime
  - § CC357:1 Commentary
  - § CC357:2 Related Provisions
- 358 Having in possession when complete

TABLE OF CONTENTS

- § CC358:1 Commentary
- § CC358:2 Case Law
- § CC358:3 Related Provisions
- 359 [Repealed 2018, c. 29, s. 40.]
- 360 [Repealed 2018, c. 29, s. 40.]

**FALSE PRETENCES**

- 361 False pretence
  - § CC361:1 Commentary
  - § CC361:2 Case Law
  - § CC361:3 Related Provisions
- 362 False pretence or false statement
  - § CC362:1 Commentary
  - § CC362:2 Case Law
  - § CC362:3 Related Provisions
- 363 Obtaining execution of valuable security by fraud
  - § CC363:1 Commentary
  - § CC363:2 Related Provisions
- 364 Fraudulently obtaining food, beverage or accommodation
  - § CC364:1 Commentary
  - § CC364:2 Case Law
  - § CC364:3 Related Provisions
- 365 [Repealed 2018, c. 29, s. 41.]

**FORGERY AND OFFENCES RESEMBLING FORGERY**

- 366 Forgery
  - § CC366:1 Commentary
  - § CC366:2 Case Law
  - § CC366:3 Related Provisions
- 367 Punishment for forgery
  - § CC367:1 Commentary
  - § CC367:2 Related Provisions
- 368 Use, trafficking or possession of forged document
  - § CC368:1 Commentary
  - § CC368:2 Case Law
  - § CC368:3 Related Provisions
- 368.1 Forgery instruments
  - § CC368.1:1 Commentary
  - § CC368.1:2 Related Provisions
- 368.2 Public officers acting in the course of their duties or employment
  - § CC368.2:1 Commentary
  - § CC368.2:2 Related Provisions
- 369 Exchequer bill paper, public seals, etc.
  - § CC369:1 Commentary
  - § CC369:2 Related Provisions
- 370 [Repealed 2018, c. 29, s. 42.]
- 371 [Repealed 2018, c. 29, s. 42.]
- 372 False information

- § CC372:1 Commentary
- § CC372:2 Case Law
- § CC372:3 Related Provisions
- 373 [Repealed R.S.C. 1985, c. 27 (1st Supp.), s. 53.]
- 374 Drawing document without authority, etc.
  - § CC374:1 Commentary
  - § CC374:2 Related Provisions
- 375 Obtaining, etc., by instrument based on forged document
  - § CC375:1 Commentary
  - § CC375:2 Related Provisions
- 376 Counterfeiting stamp, etc.
  - § CC376:1 Commentary
  - § CC376:2 Case Law
  - § CC376:3 Related Provisions
- 377 Damaging documents
  - § CC377:1 Commentary
  - § CC377:2 Related Provisions
- 378 Offences in relation to registers
  - § CC378:1 Commentary
  - § CC378:2 Related Provisions

**PART X FRAUDULENT TRANSACTIONS RELATING TO  
CONTRACTS AND TRADE (SS. 379–427)**

**INTERPRETATION**

- 379 Definition of “goods”
  - § CC379:1 Commentary
  - § CC379:2 Related Provisions

**FRAUD**

- 380 Fraud
  - § CC380:1 Commentary
  - § CC380:2 Case Law
  - § CC380:3 Related Provisions
- 380.1 Sentencing—aggravating circumstances
  - § CC380.1:1 Commentary
  - § CC380.1:2 Related Provisions
- 380.2 Prohibition order
  - § CC380.2:1 Commentary
  - § CC380.2:2 Case Law
  - § CC380.2:3 Related Provisions
- 380.3 [Repealed 2015, c. 13, s. 11.]
- 380.4 [Repealed 2015, c. 13, s. 11.]
- 381 Using mails to defraud
  - § CC381:1 Commentary
  - § CC381:2 Related Provisions
- 382 Fraudulent manipulation of stock exchange transactions
  - § CC382:1 Commentary



TABLE OF CONTENTS

§ CC382:2 Case Law  
§ CC382:3 Related Provisions  
382.1 Prohibited insider trading  
§ CC382.1:1 Commentary  
§ CC382.1:2 Related Provisions  
383 Gaming in stocks or merchandise  
§ CC383:1 Commentary  
§ CC383:2 Related Provisions  
384 Broker reducing stock by selling for their own account  
§ CC384:1 Commentary  
§ CC384:2 Related Provisions  
385 Fraudulent concealment of title documents  
§ CC385:1 Commentary  
§ CC385:2 Related Provisions  
386 Fraudulent registration of title  
§ CC386:1 Commentary  
§ CC386:2 Case Law  
§ CC386:3 Related Provisions  
387 Fraudulent sale of real property  
§ CC387:1 Commentary  
§ CC387:2 Case Law  
§ CC387:3 Related Provisions  
388 Misleading receipt  
§ CC388:1 Commentary  
§ CC388:2 Related Provisions  
389 Fraudulent disposal of goods on which money advanced  
§ CC389:1 Commentary  
§ CC389:2 Related Provisions  
390 Fraudulent receipts under *Bank Act*  
§ CC390:1 Commentary  
§ CC390:2 Case Law  
§ CC390:3 Related Provisions  
391 Trade secret  
§ CC391:1 Commentary  
§ CC391:2 Related Provisions  
392 Disposal of property to defraud creditors  
§ CC392:1 Commentary  
§ CC392:2 Case Law  
§ CC392:3 Related Provisions  
393 Fraud in relation to fares, etc.  
§ CC393:1 Commentary  
§ CC393:2 Related Provisions  
394 Fraud in relation to valuable minerals  
§ CC394:1 Commentary  
§ CC394:2 Related Provisions  
394.1 Possession of stolen or fraudulently obtained valuable minerals  
§ CC394.1:1 Commentary  
§ CC394.1:2 Related Provisions

- 395 Search for valuable minerals
  - § CC395:1 Commentary
  - § CC395:2 Related Provisions
- 396 Offences in relation to mines
  - § CC396:1 Commentary
  - § CC396:2 Related Provisions

**FALSIFICATION OF BOOKS AND DOCUMENTS**

- 397 Books and documents
  - § CC397:1 Commentary
  - § CC397:2 Related Provisions
- 398 Falsifying employment record
  - § CC398:1 Commentary
  - § CC398:2 Related Provisions
- 399 False return by public officer
  - § CC399:1 Commentary
  - § CC399:2 Related Provisions
- 400 False prospectus, etc.
  - § CC400:1 Commentary
  - § CC400:2 Case Law
  - § CC400:3 Related Provisions
- 401 Obtaining carriage by false billing
  - § CC401:1 Commentary
  - § CC401:2 Related Provisions
- 402 [Repealed 2018, c. 29, s. 44.]

**IDENTITY THEFT AND IDENTITY FRAUD**

- 402.1 Definition of “identity information”
  - § CC402.1:1 Commentary
  - § CC402.1:2 Related Provisions
- 402.2 Identity theft
  - § CC402.2:1 Commentary
  - § CC402.2:2 Related Provisions
- 403 Identity fraud
  - § CC403:1 Commentary
  - § CC403:2 Case Law
  - § CC403:3 Related Provisions
- 404 [Repealed 2018, c. 29, s. 46.]
- 405 Acknowledging instrument in false name
  - § CC405:1 Commentary
  - § CC405:2 Case Law
  - § CC405:3 Related Provisions

**FORGERY OF TRADEMARKS AND TRADE DESCRIPTIONS**

- 406 Forging trademark
  - § CC406:1 Commentary
  - § CC406:2 Related Provisions

TABLE OF CONTENTS

- 407 Offence
  - § CC407:1 Commentary
  - § CC407:2 Related Provisions
- 408 Passing off
  - § CC408:1 Commentary
  - § CC408:2 Case Law
  - § CC408:3 Related Provisions
- 409 Instruments for forging trademark
  - § CC409:1 Commentary
  - § CC409:2 Case Law
  - § CC409:3 Related Provisions
- 410 Other offences in relation to trademarks
  - § CC410:1 Commentary
  - § CC410:2 Related Provisions
- 411 Used goods sold without disclosure
  - § CC411:1 Commentary
  - § CC411:2 Related Provisions
- 412 Punishment
  - § CC412:1 Commentary
  - § CC412:2 Related Provisions
- 413 [Repealed 2018, c. 29, s. 47.]
- 414 Presumption from port of shipment
  - § CC414:1 Commentary
  - § CC414:2 Related Provisions

**WRECK**

- 415 Offences in relation to wreck
  - § CC415:1 Commentary
  - § CC415:2 Related Provisions

**PUBLIC STORES**

- 416 Distinguishing mark on public stores
  - § CC416:1 Commentary
  - § CC416:2 Related Provisions
- 417 Applying or removing marks without authority
  - § CC417:1 Commentary
  - § CC417:2 Related Provisions
- 418 Selling defective stores to Her Majesty
  - § CC418:1 Commentary
  - § CC418:2 Related Provisions
- 419 Unlawful use of military uniforms or certificates
  - § CC419:1 Commentary
  - § CC419:2 Related Provisions
- 420 Military stores
  - § CC420:1 Commentary
  - § CC420:2 Related Provisions
- 421 Evidence of enlistment
  - § CC421:1 Commentary

§ CC421:2 Related Provisions

**BREACH OF CONTRACT, INTIMIDATION AND DISCRIMINATION AGAINST  
TRADE UNIONISTS**

- 422 Criminal breach of contract
  - § CC422:1 Commentary
  - § CC422:2 Related Provisions
- 423 Intimidation
  - § CC423:1 Commentary
  - § CC423:2 Case Law
  - § CC423:3 Related Provisions
- 423.1 Intimidation of a justice system participant or a journalist
  - § CC423.1:1 Commentary
  - § CC423.1:2 Case Law
  - § CC423.1:3 Related Provisions
- 423.2 Intimidation—health services
  - § CC423.2:1 Commentary
  - § CC423.2:2 Related Provisions
- 424 Threat against internationally protected person
  - § CC424:1 Commentary
  - § CC424:2 Related Provisions
- 424.1 Threat against United Nations or associated personnel
  - § CC424.1:1 Commentary
  - § CC424.1:2 Related Provisions
- 425 Offences by employers
  - § CC425:1 Commentary
  - § CC425:2 Related Provisions
- 425.1 Threats and retaliation against employees
  - § CC425.1:1 Commentary
  - § CC425.1:2 Related Provisions

**SECRET COMMISSIONS**

- 426 Secret commissions
  - § CC426:1 Commentary
  - § CC426:2 Case Law
  - § CC426:3 Related Provisions

**[HEADING REPEALED 2018, C. 29, S. 50.]**

427 [Repealed 2018, c. 29, s. 50.]

**PART XI WILFUL AND FORBIDDEN ACTS IN RESPECT OF  
CERTAIN PROPERTY (SS. 428–447.1)**

**INTERPRETATION**

- 428 Definition of “property”
  - § CC428:1 Commentary
  - § CC428:2 Related Provisions

TABLE OF CONTENTS

- 429 Wilfully causing event to occur
  - § CC429:1 Commentary
  - § CC429:2 Case Law
  - § CC429:3 Related Provisions

**MISCHIEF**

- 430 Mischief
  - § CC430:1 Commentary
  - § CC430:2 Case Law
  - § CC430:3 Related Provisions
- 431 Attack on premises, residence or transport of internationally protected person
  - § CC431:1 Commentary
  - § CC431:2 Related Provisions
- 431.1 Attack on premises, accommodation or transport of United Nations or associated personnel
  - § CC431.1:1 Commentary
  - § CC431.1:2 Related Provisions
- 431.2 Definitions
  - § CC431.2:1 Commentary
  - § CC431.2:2 Related Provisions
- 432 Unauthorized recording of a movie
  - § CC432:1 Commentary
  - § CC432:2 Related Provisions

**ARSON AND OTHER FIRES**

- 433 Arson—disregard for human life
  - § CC433:1 Commentary
  - § CC433:2 Case Law
  - § CC433:3 Related Provisions
- 434 Arson—damage to property
  - § CC434:1 Commentary
  - § CC434:2 Case Law
  - § CC434:3 Related Provisions
- 434.1 Arson—own property
  - § CC434.1:1 Commentary
  - § CC434.1:2 Case Law
  - § CC434.1:3 Related Provisions
- 435 Arson for fraudulent purpose
  - § CC435:1 Commentary
  - § CC435:2 Case Law
  - § CC435:3 Related Provisions
- 436 Arson by negligence
  - § CC436:1 Commentary
  - § CC436:2 Case Law
  - § CC436:3 Related Provisions
- 436.1 Possession of incendiary material
  - § CC436.1:1 Commentary

§ CC436.1:2 Related Provisions

**OTHER INTERFERENCE WITH PROPERTY**

- 437 False alarm of fire
  - § CC437:1 Commentary
  - § CC437:2 Related Provisions
- 438 Interfering with saving of wrecked vessel
  - § CC438:1 Commentary
  - § CC438:2 Related Provisions
- 439 Interfering with marine signal, etc.
  - § CC439:1 Commentary
  - § CC439:2 Related Provisions
- 440 Removing natural bar without permission
  - § CC440:1 Commentary
  - § CC440:2 Related Provisions
- 441 Occupant injuring building
  - § CC441:1 Commentary
  - § CC441:2 Case Law
  - § CC441:3 Related Provisions
- 442 Interfering with boundary lines
  - § CC442:1 Commentary
  - § CC442:2 Related Provisions
- 443 Interfering with international boundary marks, etc.
  - § CC443:1 Commentary
  - § CC443:2 Related Provisions

**ANIMALS**

- 444 [Repealed 2018, c. 29, s. 52.]
- 445 Injuring or endangering other animals
  - § CC445:1 Commentary
  - § CC445:2 Related Provisions
- 445.01 Killing or injuring certain animals
  - § CC445.01:1 Commentary
  - § CC445.01:2 Related Provisions

**CRUELTY TO ANIMALS**

- 445.1 Causing unnecessary suffering
  - § CC445.1:1 Commentary
  - § CC445.1:2 Case Law
  - § CC445.1:3 Related Provisions
- 445.2 Definition of “cetacean”
  - § CC445.2:1 Commentary
  - § CC445.2:2 Related Provisions

**[HEADING REPEALED 2008, C. 12, S. 1.]**

- 446 Causing damage or injury
  - § CC446:1 Commentary

TABLE OF CONTENTS

- § CC446:2 Case Law
- § CC446:3 Related Provisions
- 447 Arena for animal fighting
  - § CC447:1 Commentary
  - § CC447:2 Related Provisions
- 447.1 Order of prohibition or restitution
  - § CC447.1:1 Commentary
  - § CC447.1:2 Related Provisions

**PART XII OFFENCES RELATING TO CURRENCY (SS. 448–462)**

**INTERPRETATION**

- 448 Definitions
  - § CC448:1 Commentary
  - § CC448:2 Case Law
  - § CC448:3 Related Provisions

**MAKING**

- 449 Making
  - § CC449:1 Commentary
  - § CC449:2 Related Provisions

**POSSESSION**

- 450 Possession, etc., of counterfeit money
  - § CC450:1 Commentary
  - § CC450:2 Case Law
  - § CC450:3 Related Provisions
- 451 Having clippings, etc.
  - § CC451:1 Commentary
  - § CC451:2 Related Provisions

**UTTERING**

- 452 Uttering, etc., counterfeit money
  - § CC452:1 Commentary
  - § CC452:2 Case Law
  - § CC452:3 Related Provisions
- 453 Uttering coin
  - § CC453:1 Commentary
  - § CC453:2 Related Provisions
- 454 Slugs and tokens
  - § CC454:1 Commentary
  - § CC454:2 Related Provisions

**DEFACING OR IMPAIRING**

- 455 Clipping and uttering clipped coin
  - § CC455:1 Commentary
  - § CC455:2 Related Provisions

- 456 Defacing current coins
  - § CC456:1 Commentary
  - § CC456:2 Related Provisions
- 457 Likeness of bank-notes
  - § CC457:1 Commentary
  - § CC457:2 Related Provisions

**INSTRUMENTS OR MATERIALS**

- 458 Making, having or dealing in instruments for counterfeiting
  - § CC458:1 Commentary
  - § CC458:2 Related Provisions
- 459 Conveying instruments for coining out of mint
  - § CC459:1 Commentary
  - § CC459:2 Related Provisions

**ADVERTISING AND TRAFFICKING IN COUNTERFEIT MONEY OR COUNTERFEIT TOKENS OF VALUE**

- 460 Advertising and dealing in counterfeit money, etc.
  - § CC460:1 Commentary
  - § CC460:2 Related Provisions

**SPECIAL PROVISIONS AS TO PROOF**

- 461 When counterfeit complete
  - § CC461:1 Commentary
  - § CC461:2 Case Law
  - § CC461:3 Related Provisions

**FORFEITURE**

- 462 Ownership
  - § CC462:1 Commentary
  - § CC462:2 Related Provisions

**PART XII.1 (SS. 462.1, 462.2)**

[HEADING REPEALED 2018, C. 16, S. 211.]

462.1 [Repealed 2018, c. 16, s. 211.]

[HEADING REPEALED 2018, C. 16, S. 211.]

462.2 [Repealed 2018, c. 16, s. 211.]

**PART XII.2 PROCEEDS OF CRIME (SS. 462.3–462.5)**

**INTERPRETATION**

- 462.3 Definitions
- CAN. REG. 2002-63 Regulations Excluding Certain Indictable Offences from the Definition of “Designated Offence”
  - § CC462.3:1 Commentary



TABLE OF CONTENTS

§ CC462.3:2 Related Provisions

**OFFENCE**

462.31 Laundering proceeds of crime

§ CC462.31:1 Commentary

§ CC462.31:2 Case Law

§ CC462.31:3 Related Provisions

**SEARCH, SEIZURE AND DETENTION OF PROCEEDS OF CRIME**

462.32 Special search warrant

§ CC462.32:1 Commentary

§ CC462.32:2 Case Law

§ CC462.32:3 Related Provisions

462.321 Special warrant — digital assets

§ CC462.321:1 Commentary

§ CC462.321:2 Related Provisions

462.33 Application for restraint order

§ CC462.33:1 Commentary

§ CC462.33:2 Case Law

§ CC462.33:3 Related Provisions

462.331 Management order

§ CC462.331:1 Commentary

§ CC462.331:2 Related Provisions

462.34 Application for review of special warrants and restraint orders

§ CC462.34:1 Commentary

§ CC462.34:2 Case Law

§ CC462.34:3 Related Provisions

462.341 Application of property restitution provisions

§ CC462.341:1 Commentary

§ CC462.341:2 Related Provisions

462.35 Expiration of special warrants and restraint orders

§ CC462.35:1 Commentary

§ CC462.35:2 Case Law

§ CC462.35:3 Related Provisions

462.36 Forwarding to clerk where accused to stand trial

§ CC462.36:1 Commentary

§ CC462.36:2 Related Provisions

**FORFEITURE OF PROCEEDS OF CRIME**

462.37 Order of forfeiture of property

§ CC462.37:1 Commentary

§ CC462.37:2 Case Law

§ CC462.37:3 Related Provisions

462.371 Definition of “order”

§ CC462.371:1 Commentary

§ CC462.371:2 Related Provisions

462.38 Application for forfeiture

- § CC462.38:1 Commentary
- § CC462.38:2 Case Law
- § CC462.38:3 Related Provisions
- 462.39 Inference
  - § CC462.39:1 Commentary
  - § CC462.39:2 Related Provisions
- 462.4 Voidable transfers
  - § CC462.4:1 Commentary
  - § CC462.4:2 Related Provisions
- 462.41 Notice
  - § CC462.41:1 Commentary
  - § CC462.41:2 Case Law
  - § CC462.41:3 Related Provisions
- 462.42 Application by person claiming interest for relief from forfeiture
  - § CC462.42:1 Commentary
  - § CC462.42:2 Case Law
  - § CC462.42:3 Related Provisions
- 462.43 Residual disposal of property seized or dealt with pursuant to special warrants or restraint orders
  - § CC462.43:1 Commentary
  - § CC462.43:2 Related Provisions
- 462.44 Appeals from certain orders
  - § CC462.44:1 Commentary
  - § CC462.44:2 Case Law
  - § CC462.44:3 Related Provisions
- 462.45 Suspension of forfeiture pending appeal
  - § CC462.45:1 Commentary
  - § CC462.45:2 Related Provisions
- 462.46 Copies of documents returned or forfeited
  - § CC462.46:1 Commentary
  - § CC462.46:2 Related Provisions

#### **DISCLOSURE PROVISIONS**

- 462.47 No civil or criminal liability incurred by informants
  - § CC462.47:1 Commentary
  - § CC462.47:2 Related Provisions
- 462.48 Definition of “designated substance offence”
  - § CC462.48:1 Commentary
  - § CC462.48:2 Related Provisions

#### **SPECIFIC RULES OF FORFEITURE**

- 462.49 Specific forfeiture provisions unaffected by this Part
  - § CC462.49:1 Commentary
  - § CC462.49:2 Related Provisions

#### **REGULATIONS**

- 462.5 Regulations
  - § CC462.5:1 Commentary

TABLE OF CONTENTS

§ CC462.5:2 Related Provisions

**PART XIII ATTEMPTS—CONSPIRACIES—ACCESSORIES (SS. 463–467.2)**

463	Attempts, accessories
§ CC463:1	Commentary
§ CC463:2	Case Law
§ CC463:3	Related Provisions
464	Counselling offence that is not committed
§ CC464:1	Commentary
§ CC464:2	Case Law
§ CC464:3	Related Provisions
465	Conspiracy
§ CC465:1	Commentary
§ CC465:2	Case Law
§ CC465:3	Related Provisions
466	Conspiracy in restraint of trade
§ CC466:1	Commentary
§ CC466:2	Related Provisions
467	Saving
§ CC467:1	Commentary
§ CC467:2	Related Provisions
467.1	Definitions
CAN. REG. 2010-161	Regulations Prescribing Certain Offences to be Serious Offences
§ CC467.1:1	Commentary
§ CC467.1:2	Case Law
§ CC467.1:3	Related Provisions
467.11	Participation in activities of criminal organization
§ CC467.11:1	Commentary
§ CC467.11:2	Case Law
§ CC467.11:3	Related Provisions
467.111	Recruitment of members by a criminal organization
§ CC467.111:1	Commentary
§ CC467.111:2	Related Provisions
467.12	Commission of offence for criminal organization
§ CC467.12:1	Commentary
§ CC467.12:2	Case Law
§ CC467.12:3	Related Provisions
467.13	Instructing commission of offence for criminal organization
§ CC467.13:1	Commentary
§ CC467.13:2	Case Law
§ CC467.13:3	Related Provisions
467.14	Sentences to be served consecutively
§ CC467.14:1	Commentary
§ CC467.14:2	Case Law
§ CC467.14:3	Related Provisions
467.2	[Repealed 2019, c. 25, s. 185.]

**PART XIV JURISDICTION (SS. 468–482.1)**

**GENERAL**

- 468 Superior court of criminal jurisdiction
  - § CC468:1 Commentary
  - § CC468:2 Case Law
  - § CC468:3 Related Provisions
- 469 Court of criminal jurisdiction
  - § CC469:1 Commentary
  - § CC469:2 Case Law
  - § CC469:3 Related Provisions
- 470 Jurisdiction over person
  - § CC470:1 Commentary
  - § CC470:2 Case Law
  - § CC470:3 Related Provisions
- 471 Trial by jury compulsory
  - § CC471:1 Commentary
  - § CC471:2 Related Provisions
- 472 [Repealed R.S.C. 1985, c. 27 (1st Supp.), s. 63.]
- 473 Trial without jury
  - § CC473:1 Commentary
  - § CC473:2 Case Law
  - § CC473:3 Related Provisions
- 474 Adjournment when no jury summoned
  - § CC474:1 Commentary
  - § CC474:2 Related Provisions
- 475 Accused absconding during trial
  - § CC475:1 Commentary
  - § CC475:2 Case Law
  - § CC475:3 Related Provisions

**SPECIAL JURISDICTION**

- 476 Special jurisdictions
  - § CC476:1 Commentary
  - § CC476:2 Case Law
  - § CC476:3 Related Provisions
- 477 Definition of “ship”
  - § CC477:1 Commentary
  - § CC477:2 Related Provisions
- 477.1 Offences outside of Canada
  - § CC477.1:1 Commentary
  - § CC477.1:2 Related Provisions
- 477.2 Consent of Attorney General of Canada
  - § CC477.2:1 Commentary
  - § CC477.2:2 Case Law
  - § CC477.2:3 Related Provisions
- 477.3 Exercising powers of arrest, entry, etc.

## TABLE OF CONTENTS

- § CC477.3:1 Commentary
- § CC477.3:2 Related Provisions
- 477.4 Evidence
  - § CC477.4:1 Commentary
  - § CC477.4:2 Related Provisions
- 478 Offence committed entirely in one province
  - § CC478:1 Commentary
  - § CC478:2 Case Law
  - § CC478:3 Related Provisions
- 479 Offence outstanding in same province
  - § CC479:1 Commentary
  - § CC479:2 Related Provisions
- 480 Offence in unorganized territory
  - § CC480:1 Commentary
  - § CC480:2 Related Provisions
- 481 Offence not in a province
  - § CC481:1 Commentary
  - § CC481:2 Related Provisions
- 481.1 Offence in Canadian waters
  - § CC481.1:1 Commentary
  - § CC481.1:2 Related Provisions
- 481.2 Offence outside Canada
  - § CC481.2:1 Commentary
  - § CC481.2:2 Related Provisions
- 481.3 Appearance of accused at trial
  - § CC481.3:1 Commentary
  - § CC481.3:2 Related Provisions

## **RULES OF COURT**

- 482 Power to make rules
  - § CC482:1 Commentary
  - § CC482:2 Case Law
  - § CC482:3 Related Provisions
- 482.1 Power to make rules respecting case management
  - § CC482.1:1 Commentary
  - § CC482.1:2 Related Provisions

## **PART XV SPECIAL PROCEDURE AND POWERS (SS. 483–492.2)**

### **GENERAL POWERS OF CERTAIN OFFICIALS**

- 483 Officials with powers of two justices
  - § CC483:1 Commentary
  - § CC483:2 Case Law
  - § CC483:3 Related Provisions
- 484 Preserving order in court
  - § CC484:1 Commentary
  - § CC484:2 Case Law
  - § CC484:3 Related Provisions

- 485 Procedural irregularities
  - § CC485:1 Commentary
  - § CC485:2 Case Law
  - § CC485:3 Related Provisions
- 485.1 Recommencement where dismissal for want of prosecution
  - § CC485.1:1 Commentary
  - § CC485.1:2 Case Law
  - § CC485.1:3 Related Provisions
- 485.2 Summons—*Identification of Criminals Act*
  - § CC485.2:1 Commentary
  - § CC485.2:2 Related Provisions
- 486 Exclusion of public
  - § CC486:1 Commentary
  - § CC486:2 Case Law
  - § CC486:3 Related Provisions
- 486.1 Support person—witnesses under 18 or who have a disability
  - § CC486.1:1 Commentary
  - § CC486.1:2 Related Provisions
- 486.2 Testimony outside court room—witnesses under 18 or who have a disability
  - § CC486.2:1 Commentary
  - § CC486.2:2 Case Law
  - § CC486.2:3 Related Provisions
- 486.3 Accused not to cross-examine witness under 18
  - § CC486.3:1 Commentary
  - § CC486.3:2 Case Law
  - § CC486.3:3 Related Provisions
- 486.31 Non-disclosure of witness' identity
  - § CC486.31:1 Commentary
  - § CC486.31:2 Related Provisions
- 486.4 Order restricting publication—sexual offences
  - § CC486.4:1 Commentary
  - § CC486.4:2 Case Law
  - § CC486.4:3 Related Provisions
- 486.5 Order restricting publication—victims and witnesses
  - § CC486.5:1 Commentary
  - § CC486.5:2 Case Law
  - § CC486.5:3 Related Provisions
- 486.51 Application—vary or revoke
  - § CC486.51:1 Commentary
  - § CC486.51:2 Related Provisions
- 486.6 Offence
  - § CC486.6:1 Commentary
  - § CC486.6:2 Case Law
  - § CC486.6:3 Related Provisions
- 486.7 Security of witnesses
  - § CC486.7:1 Commentary
  - § CC486.7:2 Related Provisions

TABLE OF CONTENTS

487 Information for search warrant  
§ CC487:1 Commentary  
§ CC487:2 Case Law  
§ CC487:3 Related Provisions

487.01 Information for general warrant  
§ CC487.01:1 Commentary  
§ CC487.01:2 Case Law  
§ CC487.01:3 Related Provisions

487.011 Definitions  
§ CC487.011:1 Commentary  
§ CC487.011:2 Related Provisions

487.012 Preservation demand  
§ CC487.012:1 Commentary  
§ CC487.012:2 Related Provisions

487.013 Preservation order—computer data  
§ CC487.013:1 Commentary  
§ CC487.013:2 Related Provisions

487.014 General production order  
§ CC487.014:1 Commentary  
§ CC487.014:2 Case Law  
§ CC487.014:3 Related Provisions

487.015 Production order to trace specified communication  
§ CC487.015:1 Commentary  
§ CC487.015:2 Case Law  
§ CC487.015:3 Related Provisions

487.016 Production order—transmission data  
§ CC487.016:1 Commentary  
§ CC487.016:2 Related Provisions

487.017 Production order—tracking data  
§ CC487.017:1 Commentary  
§ CC487.017:2 Related Provisions

487.018 Production order—financial data  
§ CC487.018:1 Commentary  
§ CC487.018:2 Related Provisions

487.019 Conditions in preservation and production orders  
§ CC487.019:1 Commentary  
§ CC487.019:2 Related Provisions

487.0191 Order prohibiting disclosure  
§ CC487.0191:1 Commentary  
§ CC487.0191:2 Related Provisions

487.0192 Particulars—production orders  
§ CC487.0192:1 Commentary  
§ CC487.0192:2 Related Provisions

487.0193 Application for review of production order  
§ CC487.0193:1 Commentary  
§ CC487.0193:2 Case Law  
§ CC487.0193:3 Related Provisions

487.0194 Destruction of preserved computer data and documents—  
preservation demand

- § CC487.0194:1 Commentary
- § CC487.0194:2 Related Provisions
- 487.0195 For greater certainty
  - § CC487.0195:1 Commentary
  - § CC487.0195:2 Related Provisions
- 487.0196 Self-incrimination
  - § CC487.0196:1 Commentary
  - § CC487.0196:2 Related Provisions
- 487.0197 Offence—preservation demand
  - § CC487.0197:1 Commentary
  - § CC487.0197:2 Related Provisions
- 487.0198 Offence—preservation or production order
  - § CC487.0198:1 Commentary
  - § CC487.0198:2 Related Provisions
- 487.0199 Offence—destruction of preserved data
  - § CC487.0199:1 Commentary
  - § CC487.0199:2 Related Provisions
- 487.02 Assistance order
  - § CC487.02:1 Commentary
  - § CC487.02:2 Related Provisions
- 487.021 Review
  - § CC487.021:1 Commentary
  - § CC487.021:2 Related Provisions
- 487.03 [Repealed 2019, c. 25, s. 196.]

#### **FORENSIC DNA ANALYSIS**

- 487.04 Definitions
  - § CC487.04:1 Commentary
  - § CC487.04:2 Case Law
  - § CC487.04:3 Related Provisions
- 487.05 Information for warrant to take bodily substances for forensic DNA analysis
  - § CC487.05:1 Commentary
  - § CC487.05:2 Case Law
  - § CC487.05:3 Related Provisions
- 487.051 Order—primary designated offences
  - § CC487.051:1 Commentary
  - § CC487.051:2 Case Law
  - § CC487.051:3 Related Provisions
- 487.052 [Repealed 2005, c. 25, s. 4. Amended 2007, c. 22, s. 3.]
- 487.053 Timing of order
  - § CC487.053:1 Commentary
  - § CC487.053:2 Related Provisions
- 487.054 Appeal
  - § CC487.054:1 Commentary
  - § CC487.054:2 Case Law
  - § CC487.054:3 Related Provisions
- 487.055 Offenders serving sentences



TABLE OF CONTENTS

§ CC487.055:1 Commentary  
§ CC487.055:2 Case Law  
§ CC487.055:3 Related Provisions  
487.0551 Failure to appear  
§ CC487.0551:1 Commentary  
§ CC487.0551:2 Related Provisions  
487.0552 Failure to comply with order or summons  
§ CC487.0552:1 Commentary  
§ CC487.0552:2 Related Provisions  
487.056 When collection to take place  
§ CC487.056:1 Commentary  
§ CC487.056:2 Related Provisions  
487.057 Report of peace officer  
§ CC487.057:1 Commentary  
§ CC487.057:2 Related Provisions  
487.058 No criminal or civil liability  
§ CC487.058:1 Commentary  
§ CC487.058:2 Related Provisions  
487.06 Investigative procedures  
§ CC487.06:1 Commentary  
§ CC487.06:2 Case Law  
§ CC487.06:3 Related Provisions  
487.07 Duty to inform  
§ CC487.07:1 Commentary  
§ CC487.07:2 Related Provisions  
487.071 Verification  
§ CC487.071:1 Commentary  
§ CC487.071:2 Related Provisions  
487.08 Use of bodily substances—warrant  
§ CC487.08:1 Commentary  
§ CC487.08:2 Related Provisions  
487.09 Destruction of bodily substances, etc.—warrant  
§ CC487.09:1 Commentary  
§ CC487.09:2 Related Provisions  
487.091 Collection of additional bodily substances  
§ CC487.091:1 Commentary  
§ CC487.091:2 Related Provisions  
487.0911 Review by Attorney General  
§ CC487.0911:1 Commentary  
§ CC487.0911:2 Related Provisions  
487.092 Information for impression warrant  
§ CC487.092:1 Commentary  
§ CC487.092:2 Related Provisions

**OTHER PROVISIONS RESPECTING WARRANTS AND ORDERS**

487.093 Duty of person executing certain warrants  
§ CC487.093:1 Commentary  
§ CC487.093:2 Related Provisions

- 487.1 Warrants, etc., by telecommunication
  - § CC487.1:1 Commentary
  - § CC487.1:2 Case Law
  - § CC487.1:3 Related Provisions
- 487.11 Where warrant not necessary
  - § CC487.11:1 Commentary
  - § CC487.11:2 Related Provisions
- 487.2 Restriction on publication
  - § CC487.2:1 Commentary
  - § CC487.2:2 Case Law
  - § CC487.2:3 Related Provisions
- 487.3 Order denying access to information
  - § CC487.3:1 Commentary
  - § CC487.3:2 Case Law
  - § CC487.3:3 Related Provisions
- 488 Execution of search warrant
  - § CC488:1 Commentary
  - § CC488:2 Case Law
  - § CC488:3 Related Provisions
- 488.01 Definitions
  - § CC488.01:1 Commentary
  - § CC488.01:2 Related Provisions
- 488.02 Documents
  - § CC488.02:1 Commentary
  - § CC488.02:2 Related Provisions
- 488.1 Definitions
  - § CC488.1:1 Commentary
  - § CC488.1:2 Case Law
  - § CC488.1:3 Related Provisions
- 489 Seizure of things not specified
  - § CC489:1 Commentary
  - § CC489:2 Case Law
  - § CC489:3 Related Provisions
- 489.1 Restitution of thing or report
  - § CC489.1:1 Commentary
  - § CC489.1:2 Case Law
  - § CC489.1:3 Related Provisions
- 490 Detention of things seized
  - § CC490:1 Commentary
  - § CC490:2 Case Law
  - § CC490:3 Related Provisions
- 490.01 Perishable things
  - § CC490.01:1 Commentary
  - § CC490.01:2 Related Provisions

TABLE OF CONTENTS

**SEX OFFENDER INFORMATION**

**INTERPRETATION**

- 490.011 Definitions
  - § CC490.011:1 Commentary
  - § CC490.011:2 Case Law
  - § CC490.011:3 Related Provisions

**ORDER TO COMPLY WITH THE *SEX OFFENDER INFORMATION REGISTRATION ACT***

- 490.012 Order
  - § CC490.012:1 Commentary
  - § CC490.012:2 Case Law
  - § CC490.012:3 Related Provisions
- 490.013 Date order begins
  - § CC490.013:1 Commentary
  - § CC490.013:2 Case Law
  - § CC490.013:3 Related Provisions
- 490.0131 Reasons
  - § CC490.0131:1 Commentary
  - § CC490.0131:2 Related Provisions
- 490.0132 Failure to make order
  - § CC490.0132:1 Commentary
  - § CC490.0132:2 Related Provisions
- 490.014 Appeal
  - § CC490.014:1 Commentary
  - § CC490.014:2 Case Law
  - § CC490.014:3 Related Provisions
- 490.015 Application for termination order
  - § CC490.015:1 Commentary
  - § CC490.015:2 Related Provisions
- 490.016 Termination order
  - § CC490.016:1 Commentary
  - § CC490.016:2 Related Provisions
- 490.017 Appeal
  - § CC490.017:1 Commentary
  - § CC490.017:2 Related Provisions
- 490.018 Requirements relating to notice
  - § CC490.018:1 Commentary
  - § CC490.018:2 Related Provisions

**NOTICE AND OBLIGATION TO COMPLY WITH THE *SEX OFFENDER INFORMATION REGISTRATION ACT*—CONVICTIONS BEFORE DECEMBER 15, 2004**

- 490.019 Obligation to comply
  - § CC490.019:1 Commentary
  - § CC490.019:2 Case Law
  - § CC490.019:3 Related Provisions

- 490.02 Persons who may be served
  - § CC490.02:1 Commentary
  - § CC490.02:2 Case Law
  - § CC490.02:3 Related Provisions
- 490.021 Period for and method of service
  - § CC490.021:1 Commentary
  - § CC490.021:2 Related Provisions
- 490.022 Date obligation begins
  - § CC490.022:1 Commentary
  - § CC490.022:2 Case Law
  - § CC490.022:3 Related Provisions
- 490.023 Application for exemption order
  - § CC490.023:1 Commentary
  - § CC490.023:2 Case Law
  - § CC490.023:3 Related Provisions
- 490.024 Appeal
  - § CC490.024:1 Commentary
  - § CC490.024:2 Case Law
  - § CC490.024:3 Related Provisions
- 490.025 Requirements relating to notice
  - § CC490.025:1 Commentary
  - § CC490.025:2 Related Provisions
- 490.026 Application for termination order
  - § CC490.026:1 Commentary
  - § CC490.026:2 Related Provisions
- 490.027 Termination order
  - § CC490.027:1 Commentary
  - § CC490.027:2 Related Provisions
- 490.028 Deemed application
  - § CC490.028:1 Commentary
  - § CC490.028:2 Related Provisions
- 490.029 Appeal
  - § CC490.029:1 Commentary
  - § CC490.029:2 Related Provisions

**NOTICE AND OBLIGATION TO COMPLY WITH THE SEX OFFENDER  
INFORMATION REGISTRATION ACT—CONVICTIONS OUTSIDE CANADA**

- 490.02901 Obligation
  - § CC490.02901:1 Commentary
  - § CC490.02901:2 Related Provisions
- 490.02902 Persons who may be served
  - § CC490.02902:1 Commentary
  - § CC490.02902:2 Related Provisions
- 490.02903 Period for and method of service
  - § CC490.02903:1 Commentary
  - § CC490.02903:2 Related Provisions
- 490.02904 When obligation begins
  - § CC490.02904:1 Commentary

TABLE OF CONTENTS

§ CC490.02904:2 Related Provisions  
490.02905 Application for exemption order  
§ CC490.02905:1 Commentary  
§ CC490.02905:2 Related Provisions  
490.029051 Application for variation order  
§ CC490.029051:1 Commentary  
§ CC490.029051:2 Related Provisions  
490.02906 Appeal  
§ CC490.02906:1 Commentary  
§ CC490.02906:2 Related Provisions  
490.02907 Requirements relating to notice  
§ CC490.02907:1 Commentary  
§ CC490.02907:2 Related Provisions  
490.02908 Application for termination order  
§ CC490.02908:1 Commentary  
§ CC490.02908:2 Related Provisions  
490.02909 Termination order  
§ CC490.02909:1 Commentary  
§ CC490.02909:2 Related Provisions  
490.0291 Appeal  
§ CC490.0291:1 Commentary  
§ CC490.0291:2 Related Provisions  
490.02911 Obligation to advise police service  
§ CC490.02911:1 Commentary  
§ CC490.02911:2 Related Provisions

**INTERNATIONAL TRANSFER OF OFFENDERS ACT**

490.029111 Application for exemption order  
§ CC490.029111:1 Commentary  
§ CC490.029111:2 Related Provisions  
490.029112 Application for variation order  
§ CC490.029112:1 Commentary  
§ CC490.029112:2 Related Provisions  
490.029113 Appeal  
§ CC490.029113:1 Commentary  
§ CC490.029113:2 Related Provisions  
490.029114 Requirements relating to notice  
§ CC490.029114:1 Commentary  
§ CC490.029114:2 Related Provisions  
490.02912 Application for termination order  
§ CC490.02912:1 Commentary  
§ CC490.02912:2 Related Provisions  
490.02913 Termination order  
§ CC490.02913:1 Commentary  
§ CC490.02913:2 Related Provisions  
490.02914 Appeal  
§ CC490.02914:1 Commentary  
§ CC490.02914:2 Related Provisions

- 490.02915 Notice before release
  - § CC490.02915:1 Commentary
  - § CC490.02915:2 Related Provisions

#### **DISCLOSURE OF INFORMATION**

- 490.03 Disclosure
  - § CC490.03:1 Commentary
  - § CC490.03:2 Related Provisions

#### **OFFENCES**

- 490.031 Offence
  - § CC490.031:1 Commentary
  - § CC490.031:2 Related Provisions
- 490.0311 Offence
  - § CC490.0311:1 Commentary
  - § CC490.0311:2 Related Provisions
- 490.0312 Offence
  - § CC490.0312:1 Commentary
  - § CC490.0312:2 Related Provisions

#### **WARRANT**

- 490.03121 Warrant to arrest
  - § CC490.03121:1 Commentary
  - § CC490.03121:2 Related Provisions

#### **REGULATIONS**

- 490.032 Regulations
  - § CC490.032:1 Commentary
  - § CC490.032:2 Related Provisions

#### **ADDITIONAL ORDERS**

- 490.04 Application for exemption order
  - § CC490.04:1 Commentary
  - § CC490.04:2 Related Provisions
- 490.05 Application for variation order
  - § CC490.05:1 Commentary
  - § CC490.05:2 Related Provisions
- 490.06 Appeal
  - § CC490.06:1 Commentary
  - § CC490.06:2 Related Provisions
- 490.07 Requirements relating to notice
  - § CC490.07:1 Commentary
  - § CC490.07:2 Related Provisions

#### **FORFEITURE OF OFFENCE-RELATED PROPERTY**

- 490.1 Order of forfeiture of property on conviction
  - § CC490.1:1 Commentary

TABLE OF CONTENTS

§ CC490.1:2 Case Law  
§ CC490.1:3 Related Provisions  
490.2 Application for *in rem* forfeiture  
§ CC490.2:1 Commentary  
§ CC490.2:2 Related Provisions  
490.3 Voidable transfers  
§ CC490.3:1 Commentary  
§ CC490.3:2 Related Provisions  
490.4 Notice  
§ CC490.4:1 Commentary  
§ CC490.4:2 Related Provisions  
490.41 Notice  
§ CC490.41:1 Commentary  
§ CC490.41:2 Case Law  
§ CC490.41:3 Related Provisions  
490.5 Application  
§ CC490.5:1 Commentary  
§ CC490.5:2 Related Provisions  
490.6 Appeals from orders under subsection 490.2(2)  
§ CC490.6:1 Commentary  
§ CC490.6:2 Related Provisions  
490.7 Suspension of order pending appeal  
§ CC490.7:1 Commentary  
§ CC490.7:2 Related Provisions  
490.8 Application for restraint order  
§ CC490.8:1 Commentary  
§ CC490.8:2 Related Provisions  
490.81 Management order  
§ CC490.81:1 Commentary  
§ CC490.81:2 Related Provisions  
490.9 Sections 489.1 and 490 applicable  
§ CC490.9:1 Commentary  
§ CC490.9:2 Related Provisions  
491 Forfeiture of weapons and ammunition  
§ CC491:1 Commentary  
§ CC491:2 Case Law  
§ CC491:3 Related Provisions  
491.1 Order for restitution or forfeiture of property obtained by crime  
§ CC491.1:1 Commentary  
§ CC491.1:2 Related Provisions  
491.2 Photographic evidence  
§ CC491.2:1 Commentary  
§ CC491.2:2 Related Provisions  
492 Seizure of explosives  
§ CC492:1 Commentary  
§ CC492:2 Related Provisions  
492.1 Warrant for tracking device—transactions and things  
§ CC492.1:1 Commentary

- § CC492.1:2 Case Law
- § CC492.1:3 Related Provisions
- 492.2 Warrant for transmission data recorder
  - § CC492.2:1 Commentary
  - § CC492.2:2 Case Law
  - § CC492.2:3 Related Provisions

**PART XVI COMPELLING APPEARANCE OF ACCUSED  
BEFORE A JUSTICE AND INTERIM RELEASE (SS. 493–529.5)**

**INTERPRETATION**

- 493 Definitions
  - § CC493:1 Commentary
  - § CC493:2 Related Provisions

**PRINCIPLE AND CONSIDERATIONS**

- 493.1 Principle of restraint
  - § CC493.1:1 Commentary
  - § CC493.1:2 Case Law
  - § CC493.1:3 Related Provisions
- 493.2 Aboriginal accused or vulnerable populations
  - § CC493.2:1 Commentary
  - § CC493.2:2 Related Provisions

**ARREST WITHOUT WARRANT AND RELEASE FROM CUSTODY**

- 494 Arrest without warrant by any person
  - § CC494:1 Commentary
  - § CC494:2 Case Law
  - § CC494:3 Related Provisions
- 495 Arrest without warrant by peace officer
  - § CC495:1 Commentary
  - § CC495:2 Case Law
  - § CC495:3 Related Provisions
- 495.1 Arrest without warrant—application of section 524
  - § CC495.1:1 Commentary
  - § CC495.1:2 Related Provisions
- 496 Appearance notice for judicial referral hearing
  - § CC496:1 Commentary
  - § CC496:2 Related Provisions
- 497 Issue of appearance notice by peace officer
  - § CC497:1 Commentary
  - § CC497:2 Case Law
  - § CC497:3 Related Provisions
- 498 Release from custody—arrest without warrant
  - § CC498:1 Commentary
  - § CC498:2 Related Provisions
- 499 Release from custody—arrest with warrant



TABLE OF CONTENTS

- § CC499:1 Commentary
- § CC499:2 Related Provisions
- 500 Contents of appearance notice
  - § CC500:1 Commentary
  - § CC500:2 Related Provisions
- 501 Contents of undertaking
  - § CC501:1 Commentary
  - § CC501:2 Case Law
  - § CC501:3 Related Provisions
- 502 Variation of undertaking on consent
  - § CC502:1 Commentary
  - § CC502:2 Case Law
  - § CC502:3 Related Provisions

**APPEARANCE OF ACCUSED BEFORE JUSTICE**

- 502.1 Appearance of the accused
  - § CC502.1:1 Commentary
  - § CC502.1:2 Related Provisions
- 503 Taking before justice
  - § CC503:1 Commentary
  - § CC503:2 Case Law
  - § CC503:3 Related Provisions

**INFORMATION, SUMMONS AND WARRANT**

- 504 In what cases justice may receive information
  - § CC504:1 Commentary
  - § CC504:2 Case Law
  - § CC504:3 Related Provisions
- 505 Time within which information to be laid in certain cases
  - § CC505:1 Commentary
  - § CC505:2 Case Law
  - § CC505:3 Related Provisions
- 506 Form
  - § CC506:1 Commentary
  - § CC506:2 Case Law
  - § CC506:3 Related Provisions
- 507 Justice to hear informant and witnesses—public prosecutions
  - § CC507:1 Commentary
  - § CC507:2 Case Law
  - § CC507:3 Related Provisions
- 507.1 Referral when private prosecution
  - § CC507.1:1 Commentary
  - § CC507.1:2 Case Law
  - § CC507.1:3 Related Provisions
- 508 Justice to hear informant and witnesses
  - § CC508:1 Commentary
  - § CC508:2 Case Law
  - § CC508:3 Related Provisions

- 508.1 Information laid otherwise than in person
  - § CC508.1:1 Commentary
  - § CC508.1:2 Case Law
  - § CC508.1:3 Related Provisions
- 509 Summons
  - § CC509:1 Commentary
  - § CC509:2 Case Law
  - § CC509:3 Related Provisions
- 510 [Repealed 2019, c. 25, s. 222.]
- 511 Contents of warrant to arrest
  - § CC511:1 Commentary
  - § CC511:2 Case Law
  - § CC511:3 Related Provisions
- 512 Certain actions not to preclude issue of warrant
  - § CC512:1 Commentary
  - § CC512:2 Case Law
  - § CC512:3 Related Provisions
- 512.1 Arrest warrant—failure to appear under summons
  - § CC512.1:1 Commentary
  - § CC512.1:2 Related Provisions
- 512.2 Arrest warrant—failure to appear under appearance notice or undertaking
  - § CC512.2:1 Commentary
  - § CC512.2:2 Related Provisions
- 512.3 Warrant to appear under section 524
  - § CC512.3:1 Commentary
  - § CC512.3:2 Related Provisions
- 513 Formalities of warrant
  - § CC513:1 Commentary
  - § CC513:2 Related Provisions
- 514 Execution of warrant
  - § CC514:1 Commentary
  - § CC514:2 Related Provisions

**JUDICIAL INTERIM RELEASE**

- 515 Release order without conditions
  - § CC515:1 Commentary
  - § CC515:2 Case Law
  - § CC515:3 Related Provisions
- 515.01 Attendance—*Identification of Criminals Act*
  - § CC515.01:1 Commentary
  - § CC515.01:2 Related Provisions
- 515.1 Declaration of surety
  - § CC515.1:1 Commentary
  - § CC515.1:2 Related Provisions
- 516 Remand in custody
  - § CC516:1 Commentary
  - § CC516:2 Case Law

TABLE OF CONTENTS

§ CC516:3 Related Provisions  
517 Order directing matters not to be published for specified period  
§ CC517:1 Commentary  
§ CC517:2 Case Law  
§ CC517:3 Related Provisions  
518 Inquiries to be made by justice and evidence  
§ CC518:1 Commentary  
§ CC518:2 Case Law  
§ CC518:3 Related Provisions  
519 Release of accused  
§ CC519:1 Commentary  
§ CC519:2 Related Provisions  
519.1 Variation of release order with consent  
§ CC519.1:1 Commentary  
§ CC519.1:2 Related Provisions  
520 Review of order  
§ CC520:1 Commentary  
§ CC520:2 Case Law  
§ CC520:3 Related Provisions  
521 Review of order  
§ CC521:1 Commentary  
§ CC521:2 Case Law  
§ CC521:3 Related Provisions  
522 Interim release by judge only  
§ CC522:1 Commentary  
§ CC522:2 Case Law  
§ CC522:3 Related Provisions  
523 Period for which appearance notice, etc., continues in force  
§ CC523:1 Commentary  
§ CC523:2 Case Law  
§ CC523:3 Related Provisions

**PROCEEDINGS RESPECTING FAILURE TO COMPLY WITH RELEASE  
CONDITIONS**

523.1 Judicial referral hearing  
§ CC523.1:1 Commentary  
§ CC523.1:2 Related Provisions  
524 Hearing  
§ CC524:1 Commentary  
§ CC524:2 Case Law  
§ CC524:3 Related Provisions

**REVIEW OF DETENTION WHERE TRIAL DELAYED**

525 Time for application to judge  
§ CC525:1 Commentary  
§ CC525:2 Case Law  
§ CC525:3 Related Provisions  
526 Directions for expediting proceedings

- § CC526:1 Commentary
- § CC526:2 Case Law

**PROCEDURE TO PROCURE ATTENDANCE OF A PRISONER**

- 527 Procuring attendance
  - § CC527:1 Commentary
  - § CC527:2 Case Law
  - § CC527:3 Related Provisions

**ENDORSEMENT OF WARRANT**

- 528 Endorsing warrant
  - § CC528:1 Commentary
  - § CC528:2 Related Provisions

**POWERS TO ENTER DWELLING-HOUSES TO CARRY OUT ARRESTS**

- 529 Including authorization to enter in warrant of arrest
  - § CC529:1 Commentary
  - § CC529:2 Case Law
  - § CC529:3 Related Provisions
- 529.1 Warrant to enter dwelling-house
  - § CC529.1:1 Commentary
  - § CC529.1:2 Related Provisions
- 529.2 Reasonable terms and conditions
  - § CC529.2:1 Commentary
  - § CC529.2:2 Related Provisions
- 529.3 Authority to enter dwelling without warrant
  - § CC529.3:1 Commentary
  - § CC529.3:2 Case Law
  - § CC529.3:3 Related Provisions
- 529.4 Omitting announcement before entry
  - § CC529.4:1 Commentary
  - § CC529.4:2 Related Provisions
- 529.5 Means of telecommunication
  - § CC529.5:1 Commentary
  - § CC529.5:2 Related Provisions

**PART XVII LANGUAGE OF ACCUSED (SS. 530–534)**

- 530 Language of accused
  - § CC530:1 Commentary
  - § CC530:2 Case Law
  - § CC530:3 Related Provisions
- 530.01 Translation of documents
  - § CC530.01:1 Commentary
  - § CC530.01:2 Related Provisions
- 530.1 If order granted
  - § CC530.1:1 Commentary
  - § CC530.1:2 Case Law

TABLE OF CONTENTS

§ CC530.1:3 Related Provisions  
530.2 Language used in proceeding  
§ CC530.2:1 Commentary  
§ CC530.2:2 Related Provisions  
531 Change of venue  
§ CC531:1 Commentary  
§ CC531:2 Related Provisions  
532 Saving  
§ CC532:1 Commentary  
§ CC532:2 Related Provisions  
533 Regulations  
§ CC533:1 Commentary  
§ CC533:2 Related Provisions  
533.1 Review  
§ CC533.1:1 Commentary  
§ CC533.1:2 Related Provisions  
534 [Repealed 1997, c. 18, s. 63.]

**PART XVIII PROCEDURE ON PRELIMINARY INQUIRY (SS.  
535–551)**

**JURISDICTION**

535 Inquiry by justice  
§ CC535:1 Commentary  
§ CC535:2 Case Law  
§ CC535:3 Related Provisions  
536 Remand by justice to provincial court judge in certain cases  
§ CC536:1 Commentary  
§ CC536:2 Case Law  
§ CC536:3 Related Provisions  
536.1 Remand by justice—Nunavut  
536.2 Elections and re-elections in writing  
§ CC536.2:1 Commentary  
§ CC536.2:2 Related Provisions

**PROCEDURES BEFORE PRELIMINARY INQUIRY**

536.3 Statement of issues and witnesses  
§ CC536.3:1 Commentary  
§ CC536.3:2 Case Law  
§ CC536.3:3 Related Provisions  
536.4 Order for hearing  
§ CC536.4:1 Commentary  
§ CC536.4:2 Related Provisions  
536.5 Agreement to limit scope of preliminary inquiry  
§ CC536.5:1 Commentary  
§ CC536.5:2 Related Provisions

**POWERS OF JUSTICE**

- 537 Powers of justice
  - § CC537:1 Commentary
  - § CC537:2 Case Law
  - § CC537:3 Related Provisions
- 538 Organization
  - § CC538:1 Commentary
  - § CC538:2 Related Provisions

**TAKING EVIDENCE OF WITNESSES**

- 539 Order restricting publication of evidence taken at preliminary inquiry
  - § CC539:1 Commentary
  - § CC539:2 Case Law
  - § CC539:3 Related Provisions
- 540 Taking evidence
  - § CC540:1 Commentary
  - § CC540:2 Case Law
  - § CC540:3 Related Provisions
- 541 Hearing of witnesses
  - § CC541:1 Commentary
  - § CC541:2 Case Law
  - § CC541:3 Related Provisions
- 542 Confession or admission of accused
  - § CC542:1 Commentary
  - § CC542:2 Case Law
  - § CC542:3 Related Provisions

**REMAND WHERE OFFENCE COMMITTED IN ANOTHER JURISDICTION**

- 543 Order that accused appear or be taken before justice where offence alleged to have been committed
  - § CC543:1 Commentary
  - § CC543:2 Case Law
  - § CC543:3 Related Provisions

**ABSCONDING ACCUSED**

- 544 Accused absconding during inquiry
  - § CC544:1 Commentary
  - § CC544:2 Case Law
  - § CC544:3 Related Provisions

**PROCEDURE WHERE WITNESS REFUSES TO TESTIFY**

- 545 Witness refusing to be examined
  - § CC545:1 Commentary
  - § CC545:2 Case Law
  - § CC545:3 Related Provisions

TABLE OF CONTENTS

**REMEDIAL PROVISIONS**

- 546 Irregularity or variance not to affect validity
  - § CC546:1 Commentary
  - § CC546:2 Related Provisions
- 547 Adjournment if accused misled
  - § CC547:1 Commentary
  - § CC547:2 Related Provisions
- 547.1 Inability of justice to continue
  - § CC547.1:1 Commentary
  - § CC547.1:2 Related Provisions

**ADJUDICATION AND RECOGNIZANCES**

- 548 Order to stand trial or discharge
  - § CC548:1 Commentary
  - § CC548:2 Case Law
  - § CC548:3 Related Provisions
- 549 Order to stand trial at any stage of inquiry with consent
  - § CC549:1 Commentary
  - § CC549:2 Related Provisions
- 550 Recognizance of witness
  - § CC550:1 Commentary
  - § CC550:2 Related Provisions

**TRANSMISSION OF RECORD**

- 551 Transmission of record by justice
  - § CC551:1 Commentary
  - § CC551:2 Related Provisions

**PART XVIII.1 CASE MANAGEMENT JUDGE (551.1–551.7)**

- 551.1 Appointment
  - § CC551.1:1 Commentary
  - § CC551.1:2 Related Provisions
- 551.2 Role
  - § CC551.2:1 Commentary
  - § CC551.2:2 Related Provisions
- 551.3 Powers before evidence on merits presented
  - § CC551.3:1 Commentary
  - § CC551.3:2 Case Law
  - § CC551.3:3 Related Provisions
- 551.4 Information relevant to presentation of evidence on merits to be part of court record
  - § CC551.4:1 Commentary
  - § CC551.4:2 Related Provisions
- 551.5 Trial continuous
  - § CC551.5:1 Commentary
  - § CC551.5:2 Related Provisions
- 551.6 Issues referred to case management judge

- § CC551.6:1 Commentary
- § CC551.6:2 Related Provisions
- 551.7 Decision whether to hold joint hearing
  - § CC551.7:1 Commentary
  - § CC551.7:2 Related Provisions

## **PART XIX INDICTABLE OFFENCES—TRIAL WITHOUT JURY (SS. 552–572)**

### **INTERPRETATION**

- 552 Definitions
  - § CC552:1 Commentary
  - § CC552:2 Related Provisions

### **JURISDICTION OF PROVINCIAL COURT JUDGES**

#### **ABSOLUTE JURISDICTION**

- 553 Absolute jurisdiction
  - § CC553:1 Commentary
  - § CC553:2 Case Law
  - § CC553:3 Related Provisions

#### **PROVINCIAL COURT JUDGE'S JURISDICTION WITH CONSENT**

- 554 Trial by provincial court judge with consent
  - § CC554:1 Commentary
  - § CC554:2 Case Law
  - § CC554:3 Related Provisions
- 555 If charge should be prosecuted by indictment
  - § CC555:1 Commentary
  - § CC555:2 Case Law
  - § CC555:3 Related Provisions
- 555.1 If charge should be prosecuted by indictment—Nunavut
- 556 Organization
  - § CC556:1 Commentary
  - § CC556:2 Related Provisions
- 557 Taking evidence
  - § CC557:1 Commentary
  - § CC557:2 Case Law
  - § CC557:3 Related Provisions

### **JURISDICTION OF JUDGES**

#### **JUDGE'S JURISDICTION WITH CONSENT**

- 558 Trial by judge without a jury
  - § CC558:1 Commentary
  - § CC558:2 Case Law
  - § CC558:3 Related Provisions



TABLE OF CONTENTS

- 559 Court of record
  - § CC559:1 Commentary
  - § CC559:2 Case Law
  - § CC559:3 Related Provisions

**ELECTION**

- 560 Duty of judge
  - § CC560:1 Commentary
  - § CC560:2 Related Provisions
- 561 Right to re-elect
  - § CC561:1 Commentary
  - § CC561:2 Case Law
  - § CC561:3 Related Provisions
- 561.1 Right to re-elect with consent—Nunavut
- 562 Proceedings following re-election
  - § CC562:1 Commentary
  - § CC562:2 Related Provisions
- 562.1 Proceedings following re-election—Nunavut
- 563 Proceedings on re-election to be tried by provincial court judge without jury
  - § CC563:1 Commentary
  - § CC563:2 Case Law
  - § CC563:3 Related Provisions
- 563.1 Proceedings on re-election to be tried by judge without jury—Nunavut
- 564 [Repealed R.S.C. 1985, c. 27 (1st Supp.), s. 110.]
- 565 Election deemed to have been made
  - § CC565:1 Commentary
  - § CC565:2 Case Law
  - § CC565:3 Related Provisions

**TRIAL**

- 566 Indictment
  - § CC566:1 Commentary
  - § CC566:2 Case Law
  - § CC566:3 Related Provisions
- 566.1 Indictment—Nunavut

**GENERAL**

- 567 Mode of trial when two or more accused
  - § CC567:1 Commentary
  - § CC567:2 Case Law
  - § CC567:3 Related Provisions
- 567.1 Mode of trial if two or more accused—Nunavut
- 568 Attorney General may require trial by jury
  - § CC568:1 Commentary
  - § CC568:2 Case Law
  - § CC568:3 Related Provisions

- 569 Attorney General may require trial by jury—Nunavut
- 570 Record of conviction or order
  - § CC570:1 Commentary
  - § CC570:2 Case Law
  - § CC570:3 Related Provisions
- 571 Adjournment
  - § CC571:1 Commentary
  - § CC571:2 Case Law
  - § CC571:3 Related Provisions
- 572 Application of Parts XVI, XVIII, XX and XXIII
  - § CC572:1 Commentary
  - § CC572:2 Case Law
  - § CC572:3 Related Provisions

**PART XIX.1 NUNAVUT COURT OF JUSTICE (SS. 573–573.2)**

- 573 Nunavut Court of Justice
- 573.1 Application for review—Nunavut
- 573.2 *Habeas corpus*

**PART XX PROCEDURE IN JURY TRIALS AND GENERAL PROVISIONS (SS. 574–672)**

**PREFERRING INDICTMENT**

- 574 Prosecutor may prefer indictment
  - § CC574:1 Commentary
  - § CC574:2 Case Law
  - § CC574:3 Related Provisions
- 575 [Repealed R.S.C. 1985, c. 27 (1st Supp.), s. 113.]
- 576 Indictment
  - § CC576:1 Commentary
  - § CC576:2 Related Provisions
- 577 Direct indictments
  - § CC577:1 Commentary
  - § CC577:2 Case Law
  - § CC577:3 Related Provisions
- 578 Summons or warrant
  - § CC578:1 Commentary
  - § CC578:2 Case Law
  - § CC578:3 Related Provisions
- 579 Attorney General may direct stay
  - § CC579:1 Commentary
  - § CC579:2 Case Law
  - § CC579:3 Related Provisions
- 579.001 Instruction to stay
  - § CC579.001:1 Commentary
  - § CC579.001:2 Related Provisions
- 579.01 When Attorney General does not stay proceedings
  - § CC579.01:1 Commentary

TABLE OF CONTENTS

- § CC579.01:2 Related Provisions
- 579.1 Intervention by Attorney General of Canada or Director of Public Prosecutions
  - § CC579.1:1 Commentary
  - § CC579.1:2 Case Law
  - § CC579.1:3 Related Provisions
- 580 Form of indictment
  - § CC580:1 Commentary
  - § CC580:2 Related Provisions

**GENERAL PROVISIONS RESPECTING COUNTS**

- 581 Substance of offence
  - § CC581:1 Commentary
  - § CC581:2 Case Law
  - § CC581:3 Related Provisions
- 582 High treason and first degree murder
  - § CC582:1 Commentary
  - § CC582:2 Related Provisions
- 583 Certain omissions not grounds for objection
  - § CC583:1 Commentary
  - § CC583:2 Case Law
  - § CC583:3 Related Provisions

**SPECIAL PROVISIONS RESPECTING COUNTS**

- 584 Sufficiency of count charging libel
  - § CC584:1 Commentary
  - § CC584:2 Related Provisions
- 585 Sufficiency of count charging perjury, etc.
  - § CC585:1 Commentary
  - § CC585:2 Related Provisions
- 586 Sufficiency of count relating to fraud
  - § CC586:1 Commentary
  - § CC586:2 Case Law
  - § CC586:3 Related Provisions

**PARTICULARS**

- 587 What may be ordered
  - § CC587:1 Commentary
  - § CC587:2 Case Law
  - § CC587:3 Related Provisions

**OWNERSHIP OF PROPERTY**

- 588 Ownership
  - § CC588:1 Commentary
  - § CC588:2 Case Law
  - § CC588:3 Related Provisions

**JOINDER OR SEVERANCE OF COUNTS**

- 589 Count for murder
  - § CC589:1 Commentary
  - § CC589:2 Case Law
  - § CC589:3 Related Provisions
- 590 Offences may be charged in the alternative
  - § CC590:1 Commentary
  - § CC590:2 Case Law
  - § CC590:3 Related Provisions
- 591 Joinder of counts
  - § CC591:1 Commentary
  - § CC591:2 Case Law
  - § CC591:3 Related Provisions

**JOINDER OF ACCUSED IN CERTAIN CASES**

- 592 Accessories after the fact
  - § CC592:1 Commentary
  - § CC592:2 Case Law
  - § CC592:3 Related Provisions
- 593 Trial of persons jointly
  - § CC593:1 Commentary
  - § CC593:2 Related Provisions
- 594 [Repealed R.S.C. 1985, c. 27 (1st Supp.), s. 120.]
- 595 [Repealed R.S.C. 1985, c. 27 (1st Supp.), s. 120.]
- 596 [Repealed R.S.C. 1985, c. 27 (1st Supp.), s. 120.]

**PROCEEDINGS WHEN PERSON INDICTED IS AT LARGE**

- 597 Bench warrant
  - § CC597:1 Commentary
  - § CC597:2 Case Law
  - § CC597:3 Related Provisions
- 598 Election deemed to be waived
  - § CC598:1 Commentary
  - § CC598:2 Case Law
  - § CC598:3 Related Provisions

**CHANGE OF VENUE**

- 599 Reasons for change of venue
  - § CC599:1 Commentary
  - § CC599:2 Case Law
  - § CC599:3 Related Provisions
- 600 Order is authority to remove prisoner
  - § CC600:1 Commentary
  - § CC600:2 Related Provisions

**AMENDMENT**

- 601 Amending defective indictment or count
  - § CC601:1 Commentary

TABLE OF CONTENTS

- § CC601:2 Case Law
- § CC601:3 Related Provisions
- 602 [Repealed R.S.C. 1985, c. 27 (1st Supp.), s. 124.]

**INSPECTION AND COPIES OF DOCUMENTS**

- 603 Right of accused
  - § CC603:1 Commentary
  - § CC603:2 Case Law
  - § CC603:3 Related Provisions
- 604 [Repealed 1997, c. 18, s. 69.]
- 605 Release of exhibits for testing
  - § CC605:1 Commentary
  - § CC605:2 Case Law
  - § CC605:3 Related Provisions

**PLEAS**

- 606 Pleas permitted
  - § CC606:1 Commentary
  - § CC606:2 Case Law
  - § CC606:3 Related Provisions
- 607 Special pleas
  - § CC607:1 Commentary
  - § CC607:2 Case Law
  - § CC607:3 Related Provisions
- 608 Evidence of identity of charges
  - § CC608:1 Commentary
  - § CC608:2 Case Law
  - § CC608:3 Related Provisions
- 609 What determines identity
  - § CC609:1 Commentary
  - § CC609:2 Case Law
  - § CC609:3 Related Provisions
- 610 Circumstances of aggravation
  - § CC610:1 Commentary
  - § CC610:2 Related Provisions
- 611 Libel, plea of justification
  - § CC611:1 Commentary
  - § CC611:2 Related Provisions
- 612 Plea of justification necessary
  - § CC612:1 Commentary
  - § CC612:2 Related Provisions
- 613 Plea of not guilty
  - § CC613:1 Commentary
  - § CC613:2 Case Law
  - § CC613:3 Related Provisions
- 614 [Repealed 1991, c. 43, s. 3.]
- 615 [Repealed 1991, c. 43, s. 3.]
- 616 [Repealed 1991, c. 43, s. 3.]

- 617 [Repealed 1991, c. 43, s. 3.]
- 618 [Repealed 1991, c. 43, s. 3.]
- 619 [Repealed 1991, c. 43, s. 3.]

**ORGANIZATIONS**

- 620 Appearance by attorney
  - § CC620:1 Commentary
  - § CC620:2 Related Provisions
- 621 Notice to organization
  - § CC621:1 Commentary
  - § CC621:2 Related Provisions
- 622 Procedure on default of appearance
  - § CC622:1 Commentary
  - § CC622:2 Related Provisions
- 623 Trial of organization
  - § CC623:1 Commentary
  - § CC623:2 Related Provisions

**RECORD OF PROCEEDINGS**

- 624 How recorded
  - § CC624:1 Commentary
  - § CC624:2 Related Provisions
- 625 Form of record in case of amendment
  - § CC625:1 Commentary
  - § CC625:2 Related Provisions

**PRE-HEARING CONFERENCE**

- 625.1 Pre-hearing conference
  - § CC625.1:1 Commentary
  - § CC625.1:2 Case Law
  - § CC625.1:3 Related Provisions

**JURIES**

- 626 Qualification of jurors
  - § CC626:1 Commentary
  - § CC626:2 Case Law
  - § CC626:3 Related Provisions
- 626.1 Presiding judge
  - § CC626.1:1 Commentary
  - § CC626.1:2 Related Provisions
- 627 Support for juror with physical disability
  - § CC627:1 Commentary
  - § CC627:2 Related Provisions

**CHALLENGING THE ARRAY**

- 628 [Repealed R.S.C. 1985, c. 27 (1st Supp.), s. 129.]
- 629 Challenging the jury panel

TABLE OF CONTENTS

- § CC629:1 Commentary
- § CC629:2 Case Law
- § CC629:3 Related Provisions
- 630 Trying ground of challenge
  - § CC630:1 Commentary
  - § CC630:2 Related Provisions

**EMPANELLING JURY**

- 631 Names of jurors on cards
  - § CC631:1 Commentary
  - § CC631:2 Case Law
  - § CC631:3 Related Provisions
- 631.1 Electronic or automated means
  - § CC631.1:1 Commentary
  - § CC631.1:2 Related Provisions
- 632 Excusing jurors
  - § CC632:1 Commentary
  - § CC632:2 Case Law
  - § CC632:3 Related Provisions
- 633 Stand by
  - § CC633:1 Commentary
  - § CC633:2 Case Law
  - § CC633:3 Related Provisions
- 634 [Repealed 2019, c. 25, s. 269.]
- 635 Order of challenges
  - § CC635:1 Commentary
  - § CC635:2 Related Provisions
- 636 [Repealed 1992, c. 41, s. 2.]
- 637 [Repealed 1992, c. 41, s. 2.]
- 638 Challenge for cause
  - § CC638:1 Commentary
  - § CC638:2 Case Law
  - § CC638:3 Related Provisions
- 639 Challenge in writing
  - § CC639:1 Commentary
  - § CC639:2 Related Provisions
- 640 Determination of challenge for cause
  - § CC640:1 Commentary
  - § CC640:2 Case Law
  - § CC640:3 Related Provisions
- 641 Calling persons who have stood by
  - § CC641:1 Commentary
  - § CC641:2 Case Law
  - § CC641:3 Related Provisions
- 642 Summoning other jurors when panel exhausted
  - § CC642:1 Commentary
  - § CC642:2 Case Law
  - § CC642:3 Related Provisions

- 642.1 Substitution of alternate jurors
  - § CC642.1:1 Commentary
  - § CC642.1:2 Case Law
  - § CC642.1:3 Related Provisions
- 643 Who shall be the jury
  - § CC643:1 Commentary
  - § CC643:2 Case Law
  - § CC643:3 Related Provisions
- 644 Discharge of juror
  - § CC644:1 Commentary
  - § CC644:2 Case Law
  - § CC644:3 Related Provisions

**TRIAL**

- 645 Trial continuous
  - § CC645:1 Commentary
  - § CC645:2 Case Law
  - § CC645:3 Related Provisions
- 646 Taking evidence
  - § CC646:1 Commentary
  - § CC646:2 Case Law
  - § CC646:3 Related Provisions
- 647 Separation of jurors
  - § CC647:1 Commentary
  - § CC647:2 Case Law
  - § CC647:3 Related Provisions
- 648 Restriction on publication
  - § CC648:1 Commentary
  - § CC648:2 Case Law
  - § CC648:3 Related Provisions
- 649 Disclosure of jury proceedings
  - § CC649:1 Commentary
  - § CC649:2 Case Law
  - § CC649:3 Related Provisions
- 650 Accused to be present
  - § CC650:1 Commentary
  - § CC650:2 Case Law
  - § CC650:3 Related Provisions
- 650.01 Designation of counsel of record
  - § CC650.01:1 Commentary
  - § CC650.01:2 Case Law
  - § CC650.01:3 Related Provisions
- 650.02 Remote appearance
  - § CC650.02:1 Commentary
  - § CC650.02:2 Related Provisions
- 650.1 Pre-charge conference
  - § CC650.1:1 Commentary
  - § CC650.1:2 Case Law



TABLE OF CONTENTS

§ CC650.1:3 Related Provisions  
651 Summing up by prosecutor  
§ CC651:1 Commentary  
§ CC651:2 Case Law  
§ CC651:3 Related Provisions  
652 View  
§ CC652:1 Commentary  
§ CC652:2 Case Law  
§ CC652:3 Related Provisions  
652.1 Trying of issues of indictment by jury  
§ CC652.1:1 Commentary  
§ CC652.1:2 Case Law  
§ CC652.1:3 Related Provisions  
653 Disagreement of jury  
§ CC653:1 Commentary  
§ CC653:2 Case Law  
§ CC653:3 Related Provisions  
653.1 Mistrial—rulings binding at new trial  
§ CC653.1:1 Commentary  
§ CC653.1:2 Case Law  
§ CC653.1:3 Related Provisions  
654 Proceeding on Sunday, etc., not invalid  
§ CC654:1 Commentary  
§ CC654:2 Case Law  
§ CC654:3 Related Provisions

**EVIDENCE ON TRIAL**

655 Admissions at trial  
§ CC655:1 Commentary  
§ CC655:2 Case Law  
§ CC655:3 Related Provisions  
656 Presumption—valuable minerals  
§ CC656:1 Commentary  
§ CC656:2 Related Provisions  
657 Use in evidence of statement by accused  
§ CC657:1 Commentary  
§ CC657:2 Related Provisions  
657.1 Proof of ownership and value of property  
§ CC657.1:1 Commentary  
§ CC657.1:2 Related Provisions  
657.2 Theft and possession  
§ CC657.2:1 Commentary  
§ CC657.2:2 Case Law  
§ CC657.2:3 Related Provisions  
657.3 Expert testimony  
§ CC657.3:1 Commentary  
§ CC657.3:2 Case Law  
§ CC657.3:3 Related Provisions

**CHILDREN AND YOUNG PERSONS**

- 658 Testimony as to date of birth
  - § CC658:1 Commentary
  - § CC658:2 Related Provisions

**CORROBORATION**

- 659 Children's evidence
  - § CC659:1 Commentary
  - § CC659:2 Related Provisions

**VERDICTS**

- 660 Full offence charged, attempt proved
  - § CC660:1 Commentary
  - § CC660:2 Case Law
  - § CC660:3 Related Provisions
- 661 Attempt charged, full offence proved
  - § CC661:1 Commentary
  - § CC661:2 Case Law
  - § CC661:3 Related Provisions
- 662 Offence charged, part only proved
  - § CC662:1 Commentary
  - § CC662:2 Case Law
  - § CC662:3 Related Provisions
- 663 No acquittal unless act or omission not wilful
  - § CC663:1 Commentary
  - § CC663:2 Related Provisions

**PREVIOUS CONVICTIONS**

- 664 No reference to previous conviction
  - § CC664:1 Commentary
  - § CC664:2 Related Provisions
- 665 [Repealed 1995, c. 22, s. 3.]
- 666 Evidence of character
  - § CC666:1 Commentary
  - § CC666:2 Case Law
  - § CC666:3 Related Provisions
- 667 Proof of previous conviction
  - § CC667:1 Commentary
  - § CC667:2 Case Law
  - § CC667:3 Related Provisions
- 668 [Repealed 1995, c. 22, s. 4.]
- 669 [Repealed 1995, c. 22, s. 4.]

**JURISDICTION**

- 669.1 Jurisdiction
  - § CC669.1:1 Commentary
  - § CC669.1:2 Related Provisions

TABLE OF CONTENTS

- 669.2 Continuation of proceedings
  - § CC669.2:1 Commentary
  - § CC669.2:2 Case Law
  - § CC669.2:3 Related Provisions
- 669.3 Jurisdiction when appointment to another court
  - § CC669.3:1 Commentary
  - § CC669.3:2 Related Provisions

**FORMAL DEFECTS IN JURY PROCESS**

- 670 Judgment not to be stayed on certain grounds
  - § CC670:1 Commentary
  - § CC670:2 Case Law
  - § CC670:3 Related Provisions
- 671 Directions respecting jury or jurors directory
  - § CC671:1 Commentary
  - § CC671:2 Case Law
  - § CC671:3 Related Provisions
- 672 Saving powers of court
  - § CC672:1 Commentary
  - § CC672:2 Case Law
  - § CC672:3 Related Provisions

**PART XX.1 MENTAL DISORDER (SS. 672.1–672.95)**

**INTERPRETATION**

- 672.1 Definitions
  - § CC672.1:1 Commentary
  - § CC672.1:2 Case Law
  - § CC672.1:3 Related Provisions

**ASSESSMENT ORDERS**

- 672.11 Assessment order
  - § CC672.11:1 Commentary
  - § CC672.11:2 Case Law
  - § CC672.11:3 Related Provisions
- 672.12 Where court may order assessment
  - § CC672.12:1 Commentary
  - § CC672.12:2 Case Law
  - § CC672.12:3 Related Provisions
- 672.121 Review Board may order assessment
  - § CC672.121:1 Commentary
  - § CC672.121:2 Related Provisions
- 672.13 Contents of assessment order
  - § CC672.13:1 Commentary
  - § CC672.13:2 Related Provisions
- 672.14 General rule for period
  - § CC672.14:1 Commentary

- § CC672.14:2 Related Provisions
- 672.15 Extension
  - § CC672.15:1 Commentary
  - § CC672.15:2 Related Provisions
- 672.16 Presumption against custody
  - § CC672.16:1 Commentary
  - § CC672.16:2 Related Provisions
- 672.17 Assessment order takes precedence over bail hearing
  - § CC672.17:1 Commentary
  - § CC672.17:2 Related Provisions
- 672.18 Application to vary assessment order
  - § CC672.18:1 Commentary
  - § CC672.18:2 Related Provisions
- 672.19 No treatment order on assessment
  - § CC672.19:1 Commentary
  - § CC672.19:2 Related Provisions
- 672.191 When assessment completed
  - § CC672.191:1 Commentary
  - § CC672.191:2 Related Provisions

#### **ASSESSMENT REPORTS**

- 672.2 Assessment report
  - § CC672.2:1 Commentary
  - § CC672.2:2 Related Provisions

#### **PROTECTED STATEMENTS**

- 672.21 Definition of “protected statement”
  - § CC672.21:1 Commentary
  - § CC672.21:2 Case Law
  - § CC672.21:3 Related Provisions

#### **FITNESS TO STAND TRIAL**

- 672.22 Presumption of fitness
  - § CC672.22:1 Commentary
  - § CC672.22:2 Case Law
  - § CC672.22:3 Related Provisions
- 672.23 Court may direct issue to be tried
  - § CC672.23:1 Commentary
  - § CC672.23:2 Related Provisions
- 672.24 Counsel
  - § CC672.24:1 Commentary
  - § CC672.24:2 Related Provisions
- 672.25 Postponing trial of issue
  - § CC672.25:1 Commentary
  - § CC672.25:2 Related Provisions
- 672.26 Trial of issue by judge and jury
  - § CC672.26:1 Commentary

TABLE OF CONTENTS

§ CC672.26:2 Related Provisions  
672.27 Trial of issue by court  
§ CC672.27:1 Commentary  
§ CC672.27:2 Related Provisions  
672.28 Proceeding continues where accused is fit  
§ CC672.28:1 Commentary  
§ CC672.28:2 Related Provisions  
672.29 Where continued detention in custody  
§ CC672.29:1 Commentary  
§ CC672.29:2 Related Provisions  
672.3 Acquittal  
§ CC672.3:1 Commentary  
§ CC672.3:2 Related Provisions  
672.31 Verdict of unfit to stand trial  
§ CC672.31:1 Commentary  
§ CC672.31:2 Case Law  
§ CC672.31:3 Related Provisions  
672.32 Subsequent proceedings  
§ CC672.32:1 Commentary  
§ CC672.32:2 Related Provisions  
672.33 *Prima facie* case to be made every two years  
§ CC672.33:1 Commentary  
§ CC672.33:2 Case Law  
§ CC672.33:3 Related Provisions

**VERDICT OF NOT CRIMINALLY RESPONSIBLE ON ACCOUNT OF MENTAL DISORDER**

672.34 Verdict of not criminally responsible on account of mental disorder  
§ CC672.34:1 Commentary  
§ CC672.34:2 Case Law  
§ CC672.34:3 Related Provisions  
672.35 Effect of verdict of not criminally responsible on account of mental disorder  
§ CC672.35:1 Commentary  
§ CC672.35:2 Related Provisions  
672.36 Verdict not a previous conviction  
§ CC672.36:1 Commentary  
§ CC672.36:2 Related Provisions  
672.37 Definition of “application for federal employment”  
§ CC672.37:1 Commentary  
§ CC672.37:2 Related Provisions

**REVIEW BOARDS**

672.38 Review Boards to be established  
§ CC672.38:1 Commentary  
§ CC672.38:2 Related Provisions  
672.39 Members of Review Board  
§ CC672.39:1 Commentary

- § CC672.39:2 Related Provisions
- 672.4 Chairperson of a Review Board
  - § CC672.4:1 Commentary
  - § CC672.4:2 Related Provisions
- 672.41 Quorum of Review Board
  - § CC672.41:1 Commentary
  - § CC672.41:2 Related Provisions
- 672.42 Majority vote
  - § CC672.42:1 Commentary
  - § CC672.42:2 Related Provisions
- 672.43 Powers of Review Boards
  - § CC672.43:1 Commentary
  - § CC672.43:2 Case Law
  - § CC672.43:3 Related Provisions
- 672.44 Rules of Review Board
  - § CC672.44:1 Commentary
  - § CC672.44:2 Related Provisions

**DISPOSITION HEARINGS**

- 672.45 Hearing to be held by a court
  - § CC672.45:1 Commentary
  - § CC672.45:2 Related Provisions
- 672.46 Status quo pending Review Board hearing
  - § CC672.46:1 Commentary
  - § CC672.46:2 Related Provisions
- 672.47 Review Board to make disposition where court does not
  - § CC672.47:1 Commentary
  - § CC672.47:2 Case Law
  - § CC672.47:3 Related Provisions
- 672.48 Review Board to determine fitness
  - § CC672.48:1 Commentary
  - § CC672.48:2 Case Law
  - § CC672.48:3 Related Provisions
- 672.49 Continued detention in hospital
  - § CC672.49:1 Commentary
  - § CC672.49:2 Related Provisions
- 672.5 Procedure at disposition hearing
  - § CC672.5:1 Commentary
  - § CC672.5:2 Case Law
  - § CC672.5:3 Related Provisions
- 672.501 Order restricting publication—sexual offences
  - § CC672.501:1 Commentary
  - § CC672.501:2 Related Provisions
- 672.51 Definition of “disposition information”
  - § CC672.51:1 Commentary
  - § CC672.51:2 Related Provisions
- 672.52 Record of proceedings
  - § CC672.52:1 Commentary

TABLE OF CONTENTS

- § CC672.52:2 Related Provisions
- 672.53 Proceedings not invalid
  - § CC672.53:1 Commentary
  - § CC672.53:2 Related Provisions

**DISPOSITIONS BY A COURT OR REVIEW BOARD**

**TERMS OF DISPOSITIONS**

- 672.54 Dispositions that may be made
  - § CC672.54:1 Commentary
  - § CC672.54:2 Case Law
  - § CC672.54:3 Related Provisions
- 672.5401 Significant threat to safety of public
  - § CC672.5401:1 Commentary
  - § CC672.5401:2 Related Provisions
- 672.541 Victim impact statement
  - § CC672.541:1 Commentary
  - § CC672.541:2 Related Provisions
- 672.542 Additional conditions—safety and security
  - § CC672.542:1 Commentary
  - § CC672.542:2 Case Law
  - § CC672.542:3 Related Provisions
- 672.55 Treatment not a condition
  - § CC672.55:1 Commentary
  - § CC672.55:2 Case Law
  - § CC672.55:3 Related Provisions
- 672.56 Delegated authority to vary restrictions on liberty of accused
  - § CC672.56:1 Commentary
  - § CC672.56:2 Case Law
  - § CC672.56:3 Related Provisions
- 672.57 Warrant of committal
  - § CC672.57:1 Commentary
  - § CC672.57:2 Related Provisions
- 672.58 Treatment disposition
- CAN. REG. 92-665 Notice of Application for Treatment Regulations
  - § CC672.58:1 Commentary
  - § CC672.58:2 Case Law
  - § CC672.58:3 Related Provisions
- 672.59 Criteria for disposition
  - § CC672.59:1 Commentary
  - § CC672.59:2 Related Provisions
- 672.6 Notice required
  - § CC672.6:1 Commentary
  - § CC672.6:2 Related Provisions
- 672.61 Exception
  - § CC672.61:1 Commentary
  - § CC672.61:2 Related Provisions

- 672.62 Consent of hospital required for treatment
  - § CC672.62:1 Commentary
  - § CC672.62:2 Case Law
  - § CC672.62:3 Related Provisions
- 672.63 Effective date of disposition
  - § CC672.63:1 Commentary
  - § CC672.63:2 Case Law
  - § CC672.63:3 Related Provisions

**HIGH-RISK ACCUSED**

- 672.64 Finding
  - § CC672.64:1 Commentary
  - § CC672.64:2 Related Provisions

**DUAL STATUS OFFENDERS**

- 672.67 Where court imposes a sentence
  - § CC672.67:1 Commentary
  - § CC672.67:2 Related Provisions
- 672.68 Definition of "Minister"
  - § CC672.68:1 Commentary
  - § CC672.68:2 Related Provisions
- 672.69 Minister and Review Board entitled to access
  - § CC672.69:1 Commentary
  - § CC672.69:2 Related Provisions
- 672.7 Notice of discharge
  - § CC672.7:1 Commentary
  - § CC672.7:2 Related Provisions
- 672.71 Detention to count as service of term
  - § CC672.71:1 Commentary
  - § CC672.71:2 Related Provisions

**APPEALS**

- 672.72 Grounds for appeal
  - § CC672.72:1 Commentary
  - § CC672.72:2 Case Law
  - § CC672.72:3 Related Provisions
- 672.73 Appeal on the transcript
  - § CC672.73:1 Commentary
  - § CC672.73:2 Case Law
  - § CC672.73:3 Related Provisions
- 672.74 Notice of appeal to be given to court or Review Board
  - § CC672.74:1 Commentary
  - § CC672.74:2 Related Provisions
- 672.75 Automatic suspension of certain dispositions
  - § CC672.75:1 Commentary
  - § CC672.75:2 Case Law
  - § CC672.75:3 Related Provisions



TABLE OF CONTENTS

- 672.76 Application respecting dispositions under appeal
  - § CC672.76:1 Commentary
  - § CC672.76:2 Case Law
  - § CC672.76:3 Related Provisions
- 672.77 Effect of suspension of disposition
  - § CC672.77:1 Commentary
  - § CC672.77:2 Related Provisions
- 672.78 Powers of court of appeal
  - § CC672.78:1 Commentary
  - § CC672.78:2 Case Law
  - § CC672.78:3 Related Provisions
- 672.79 [Repealed 2005, c. 22, s. 26.]
- 672.8 [Repealed 2005, c. 22, s. 26.]

**REVIEW OF DISPOSITIONS**

- 672.81 Mandatory review of dispositions
  - § CC672.81:1 Commentary
  - § CC672.81:2 Case Law
  - § CC672.81:3 Related Provisions
- 672.82 Discretionary review
  - § CC672.82:1 Commentary
  - § CC672.82:2 Case Law
  - § CC672.82:3 Related Provisions
- 672.83 Disposition by Review Board
  - § CC672.83:1 Commentary
  - § CC672.83:2 Case Law
  - § CC672.83:3 Related Provisions
- 672.84 Review of finding—high-risk accused
  - § CC672.84:1 Commentary
  - § CC672.84:2 Related Provisions

**POWER TO COMPEL APPEARANCE**

- 672.85 Bringing accused before Review Board
  - § CC672.85:1 Commentary
  - § CC672.85:2 Related Provisions

**STAY OF PROCEEDINGS**

- 672.851 Recommendation by Review Board
  - § CC672.851:1 Commentary
  - § CC672.851:2 Related Provisions
- 672.852 Appeal
  - § CC672.852:1 Commentary
  - § CC672.852:2 Related Provisions

**INTERPROVINCIAL TRANSFERS**

- 672.86 Interprovincial transfers
  - § CC672.86:1 Commentary

- § CC672.86:2 Related Provisions
- 672.87 Delivery and detention of accused
  - § CC672.87:1 Commentary
  - § CC672.87:2 Related Provisions
- 672.88 Review Board of receiving province
  - § CC672.88:1 Commentary
  - § CC672.88:2 Related Provisions
- 672.89 Other interprovincial transfers
  - § CC672.89:1 Commentary
  - § CC672.89:2 Related Provisions

#### **ENFORCEMENT OF ORDERS AND REGULATIONS**

- 672.9 Execution of warrant anywhere in Canada
  - § CC672.9:1 Commentary
  - § CC672.9:2 Related Provisions
- 672.91 Arrest without warrant for contravention of disposition
  - § CC672.91:1 Commentary
  - § CC672.91:2 Related Provisions
- 672.92 Release or delivery of accused subject to paragraph 672.54(b) disposition order
  - § CC672.92:1 Commentary
  - § CC672.92:2 Related Provisions
- 672.93 Where justice to release accused
  - § CC672.93:1 Commentary
  - § CC672.93:2 Related Provisions
- 672.94 Powers of Review Board
  - § CC672.94:1 Commentary
  - § CC672.94:2 Related Provisions
- 672.95 Regulations
  - § CC672.95:1 Commentary
  - § CC672.95:2 Related Provisions

#### **SCHEDULE**

Schedule to Part XX.1

### **PART XXI APPEALS—INDICTABLE OFFENCES (SS. 673–696)**

#### **INTERPRETATION**

- 673 Definitions
  - § CC673:1 Commentary
  - § CC673:2 Case Law
  - § CC673:3 Related Provisions

#### **RIGHT OF APPEAL**

- 674 Procedure abolished
  - § CC674:1 Commentary
  - § CC674:2 Case Law

TABLE OF CONTENTS

§ CC674:3 Related Provisions  
675 Right of appeal of person convicted  
§ CC675:1 Commentary  
§ CC675:2 Case Law  
§ CC675:3 Related Provisions  
676 Right of Attorney General to appeal  
§ CC676:1 Commentary  
§ CC676:2 Case Law  
§ CC676:3 Related Provisions  
676.1 Appeal re costs  
§ CC676.1:1 Commentary  
§ CC676.1:2 Case Law  
§ CC676.1:3 Related Provisions  
677 Specifying grounds of dissent  
§ CC677:1 Commentary  
§ CC677:2 Case Law  
§ CC677:3 Related Provisions

**PROCEDURE ON APPEALS**

678 Notice of appeal  
§ CC678:1 Commentary  
§ CC678:2 Case Law  
§ CC678:3 Related Provisions  
678.1 Service where respondent cannot be found  
§ CC678.1:1 Commentary  
§ CC678.1:2 Related Provisions  
679 Release pending determination of appeal  
§ CC679:1 Commentary  
§ CC679:2 Case Law  
§ CC679:3 Related Provisions  
680 Review by court of appeal  
§ CC680:1 Commentary  
§ CC680:2 Case Law  
§ CC680:3 Related Provisions  
681 [Repealed 1991, c. 43, s. 9 (Sched., item 7).]  
682 Report by judge  
§ CC682:1 Commentary  
§ CC682:2 Case Law  
§ CC682:3 Related Provisions  
683 Powers of court of appeal  
§ CC683:1 Commentary  
§ CC683:2 Case Law  
§ CC683:3 Related Provisions  
684 Legal assistance for appellant  
§ CC684:1 Commentary  
§ CC684:2 Case Law  
§ CC684:3 Related Provisions  
685 Summary determination of frivolous appeals

- § CC685:1 Commentary
- § CC685:2 Case Law
- § CC685:3 Related Provisions

**POWERS OF THE COURT OF APPEAL**

- 686 Powers
  - § CC686:1 Commentary
  - § CC686:2 Case Law
  - § CC686:3 Related Provisions
- 687 Powers of court on appeal against sentence
  - § CC687:1 Commentary
  - § CC687:2 Case Law
  - § CC687:3 Related Provisions
- 688 Right of appellant to attend
  - § CC688:1 Commentary
  - § CC688:2 Case Law
  - § CC688:3 Related Provisions
- 689 Restitution or forfeiture of property
  - § CC689:1 Commentary
  - § CC689:2 Related Provisions

**[HEADING REPEALED 2002, C. 13, S. 70.]**

- 690 [Repealed 2002, c. 13, s. 70.]

**APPEALS TO THE SUPREME COURT OF CANADA**

- 691 Appeal from conviction
  - § CC691:1 Commentary
  - § CC691:2 Case Law
  - § CC691:3 Related Provisions
- 692 Appeal against affirmation of verdict of not criminally responsible on account of mental disorder
  - § CC692:1 Commentary
  - § CC692:2 Related Provisions
- 693 Appeal by Attorney General
  - § CC693:1 Commentary
  - § CC693:2 Case Law
  - § CC693:3 Related Provisions
- 694 Notice of appeal
  - § CC694:1 Commentary
  - § CC694:2 Related Provisions
- 694.1 Legal assistance for accused
  - § CC694.1:1 Commentary
  - § CC694.1:2 Case Law
  - § CC694.1:3 Related Provisions
- 694.2 Right of appellant to attend
  - § CC694.2:1 Commentary
  - § CC694.2:2 Related Provisions

TABLE OF CONTENTS

- 695 Order of Supreme Court of Canada
  - § CC695:1 Commentary
  - § CC695:2 Case Law
  - § CC695:3 Related Provisions

**APPEALS BY ATTORNEY GENERAL OF CANADA**

- 696 Right of Attorney General of Canada to appeal
  - § CC696:1 Commentary
  - § CC696:2 Case Law
  - § CC696:3 Related Provisions

**PART XXI.1 APPLICATIONS FOR MINISTERIAL REVIEW—  
MISCARRIAGES OF JUSTICE (SS. 696.1–696.6)**

- 696.1 Application
  - § CC696.1:1 Commentary
  - § CC696.1:2 Case Law
  - § CC696.1:3 Related Provisions
- 696.2 Review of applications
  - § CC696.2:1 Commentary
  - § CC696.2:2 Case Law
  - § CC696.2:3 Related Provisions
- 696.3 Definition of “court of appeal”
  - § CC696.3:1 Commentary
  - § CC696.3:2 Case Law
  - § CC696.3:3 Related Provisions
- 696.4 Considerations
  - § CC696.4:1 Commentary
  - § CC696.4:2 Related Provisions
- 696.5 Annual report
  - § CC696.5:1 Commentary
  - § CC696.5:2 Related Provisions
- 696.6 Regulations
  - § CC696.6:1 Commentary
  - § CC696.6:2 Related Provisions

**PART XXII PROCURING ATTENDANCE (SS. 697–715.2)**

**APPLICATION**

- 697 Application
  - § CC697:1 Commentary
  - § CC697:2 Related Provisions

**PROCESS**

- 698 Subpoena
  - § CC698:1 Commentary
  - § CC698:2 Case Law
  - § CC698:3 Related Provisions

- 699 Who may issue
  - § CC699:1 Commentary
  - § CC699:2 Case Law
  - § CC699:3 Related Provisions
- 700 Contents of subpoena
  - § CC700:1 Commentary
  - § CC700:2 Related Provisions
- 700.1 Video links
  - § CC700.1:1 Commentary
  - § CC700.1:2 Related Provisions

**EXECUTION OR SERVICE OF PROCESS**

- 701 Service
  - § CC701:1 Commentary
  - § CC701:2 Related Provisions
- 701.1 Service in accordance with provincial laws
  - § CC701.1:1 Commentary
  - § CC701.1:2 Case Law
  - § CC701.1:3 Related Provisions
- 702 Subpoena effective throughout Canada
  - § CC702:1 Commentary
  - § CC702:2 Related Provisions
- 703 Warrant effective throughout Canada
  - § CC703:1 Commentary
  - § CC703:2 Related Provisions
- 703.1 Summons effective throughout Canada
  - § CC703.1:1 Commentary
  - § CC703.1:2 Case Law
  - § CC703.1:3 Related Provisions
- 703.2 Service of process on an organization
  - § CC703.2:1 Commentary
  - § CC703.2:2 Related Provisions

**DEFAULTING OR ABSCONDING WITNESS**

- 704 Warrant for absconding witness
  - § CC704:1 Commentary
  - § CC704:2 Case Law
  - § CC704:3 Related Provisions
- 705 Warrant if witness does not attend
  - § CC705:1 Commentary
  - § CC705:2 Case Law
  - § CC705:3 Related Provisions
- 706 If witness arrested under warrant
  - § CC706:1 Commentary
  - § CC706:2 Related Provisions
- 707 Maximum period for detention of witness
  - § CC707:1 Commentary
  - § CC707:2 Related Provisions

TABLE OF CONTENTS

- 708 Contempt
  - § CC708:1 Commentary
  - § CC708:2 Case Law
  - § CC708:3 Related Provisions

**ELECTRONICALLY TRANSMITTED COPIES**

- 708.1 Electronically transmitted copies
  - § CC708.1:1 Commentary
  - § CC708.1:2 Related Provisions

**EVIDENCE ON COMMISSION**

- 709 Order appointing commissioner
  - § CC709:1 Commentary
  - § CC709:2 Case Law
  - § CC709:3 Related Provisions
- 710 Application where witness is ill
  - § CC710:1 Commentary
  - § CC710:2 Related Provisions
- 711 Admitting evidence of witness who is ill
  - § CC711:1 Commentary
  - § CC711:2 Related Provisions
- 712 Application for order when witness out of Canada
  - § CC712:1 Commentary
  - § CC712:2 Case Law
  - § CC712:3 Related Provisions
- 713 Providing for presence of accused counsel
  - § CC713:1 Commentary
  - § CC713:2 Case Law
  - § CC713:3 Related Provisions
- 713.1 Evidence not excluded
  - § CC713.1:1 Commentary
  - § CC713.1:2 Related Provisions
- 714 Rules and practice same as in civil cases
  - § CC714:1 Commentary
  - § CC714:2 Case Law
  - § CC714:3 Related Provisions

**VIDEO AND AUDIO EVIDENCE**

- 714.1 Audioconference and videoconference—witness in Canada
  - § CC714.1:1 Commentary
  - § CC714.1:2 Case Law
  - § CC714.1:3 Related Provisions
- 714.2 Videoconference—witness outside Canada
  - § CC714.2:1 Commentary
  - § CC714.2:2 Related Provisions
- 714.3 Audioconference—witness outside Canada
  - § CC714.3:1 Commentary

- § CC714.3:2 Related Provisions
- 714.4 Reasons
  - § CC714.4:1 Commentary
  - § CC714.4:2 Related Provisions
- 714.41 Cessation
  - § CC714.41:1 Commentary
  - § CC714.41:2 Related Provisions
- 714.5 Oath or affirmation
  - § CC714.5:1 Commentary
  - § CC714.5:2 Related Provisions
- 714.6 Other laws about witnesses to apply
  - § CC714.6:1 Commentary
  - § CC714.6:2 Related Provisions
- 714.7 Costs of technology
  - § CC714.7:1 Commentary
  - § CC714.7:2 Related Provisions
- 714.8 Consent
  - § CC714.8:1 Commentary
  - § CC714.8:2 Related Provisions

#### **EVIDENCE PREVIOUSLY TAKEN**

- 715 Evidence at preliminary inquiry may be read at trial in certain cases
  - § CC715:1 Commentary
  - § CC715:2 Case Law
  - § CC715:3 Related Provisions
- 715.01 Transcript of evidence
  - § CC715.01:1 Commentary
  - § CC715.01:2 Related Provisions

#### **VIDEO-RECORDED EVIDENCE**

- 715.1 Evidence of victim or witness under 18
  - § CC715.1:1 Commentary
  - § CC715.1:2 Case Law
  - § CC715.1:3 Related Provisions
- 715.2 Evidence of victim or witness who has a disability
  - § CC715.2:1 Commentary
  - § CC715.2:2 Case Law
  - § CC715.2:3 Related Provisions

#### **PART XXII.01 REMOTE ATTENDANCE BY CERTAIN PERSONS (SS. 715.21–715.26)**

##### **PRINCIPLES**

- 715.21 Attendance
  - § CC715.21:1 Commentary
  - § CC715.21:2 Related Provisions
- 715.22 Provisions providing for audioconference or videoconference



TABLE OF CONTENTS

- § CC715.22:1 Commentary
- § CC715.22:2 Related Provisions

**GENERAL**

- 715.221 Reasons
  - § CC715.221:1 Commentary
  - § CC715.221:2 Related Provisions
- 715.222 Cessation
  - § CC715.222:1 Commentary
  - § CC715.222:2 Related Provisions

**ACCUSED AND OFFENDERS**

- 715.23 Considerations—appearance by audioconference or videoconference
  - § CC715.23:1 Commentary
  - § CC715.23:2 Related Provisions
- 715.231 Preliminary inquiry
  - § CC715.231:1 Commentary
  - § CC715.231:2 Related Provisions
- 715.232 Trial—summary conviction offence
  - § CC715.232:1 Commentary
  - § CC715.232:2 Related Provisions
- 715.233 Trial—indictable offence
  - § CC715.233:1 Commentary
  - § CC715.233:2 Related Provisions
- 715.234 Plea
  - § CC715.234:1 Commentary
  - § CC715.234:2 Related Provisions
- 715.235 Sentencing
  - § CC715.235:1 Commentary
  - § CC715.235:2 Related Provisions
- 715.24 Proceedings not expressly provided for
  - § CC715.24:1 Commentary
  - § CC715.24:2 Related Provisions
- 715.241 Accused in custody—no evidence taken
  - § CC715.241:1 Commentary
  - § CC715.241:2 Related Provisions
- 715.242 Conditions—no access to legal advice
  - § CC715.242:1 Commentary
  - § CC715.242:2 Related Provisions
- 715.243 Communication with counsel
  - § CC715.243:1 Commentary
  - § CC715.243:2 Related Provisions

**PARTICIPANTS**

- 715.25 Definition of “participant”
  - § CC715.25:1 Commentary
  - § CC715.25:2 Related Provisions

**JUDGE OR JUSTICE**

- 715.26 Presiding by audioconference or videoconference
  - § CC715.26:1 Commentary
  - § CC715.26:2 Related Provisions

**PROSPECTIVE JURORS**

- 715.27 Definition of “prospective juror”
  - § CC715.27:1 Commentary
  - § CC715.27:2 Related Provisions

**PART XXII.1 REMEDIATION AGREEMENTS (SS. 715.3–715.43)**

- 715.3 Definitions
  - § CC715.3:1 Commentary
  - § CC715.3:2 Related Provisions
- 715.31 Purpose
  - § CC715.31:1 Commentary
  - § CC715.31:2 Related Provisions
- 715.32 Conditions for remediation agreement
  - § CC715.32:1 Commentary
  - § CC715.32:2 Related Provisions
- 715.33 Notice to organization—invitation to negotiate
  - § CC715.33:1 Commentary
  - § CC715.33:2 Related Provisions
- 715.34 Mandatory contents of agreement
  - § CC715.34:1 Commentary
  - § CC715.34:2 Related Provisions
- 715.35 Independent monitor—conflict of interest
  - § CC715.35:1 Commentary
  - § CC715.35:2 Related Provisions
- 715.36 Duty to inform victims
  - § CC715.36:1 Commentary
  - § CC715.36:2 Related Provisions
- 715.37 Application for court approval
  - § CC715.37:1 Commentary
  - § CC715.37:2 Related Provisions
- 715.38 Variation order
  - § CC715.38:1 Commentary
  - § CC715.38:2 Related Provisions
- 715.39 Termination order
  - § CC715.39:1 Commentary
  - § CC715.39:2 Related Provisions
- 715.4 Order declaring successful completion
  - § CC715.4:1 Commentary
  - § CC715.4:2 Related Provisions
- 715.41 Deadline
  - § CC715.41:1 Commentary
  - § CC715.41:2 Related Provisions
- 715.42 Publication

TABLE OF CONTENTS

- § CC715.42:1 Commentary
- § CC715.42:2 Related Provisions
- 715.43 Regulations
  - § CC715.43:1 Commentary
  - § CC715.43:2 Related Provisions

**SCHEDULE**

Schedule to Part XXII.1—Offences In Respect Of Which A  
Remediation Agreement May Be Entered Into

**PART XXIII SENTENCING (SS. 716–751.1)**

**INTERPRETATION**

- 716 Definitions
  - § CC716:1 Commentary
  - § CC716:2 Related Provisions

**ALTERNATIVE MEASURES**

- 717 When alternative measures may be used
  - § CC717:1 Commentary
  - § CC717:2 Related Provisions
- 717.1 Records of persons dealt with
  - § CC717.1:1 Commentary
  - § CC717.1:2 Related Provisions
- 717.2 Police records
  - § CC717.2:1 Commentary
  - § CC717.2:2 Related Provisions
- 717.3 Government records
  - § CC717.3:1 Commentary
  - § CC717.3:2 Related Provisions
- 717.4 Disclosure of records
  - § CC717.4:1 Commentary
  - § CC717.4:2 Related Provisions

**PURPOSE AND PRINCIPLES OF SENTENCING**

- 718 Purpose
  - § CC718:1 Commentary
  - § CC718:2 Case Law
  - § CC718:3 Related Provisions
- 718.01 Objectives—offences against children
  - § CC718.01:1 Commentary
  - § CC718.01:2 Case Law
  - § CC718.01:3 Related Provisions
- 718.02 Objectives—offence against peace officer or other justice system participant
  - § CC718.02:1 Commentary
  - § CC718.02:2 Case Law

- § CC718.02:3 Related Provisions
- 718.03 Objectives—offence against certain animals
  - § CC718.03:1 Commentary
  - § CC718.03:2 Related Provisions
- 718.04 Objectives—offence against vulnerable person
  - § CC718.04:1 Commentary
  - § CC718.04:2 Related Provisions
- 718.1 Fundamental principle
  - § CC718.1:1 Commentary
  - § CC718.1:2 Case Law
  - § CC718.1:3 Related Provisions
- 718.2 Other sentencing principles
  - § CC718.2:1 Commentary
  - § CC718.2:2 Case Law
  - § CC718.2:3 Related Provisions
- 718.201 Additional consideration—increased vulnerability
  - § CC718.201:1 Commentary
  - § CC718.201:2 Related Provisions

#### **ORGANIZATIONS**

- 718.21 Additional factors
  - § CC718.21:1 Commentary
  - § CC718.21:2 Case Law
  - § CC718.21:3 Related Provisions

#### **PUNISHMENT GENERALLY**

- 718.3 Degrees of punishment
  - § CC718.3:1 Commentary
  - § CC718.3:2 Case Law
  - § CC718.3:3 Related Provisions
- 719 Commencement of sentence
  - § CC719:1 Commentary
  - § CC719:2 Case Law
  - § CC719:3 Related Provisions

#### **PROCEDURE AND EVIDENCE**

- 720 Sentencing proceedings
  - § CC720:1 Commentary
  - § CC720:2 Related Provisions
- 721 Report by probation officer
  - § CC721:1 Commentary
  - § CC721:2 Case Law
  - § CC721:3 Related Provisions
- 722 Victim impact statement
  - § CC722:1 Commentary
  - § CC722:2 Case Law
  - § CC722:3 Related Provisions

TABLE OF CONTENTS

722.1 Copy of statement  
§ CC722.1:1 Commentary  
§ CC722.1:2 Related Provisions

722.2 Community impact statement  
§ CC722.2:1 Commentary  
§ CC722.2:2 Related Provisions

723 Submissions on facts  
§ CC723:1 Commentary  
§ CC723:2 Case Law  
§ CC723:3 Related Provisions

724 Information accepted  
§ CC724:1 Commentary  
§ CC724:2 Case Law  
§ CC724:3 Related Provisions

725 Other offences  
§ CC725:1 Commentary  
§ CC725:2 Case Law  
§ CC725:3 Related Provisions

726 Offender may speak to sentence  
§ CC726:1 Commentary  
§ CC726:2 Case Law  
§ CC726:3 Related Provisions

726.1 Relevant information  
§ CC726.1:1 Commentary  
§ CC726.1:2 Related Provisions

726.2 Reasons for sentence  
§ CC726.2:1 Commentary  
§ CC726.2:2 Related Provisions

726.3 Inquiry by court  
§ CC726.3:1 Commentary  
§ CC726.3:2 Related Provisions

727 Previous conviction  
§ CC727:1 Commentary  
§ CC727:2 Case Law  
§ CC727:3 Related Provisions

728 Sentence justified by any count  
§ CC728:1 Commentary  
§ CC728:2 Case Law  
§ CC728:3 Related Provisions

729 Proof of certificate of analyst  
§ CC729:1 Commentary  
§ CC729:2 Related Provisions

729.1 Proof of certificate of analyst—bodily substance  
§ CC729.1:1 Commentary  
§ CC729.1:2 Related Provisions

**ABSOLUTE AND CONDITIONAL DISCHARGES**

730 Conditional and absolute discharge  
§ CC730:1 Commentary

- § CC730:2 Case Law
- § CC730:3 Related Provisions

**PROBATION**

- 731 Making of probation order
  - § CC731:1 Commentary
  - § CC731:2 Case Law
  - § CC731:3 Related Provisions
- 731.1 Firearm, etc., prohibitions
  - § CC731.1:1 Commentary
  - § CC731.1:2 Related Provisions
- 732 Intermittent sentence
  - § CC732:1 Commentary
  - § CC732:2 Case Law
  - § CC732:3 Related Provisions
- 732.1 Definitions
  - § CC732.1:1 Commentary
  - § CC732.1:2 Case Law
  - § CC732.1:3 Related Provisions
- 732.11 Prohibition on use of bodily substance
  - § CC732.11:1 Commentary
  - § CC732.11:2 Related Provisions
- 732.2 Coming into force of order
  - § CC732.2:1 Commentary
  - § CC732.2:2 Case Law
  - § CC732.2:3 Related Provisions
- 733 Transfer of order
  - § CC733:1 Commentary
  - § CC733:2 Related Provisions
- 733.1 Failure to comply with probation order
  - § CC733.1:1 Commentary
  - § CC733.1:2 Case Law
  - § CC733.1:3 Related Provisions

**FINES AND FORFEITURE**

- 734 Power of court to impose fine
  - § CC734:1 Commentary
  - § CC734:2 Case Law
  - § CC734:3 Related Provisions
- 734.1 Terms of order imposing fine
  - § CC734.1:1 Commentary
  - § CC734.1:2 Related Provisions
- 734.2 Obligations of court
  - § CC734.2:1 Commentary
  - § CC734.2:2 Related Provisions
- 734.3 Change in terms of order
  - § CC734.3:1 Commentary
  - § CC734.3:2 Related Provisions

TABLE OF CONTENTS

734.4 Proceeds to go to provincial treasurer  
    § CC734.4:1 Commentary  
    § CC734.4:2 Related Provisions  
734.5 Licences, permits, etc.  
    § CC734.5:1 Commentary  
    § CC734.5:2 Related Provisions  
734.6 Civil enforcement of fines, forfeiture  
    § CC734.6:1 Commentary  
    § CC734.6:2 Related Provisions  
734.7 Warrant of committal  
    § CC734.7:1 Commentary  
    § CC734.7:2 Case Law  
    § CC734.7:3 Related Provisions  
734.8 Definition of “penalty”  
    § CC734.8:1 Commentary  
    § CC734.8:2 Related Provisions  
735 Fines on organizations  
    § CC735:1 Commentary  
    § CC735:2 Case Law  
    § CC735:3 Related Provisions  
736 Fine option program  
    § CC736:1 Commentary  
    § CC736:2 Related Provisions  
737 Victim surcharge  
    § CC737:1 Commentary  
    § CC737:2 Case Law  
    § CC737:3 Related Provisions

**RESTITUTION**

737.1 Court to consider restitution order  
    § CC737.1:1 Commentary  
    § CC737.1:2 Related Provisions  
738 Restitution to victims of offences  
    § CC738:1 Commentary  
    § CC738:2 Case Law  
    § CC738:3 Related Provisions  
739 Restitution to persons acting in good faith  
    § CC739:1 Commentary  
    § CC739:2 Related Provisions  
739.1 Ability to pay  
    § CC739.1:1 Commentary  
    § CC739.1:2 Case Law  
    § CC739.1:3 Related Provisions  
739.2 Payment under order  
    § CC739.2:1 Commentary  
    § CC739.2:2 Related Provisions  
739.3 More than one person  
    § CC739.3:1 Commentary

- § CC739.3:2 Related Provisions
- 739.4 Public authority
  - § CC739.4:1 Commentary
  - § CC739.4:2 Related Provisions
- 740 Priority to restitution
  - § CC740:1 Commentary
  - § CC740:2 Related Provisions
- 741 Enforcing restitution order
  - § CC741:1 Commentary
  - § CC741:2 Related Provisions
- 741.1 Notice of orders of restitution
  - § CC741.1:1 Commentary
  - § CC741.1:2 Related Provisions
- 741.2 Civil remedy not affected
  - § CC741.2:1 Commentary
  - § CC741.2:2 Related Provisions

**CONDITIONAL SENTENCE OF IMPRISONMENT**

- 742 Definitions
  - § CC742:1 Commentary
  - § CC742:2 Related Provisions
- 742.1 Imposing of conditional sentence
  - § CC742.1:1 Commentary
  - § CC742.1:2 Case Law
  - § CC742.1:3 Related Provisions
- 742.2 Firearm, etc., prohibitions
  - § CC742.2:1 Commentary
  - § CC742.2:2 Related Provisions
- 742.3 Compulsory conditions of conditional sentence order
  - § CC742.3:1 Commentary
  - § CC742.3:2 Case Law
  - § CC742.3:3 Related Provisions
- 742.31 Prohibition on use of bodily substance
  - § CC742.31:1 Commentary
  - § CC742.31:2 Related Provisions
- 742.4 Supervisor may propose changes to optional conditions
  - § CC742.4:1 Commentary
  - § CC742.4:2 Case Law
  - § CC742.4:3 Related Provisions
- 742.5 Transfer of order
  - § CC742.5:1 Commentary
  - § CC742.5:2 Related Provisions
- 742.6 Procedure on breach of condition
  - § CC742.6:1 Commentary
  - § CC742.6:2 Case Law
  - § CC742.6:3 Related Provisions
- 742.7 If person imprisoned for new offence
  - § CC742.7:1 Commentary



TABLE OF CONTENTS

§ CC742.7:2 Related Provisions

**IMPRISONMENT**

743 Imprisonment when no other provision

§ CC743:1 Commentary

§ CC743:2 Related Provisions

743.1 Imprisonment for life or more than two years

§ CC743.1:1 Commentary

§ CC743.1:2 Case Law

§ CC743.1:3 Related Provisions

743.2 Report by court to Correctional Service

§ CC743.2:1 Commentary

§ CC743.2:2 Related Provisions

743.21 Non-communication order

§ CC743.21:1 Commentary

§ CC743.21:2 Related Provisions

743.3 Sentence served according to regulations

§ CC743.3:1 Commentary

§ CC743.3:2 Case Law

§ CC743.3:3 Related Provisions

743.4 [Repealed 2002, c. 1, s. 184.]

743.5 Transfer of jurisdiction when person already sentenced under *Youth Criminal Justice Act*

§ CC743.5:1 Commentary

§ CC743.5:2 Related Provisions

**ELIGIBILITY FOR PAROLE**

743.6 Power of court to delay parole

Corrections and Conditional Release Act

§ CC743.6:1 Commentary

§ CC743.6:2 Case Law

§ CC743.6:3 Related Provisions

**DELIVERY OF OFFENDER TO KEEPER OF PRISON**

744 Execution of warrant of committal

§ CC744:1 Commentary

§ CC744:2 Related Provisions

744.1 [Repealed 1995, c. 22, s. 6.]

**IMPRISONMENT FOR LIFE**

745 Sentence of life imprisonment

§ CC745:1 Commentary

§ CC745:2 Case Law

§ CC745:3 Related Provisions

745.01 Information in respect of parole

§ CC745.01:1 Commentary

§ CC745.01:2 Related Provisions

- 745.1 Persons under eighteen
  - § CC745.1:1 Commentary
  - § CC745.1:2 Related Provisions
- 745.2 Recommendation by jury
  - § CC745.2:1 Commentary
  - § CC745.2:2 Case Law
  - § CC745.2:3 Related Provisions
- 745.21 Recommendation by jury—multiple murders
  - § CC745.21:1 Commentary
  - § CC745.21:2 Related Provisions
- 745.3 Persons under sixteen
  - § CC745.3:1 Commentary
  - § CC745.3:2 Related Provisions
- 745.4 Ineligibility for parole
  - § CC745.4:1 Commentary
  - § CC745.4:2 Case Law
  - § CC745.4:3 Related Provisions
- 745.5 Idem
  - § CC745.5:1 Commentary
  - § CC745.5:2 Related Provisions
- 745.51 Ineligibility for parole—multiple murders
  - § CC745.51:1 Commentary
  - § CC745.51:2 Case Law
  - § CC745.51:3 Related Provisions
- 745.6 Application for judicial review
  - § CC745.6:1 Commentary
  - § CC745.6:2 Case Law
  - § CC745.6:3 Related Provisions
- 745.61 Judicial screening
  - § CC745.61:1 Commentary
  - § CC745.61:2 Case Law
  - § CC745.61:3 Related Provisions
- 745.62 Appeal
  - § CC745.62:1 Commentary
  - § CC745.62:2 Related Provisions
- 745.63 Hearing of application
  - § CC745.63:1 Commentary
  - § CC745.63:2 Case Law
  - § CC745.63:3 Related Provisions
- 745.64 Rules
  - § CC745.64:1 Commentary
  - § CC745.64:2 Related Provisions
- 746 Time spent in custody
  - § CC746:1 Commentary
  - § CC746:2 Case Law
  - § CC746:3 Related Provisions
- 746.1 Parole prohibited
  - § CC746.1:1 Commentary

TABLE OF CONTENTS

- § CC746.1:2 Related Provisions
- 747 [Repealed 1995, c. 22, s. 6.]

**PARDONS AND REMISSIONS**

- 748 To whom pardon may be granted
  - § CC748:1 Commentary
  - § CC748:2 Case Law
  - § CC748:3 Related Provisions
- 748.1 Remission by Governor in Council
  - § CC748.1:1 Commentary
  - § CC748.1:2 Related Provisions
- 749 Royal prerogative
  - § CC749:1 Commentary
  - § CC749:2 Related Provisions

**DISABILITIES**

- 750 Public office vacated for conviction
  - § CC750:1 Commentary
  - § CC750:2 Related Provisions

**MISCELLANEOUS PROVISIONS**

- 751 Costs to successful party in case of libel
  - § CC751:1 Commentary
  - § CC751:2 Related Provisions
- 751.1 How recovered
  - § CC751.1:1 Commentary
  - § CC751.1:2 Related Provisions

**PART XXIV DANGEROUS OFFENDERS AND LONG-TERM OFFENDERS (SS. 752–761)**

**INTERPRETATION**

- 752 Definitions
  - § CC752:1 Commentary
  - § CC752:2 Case Law
  - § CC752:3 Related Provisions

**DANGEROUS OFFENDERS AND LONG-TERM OFFENDERS**

- 752.01 Prosecutor’s duty to advise court
  - § CC752.01:1 Commentary
  - § CC752.01:2 Related Provisions
- 752.1 Application for remand for assessment
  - § CC752.1:1 Commentary
  - § CC752.1:2 Case Law
  - § CC752.1:3 Related Provisions
- 753 Application for finding that an offender is a dangerous offender
  - § CC753:1 Commentary

- § CC753:2 Case Law
- § CC753:3 Related Provisions
- 753.01 Application for remand for assessment—later conviction
  - § CC753.01:1 Commentary
  - § CC753.01:2 Related Provisions
- 753.02 Victim evidence
  - § CC753.02:1 Commentary
  - § CC753.02:2 Related Provisions
- 753.1 Application for finding that an offender is a long-term offender
  - § CC753.1:1 Commentary
  - § CC753.1:2 Case Law
  - § CC753.1:3 Related Provisions
- 753.2 Long-term supervision
  - § CC753.2:1 Commentary
  - § CC753.2:2 Related Provisions
- 753.3 Breach of long-term supervision
  - § CC753.3:1 Commentary
  - § CC753.3:2 Case Law
  - § CC753.3:3 Related Provisions
- 753.4 New offence
  - § CC753.4:1 Commentary
  - § CC753.4:2 Related Provisions
- 754 Hearing of application
  - § CC754:1 Commentary
  - § CC754:2 Case Law
  - § CC754:3 Related Provisions
- 755 Exception to long-term supervision—life sentence
  - § CC755:1 Commentary
  - § CC755:2 Related Provisions
- 756 [Repealed 1997, c. 17, s. 5.]
- 757 Evidence of character
  - § CC757:1 Commentary
  - § CC757:2 Case Law
  - § CC757:3 Related Provisions
- 758 Presence of accused at hearing of application
  - § CC758:1 Commentary
  - § CC758:2 Related Provisions
- 759 Appeal—offender
  - § CC759:1 Commentary
  - § CC759:2 Case Law
  - § CC759:3 Related Provisions
- 760 Disclosure to Correctional Service of Canada
  - § CC760:1 Commentary
  - § CC760:2 Related Provisions
- 761 Review for parole
  - § CC761:1 Commentary
  - § CC761:2 Related Provisions

**PART XXV EFFECT AND ENFORCEMENT OF  
UNDERTAKINGS, RELEASE ORDERS AND RECOGNIZANCES  
(SS. 762-773)**

- 762 Applications for forfeiture
  - § CC762:1 Commentary
  - § CC762:2 Related Provisions
- 763 Undertaking or release order binding on person
  - § CC763:1 Commentary
  - § CC763:2 Related Provisions
- 764 Undertaking or release order binding on accused
  - § CC764:1 Commentary
  - § CC764:2 Case Law
  - § CC764:3 Related Provisions
- 765 Effect of subsequent arrest
  - § CC765:1 Commentary
  - § CC765:2 Related Provisions
- 766 Render of accused by sureties
  - § CC766:1 Commentary
  - § CC766:2 Related Provisions
- 767 Render of accused in court by sureties
  - § CC767:1 Commentary
  - § CC767:2 Related Provisions
- 767.1 Substitution of surety
  - § CC767.1:1 Commentary
  - § CC767.1:2 Related Provisions
- 768 Rights of surety preserved
  - § CC768:1 Commentary
  - § CC768:2 Related Provisions
- 769 Application of judicial interim release provisions
  - § CC769:1 Commentary
  - § CC769:2 Related Provisions
- 770 Default to be endorsed
  - § CC770:1 Commentary
  - § CC770:2 Case Law
  - § CC770:3 Related Provisions
- 771 Proceedings in case of default
  - § CC771:1 Commentary
  - § CC771:2 Case Law
  - § CC771:3 Related Provisions
- 772 Levy under writ
  - § CC772:1 Commentary
  - § CC772:2 Related Provisions
- 773 Committal when writ not satisfied
  - § CC773:1 Commentary
  - § CC773:2 Case Law
  - § CC773:3 Related Provisions

**SCHEDULE**

Schedule to Part XXV

**PART XXVI EXTRAORDINARY REMEDIES (SS. 774–784)**

- 774 Application of Part
  - § CC774:1 Commentary
  - § CC774:2 Case Law
  - § CC774:3 Related Provisions
- 774.1 Appearance in person—habeas corpus
  - § CC774.1:1 Commentary
  - § CC774.1:2 Related Provisions
- 775 Detention on inquiry to determine legality of imprisonment
  - § CC775:1 Commentary
  - § CC775:2 Case Law
  - § CC775:3 Related Provisions
- 776 Where conviction or order not reviewable
  - § CC776:1 Commentary
  - § CC776:2 Case Law
  - § CC776:3 Related Provisions
- 777 Conviction or order remediable, when
  - § CC777:1 Commentary
  - § CC777:2 Case Law
  - § CC777:3 Related Provisions
- 778 Irregularities within section 777
  - § CC778:1 Commentary
  - § CC778:2 Related Provisions
- 779 General order for security by recognizance
  - § CC779:1 Commentary
  - § CC779:2 Related Provisions
- 780 Effect of order dismissing application to quash
  - § CC780:1 Commentary
  - § CC780:2 Case Law
  - § CC780:3 Related Provisions
- 781 Want of proof of order in council
  - § CC781:1 Commentary
  - § CC781:2 Related Provisions
- 782 Defect in form
  - § CC782:1 Commentary
  - § CC782:2 Case Law
  - § CC782:3 Related Provisions
- 783 No action against official when conviction, etc., quashed
  - § CC783:1 Commentary
  - § CC783:2 Case Law
  - § CC783:3 Related Provisions
- 784 Appeal in mandamus, etc.
  - § CC784:1 Commentary
  - § CC784:2 Case Law
  - § CC784:3 Related Provisions



**PART XXVII SUMMARY CONVICTIONS (SS. 785–840)**

**INTERPRETATION**

- 785 Definitions
  - § CC785:1 Commentary
  - § CC785:2 Case Law
  - § CC785:3 Related Provisions
- 786 Application of Part
  - § CC786:1 Commentary
  - § CC786:2 Case Law
  - § CC786:3 Related Provisions

**PUNISHMENT**

- 787 General penalty
  - § CC787:1 Commentary
  - § CC787:2 Case Law
  - § CC787:3 Related Provisions

**INFORMATION**

- 788 Commencement of proceedings
  - § CC788:1 Commentary
  - § CC788:2 Case Law
  - § CC788:3 Related Provisions
- 789 Formalities of information
  - § CC789:1 Commentary
  - § CC789:2 Case Law
  - § CC789:3 Related Provisions
- 790 Any justice may act before and after trial
  - § CC790:1 Commentary
  - § CC790:2 Related Provisions
- 791 [Repealed R.S.C. 1985, c. 27 (1st Supp.), s. 173.]

**[HEADING REPEALED R.S.C. 1985, C. 27 (1ST SUPP.), S. 174.]**

- 792 [Repealed R.S.C. 1985, c. 27 (1st Supp.), s. 174.]

**DEFECTS AND OBJECTIONS**

- 793 [Repealed R.S.C. 1985, c. 27 (1st Supp.), s. 175.]
- 794 No need to negative exception, etc.
  - § CC794:1 Commentary
  - § CC794:2 Case Law
  - § CC794:3 Related Provisions

**APPLICATION**

- 795 Application of Parts XVI, XVIII, XVIII.1, XX, XX.1 and XXII.01
  - § CC795:1 Commentary

- § CC795:2 Case Law
- § CC795:3 Related Provisions
- 796 [Repealed R.S.C. 1985, c. 27 (1st Supp.), s. 176.]
- 797 [Repealed R.S.C. 1985, c. 27 (1st Supp.), s. 176.]

**TRIAL**

- 798 Jurisdiction
  - § CC798:1 Commentary
  - § CC798:2 Case Law
  - § CC798:3 Related Provisions
- 799 Non-appearance of prosecutor
  - § CC799:1 Commentary
  - § CC799:2 Case Law
  - § CC799:3 Related Provisions
- 800 When both parties appear
  - § CC800:1 Commentary
  - § CC800:2 Case Law
  - § CC800:3 Related Provisions
- 801 Arraignment
  - § CC801:1 Commentary
  - § CC801:2 Case Law
  - § CC801:3 Related Provisions
- 802 Right to make full answer and defence
  - § CC802:1 Commentary
  - § CC802:2 Case Law
  - § CC802:3 Related Provisions
- 802.1 Limitation on the use of agents
  - § CC802.1:1 Commentary
  - § CC802.1:2 Related Provisions
- 803 Adjournment
  - § CC803:1 Commentary
  - § CC803:2 Case Law
  - § CC803:3 Related Provisions

**ADJUDICATION**

- 804 Finding of guilt, conviction, order or dismissal
  - § CC804:1 Commentary
  - § CC804:2 Case Law
  - § CC804:3 Related Provisions
- 805 [Repealed R.S.C. 1985, c. 27 (1st Supp.), s. 179.]
- 806 Memo of conviction or order
  - § CC806:1 Commentary
  - § CC806:2 Case Law
  - § CC806:3 Related Provisions
- 807 Disposal of penalties when joint offenders
  - § CC807:1 Commentary
  - § CC807:2 Related Provisions
- 808 Order of dismissal



TABLE OF CONTENTS

- § CC808:1 Commentary
- § CC808:2 Case Law
- § CC808:3 Related Provisions
- 809 Costs
  - § CC809:1 Commentary
  - § CC809:2 Case Law
  - § CC809:3 Related Provisions

**SURETIES TO KEEP THE PEACE**

- 810 If injury or damage feared
  - § CC810:1 Commentary
  - § CC810:2 Case Law
  - § CC810:3 Related Provisions
- 810.01 Fear of certain offences
  - § CC810.01:1 Commentary
  - § CC810.01:2 Case Law
  - § CC810.01:3 Related Provisions
- 810.011 Fear of terrorism offence
  - § CC810.011:1 Commentary
  - § CC810.011:2 Case Law
  - § CC810.011:3 Related Provisions
- 810.02 Fear of forced marriage or marriage under age of 16 years
  - § CC810.02:1 Commentary
  - § CC810.02:2 Related Provisions
- 810.1 Where fear of sexual offence
  - § CC810.1:1 Commentary
  - § CC810.1:2 Case Law
  - § CC810.1:3 Related Provisions
- 810.2 Where fear of serious personal injury offence
  - § CC810.2:1 Commentary
  - § CC810.2:2 Case Law
  - § CC810.2:3 Related Provisions
- 810.21 Audioconference or videoconference
  - § CC810.21:1 Commentary
  - § CC810.21:2 Related Provisions
- 810.22 Transfer of order
  - § CC810.22:1 Commentary
  - § CC810.22:2 Related Provisions
- 810.3 Samples—designations and specifications
  - § CC810.3:1 Commentary
  - § CC810.3:2 Related Provisions
- 810.4 Prohibition on use of bodily substance
  - § CC810.4:1 Commentary
  - § CC810.4:2 Related Provisions
- 810.5 Orders under sections 486 to 486.5 and 486.7
  - § CC810.5:1 Commentary
  - § CC810.5:2 Related Provisions
- 811 Breach of recognizance

- § CC811:1 Commentary
- § CC811:2 Case Law
- § CC811:3 Related Provisions
- 811.1 Proof of certificate of analyst—bodily substance
  - § CC811.1:1 Commentary
  - § CC811.1:2 Related Provisions

**APPEAL**

- 812 Definition of “appeal court”
  - § CC812:1 Commentary
  - § CC812:2 Case Law
  - § CC812:3 Related Provisions
- 813 Appeal by defendant, informant or Attorney General
  - § CC813:1 Commentary
  - § CC813:2 Case Law
  - § CC813:3 Related Provisions
- 814 Manitoba and Alberta
  - § CC814:1 Commentary
  - § CC814:2 Related Provisions
- 815 Notice of appeal
  - § CC815:1 Commentary
  - § CC815:2 Case Law
  - § CC815:3 Related Provisions

**INTERIM RELEASE OF APPELLANT**

- 816 Release order—appellant
  - § CC816:1 Commentary
  - § CC816:2 Related Provisions
- 817 Recognizance of prosecutor
  - § CC817:1 Commentary
  - § CC817:2 Case Law
  - § CC817:3 Related Provisions
- 818 Application to appeal court for review
  - § CC818:1 Commentary
  - § CC818:2 Related Provisions
- 819 Application to fix date for hearing of appeal
  - § CC819:1 Commentary
  - § CC819:2 Related Provisions
- 820 Payment of fine not a waiver of appeal
  - § CC820:1 Commentary
  - § CC820:2 Related Provisions

**PROCEDURE ON APPEAL**

- 821 Notification and transmission of conviction, etc.
  - § CC821:1 Commentary
  - § CC821:2 Related Provisions
- 822 Certain sections applicable to appeals

TABLE OF CONTENTS

§ CC822:1 Commentary  
§ CC822:2 Case Law  
§ CC822:3 Related Provisions  
823 [Repealed 1991, c. 43, s. 9 (Sched., item 14).]  
824 Adjournment  
§ CC824:1 Commentary  
§ CC824:2 Related Provisions  
825 Dismissal for failure to appear or want of prosecution  
§ CC825:1 Commentary  
§ CC825:2 Case Law  
§ CC825:3 Related Provisions  
826 Costs  
§ CC826:1 Commentary  
§ CC826:2 Case Law  
§ CC826:3 Related Provisions  
827 To whom costs payable, and when  
§ CC827:1 Commentary  
§ CC827:2 Related Provisions  
828 Enforcement of conviction or order by court of appeal  
§ CC828:1 Commentary  
§ CC828:2 Case Law  
§ CC828:3 Related Provisions

**SUMMARY APPEAL ON TRANSCRIPT OR AGREED STATEMENT OF FACTS**

829 Definition of “appeal court”  
§ CC829:1 Commentary  
§ CC829:2 Related Provisions  
830 Appeals  
§ CC830:1 Commentary  
§ CC830:2 Case Law  
§ CC830:3 Related Provisions  
831 Application  
§ CC831:1 Commentary  
§ CC831:2 Related Provisions  
832 Release order or recognizance  
§ CC832:1 Commentary  
§ CC832:2 Related Provisions  
833 No writ required  
§ CC833:1 Commentary  
§ CC833:2 Related Provisions  
834 Powers of appeal court  
§ CC834:1 Commentary  
§ CC834:2 Case Law  
§ CC834:3 Related Provisions  
835 Enforcement  
§ CC835:1 Commentary  
§ CC835:2 Related Provisions  
836 Appeal under section 830

- § CC836:1 Commentary
- § CC836:2 Related Provisions
- 837 Appeal barred
  - § CC837:1 Commentary
  - § CC837:2 Related Provisions
- 838 Extension of time
  - § CC838:1 Commentary
  - § CC838:2 Related Provisions

#### **APPEALS TO COURT OF APPEAL**

- 839 Appeal on question of law
  - § CC839:1 Commentary
  - § CC839:2 Case Law
  - § CC839:3 Related Provisions

#### **FEEES AND ALLOWANCES**

- 840 Fees and allowances
  - § CC840:1 Commentary
  - § CC840:2 Related Provisions

#### **SCHEDULE**

Schedule to Part XXVII

### **PART XXVIII MISCELLANEOUS (SS. 841–849)**

#### **ELECTRONIC DOCUMENTS**

- 841 Definitions
  - § CC841:1 Commentary
  - § CC841:2 Related Provisions
- 842 Dealing with data in court
  - § CC842:1 Commentary
  - § CC842:2 Related Provisions
- 843 Transfer of data
  - § CC843:1 Commentary
  - § CC843:2 Related Provisions
- 844 Documents in writing
  - § CC844:1 Commentary
  - § CC844:2 Related Provisions
- 845 Signatures
  - § CC845:1 Commentary
  - § CC845:2 Related Provisions
- 846 Oaths
  - § CC846:1 Commentary
  - § CC846:2 Related Provisions
- 847 Copies
  - § CC847:1 Commentary
  - § CC847:2 Related Provisions

TABLE OF CONTENTS

[HEADING REPEALED 2019, C. 25, S. 329.]

848 [Repealed 2019, c. 25, s. 329.]  
§ CC848:1 Commentary

**FORMS**

849	Forms
§ CC849:1	Commentary
§ CC849:2	Case Law
§ CC849:3	Related Provisions
Form 1	Information to Obtain a Search Warrant
Form 2	Information
Form 3	[Repealed R.S.C. 1985, c. 27 (1st Supp.), s. 184(2).]
Form 4	Heading of Indictment
Form 5	Warrant to Search
Form 5.001	Preservation Demand
Form 5.002	Information to Obtain a Preservation Order
Form 5.003	Preservation Order
Form 5.004	Information to Obtain a Production Order
Form 5.005	Production Order for Documents
Form 5.006	Production Order to Trace a Communication
Form 5.007	Production Order for Transmission Data or Tracking Data
Form 5.008	Production Order for Financial Data
Form 5.0081	Information to Revoke or Vary an Order Made under Any of Sections 487.013 to 487.018 of the <i>Criminal Code</i>
Form 5.009	Information to Obtain a Non-Disclosure Order
Form 5.0091	Non-Disclosure Order
Form 5.01	Information to Obtain a Warrant to Take Bodily Substances for Forensic DNA Analysis
Form 5.02	Warrant Authorizing the Taking of Bodily Substances for Forensic DNA Analysis
Form 5.03	Order Authorizing the Taking of Bodily Substances for Forensic DNA Analysis
Form 5.04	Order Authorizing the Taking of Bodily Substances for Forensic DNA Analysis
Form 5.041	Order to a Person to Have Bodily Substances Taken for Forensic DNA Analysis
Form 5.05	Application for an Authorization to Take Bodily Substances for Forensic DNA Analysis
Form 5.06	Authorization to Take Bodily Substances for Forensic DNA Analysis
Form 5.061	Summons to a Person to Have Bodily Substances Taken for Forensic DNA Analysis
Form 5.062	Warrant for Arrest
Form 5.07	Report to a Provincial Court Judge or the Court
Form 5.08	Application for an Authorization to Take Additional Samples of Bodily Substances for Forensic DNA Analysis
Form 5.09	Authorization to Take Additional Samples of Bodily Substances for Forensic DNA Analysis
Form 5.1	Notice—Execution of Search Warrant

Form 5.2	Report to a Justice
Form 5.3	Report to a Judge of Property Seized
Form 6	Summons to a Person Charged With an Offence
Form 6.1	Application for a Summons under Section 485.2
Form 6.2	Summons to Appear for the Purposes of the <i>Identification of Criminals Act</i>
Form 6.3	Summons to Appear for the Purposes of Section 490.0132
Form 6.4	Warrant for Arrest
Form 7	Warrant for Arrest
Form 7.1	Warrant to Enter Dwelling-House
Form 8	Warrant for Committal
Form 9	Appearance Notice
Form 10	Undertaking
Form 11	Release Order
Form 11.1	Order to Appear for the Purposes of the <i>Identification of Criminals Act</i>
Form 12	Surety Declaration
Form 13	[Repealed 2019, c. 25, s. 337.]
Form 14	[Repealed 2019, c. 25, s. 337.]
Form 15	Warrant to Convey Accused Before Justice of Another Territorial Division
Form 16	Subpoena to a Witness
Form 16.1	Subpoena to a witness in the case of proceedings in respect of an offence referred to in s. 278.2(1) of the <i>Criminal Code</i>
Form 17	Warrant for Witness
Form 18	Warrant to Arrest an Absconding Witness
Form 19	Warrant Remanding a Prisoner
Form 20	Warrant of Committal of Witness for Refusing to be Sworn or to Give Evidence
Form 21	Warrant of Committal on Conviction
Form 22	Warrant of Committal on an Order for the Payment of Money
Form 23	Warrant of Committal for Failure to Furnish Recognizance to Keep the Peace
Form 24	Warrant of Committal of Witness for Failure to Enter into Recognizance
Form 25	Warrant of Committal for Contempt
Form 26	Warrant of Committal in Default of Payment of Costs of an Appeal
Form 27	Warrant of Committal on Forfeiture of Amounts
Form 28	Endorsement of Warrant
Form 28.1	[Repealed 2007, c. 22, s. 26.]
Form 29	Endorsement of Warrant
Form 30	Order for Accused to be Brought Before Justice Prior to Expiration of Period of Remand
Form 31	Deposition of a Witness
Form 32	Recognizance
Form 33	Certificate of Default to be Endorsed
Form 34	Writ of Fieri Facias
Form 34.1	Statement on Restitution
Form 34.2	Victim Impact Statement

TABLE OF CONTENTS

Form 34.3	Community Impact Statement
Form 35	Conviction
Form 36	Order Against an Offender
Form 37	Order Acquitting Accused
Form 38	Conviction for Contempt
Form 39	Order for Discharge of a Person in Custody
Form 40	Challenge to Array
Form 41	Challenge for Cause
Form 42	Certificate of Non-Payment of Costs of Appeal
Form 43	Jailer's Receipt to Peace Officer for Prisoner
Form 44	
Form 45	
Form 46	Probation Order
Form 47	Order to Disclose Income Tax Information
Form 48	Assessment Order of the Court
Form 48.1	Assessment Order of the Review Board
Form 48.2	Victim Impact Statement—Not Criminally Responsible
Form 49	Warrant of Committal Disposition of Detention
Form 50	Warrant of Committal Placement Decision
Form 51	Notice of Obligation to Provide Samples of Bodily Substance
Form 52	Order to Comply With <i>Sex Offender Information Registration Act</i>
Form 53	Notice of Obligation to Comply With <i>Sex Offender Information Registration Act</i>
Form 54	Obligation to Comply With <i>Sex Offender Information Registration Act</i>

**CANADA EVIDENCE ACT**

**SHORT TITLE**

- 1 Short title
  - § CEA1:1 Commentary
  - § CEA1:2 Related Provisions

**PART I (SS. 2–42)**

**APPLICATION**

- 2 Application
  - § CEA2:1 Commentary
  - § CEA2:2 Related Provisions

**WITNESSES**

- 3 Interest or crime
  - § CEA3:1 Commentary
  - § CEA3:2 Related Provisions
- 4 Accused and spouse
  - § CEA4:1 Commentary
  - § CEA4:2 Case Law

- § CEA4:3 Related Provisions
- 5 Incriminating questions
  - § CEA5:1 Commentary
  - § CEA5:2 Case Law
  - § CEA5:3 Related Provisions
- 6 Evidence of person with physical disability
  - § CEA6:1 Commentary
  - § CEA6:2 Related Provisions
- 6.1 Identification of accused
  - § CEA6.1:1 Commentary
  - § CEA6.1:2 Related Provisions
- 7 Expert witnesses
  - § CEA7:1 Commentary
  - § CEA7:2 Case Law
  - § CEA7:3 Related Provisions
- 8 Handwriting comparison
  - § CEA8:1 Commentary
  - § CEA8:2 Case Law
  - § CEA8:3 Related Provisions
- 9 Adverse witnesses
  - § CEA9:1 Commentary
  - § CEA9:2 Case Law
  - § CEA9:3 Related Provisions
- 10 Cross-examination as to previous statements
  - § CEA10:1 Commentary
  - § CEA10:2 Case Law
  - § CEA10:3 Related Provisions
- 11 Cross-examination as to previous oral statements
  - § CEA11:1 Commentary
  - § CEA11:2 Case Law
  - § CEA11:3 Related Provisions
- 12 Examination as to previous convictions
  - § CEA12:1 Commentary
  - § CEA12:2 Case Law
  - § CEA12:3 Related Provisions

**OATHS AND SOLEMN AFFIRMATIONS**

- 13 Who may administer oaths
  - § CEA13:1 Commentary
  - § CEA13:2 Related Provisions
- 14 Solemn affirmation by witness instead of oath
  - § CEA14:1 Commentary
  - § CEA14:2 Case Law
  - § CEA14:3 Related Provisions
- 15 Solemn affirmation by deponent
  - § CEA15:1 Commentary
  - § CEA15:2 Related Provisions
- 16 Witness whose capacity is in question



TABLE OF CONTENTS

- § CEA16:1 Commentary
- § CEA16:2 Case Law
- § CEA16:3 Related Provisions
- 16.1 Person under fourteen years of age
  - § CEA16.1:1 Commentary
  - § CEA16.1:2 Case Law
  - § CEA16.1:3 Related Provisions

**JUDICIAL NOTICE**

- 17 Imperial Acts, etc
  - § CEA17:1 Commentary
  - § CEA17:2 Case Law
  - § CEA17:3 Related Provisions
- 18 Acts of Canada
  - § CEA18:1 Commentary
  - § CEA18:2 Related Provisions

**DOCUMENTARY EVIDENCE**

- 19 Copies by Queen's Printer
  - § CEA19:1 Commentary
  - § CEA19:2 Case Law
  - § CEA19:3 Related Provisions
- 20 Imperial proclamations, etc
  - § CEA20:1 Commentary
  - § CEA20:2 Related Provisions
- 21 Proclamations, etc., of Governor General
  - § CEA21:1 Commentary
  - § CEA21:2 Case Law
  - § CEA21:3 Related Provisions
- 22 Proclamations, etc., of Lieutenant Governor
  - § CEA22:1 Commentary
  - § CEA22:2 Related Provisions
- 23 Evidence of judicial proceedings, etc.
  - § CEA23:1 Commentary
  - § CEA23:2 Case Law
  - § CEA23:3 Related Provisions
- 24 Certified copies
  - § CEA24:1 Commentary
  - § CEA24:2 Case Law
  - § CEA24:3 Related Provisions
- 25 Books and documents
  - § CEA25:1 Commentary
  - § CEA25:2 Related Provisions
- 26 Books kept in offices under Government of Canada
  - § CEA26:1 Commentary
  - § CEA26:2 Related Provisions
- 27 Notarial acts in Quebec
  - § CEA27:1 Commentary

- § CEA27:2 Related Provisions
- 28 Notice of production of book or document
  - § CEA28:1 Commentary
  - § CEA28:2 Case Law
  - § CEA28:3 Related Provisions
- 29 Copies of entries
  - § CEA29:1 Commentary
  - § CEA29:2 Case Law
  - § CEA29:3 Related Provisions
- 30 Business records to be admitted in evidence
  - § CEA30:1 Commentary
  - § CEA30:2 Case Law
  - § CEA30:3 Related Provisions
- 31 Definitions
  - § CEA31:1 Commentary
  - § CEA31:2 Case Law
  - § CEA31:3 Related Provisions
- 31.1 Authentication of electronic documents
  - § CEA31.1:1 Commentary
  - § CEA31.1:2 Case Law
  - § CEA31.1:3 Related Provisions
- 31.2 Application of best evidence rule—electronic documents
  - § CEA31.2:1 Commentary
  - § CEA31.2:2 Case Law
  - § CEA31.2:3 Related Provisions
- 31.3 Presumption of integrity
  - § CEA31.3:1 Commentary
  - § CEA31.3:2 Case Law
  - § CEA31.3:3 Related Provisions
- 31.4 Presumptions regarding secure electronic signatures
  - § CEA31.4:1 Commentary
  - § CEA31.4:2 Case Law
  - § CEA31.4:3 Related Provisions
- 31.5 Standards may be considered
  - § CEA31.5:1 Commentary
  - § CEA31.5:2 Case Law
  - § CEA31.5:3 Related Provisions
- 31.6 Proof by affidavit
  - § CEA31.6:1 Commentary
  - § CEA31.6:2 Case Law
  - § CEA31.6:3 Related Provisions
- 31.7 Application
  - § CEA31.7:1 Commentary
  - § CEA31.7:2 Related Provisions
- 31.8 Definitions
  - § CEA31.8:1 Commentary
  - § CEA31.8:2 Case Law
  - § CEA31.8:3 Related Provisions

TABLE OF CONTENTS

- 32 Order signed by Secretary of State
  - § CEA32:1 Commentary
  - § CEA32:2 Related Provisions
- 33 Proof of handwriting of person certifying
  - § CEA33:1 Commentary
  - § CEA33:2 Related Provisions
- 34 Attesting witness
  - § CEA34:1 Commentary
  - § CEA34:2 Related Provisions
- 35 Impounding of forged instrument
  - § CEA35:1 Commentary
  - § CEA35:2 Related Provisions
- 36 Construction
  - § CEA36:1 Commentary
  - § CEA36:2 Case Law
  - § CEA36:3 Related Provisions

**INTERPRETATION**

- 36.1 Definition of “official”
  - § CEA36.1:1 Commentary
  - § CEA36.1:2 Related Provisions

**SPECIFIED PUBLIC INTEREST**

- 37 Objection to disclosure of information
  - § CEA37:1 Commentary
  - § CEA37:2 Case Law
  - § CEA37:3 Related Provisions
- 37.1 Appeal to court of appeal
  - § CEA37.1:1 Commentary
  - § CEA37.1:2 Case Law
  - § CEA37.1:3 Related Provisions
- 37.2 Limitation periods for appeals to Supreme Court of Canada
  - § CEA37.2:1 Commentary
  - § CEA37.2:2 Related Provisions
- 37.21 [Repealed 2004, c. 12, s. 18.]
- 37.3 Protection of right to a fair trial
  - § CEA37.3:1 Commentary
  - § CEA37.3:2 Related Provisions

**INTERNATIONAL RELATIONS AND NATIONAL DEFENCE AND NATIONAL SECURITY**

- 38 Definitions
  - § CEA38:1 Commentary
  - § CEA38:2 Related Provisions
- 38.01 Notice to Attorney General of Canada
  - § CEA38.01:1 Commentary
  - § CEA38.01:2 Related Provisions
- 38.02 Disclosure prohibited

- § CEA38.02:1 Commentary
- § CEA38.02:2 Related Provisions
- 38.03 Authorization by Attorney General of Canada
  - § CEA38.03:1 Commentary
  - § CEA38.03:2 Related Provisions
- 38.031 Disclosure agreement
  - § CEA38.031:1 Commentary
  - § CEA38.031:2 Related Provisions
- 38.04 Application to Federal Court—Attorney General of Canada
  - § CEA38.04:1 Commentary
  - § CEA38.04:2 Case Law
  - § CEA38.04:3 Related Provisions
- 38.05 Report relating to proceedings
  - § CEA38.05:1 Commentary
  - § CEA38.05:2 Related Provisions
- 38.06 Disclosure order
  - § CEA38.06:1 Commentary
  - § CEA38.06:2 Case Law
  - § CEA38.06:3 Related Provisions
- 38.07 Notice of order
  - § CEA38.07:1 Commentary
  - § CEA38.07:2 Related Provisions
- 38.08 Automatic review
  - § CEA38.08:1 Commentary
  - § CEA38.08:2 Related Provisions
- 38.09 Appeal to Federal Court of Appeal
  - § CEA38.09:1 Commentary
  - § CEA38.09:2 Case Law
  - § CEA38.09:3 Related Provisions
- 38.1 Limitation periods for appeals to Supreme Court of Canada
  - § CEA38.1:1 Commentary
  - § CEA38.1:2 Related Provisions
- 38.11 Special rules—hearing in private
  - § CEA38.11:1 Commentary
  - § CEA38.11:2 Case Law
  - § CEA38.11:3 Related Provisions
- 38.12 Protective order
  - § CEA38.12:1 Commentary
  - § CEA38.12:2 Related Provisions
- 38.13 Certificate of Attorney General of Canada
  - § CEA38.13:1 Commentary
  - § CEA38.13:2 Related Provisions
- 38.131 Application for review of certificate
  - § CEA38.131:1 Commentary
  - § CEA38.131:2 Related Provisions
- 38.14 Protection of right to a fair trial
  - § CEA38.14:1 Commentary
  - § CEA38.14:2 Case Law

TABLE OF CONTENTS

- § CEA38.14:3 Related Provisions
- 38.15 Fiat
  - § CEA38.15:1 Commentary
  - § CEA38.15:2 Related Provisions
- 38.16 Regulations
  - § CEA38.16:1 Commentary
  - § CEA38.16:2 Related Provisions
- 38.17 Annual report
  - § CEA38.17:1 Commentary
  - § CEA38.17:2 Related Provisions

**CONFIDENCES OF THE QUEEN'S PRIVY COUNCIL FOR CANADA**

- 39 Objection relating to a confidence of the Queen's Privy Council
  - § CEA39:1 Commentary
  - § CEA39:2 Case Law
  - § CEA39:3 Related Provisions

**JOURNALISTIC SOURCES**

- 39.1 Definitions
  - § CEA39.1:1 Commentary
  - § CEA39.1:2 Case Law
  - § CEA39.1:3 Related Provisions

**PROVINCIAL LAWS OF EVIDENCE**

- 40 How applicable
  - § CEA40:1 Commentary
  - § CEA40:2 Case Law
  - § CEA40:3 Related Provisions

**STATUTORY DECLARATIONS**

- 41 Solemn declaration
  - § CEA41:1 Commentary
  - § CEA41:2 Related Provisions

**INSURANCE PROOFS**

- 42 Affidavits, etc
  - § CEA42:1 Commentary
  - § CEA42:2 Related Provisions

**PART II (SS. 43–51)**

**APPLICATION**

- 43 Foreign courts
  - § CEA43:1 Commentary
  - § CEA43:2 Related Provisions

**INTERPRETATION**

- 44 Definitions
  - § CEA44:1 Commentary
  - § CEA44:2 Related Provisions
- 45 Construction
  - § CEA45:1 Commentary
  - § CEA45:2 Related Provisions

**PROCEDURE**

- 46 Order for examination of witness in Canada
  - § CEA46:1 Commentary
  - § CEA46:2 Case Law
  - § CEA46:3 Related Provisions
- 47 Enforcement of the order
  - § CEA47:1 Commentary
  - § CEA47:2 Related Provisions
- 48 Expenses and conduct money
  - § CEA48:1 Commentary
  - § CEA48:2 Related Provisions
- 49 Administering oath
  - § CEA49:1 Commentary
  - § CEA49:2 Related Provisions
- 50 Right of refusal to answer or produce document
  - § CEA50:1 Commentary
  - § CEA50:2 Related Provisions
- 51 Rules of court
  - § CEA51:1 Commentary
  - § CEA51:2 Related Provisions

**PART III (SS. 52–54)**

**APPLICATION**

- 52 Application of this Part
  - § CEA52:1 Commentary
  - § CEA52:2 Case Law
  - § CEA52:3 Related Provisions

**OATHS AND SOLEMN AFFIRMATIONS**

- 53 Oaths taken abroad
  - § CEA53:1 Commentary
  - § CEA53:2 Related Provisions

**DOCUMENTARY EVIDENCE**

- 54 Documents to be admitted in evidence
  - § CEA54:1 Commentary
  - § CEA54:2 Related Provisions

TABLE OF CONTENTS

**SCHEDULE**

Schedule Designated Entities

**CONSTITUTION ACT, 1982**

**PART VII GENERAL**

52 Primacy of Constitution of Canada  
§ CA52:1 Case Law

**PART I CANADIAN CHARTER OF RIGHTS AND FREEDOMS**

**GUARANTEE OF RIGHTS AND FREEDOMS**

1 Rights and freedoms in Canada  
§ CA1:1 Case Law

**FUNDAMENTAL FREEDOMS**

2 Fundamental freedoms  
§ CA2:1 Case Law

**DEMOCRATIC RIGHTS**

3 Democratic rights of citizens  
§ CA3:1 Case Law  
4 Maximum duration of legislative bodies  
5 Annual sitting of legislative bodies

**MOBILITY RIGHTS**

6 Mobility of citizens  
§ CA6:1 Case Law

**LEGAL RIGHTS**

7 Life, liberty and security of person  
§ CA7:1 Case Law  
8 Search or seizure  
§ CA8:1 Case Law  
9 Detention or imprisonment  
§ CA9:1 Case Law  
10 Arrest or detention  
§ CA10:1 Case Law  
11 Proceedings in criminal and penal matters  
§ CA11:1 Case Law  
12 Treatment or punishment  
§ CA12:1 Case Law  
13 Self-crimination  
§ CA13:1 Case Law  
14 Interpreter  
§ CA14:1 Case Law

**EQUALITY RIGHTS**

- 15 Equality before and under law and equal protection and benefit of law
  - § CA15:1 Case Law

**OFFICIAL LANGUAGES OF CANADA**

- 16 Official languages of Canada
  - 16.1 English and French linguistic communities in New Brunswick
- 17 Proceedings of Parliament
- 18 Parliamentary statutes and records
- 19 Proceedings in courts established by Parliament
- 20 Communications by public with federal institutions
  - § CA20:1 Case Law
- 21 Continuation of existing Constitutional provisions
- 22 Rights and privileges preserved

**MINORITY LANGUAGE EDUCATIONAL RIGHTS**

- 23 Language of instruction
  - § CA23:1 Case Law

**ENFORCEMENT**

- 24 Enforcement of guaranteed rights and freedoms
  - § CA24:1 Case Law
- 25 Aboriginal rights and freedoms not affected by Charter
  - § CA25:1 Case Law
- 26 Other rights and freedoms not affected by Charter
- 27 Multicultural heritage
- 28 Rights guaranteed equally to both sexes
  - § CA28:1 Case Law
- 29 Rights respecting certain schools preserved
- 30 Application to Territories and territorial authorities
- 31 Legislative powers not extended

**APPLICATION OF CHARTER**

- 32 Application of Charter
  - § CA32:1 Case Law
- 33 Exception where express declaration

**CITATION**

- 34 Citation

**CONTROLLED DRUGS AND SUBSTANCES ACT**

**SHORT TITLE**

- 1 Short title



TABLE OF CONTENTS

**INTERPRETATION**

- 2 Definitions
  - § CDA2:1 Case Law
- 3 Interpretaton

**PART I OFFENCES AND PUNISHMENT (SS. 4–10)**

**PARTICULAR OFFENCES**

- 4 Possession of substance
  - § CDA4:1 Case Law
- 4.1 Definition of “medical emergency”
  - § CDA4.1:1 Case Law
- 5 Trafficking in substance
  - § CDA5:1 Case Law
- 6 Importing and exporting
  - § CDA6:1 Case Law
- 7 Production of substance
  - § CDA7:1 Case Law
- 7.1 Possession, sale, etc., for use in production of or trafficking in substance

[HEADING REPEALED 2022, C. 15, S. 18.]

- 8 [Repealed 2022, c. 15, s. 18.]

**REPORT TO PARLIAMENT**

- 9 Review

**SENTENCING**

- 10 Purpose of sentencing

**PART I.1 EVIDENCE-BASED DIVERSION MEASURES (SS. 10.1–10.7)**

**PRINCIPLES**

- 10.1 Declaration of principles

**WARNINGS AND REFERRALS**

- 10.2 Warnings and referrals
- 10.3 Prosecution—limits
- 10.4 Record of warning or referral
- 10.5 Evidence of warning or referral not admissible
- 10.6 Conservation of record—conviction

**EXCEPTION FOR SERVICE PROVIDERS**

- 10.7 Exception

**PART II ENFORCEMENT (SS. 11–12.1)**

- 11 Information for search warrant
  - § CDA11:1 Case Law
- 12 Assistance and use of force
  - § CDA12:1 Case Law
- 12.1 Report of seizure, finding, etc.

**PART III DISPOSITION (SS. 13–29)**

- 13 Sections 489.1 and 490 of the *Criminal Code* applicable

**DIVISION 1 NON-CHEMICAL OFFENCE-RELATED PROPERTY**

**RESTRAINT ORDERS**

- 14 Application for restraint order
  - § CDA14:1 Case Law
- 14.1 [Repealed 2017, c. 7, s. 14.]
- 15 Sections 489.1 and 490 of *Criminal Code* applicable

**MANAGEMENT ORDERS**

- 15.1 Management order

**FORFEITURE**

- 16 Forfeiture of property
  - § CDA16:1 Case Law
- 17 Application for *in rem* forfeiture
- 18 Voidable transfers
- 19 Notice
  - 19.1 Notice
    - § CDA19.1:1 Case Law
- 20 Application
  - § CDA20:1 Case Law
- 21 Appeals from orders under subsection 17(2)
- 22 Suspension of order pending appeal

**DIVISION 2 CONTROLLED SUBSTANCES, PRECURSORS AND CHEMICAL OFFENCE-RELATED PROPERTY**

- 23 Return
- 24 Application for return
  - § CDA24:1 Case Law
- 25 Forfeiture if no application
- 26 Expedited disposition
- 27 Disposition following proceedings
- 28 Disposition with consent
- 29 Report of disposition



**PART IV ADMINISTRATION AND COMPLIANCE (SS. 30–32)**

**INSPECTORS**

- 30 Designation of inspectors
- 31 Powers of inspector
- 32 Obstructing inspector

**PART V ADMINISTRATIVE ORDERS FOR CONTRAVENTIONS OF DESIGNATED REGULATIONS (SS. 33–43)**

**VIOLATION**

- 33 Designation of regulations

**POWERS OF THE GOVERNOR IN COUNCIL AND THE MINISTER**

- 34 Contravention of designated regulation
- 35 Interim order
- 36 Hearing by adjudicator

**PROCEEDINGS**

- 37 Notice to appear

**PENALTIES**

- 38 Proof of service

**COMPLIANCE AGREEMENTS**

- 39 Powers of adjudicator
- 40 Hearing procedure

**REVIEW BY THE MINISTER**

- 41 Determination by adjudicator

**ENFORCEMENT**

- 42 Effect of order
- 43 Offence for contravention of order

**PART VI GENERAL (SS. 44–60)**

**ANALYSIS**

- 44 Designation of Analysts
  - § CDA44:1 Case Law
- 45 Analysis

**MINISTERIAL ORDERS**

- 45.1 Provision of information
- 45.2 Measures

- 45.3 Review officer
- 45.4 Request for review
- 45.5 Statutory Instruments Act

**OFFENCE AND PUNISHMENT**

- 46 Penalty

**PROHIBITIONS**

- 46.1 Offence of making false or deceptive statements
- 46.2 Compliance with terms and conditions
- 46.3 Importation of designated device

**EVIDENCE AND PROCEDURE**

- 46.4 Designated device—prescribed activity
- 47 Time limit
- 48 Burden of proving exception, etc.
- 49 Copies of documents
- 50 Certificate issued under regulations
- 51 Certificate or report of analyst
  - § CDA51:1 Case Law
- 52 Proof of notice
- 53 Continuity of possession
- 54 Copies of records, books or documents

**TECHNICAL ASSISTANCE**

- 54.1 Advice of experts

**REGULATIONS AND EXEMPTIONS**

- 55 Regulations
  - § CDA55:1 Case Law
- 56 Exemption by Minister
  - § CDA56:1 Case Law
- 56.1 Exemption for medical purpose—supervised consumption site
- 56.2

**MISCELLANEOUS**

- 57 Powers, duties and functions of Minister or Minister of Public Safety and Emergency Preparedness
- 58 Paramountcy of this Act and the regulations
- 59 [Repealed 2017, c. 7, s. 44.]

**AMENDMENTS TO SCHEDULES**

- 60 Power to amend schedules
- 60.1 Schedule V

TABLE OF CONTENTS

**PART VII TRANSITIONAL PROVISIONS, CONSEQUENTIAL AMENDMENTS, REPEAL AND COMING INTO FORCE (SS. 61-95)**

**TRANSITIONAL PROVISIONS**

- 61 References to prior enactments
- 62 Sentences for prior offences
- 63 Validation

**CONSEQUENTIAL AMENDMENTS**

- 64 to 93.1 Consequential Amendments

**CONDITIONAL AMENDMENTS**

- 93.2 to 93.3 Conditional Amendments

**REPEAL**

**NARCOTIC CONTROL ACT**

- 94 Repeal of R.S., c. N-1

**COMING INTO FORCE**

- 95 Coming into force

**SCHEDULES**

- Schedule I
- Schedule II
- Schedule III
- Schedule IV
- Schedule V
- Schedule VI
- Schedule VII
- Schedule VIII
- Schedule IX

**INTERPRETATION ACT**

**SHORT TITLE**

- 1 Short title

**INTERPRETATION**

- 2 Definitions

**APPLICATION**

- 3 Application

**ENACTING CLAUSE OF ACTS**

- 4 Enacting clause

**OPERATION**

**ROYAL ASSENT**

5 Royal Assent

**DAY FIXED FOR COMMENCEMENT OR REPEAL**

6 Operation when date fixed for commencement or repeal

**REGULATION PRIOR TO COMMENCEMENT**

7 Preliminary proceedings

**TERRITORIAL OPERATION**

8 Territorial operation

**RULES OF CONSTRUCTION**

**PROPERTY AND CIVIL RIGHTS**

8.1 Duality of legal traditions and application of provincial law

8.2 Terminology

**PRIVATE ACTS**

9 Provisions in private Acts

**LAW ALWAYS SPEAKING**

10 Law always speaking

**IMPERATIVE AND PERMISSIVE CONSTRUCTION**

11 "Shall" and "may"

**ENACTMENTS REMEDIAL**

12 Enactments deemed remedial

**PREAMBLES AND MARGINAL NOTES**

13 Preamble

14 Marginal notes and historical references

**APPLICATION OF INTERPRETATION PROVISIONS**

15 Application of definitions and interpretation rules

16 Words in regulations

**HER MAJESTY**

17 Her Majesty not bound or affected unless stated

§ IA17:1 Case Law

**PROCLAMATIONS**

18 Proclamation

TABLE OF CONTENTS

**OATHS**

- 19 Administration of oaths

**REPORTS TO PARLIAMENT**

- 20 Reports to Parliament

**CORPORATIONS**

- 21 Powers vested in corporations

**MAJORITY AND QUORUM**

- 22 Majorities

**APPOINTMENT, RETIREMENT AND POWERS OF OFFICERS**

- 23 Public officers hold office during pleasure  
24 Implied powers respecting public officers

**EVIDENCE**

- 25 Documentary evidence

**COMPUTATION OF TIME**

- 26 Time limits and holidays  
27 Clear days  
28 Calculation of a period of months after or before a specified day  
29 Time of the day  
30 Time when specified age attained

**MISCELLANEOUS RULES**

- 31 Reference to provincial court judge, etc  
32 Forms  
33 Gender

**OFFENCES**

- 34 Indictable and summary conviction offences

**POWERS TO ENTER DWELLING-HOUSES TO CARRY OUT ARRESTS**

- 34.1 Authorization to enter dwelling-house

**DEFINITIONS**

- 35 General definitions  
36 Construction of “telegraph”  
37 Construction of “year”  
38 Common names  
39 Affirmative and negative resolutions

**REFERENCES AND CITATIONS**

- 40 Citation of enactment
- 41 Reference to two or more parts, etc

**REPEAL AND AMENDMENT**

- 42 Power of repeal or amendment reserved
- 43 Effect of repeal
- 44 Repeal and substitution
  - § IA44:1 Case Law
- 45 Repeal does not imply enactment was in force

**DEMISE OF CROWN**

- 46 Effect of demise

**SCHEDULE**

Schedule

**YOUTH CRIMINAL JUSTICE ACT**

- PMBL Preamble
  - § YCJA:TC Table of Concordance

**SHORT TITLE**

- 1 Short title

**INTERPRETATION**

- 2 Definitions
  - § YCJA2:1 Case Law

**DECLARATION OF PRINCIPLE**

- 3 Policy for Canada with respect to young persons
  - § YCJA3:1 Case Law

**PART 1 EXTRAJUDICIAL MEASURES (SS. 4–12)**

**PRINCIPLES AND OBJECTIVES**

- 4 Declaration of principles
  - 4.1 Certain offences—extrajudicial measures deemed adequate
- 5 Objectives

**WARNINGS, CAUTIONS AND REFERRALS**

- 6 Warnings, cautions and referrals
- 7 Police cautions
- 8 Crown cautions
- 9 Evidence of measures is inadmissible



TABLE OF CONTENTS

**EXTRAJUDICIAL SANCTIONS**

- 10 Extrajudicial sanctions
- 11 Notice to parent
- 12 Victim's right to information

**PART 2 ORGANIZATION OF YOUTH CRIMINAL JUSTICE SYSTEM (SS. 13–22)**

**YOUTH JUSTICE COURT**

- 13 Designation of youth justice court
  - § YCJA13:1 Case Law
- 14 Exclusive jurisdiction of youth justice court
- 15 Contempt against youth justice court
- 16 Status of offender uncertain
- 17 Youth justice court may make rules

**YOUTH JUSTICE COMMITTEES**

- 18 Youth justice committees

**CONFERENCES**

- 19 Conferences may be convened

**JUSTICES OF THE PEACE**

- 20 Certain proceedings may be taken before justices

**CLERKS OF THE COURT**

- 21 Powers of clerks

**PROVINCIAL DIRECTORS**

- 22 Powers, duties and functions of provincial directors

**PART 3 JUDICIAL MEASURES (SS. 23–37)**

**CONSENT TO PROSECUTE**

- 23 Pre-charge screening
- 24 Private prosecutions

**CERTAIN OFFENCES—REVIEW OF CHARGES BY ATTORNEY GENERAL**

- 24.1 Review required

**RIGHT TO COUNSEL**

- 25 Right to counsel
  - § YCJA25:1 Case Law

**NOTICES TO PARENTS**

- 26 Notice in case of arrest and detained
- 27 Order requiring attendance of parent

**DETENTION AND RELEASE**

- 28 Application of Part XVI of *Criminal Code*
- 28.1 Substitute for social measures prohibited
- 29 Release order with conditions
- 30 Designated place of temporary detention
- 30.1 Review of detention—30-day period
- 31 Placement of young person in care of responsible person
  - § YCJA31:1 Case Law

**APPEARANCE**

- 32 Appearance before judge or justice

**APPLICATION FOR RELEASE FROM OR DETENTION IN CUSTODY**

- 33 Application for release from or detention in custody
  - § YCJA33:1 Case Law

**MEDICAL AND PSYCHOLOGICAL REPORTS**

- 34 Medical or psychological assessment
  - § YCJA34:1 Case Law

**REFERRAL TO CHILD WELFARE AGENCY**

- 35 Referral to child welfare agency

**ADJUDICATION**

- 36 When young person pleads guilty
  - § YCJA36:1 Case Law

**APPEALS**

- 37 Appeals
  - § YCJA37:1 Case Law

**PART 4 SENTENCING (SS. 38–82)**

**PURPOSE AND PRINCIPLES**

- 38 Purpose
  - § YCJA38:1 Case Law
- 39 Committal to custody
  - § YCJA39:1 Case Law

**PRE-SENTENCE REPORT**

- 40 Pre-sentence report
  - § YCJA40:1 Case Law

TABLE OF CONTENTS

**YOUTH SENTENCES**

- 41 Recommendation of conference
- 42 Considerations as to youth sentence
  - § YCJA42:1 Case Law
- 43 Additional youth sentences
- 44 Custodial portion if additional youth sentence
- 45 Supervision when additional youth sentence extends the period in custody
- 46 Exception when youth sentence in respect of earlier offence
- 47 Committal to custody deemed continuous
- 48 Reasons for the sentence
- 49 Warrant of committal
- 50 Application of Part XXIII of *Criminal Code*
  - § YCJA50:1 Case Law
- 51 Mandatory prohibition order
- 52 Review of order made under section 51
- 53 Funding for victims
- 54 Where a fine or other payment is ordered
- 55 Condition that must appear in orders
  - § YCJA55:1 Case Law
- 56 Communication of order
- 57 Transfer of youth sentence
- 58 Interprovincial arrangements
- 59 Review of youth sentences not involving custody
- 60 Provisions applicable to youth sentences on review

**ADULT SENTENCE AND ELECTION**

- 61 [Repealed 2012, c. 1, s. 175.]
- 62 [Repealed 2012, c. 1, s. 175.]
- 63 [Repealed 2012, c. 1, s. 175.]
- 64 Application by Attorney General
- 65 [Repealed 2012, c. 1, s. 177.]
- 66 [Repealed 2012, c. 1, s. 177.]
- 67 Election—adult sentence
  - § YCJA67:1 Case Law
- 68 [Repealed 2012, c. 1, s. 179.]
- 69 Included offences
- 70 [Repealed 2012, c. 1, s. 181.]
- 71 Hearing—adult sentences
  - § YCJA71:1 Case Law
- 72 Order of adult sentence
  - § YCJA72:1 Case Law
- 73 Court must impose adult sentence
  - § YCJA73:1 Case Law
- 74 Application of Parts XXIII and XXIV of *Criminal Code*
  - § YCJA74:1 Case Law
- 75 [Repealed 2019, c. 25, s. 377.]
- 76 Placement when subject to adult sentence
- 77 Obligation to inform—parole

- 78 Release entitlement
- 79 If person convicted under another Act
- 80 If person who is serving a sentence under another Act is sentenced to an adult sentence
- 81 Procedure for application or notice

**EFFECT OF TERMINATION OF YOUTH SENTENCE**

- 82 Effect of absolute discharge or termination of youth sentence
  - § YCJA82:1 Case Law

**PART 5 CUSTODY AND SUPERVISION (SS. 83–109)**

- 83 Purpose
- 84 Young person to be held apart from adults
- 85 Levels of custody
- 86 Procedural safeguards
- 87 Review
- 88 Functions to be exercised by youth justice court
  - § YCJA88:1 Case Law
- 89 Exception if young person is twenty years old or older
- 90 Youth worker
- 91 Reintegration leave
- 92 Transfer to adult facility
- 93 When young person reaches twenty years of age
- 94 Annual review
  - § YCJA94:1 Case Law
- 95 Orders are youth sentences
- 96 Recommendation of provincial director for conditional supervision of young person
- 97 Conditions to be included in custody and supervision order
  - § YCJA97:1 Case Law
- 98 Application for continuation of custody
- 99 Report
- 100 Reasons
- 101 Review of youth justice court decision
- 102 Breach of conditions
  - § YCJA102:1 Case Law
- 103 Review by youth justice court
- 104 Continuation of custody
  - § YCJA104:1 Case Law
- 105 Conditional supervision
  - § YCJA105:1 Case Law
- 106 Suspension of conditional supervision
- 107 Apprehension
  - § YCJA107:1 Case Law
- 108 Review by provincial director
  - § YCJA108:1 Case Law
- 109 Review by youth justice court
  - § YCJA109:1 Case Law

TABLE OF CONTENTS

**PART 6 PUBLICATION, RECORDS AND INFORMATION (SS. 110–129)**

**PROTECTION OF PRIVACY OF YOUNG PERSONS**

- 110 Identity of offender not to be published
  - § YCJA110:1 Case Law
- 111 Identity of victim or witness not to be published
- 112 Non-application

**FINGERPRINTS AND PHOTOGRAPHS**

- 113 *Identification of Criminals Act* applies

**RECORDS THAT MAY BE KEPT**

- 114 Youth justice court, review board and other courts
- 115 Police records
- 116 Government records

**ACCESS TO RECORDS**

- 117 Exception—adult sentence
- 118 No access unless authorized
  - § YCJA118:1 Case Law
- 119 Persons having access to records
  - § YCJA119:1 Case Law
- 120 Access to R.C.M.P. records
- 121 Deemed election
- 122 Disclosure of information and copies of record
- 123 Where records may be made available
- 124 Access to record by young person

**DISCLOSURE OF INFORMATION IN A RECORD**

- 125 Disclosure by peace officer during investigation
- 126 Records in the custody, etc., of archivists
- 127 Disclosure with court order

**DISPOSITION OR DESTRUCTION OF RECORDS AND PROHIBITION ON USE AND DISCLOSURE**

- 128 Effect of end of access periods
  - § YCJA128:1 Case Law
- 129 No subsequent disclosure

**PART 7 GENERAL PROVISIONS (SS. 130–157)**

**DISQUALIFICATION OF JUDGE**

- 130 Disqualification of judge

**SUBSTITUTION OF JUDGE**

- 131 Powers of substitute youth justice court judge

**EXCLUSION FROM HEARING**

132 Exclusion from hearing

**TRANSFER OF CHARGES**

133 Transfer of charges

**FORFEITURE OF RECOGNIZANCES**

134 Applications for forfeiture

135 Proceedings in case of default

**OFFENCES AND PUNISHMENT**

136 Inducing a young person, etc.

137 Failure to comply with sentence or disposition

138 Offences

139 Offence and punishment

**APPLICATION OF *CRIMINAL CODE***

140 Application of *Criminal Code*

141 Sections of *Criminal Code* applicable

142 Part XXVII and summary conviction trial provisions of *Criminal Code* to apply

**PROCEDURE**

143 Counts charged in information

144 Issue of subpoena

145 Warrant

**EVIDENCE**

146 General law on admissibility of statements to apply

§ YCJA146:1 Case Law

147 Statements not admissible against young person

148 Testimony of a parent

149 Admissions

150 Material evidence

151 Evidence of a child or young person

152 Proof of service

153 Seal not required

**FORMS, REGULATIONS AND RULES OF COURT**

154 Forms

155 Regulations

**AGREEMENTS WITH PROVINCES**

156 Agreements with provinces

TABLE OF CONTENTS

**PROGRAMS**

157 Community-based programs

**PART 8 TRANSITIONAL PROVISIONS (SS. 158–165)**

158 Prohibition on proceedings  
159 Proceedings commenced under *Young Offenders Act*  
160 [Repealed 2012, c. 1, s. 193.]  
161 Applicable sentence  
162 Commencement of proceedings  
163 Application to delinquency and other offending behaviour  
164 Agreements continue in force  
165 Designation of youth justice court

**PART 9 CONSEQUENTIAL AMENDMENTS, REPEAL AND  
COMING INTO FORCE (SS. 166–200)**

**CONSEQUENTIAL AMENDMENTS**

**CANADA EVIDENCE ACT [R.S., C. C-5]**

166 R.S., c. 19 (3rd Supp.), s. 17

**CONTRAVENTIONS ACT [1992, C. 47]**

167  
168 1996, c. 7, s. 2  
169  
170

**CORRECTIONS AND CONDITIONAL RELEASE ACT [1992, C. 20]**

171 1995, c. 42, s. 1(2)  
172  
173 1995, c. 22, s. 13 (Sch. II, item 4), c. 42, par. 69(a)(E)  
174

**CRIMINAL CODE [R.S., C. C-46]**

175 1995, c. 27, s. 1  
176 1998, c. 37, s. 17  
177 1998, c. 37, s. 17  
178 1998, c. 37, s. 17  
179 1998, c. 37, c. 17  
180 1998, c. 37, s. 20  
181  
182 1997, c. 18, par. 141(c)  
183 1995, c. 22, s. 6  
184 1995, c. 22, s. 6, paras. 19(b), 20(b)  
185 1998, c. 37, s. 24  
186 1998, c. 37, s. 24

**DNA IDENTIFICATION ACT [1998, C. 37]**

187  
188  
189

**EXTRADITION ACT [1999, C. 18]**

190  
191  
192  
193  
194

**MUTUAL LEGAL ASSISTANCE IN CRIMINAL MATTERS ACT [R.S., C. 30 (4TH SUPP.)]**

195

**PRISONS AND REFORMATORIES ACT [R.S., C. P-20]**

196  
197

**TRANSFER OF OFFENDERS ACT [R.S., C. T-15]**

198 1993, c. 34, s. 122

**REPEAL**

199 Repeal of R.S., c. Y-1

**COMING INTO FORCE**

200 Coming into force

**SCHEDULE**

Schedule

**TRANSITIONAL PROVISIONS**

**APPENDICES**

Appendix A. Criminal Statutes — Table of Amendments

Appendix TC. Table of Concordance

**Table of Cases**

**Index**