

# Table of Contents

## *CONTRAVENTIONS ACT*

### **Introduction**

#### ***SHORT TITLE***

- 1 *SHORT TITLE*
  - § 1:1 *Commentary*

#### ***INTERPRETATION***

- 2 *DEFINITIONS*
  - § 2:1 Related *Youth Criminal Justice Act* Provisions, S.C. 2002, c. 1, ss. 2(1), 13
  - § 2:2 *Commentary*
  - § 2:3 Case Law

#### ***HER MAJESTY***

- 3 *BINDING ON HER MAJESTY*
  - § 3:1 *Commentary*

#### ***PURPOSE***

- 4 *PURPOSE*
  - § 4:1 *Commentary*

#### ***RELATIONSHIP WITH OTHER ACTS***

- 5 *RELATIONSHIP WITH CRIMINAL CODE AND YOUTH CRIMINAL JUSTICE ACT*
  - § 5:1 *Commentary*
- 6 *[Repealed by S.C. 1996, c. 7, s. 3]*
  - § 6:1 *Commentary*
- 7 *RELATIONSHIP WITH ARREST PROVISIONS*
  - § 7:1 *Commentary*

#### ***DESIGNATION OF OFFENCES***

- 8 *REGULATIONS*
  - § 8:1 *Commentary*
  - § 8:2 Case Law

**COMPLETION AND SERVICE OF TICKETS**

- 9 *COMPLETION AND SERVICE OF TICKET [Proposed]*
  - § 9:1 *Commentary [Proposed]*
- 10 *SERVICE ON INDIVIDUALS [Proposed]*
  - § 10:1 *Commentary [Proposed]*
- 11 *[Repealed by S.C. 1996, c. 7, s. 5.]*
  - § 11:1 *Commentary*
- 12 *PARKING CONTRAVENTIONS [Proposed]*
  - § 12:1 *Commentary [Proposed]*
  - § 12:2 *Case Law [Proposed]*
- 13 *VICARIOUS LIABILITY OF VEHICLE OWNERS [Proposed]*
  - § 13:1 *Commentary [Proposed]*
- 14 *SERVICE OF PARKING TICKET [Proposed]*
  - § 14:1 *Commentary [Proposed]*
- 15 *CERTIFICATE OF SERVICE [Proposed]*
  - § 15:1 *Commentary [Proposed]*

**CONTENTS OF TICKET**

- 16 *CONTENTS OF TICKET [Proposed]*
  - § 16:1 *Commentary [Proposed]*
  - § 16:2 *Case Law*

**COMMENCEMENT OF PROCEEDINGS**

- 17 *FILING OF TICKET [Proposed]*
  - § 17:1 *Related Statutory Instruments Act Provisions, R.S.C. 1985, c. S-22, s. 3(2)(d)*
  - § 17:2 *Related Criminal Code Provisions, R.S.C. 1985, c. C-46, s. 785*
  - § 17:3 *Commentary*
  - § 17:4 *Case Law*
- 18 *OBLIGATORY FILING OF TICKET [Proposed]*
  - § 18:1 *Commentary [Proposed]*
- 19 *PARKING TICKETS [Proposed]*
  - § 19:1 *Commentary [Proposed]*
- 20 *[Repealed by S.C. 1996, c. 7, s. 9]*
  - § 20:1 *Commentary*

**OPTIONS AVAILABLE TO DEFENDANTS**

- 21 *OPTIONS [Proposed]*
  - § 21:1 *Commentary [Proposed]*
  - § 21:2 *Case Law*
- 22 *PLEA OF GUILTY AND PAYMENT [Proposed]*
  - § 22:1 *Commentary [Proposed]*

TABLE OF CONTENTS

- § 22:2 Case Law
- 23 *PLEA OF GUILTY WITH REPRESENTATIONS [Proposed]*
  - § 23:1 *Commentary [Proposed]*
  - § 23:2 Case Law
- 24 *[Repealed by S.C. 1996, c. 7, s. 13]*
  - § 24:1 *Commentary*
- 25 *SENTENCING HEARING [Proposed]*
  - § 25:1 *Commentary [Proposed]*
- 26 *REQUEST FOR TRIAL [Proposed]*
  - § 26:1 *Commentary [Proposed]*
  - § 26:2 Case Law
- 27 *[Repealed by S.C. 1996, c. 7, s. 16.]*
  - § 27:1 *Commentary*
  
- TRANSFER TO PROPER COURT**
- 28 *TRANSFER TO YOUTH COURT [Proposed]*
  - § 28:1 *Commentary [Proposed]*
  
- TRIAL PROCEDURE**
- 29 *TRIAL [Proposed]*
  - § 29:1 *Commentary [Proposed]*
  - § 29:2 Case Law
- 30 *LANGUAGE OF TRIAL [Proposed]*
  - § 30:1 Related *Criminal Code* Provisions, R.S.C. 1985, c. C-46, ss. 530, 530.01, 530.1, 530.2, 531
  - § 30:2 *Commentary [Proposed]*
  - § 30:3 Case Law
- 31 *ATTENDANCE OF PERSON WHO COMPLETED TICKET [Proposed]*
  - § 31:1 *Commentary [Proposed]*
- 32 *COURT SHALL NOT REQUIRE DEFENDANT TO APPEAR PERSONALLY [Proposed]*
  - § 32:1 Related *Criminal Code* Provisions, R.S.C. 1985, c. C-46, s. 800
  - § 32:2 *Commentary [Proposed]*
  - § 32:3 Case Law
- 33 *EX PARTE TRIAL WHERE DEFENDANT ABSENT [Proposed]*
  - § 33:1 Related *Criminal Code* Provisions, R.S.C. 1985, c. C-46, s. 802.1
  - § 33:2 Related *Criminal Code* Provisions, R.S.C. 1985, c. C-46, s. 803
  - § 33:3 *Commentary [Proposed]*
  - § 33:4 Case Law
- 34 *DISMISSAL OF PROCEEDING WHERE CROWN ABSENT [Proposed]*

ANNOTATED CONTRAVENTIONS ACT

- § 34:1 *Commentary [Proposed]*
- 35 *NEW TRIAL DATE [Proposed]*
- § 35:1 *Commentary [Proposed]*
- 36 *NOTICE OF CONVICTION [Proposed]*
- § 36:1 *Commentary [Proposed]*

**SENTENCING HEARING**

- 37 *SENTENCING HEARING [Proposed]*
- § 37:1 *Commentary [Proposed]*

**EVIDENCE**

- 38 *TICKET AS EVIDENCE [Proposed]*
- § 38:1 *Commentary [Proposed]*
- 39 *[Repealed by S.C. 1996, c. 7, s. 23.]*
- § 39:1 *Commentary*
- 40 *EVIDENCE OF VEHICLE'S OWNERSHIP [Proposed]*
- § 40:1 *Commentary [Proposed]*
- 41 *NOTICE [Proposed]*
- § 41:1 *Commentary [Proposed]*

**SENTENCE**

- 42 *FINES*
- § 42:1 *Related Criminal Code Provisions, R.S.C. 1985, c. C-46, s. 806*
- § 42:2 *Commentary*
- § 42:3 *Case Law*
- 43 *[Repealed by S.C. 1996, c. 7, s. 25.]*
- § 43:1 *Commentary*

**DEFAULT PROCEEDINGS**

- 44 *DEFAULT CONVICTIONS [Proposed]*
- § 44:1 *Commentary [Proposed]*
- § 44:2 *Case Law*
- 45 *YOUNG PERSONS [Proposed]*
- § 45:1 *Related Criminal Code Provisions, R.S.C. 1985, c. C-46, s. 507*
- § 45:2 *Commentary [Proposed]*

**REMOVAL OF CONVICTIONS**

- 46 *APPLICATION TO CONTRAVENTIONS COURT [Proposed]*
- § 46:1 *Commentary [Proposed]*
- 47 *REVIEW OF CONVICTIONS ENTERED IN DEFENDANT'S ABSENCE [Proposed]*

TABLE OF CONTENTS

- § 47:1 *Commentary [Proposed]*
- 48 *[Repealed by S.C. 1996, c. 7, s. 29]*
- § 48:1 *Commentary*
- 49 *[Repealed by S.C. 1996, c. 7, s. 29]*
- § 49:1 *Commentary*

**ELECTION OF CROWN**

- 50 *ELECTION OF CROWN [Proposed]*
- § 50:1 *Commentary [Proposed]*
- § 50:2 *Case Law*

**PRACTICE AND PROCEDURE**

- 51 *RULES [Proposed]*
- § 51:1 *Related Interpretation Act Provisions, R.S.C. 1985, c. I-21, s. 22*
- § 51:2 *Commentary [Proposed]*
- § 51:3 *Related Criminal Code Provisions, R.S.C. 1985, c. C-46, ss. 482, 482.1*
- 52 *FEES [Proposed]*
- § 52:1 *Related Criminal Code Provisions, R.S.C. 1985, c. C-46, ss. 809, 840*
- § 52:2 *Commentary [Proposed]*

**UNDERTAKING OR RELEASE ORDER**

- 53 *LIMIT ON CONDITIONS—PAYMENT OF AMOUNT [Proposed]*
- § 53:1 *Related Criminal Code Provisions, R.S.C. 1985, c. C-46, ss. 498, 499(1), (2), (3), (4), 515(1), (2), (2.1), (2.2), (2.3), (13), (14)*
- § 53:2 *Commentary [Proposed]*
- 54 *EXCLUSION OF LAYING INFORMATION*
- § 54:1 *Related Criminal Code Provisions, R.S.C. 1985, c. C-46, s. 505*
- § 54:2 *Commentary*

**DISCHARGE AND ENFORCEMENT OF FINES AND FEES**

- 55 *DEFINITION OF “PROCEEDING”*
- § 55:1 *Commentary*
- § 55:2 *Case Law*
- 56 *DISCHARGE OF FINES AND FEES [Proposed]*
- § 56:1 *Related Criminal Code Provisions, R.S.C. 1985, c. C-46, s. 736*
- § 56:2 *Related Financial Administration Act Provisions, R.S.C. 1985, c. F-11, s. 159*

- § 56:3 *Commentary [Proposed]*
- 57 **NOTICE** *[Proposed]*
- § 57:1 *Commentary [Proposed]*
- 58 **CIVIL ENFORCEMENT**
- § 58:1 *Commentary*
- 59 **LICENCES, PERMITS AND REGISTRATION OF ESTABLISHMENTS**
- § 59:1 *Commentary*
- 60 **NO IMPRISONMENT IN DEFAULT** *[Proposed]*
- § 60:1 Related *Criminal Code* Provisions, R.S.C. 1985, c. C-46, ss. 734, 734.1 to 734.8, 787
- § 60:2 *Commentary*
- 61 **WHERE ARREST POSSIBLE** *[Proposed]*
- § 61:1 Related *Criminal Code* Provisions, R.S.C. 1985, c. C-46, Form 7
- § 61:2 Related *Criminal Code* Provisions, R.S.C. 1985, c. C-46, Form 7.1
- § 61:3 *Commentary [Proposed]*
- 62 **DETERMINATION BY COURT** *[Proposed]*
- § 62:1 Related *Criminal Code* Provisions, R.S.C. 1985, c. C-46, Form 8
- § 62:2 Related *Criminal Code* Provisions, R.S.C. 1985, c. C-46, s. 736
- § 62:3 Related *Youth Criminal Justice Act* Provisions, S.C. 2002, c. 1, ss. 85, 88
- § 62:4 *Commentary [Proposed]*

**CRIMINAL RECORDS**

- 63 **NO CRIMINAL RECORD**
- § 63:1 Related *Criminal Records Act* Provisions, R.S.C. 1985, c. C-47, s. 3
- § 63:2 *Commentary*
- 64 **APPLICATIONS FOR EMPLOYMENT**
- § 64:1 Related *Financial Administration Act* Provisions, R.S.C. 1985, c. F-11, ss. 2 (part), 83(1) (part)
- § 64:2 *Commentary*

**PARTIAL ABOLITION OF ROYAL PREROGATIVE**

- 65 **ISSUANCE AND REVOCATION OF PASSPORTS**
- § 65:1 *Commentary*
- § 65:2 Case Law

**APPLICATION OF PROVINCIAL LAWS**

- 65.1 **APPLICATION OF PROVINCIAL LAWS**
- § 65.1:1 *Commentary*

TABLE OF CONTENTS

**AGREEMENTS WITH PROVINCES**

65.2 *GENERAL AGREEMENTS WITH PROVINCES*

§ 65.2:1 *Commentary*

§ 65.2:2 *Case Law*

65.3 *COMPENSATION AGREEMENTS*

§ 65.3:1 Related *Financial Administration Act* Provisions, R.S.C. 1985, c. F-11, s. 17

§ 65.3:2 *Commentary*

**RELATED AMENDMENTS**

66 *Canada Evidence Act, R.S., c. C-5*

§ 66:1 Related *Canada Evidence Act* Provisions, R.S.C. 1985, c. C-5, s. 12(2)

§ 66:2 *Commentary*

67 *Citizenship Act, R.S., c. C-29*

§ 67:1 Related *Citizenship Act* Provisions, R.S.C. 1985, c. C-29, ss. 22, 29

§ 67:2 *Commentary*

68 *Criminal Code, R.S., c. C-46*

§ 68:1 Related *Criminal Code* Provisions, R.S.C. 1985, c. C-46, s. 145

§ 68:2 *Commentary*

69 *R.S., c. 27 (1st Supp.), s. 76(2)*

§ 69:1 Related *Criminal Code* Provisions, R.S.C. 1985, c. C-46, s. 501

§ 69:2 *Commentary*

70

§ 70:1 Related *Criminal Code* Provisions, R.S.C. 1985, c. C-46, s. 508

§ 70:2 *Commentary*

71

§ 71:1 Related *Criminal Code* Provisions, R.S.C. 1985, c. C-46, s. 509

§ 71:2 *Commentary*

72

§ 72:1 *Commentary*

72.1 *Government Property Traffic Act, R.S., c. G-6*

§ 72.1:1 Related *Government Property Traffic Act* Provisions, R.S.C. 1985, c. G-6, s. 2(1)(g)

§ 72.1:2 *Commentary*

73 *Identification of Criminals Act, R.S., c. I-1*

§ 73:1 *Commentary*

74

§ 74:1 Related *Identification of Criminals Act* Provisions, R.S.C. 1985, c. I-1, s. 2

ANNOTATED CONTRAVENTIONS ACT

- § 74:2 Related *Criminal Code* Provisions, R.S.C. 1985, c. C-46,  
ss. 501(3), 509(5)
- § 74:3 *Commentary*
- 75
- § 75:1 Related *Identification of Criminals Act* Provisions, R.S.C.  
1985, c. I-1, s. 3
- § 75:2 *Commentary*
- 76
- § 76:1 *Commentary*
- § 76:2 Case Law
- 77 *Immigration Act, R.S., c. I-2*
- § 77:1 Related *Immigration and Refugee Protection Act*  
Provisions, S.C. 2001, c. 27, s. 36
- § 77:2 *Commentary*
- § 77:3 Case Law
- 78
- § 78:1 *Commentary*
- 79 *Interpretation Act, R.S. 1985, c. I-21*
- § 79:1 *Commentary*
- 80 *Official Secrets Act, R.S. 1985, c. O-5*
- § 80:1 *Commentary*
- 80.1 *The National Battlefields at Quebec Act, 1914, 1914, c. 46*
- § 80.1:1 Related *National Battlefields at Quebec Act, 1914*,  
Provisions, S.C. 1914, c. 46, s. 4
- § 80.1:2 *Commentary*

**YOUNG OFFENDERS ACT**

- 81 *R.S., c. Y-1 [Repealed before coming into force 2008, c. 20, s. 3.]*
- 82 *[Repealed before coming into force 2008, c. 20, s. 3.]*
- 83 *[Repealed before coming into force 2008, c. 20, s. 3.]*

**CONSEQUENTIAL AMENDMENTS**

- 84 *SCHEDULE [Proposed]*
- § 84:1 Related *Contraventions Act* Provisions, Schedule (Section  
84) [Proposed]
- § 84:2 *Commentary [Proposed]*
- § 84:3 Case Law
- 85 *TRANSITIONAL RE BILL C-42 [Proposed]*
- § 85:1 *Commentary [Proposed]*

**COMING INTO FORCE**

- 86 *COMING INTO FORCE*
- § 86:1 *Commentary*



TABLE OF CONTENTS

**CONTRAVENTIONS ACT REGULATIONS**

**SOR/96-312 APPLICATION OF PROVINCIAL LAWS  
REGULATIONS**

- 1
- 2 SCHEDULE

**SOR/96-313 CONTRAVENTIONS REGULATIONS**

- 1 DESIGNATION
- 2 SHORT-FORM DESCRIPTION
- 3 FINE
- 4 YOUNG PERSONS
- SCHEDULE I CANADA MARINE ACT
- SCHEDULE I.01 CANADA NATIONAL PARKS ACT
- SCHEDULE I.1 CANADA SHIPPING ACT, 2001
- SCHEDULE I.2 CANADA WILDLIFE ACT
- SCHEDULE I.3 CANADIAN ENVIRONMENTAL  
PROTECTION ACT, 1999
- SCHEDULE II DEPARTMENT OF TRANSPORT ACT
- SCHEDULE II.1 FISHERIES ACT
- SCHEDULE III GOVERNMENT PROPERTY TRAFFIC ACT
- SCHEDULE III.01 MIGRATORY BIRDS CONVENTION ACT,  
1994
- SCHEDULE III.02 THE NATIONAL BATTLEFIELDS AT  
QUEBEC ACT, 1914
- SCHEDULE III.1 NATIONAL CAPITAL ACT
- SCHEDULE IV CANADA NATIONAL PARKS ACT
- SCHEDULE V WILD ANIMAL AND PLANT PROTECTION  
AND REGULATION OF INTERNATIONAL  
AND INTERPROVINCIAL TRADE ACT
- SCHEDULE VI NATIONAL DEFENCE ACT
- SCHEDULE VII NON-SMOKERS' HEALTH ACT
- SCHEDULE VIII
- SCHEDULE IX RADIOCOMMUNICATION ACT
- SCHEDULE X RAILWAY SAFETY ACT
- SCHEDULE XI SAGUENAY-ST. LAWRENCE MARINE PARK  
ACT
- SCHEDULE XII
- SCHEDULE XIII NAVIGATION PROTECTION ACT
- SCHEDULE XIII.1 TELECOMMUNICATIONS ACT
- SCHEDULE XIV TOBACCO AND VAPING PRODUCTS ACT
- SCHEDULE XV TRANSPORTATION OF DANGEROUS  
GOODS ACT, 1992
- SCHEDULE XVI QUARANTINE ACT
- SCHEDULE XVII AERONAUTICS ACT

SCHEDULE XVIII MOTOR VEHICLE TRANSPORT ACT  
SCHEDULE XIX ROUGE NATIONAL URBAN PARK ACT

**RELATED PROVINCIAL LEGISLATION**

**BRITISH COLUMBIA**

**OFFENCE ACT**

- 1 Definitions
- 2 Offence punishable on summary conviction
- 3 Application to proceedings
- 4 General penalty
- 5 General offence
- 6 Absolute liability offences
- 7 Right to telephone
- 8 Jurisdiction
- 9 On water or near boundary
- 10 Judicial notice
- 10.1 Use of data records
- 11 Commencing proceedings
- 12 One justice
- 13 Formalities of an information
- 13.1 Information laid by means of telecommunication
- 14 Violation ticket
- 14.01 eTickets
- 14.1 Service of violation tickets outside British Columbia
- 15 Disputing violation ticket
- 15.1 Evidence admissible in trial on a violation ticket
- 15.2 Procedures in trial on a violation ticket
- 15.3 Certificate evidence of prescribed violation ticket offence admissible
- 15.4 Disputing fine amount in writing
- 16 Failure to respond to ticket
- 17 Conviction need not be entered
- 18 Cancellation of violation ticket
- 18.1 Assistant Deputy Minister's directives
- 19 Jurisdiction of justices
- 20 Inability of justice to continue
- 21 Search warrants
- 22 Telewarrants
- 23 Seizure of things not specified
- 24 Detention of things seized
- 24.1 Access to thing seized
- 24.2 Order for disposition of thing seized
- 25 Power to lay information or complaint

## TABLE OF CONTENTS

26	Justice to hear informant or witnesses and issue a summons or warrant
27	Summons
28	Service on individual
29	Service on a corporation or municipality
30	Service of a copy
31	Proof of service
31.01	eCertificates of service
31.1	Validation of service
32	Service on Sunday or holiday
33	Copy of a warrant to be served
34	Contents of a warrant to arrest
35	Formalities on a warrant
36	Summons not to prevent a warrant
37	Execution of a warrant
38	Promise to appear
39	Appearance notice
40	Procedure to procure attendance of a prisoner
41	Endorsement on a warrant
42	Application of sections 43 to 52
43	Subpoena or warrant may be issued
44	Requirements for issuing subpoena or warrant
45	Contents of a subpoena
46	Service
47	Subpoena effective throughout British Columbia
48	Warrant effective throughout British Columbia
49	Warrant for an absconding witness
50	Warrant when witness does not attend
51	Order where witness arrested under warrant
52	Contempt
53	Order in court
54	Open court
55	Resistance to execution of process
56	Absence of the prosecutor
57	Appearance of the prosecutor and defendant or counsel
58	Arraignment
59	Conviction or order if charge admitted
60	Procedure if charge not admitted
61	Separating trial of counts
62	Joining informations for trial
63	Admission by the defendant
63.1	Prosecution by an enforcement officer
64	Full answer and defence
65	Examination of witnesses
66	Proceedings before a justice

ANNOTATED CONTRAVENTIONS ACT

67	Adjournment
68	Absence of defendant
69	Absence of prosecutor
70	Remand for observation
71	Effect and enforcement of recognizances
72	Supreme Court may grant or vary bail
73	Recognizance for person convicted
74	Conviction order or dismissal
75	Previous conviction
76	Memorandum of conviction or order
77	Disposal of penalties when joint offenders
78	Order of dismissal
79	Costs
80	Fees and allowances
81	Investigation and prosecution costs
82	Imprisonment for default of payment of fine
83	Degrees of punishment
84	Punishment only after conviction and only as prescribed
85	Parties to an offence
86	Sentence and imprisonment
87	Intermittent imprisonment
88	Court may impose a lesser fine
89	Probation order
89.1	Mandatory conditions in probation order
89.2	Optional conditions in probation order
89.3	Term and form of probation order
89.4	Obligations of justice
89.5	Changes to probation order
89.6	Failure to comply with probation order
89.7	Arrest without warrant
89.8	Application of provisions in section 732.2 of Criminal Code
90	Additional punishment for breach of probation order
91	Intoxicated person
92	Chronic alcoholic
93	Probation breach by chronic alcoholic
94	Parole
95	Execution of warrant of committal
96	Originating document must contain substance of evidence
97	Information sufficient despite certain omissions
98	Burden on defendant to prove an exception
99	Process not objectionable on other grounds
100	Amending defective information
101	Appeal court defined
102	Appeal
103	Place of hearing

## TABLE OF CONTENTS

104	Notice of appeal
105	Appeal from conviction
106	Formalities of recognizance
107	Payment of fine is not waiver of appeal, etc.
108	Transmission of conviction, etc.
109	Appeal
110	Adjournment
111	Dismissal for want of prosecution
112	Costs
113	Imprisonment on appeal
114	Enforcement of conviction or order by appeal court
115	Application for stated case
116	Recognizance by appellant
117	Procedure when justice dies, quits office or is unable to act
118	Refusal to state a case
119	Compelling statement of case
120	No prerogative writ
121	Powers of court hearing appeal
122	Enforcement of adjudication
123	Statement of case precludes appeal
124	Appeal to Court of Appeal on question of law
125	Conviction or order not removable
126	When conviction or order remedial
127	Correcting punishment
128	Irregularities in sections 126 and 127
129	Warrant of committal not void for defect in form
130	No action against official when conviction, order or proceeding quashed
131	Forms
132	Power to make regulations
133	Application of <i>Criminal Code</i>

## CONCORDANCE OF FORMS

### FEDERAL CONTRAVENTIONS FORMS REGULATION

1	Definitions
2	Prescribed forms
3	Ticket and summons
4	Promise to appear
5	Appearance on notice
6	Statement and written reasons
7	Affidavits — Federal Contraventions Violation Ticket
FORM A	FEDERAL CONTRAVENTIONS VIOLATION
FORM A.1	FEDERAL CONTRAVENTIONS VIOLATION TICKET PAYMENT & DISPUTE INSTRUCTIONS

FORM A.2	CeRTIFICATE OF SERVICE
FORM B	CERTIFICATE OF SERVICE
FORM C	PROMISE TO APPEAR
FORM D	APPEARANCE NOTICE
FORM E	FEDERAL CONTRAVENTIONS VIOLATION TICKET NOTICE OF DISPUTE
FORM F	FEDERAL CONTRAVENTIONS VIOLATION TICKET STATEMENT AND WRITTEN REASONS
FORM G	AFFIDAVIT
FORM H	AFFIDAVIT

**LOCAL GOVERNMENT BYLAW NOTICE  
ENFORCEMENT ACT (SELECTED PROVISIONS)**

**PART 1 INTRODUCTORY PROVISIONS**

- 1 Definitions
- 2 Application of Act
- 3 Application of *Young Offenders (British Columbia) Act*

**PART 2 ENFORCEMENT OF BYLAWS BY BYLAW  
NOTICE**

- 4 Bylaw notice
- 7 Delivery of bylaw notice

**VICTIMS OF CRIME ACT**

- 1 Definitions
- 2 Right to courtesy and respect
- 3 Legal representation of victims
- 4 Presentation of the victim's perception of the impact of the offence
- 5 Information that must be offered
- 6 Information that must be given on request
- 7 Information that will be given in appropriate circumstances
- 8 Goals
- 8.1 Victim surcharge levy
- 9 Victim Surcharge Special Account
- 10 No cause of action created by this Act
- 11 Validity of proceeding etc.
- 12 Ombudsman
- 13 Annual report
- 14 Employers are not to penalize
- 15 Offence
- 16 Power to make regulations

TABLE OF CONTENTS

**CRIMINAL CODE (SELECTED FORMS)**

**PART XXVIII MISCELLANEOUS**

**FORMS**

FORM 1	INFORMATION TO OBTAIN A SEARCH WARRANT
FORM 2	INFORMATION
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 5.1	NOTICE — EXECUTION OF SEARCH WARRANT
FORM 7	WARRANT FOR ARREST
FORM 16	SUBPOENA TO A WITNESS
FORM 17	WARRANT FOR WITNESS
FORM 18	WARRANT TO ARREST AN ABSCONDING WITNESS
FORM 19	WARRANT REMANDING A PRISONER
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 25	WARRANT OF COMMITTAL FOR CONTEMPT
FORM 26	WARRANT OF COMMITTAL IN DEFAULT OF PAYMENT OF COSTS OF AN APPEAL
FORM 28	ENDORSEMENT OF WARRANT
FORM 29	ENDORSEMENT OF WARRANT
FORM 32	RECOGNIZANCE
FORM 35	CONVICTION
FORM 36	ORDER AGAINST AN OFFENDER
FORM 38	CONVICTION FOR CONTEMPT
FORM 39	ORDER FOR DISCHARGE OF A PERSON IN CUSTODY

- FORM 42 CERTIFICATE OF NON-PAYMENT OF COSTS OF APPEAL  
FORM 43 JAILER'S RECEIPT TO PEACE OFFICER FOR PRISONER

**MANITOBA**

**THE VICTIMS' BILL OF RIGHTS**

**PART 1 DECLARATION OF VICTIMS' RIGHTS**

**DEFINITIONS**

- 1 Definitions

**VICTIM'S RIGHTS AND ACCESS TO SERVICES**

- 2 Victims' entitlement to services by request  
2.1 Relative of deceased victim may receive information

**LAW ENFORCEMENT AGENCIES**

- 3 Right to information from police agency  
3.1 Independent investigation unit  
4 Right to give opinion on alternative measures and release  
5 Right to interview by same gender in sexual offence  
6 Right to confidentiality  
7 Right to information about investigation of offence  
8 Right to information about escape from police custody  
9 Right to return of property  
10 Minister may make agreement for services  
11 Right to information about prosecution office

**PROSECUTIONS**

- 12 Right to Information About Prosecutions  
13 Right to information about status of prosecution  
14 Right to give views on prosecution  
15 Right to victim to have restitution requested  
16 Right to information about corrections office

**COURT ADMINISTRATION**

- 17 Right to Information About Court Administration  
18 Right to separate waiting area at court

**CORRECTIONAL SERVICES**

- 19 Right to information from correctional services  
20 Right to warning of possible threat



## TABLE OF CONTENTS

- 21 Right to request meeting with offender
- 22 Minister may make agreement for services

### **REVIEW BOARD**

- 23 Definition of “Review Board”

### **LEGAL SERVICES**

- 24 Right to information about legal aid services
- 25 Right to free and independent counsel

### **VICTIMS’ TIME OFF FROM EMPLOYMENT**

- 26 Victim to be granted time off for parts of trial

### **ACCOUNTABILITY AND COMPLAINT PROCESS**

- 27 Definition of “director”
- 28 Complaint to director
- 29 When director may extend time
- 30 Ombudsman Act applies to any complaint
- 31 Annual report of director regarding complaints

### **GENERAL PROVISIONS**

- 32 Disclosure limited by federal Act or court order
- 33 Delegation
- 34 Liability
- 35 No appeal
- 36 Regulations
- 37 Part 1 to be reviewed within five years

### **PART 2 DEFINITIONS**

- 38 Definitions

### **PART 3 ADMINISTRATION**

- 39 Designation of director

### **PART 4 VICTIMS’ SURCHARGES**

- 40 [Repealed 2020, c. 21, s. 176(5).]
- 41 [Repealed 2020, c. 21, s. 176(5).]
- 42 [Repealed 2020, c. 21, s. 176(5).]
- 43 [Repealed 2020, c. 21, s. 176(5).]
- 43.1 [Repealed 2020, c. 21, s. 176(5).]
- 43.2 [Repealed 2008, c. 16, s. 22(3).]
- 44 Surcharge payable by person guilty of offence

**PART 5 COMPENSATION FOR VICTIMS OF CRIME**

- 45 Definitions
- 46 Eligibility for compensation
- 47 Compensation to injured victims
- 48 Compensation to family members of deceased victims
- 48.1 Compensation to witnesses
- 48.2 Compensation for caregiver's expenses
- 49 Manner of payment of compensation
- 50 Application requirements
- 51 Time limit for applying
- 52 Director to evaluate applications
- 53 Reports from attending professionals and hospitals
- 54 Director may refuse or reduce compensation
- 54.1 Definition of "prescribed offence"
- 55 Director may vary compensation
- 56 Certain amounts to be deducted from compensation
- 57 Applicant to advise director of recovery or action
- 58 Application of money from person causing injury or death
- 59 Director to give written notice of decisions
- 60 Right to appeal decision made on reconsideration
- 61 L.G. in C. may appoint or designate appeal body
- 62 Appointment of Compensation Appeal Board
- 63 Remuneration and expenses of board members
- 63.1 Director party to appeal
- 64 Powers of appeal board
- 65 Appeal board may request assistance of experts
- 66 Appeal board to give written notice of decision
- 67 Appeal to Queen's Bench
- 68 Garnishment of compensation

**PART 6 GENERAL PROVISIONS**

- 69 False statements
- 70 Recovery of grants and compensation as debt due
- 71 Regulations

**PART 7 TRANSITIONAL, CONSEQUENTIAL, REPEAL, C.C.S.M. REFERENCE, AND COMING INTO FORCE**

**TRANSITIONAL PROVISIONS**

- 72 Application of Part 5
- 73 Reference in legislation or document to repealed Acts

**CONSEQUENTIAL AMENDMENTS**

- 74 Consequential amendment, C.C.S.M. c. P215

TABLE OF CONTENTS

**REPEAL, C.C.S.M. REFERENCE, AND COMING INTO FORCE**

- 75 Repeal
- 76 C.C.S.M. reference
- 77 Coming into force

**THE SUMMARY CONVICTIONS ACT [REPEALED]**

- 1 Definitions
- 2 Application of Act
- 3 Application of provisions of the Criminal Code

**GENERAL OFFENCES**

- 4 Offence and penalty
- 4.1
- 5 [Repealed 1997, c. 57, s. 2(3).]

**FINES—PENALTIES—COSTS**

- 6 Enforcement of penalties
- 7 Reduction of penalties
- 8 Collection of court costs
- 8.1 Justice services surcharge
- 8.2 Application of payment

**SERVICE**

- 9 Substitutional service authorized

**CORPORATIONS AS OFFENDERS**

- 10 Recovery of penalties from corporation by distress

**PAYMENT OF FINES**

- 11 Effect of part payment of fine, etc.
- 12 Additional time for payment
- 12.1 Certificate of default

**OFFENCE NOTICE PROCEDURES**

- 13 Prosecution commenced by offence notice
- 14 Dispute of charge by accused person
- 15 Effect of use of words, etc., on notice
- 16 Summons procedure generally
- 16.1 Appointment of screening officer; municipality
- 17 Offender may plead guilty to offence
- 17.1 Penalty on default conviction
- 18 Notices to state right of person to hearing de novo

**POWERS OF REGISTRAR RE UNPAID FINES**

- 19 Definitions
- 19.1 Powers of registrar re unpaid fines
- 19.2 Definition
- 19.3 Issuance or renewal of licences in certain cases
- 19.4 Administrative fee

**PARKING VIOLATIONS**

- 20 Liability of owner for parking offence

**NEW HEARING**

- 20.1 Exceptional circumstances

**FINE OPTION**

- 21 Election of work option

**IMPRISONMENT**

- 22 Prison terms to run consecutively
- 23 Place of imprisonment
- 23.1 Lien of authority
- 23.2 Notice of registration
- 23.3 Application of Personal Property Security Act
- 23.4 Duty of municipality and L.G.D. re court costs

**GENERAL**

- 24 Disposal of fine and of appeal
- 25 Depositions on certiorari
- 26 Review of proceedings on motion to quash
- 27 Payment for depositions
- 28 Estreat of recognizances
- 29 No necessity of seal on documents
- 30 Regulations
- 31 Reference in Continuing Consolidation
- 32 Repeal
- 33 Commencement of Act

**NEW BRUNSWICK**

**PROVINCIAL OFFENCES PROCEDURE ACT**

1

TABLE OF CONTENTS

**PART I PROSECUTION**

2	Proceedings By Way Of Information
3	
4	
5	
6	
7	
8	
9	Ticket Procedure
10	
11	
12	
13	Appearance by the defendant
14	
15	
16	
16.1	Violation Ticket Procedure
16.2	
16.3	
16.4	
16.5	
16.6	
16.7	
16.8	
16.9	
16.91	
16.92	
17	First Appearance and Plea
18	
19	
20	
21	
22	
23	
24	
25	
26	
26.1	
27	
27.1	
28	Failure To Appear
29	
30	
31	Trial

32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
43.1  
44

Attendance of Witnesses

**PART II SENTENCE**

45 Disposition — General  
46  
47  
48  
49 Submissions, investigation and report  
50  
51  
52  
53  
54  
55 Release Without Penalty  
55.1 Fine without surcharge  
56 Fines  
57  
58  
59  
60  
61  
62 Imprisonment  
63  
64  
65  
66  
67  
68  
69  
70  
71  
72

TABLE OF CONTENTS

73 Probation Orders  
74  
75  
76  
77  
78  
79  
80  
80.1 Enforcement of Fines  
80.2  
81  
82  
83  
84  
85  
86  
87  
87.1  
88  
89  
90  
91  
92  
93 Injunctions

**PART III GENERAL PROVISIONS**

94  
95  
96  
97  
98  
99  
100  
101  
102  
103  
104  
105  
106  
107  
107.1  
108  
109  
110  
111

112  
113  
114  
115

**PART IV APPEALS AND SETTING ASIDE**

116  
117  
117.1

**PART V ARREST, BAIL AND SEARCH AND SEIZURE**

118 Arrest  
119  
120  
121  
122  
123  
124  
125  
126 Bail  
127  
128  
129  
130  
131  
132  
133 Search and Seizure  
134  
135  
136  
137  
138  
139  
140  
141  
142  
142.1  
143  
144  
145

**PART VI REGULATIONS**

146  
147



TABLE OF CONTENTS

**PART VII COMMENCEMENT AND TRANSITION**

148

149

150

**PROVINCIAL OFFENCES PROCEDURE FOR YOUNG PERSONS ACT**

1

2

**DECLARATION OF PRINCIPLE**

3

**ALTERNATIVE MEASURES**

4

**JURISDICTION**

5

**APPLICATION OF OTHER ACTS**

6

**DETENTION PRIOR TO SENTENCING**

7

8

9

**NOTICE TO PARENT**

10

11

**RIGHT TO RETAIN AND INSTRUCT COUNSEL**

12

**PRE-SENTENCE REPORT**

13

**SENTENCING**

14

15

16

ANNOTATED CONTRAVENTIONS ACT

17  
18  
19  
20  
21  
22  
23

**APPEALS**

24

**YOUTH WORKERS**

25

**PROTECTION OF PRIVACY OF YOUNG PERSONS**

26

**INTERFERENCE WITH SENTENCES**

27

**EVIDENCE**

28  
29  
30

**TRANSITIONAL**

31

**CONSEQUENTIAL AMENDMENTS**

**CORRECTIONS ACT**

32

**FAMILY SERVICES ACT**

33

**INTOXICATED PERSONS DETENTION ACT**

34

**JUDICATURE ACT**

35 [Repealed S.N.B. 1991, c. 17, s. 3]

TABLE OF CONTENTS

**JUVENILE COURTS ACT**

36

**MENTAL HEALTH ACT**

37 [Repealed S.N.B. 1990, c. 22, s. 43]

**PAROLE ACT**

38

**PROVINCIAL COURT ACT**

39

**TREATMENT OF INTOXICATED PERSONS ACT**

40

**COMMENCEMENT**

41

**NEWFOUNDLAND AND LABRADOR**

**PROVINCIAL OFFENCES ACT**

- 1 Short title
- 2 Interpretation

**PART I SUMMARY PROCEEDINGS**

- 3 Application of Act
- 4 Penal proceedings
- 5 Statute without penalty
- 6 Criminal Code adopted
- 7 Time limitation
- 8 Description of ownership
- 9 Fiat of Attorney General

**PART II PROCEDURE ON USE OF TICKETS**

- 10 Use of tickets
- 11
- 12 Electronic format
- 13
- 14 Service
- 15 Parking tickets
- 16 Time for service
- 17 Proof of service
- 18 Proof of service

- 18.1 Ticket
- 19 Not guilty plea and notice of trial
- 20 Delivery to judge
- 21 [Repealed 2012, c. 44, s. 10.]
- 22 [Repealed 2012, c. 44, s. 10.]
- 23 Conviction and fine
- 24 New trial
- 25 Arrest for failure to appear
- 26 Ticket unsworn
- 27 Judge to notify Registrar of Motor Vehicles
- 28 Appearance not required
- 29 Failure to appear
- 30 Judge may infer information from ticket
- 31 Regulations

### **PART III RECOVERY OF FINES**

- 32 Late payment penalty
- 32.1 Statement of finances
- 32.2 Examination of finances
- 32.3 Proof of fines owing
- 32.4 Contempt hearing
- 33 Judgment on failure to pay fine
- 34 Issuance, suspension or renewal of instruments
- 35 Application of Judgment Enforcement Act
- 36 [Repealed S.N. 1996, c. J-1.1, s. 198]
- 37 Extension of time for payment
- 38 Fines option program
- 38.1 Garnishment of lottery prizes
- 39 *Young Persons Offences Act* to prevail
- 40 Fine is revenue of the Crown

### **PART IV INQUIRIES**

- 41 Definitions
- 42 Fire inquiry
- 43 Minister may order inquiry
- 44 Powers of judge
- 45 Commission evidence
- 46 Public inquiry
- 47 Attendance at inquiry
- 48 Witnesses
- 49 Report of judge
- 50 Incriminating answers

TABLE OF CONTENTS

**PART V GENERAL**

- 51 Records
- 52 Regulations
- 53 Consequential amendments
- 54 R.S.N.1990 c. S-30 Rep.
- 55 Commencement

**NOVA SCOTIA**

**SUMMARY PROCEEDINGS ACT**

**CITATION**

- 1 Short title

**APPLICATION**

- 2 Application of Act

**SEARCH AND SEIZURE**

- 2A
- 2B
- 2C
- 2D
- 2E
- 2F
- 2G
- 2H
- 2I
- 2J

**PENAL PROCEEDINGS**

- 3 Recovery or enforcement of statutory penalty
- 4 Offence
  - 4A
  - 4B
- 5 No conviction of police obtaining certain evidence

**IMPRISONMENT**

- 6 Place of imprisonment

**JURISDICTION AND PROCEDURE**

- 7 Summary conviction provisions of Criminal Code
- 7A Service of summons by mail

ANNOTATED CONTRAVENTIONS ACT

- 8 Summary offence ticket
- 8A
- 8B
- 9 Payment out of court
- 10 Interpretation of Section

**RELIEF FROM PENAL RECORD**

- 11 Lapse of conviction

**RELIEF FROM MANDATORY IMPRISONMENT**

- 12 Imprisonment not mandatory

**WARRANTS OF DISTRESS AND COMMITMENT**

- 13 Distress or commitment for non-payment
- 14 Execution elsewhere if insufficient distress realized
- 15 Application for order to cease execution
- 16 Execution ceases upon payment of sum due
- 16A

**GENERAL**

- 17
- 18
- 19

**SCHEDULE A**

- Form 1 Warrant of Distress Upon a Conviction for a Penalty
- Form 2 Warrant of Distress Upon an Order for The Payment of Money
- Form 3 Peace Officer's Return to Warrant of Distress
- Form 4 Indorsement in Backing a Warrant of Distress

**SCHEDULE B**

**ONTARIO**

**PROVINCIAL OFFENCES ACT**

**INTERPRETATION**

- 1 Definitions
- 2 Purpose of Act

TABLE OF CONTENTS

**PART I COMMENCEMENT OF PROCEEDINGS BY  
CERTIFICATE OF OFFENCE**

- 3 Certificate of offence
- 4 Filing of certificate of offence
- 5 Having a trial
- 5.1 Availability of meeting procedure
- 5.1.1 [Repealed 2009, c. 33, Sched. 4, s. 1(8).]
- 5.2 [Repealed 2009, c. 33, Sched. 4, s. 1(9).]
- 6 [Repealed 2009, c. 33, Sched. 4, s. 1(10).]
- 7 Plea of guilty with submissions
- 8 Payment out of court
- 9 Deemed not to dispute charge
- 9.1 Failure to appear at trial
- 10 Signature on notice
- 11 Reopening
- 11.1 Error by municipality
- 12 Penalty
- 13 Regulations

**PART II COMMENCEMENT OF PROCEEDINGS FOR  
PARKING INFRACTIONS**

- 14 Definition
- 14.1 Proceeding, parking infraction
- 15 Notice issued
- 16 Payment out of court
- 17 Intention to appear
- 17.1 Application
- 18 Failure to respond
- 18.1 Intention to appear
- 18.1.1 Application
- 18.1.2 [Repealed 2009, c. 33, Sched. 4, s. 1(26).]
- 18.2 No response to impending conviction notice
- 18.3 Application where ticket defective
- 18.4 Failure to appear at trial
- 18.5 Error by municipality
- 18.6 Authority to collect parking fines
- 19 Reopening
- 20 Regulations

**PART III COMMENCEMENT OF PROCEEDING BY  
INFORMATION**

- 21 Commencement of proceeding by information
- 22 Summons before information laid
- 23 Information
- 24 Procedure on laying of information

- 25 Counts
- 26 Summons
- 27 Contents of warrant

## **PART IV TRIAL AND SENTENCING TRIAL**

### **TRIAL**

- 28 Application of Part
- 29 Territorial jurisdiction
- 30 Justice presiding at trial
- 31 Retention of jurisdiction
- 32 Stay of proceeding
- 33 Dividing counts
- 34 Amendment of information or certificate
- 35 Particulars
- 36 Motion to quash information or certificate
- 37 Costs on amendment or particulars
- 38 Joinder of counts or defendants
- 39 Issuance of summons
- 40 Arrest of witness
- 41 Order for person in a prison to attend
- 42 Penalty for failure to attend
- 43 Order for evidence by commission
- 44 Trial of issue as to capacity to conduct defence
- 45 Taking of plea
- 45.1 Judicial pre-trial conferences
- 46 Trial on plea of not guilty
- 47 Evidence taken on another charge
- 48 Exhibits
- 48.1 Certified evidence
- 49 Adjournments
- 50 Appearance by defendant
- 51 Compelling attendance of defendant
- 52 Excluding defendant from hearing
- 53 Failure of prosecutor to appear
- 54 Conviction in the absence of the defendant
- 55 Included offences

### **SENTENCING**

- 56 Pre-sentence report
- 57 Submissions as to sentence
- 58 Time spent in custody considered
- 59 Provision for minimum penalty
- 60 Fixed costs on conviction
- 60.1 Surcharge



## TABLE OF CONTENTS

61	General penalty
62	Minute of conviction
63	Time when imprisonment starts
64	Sentences consecutive
65	Authority of warrant
66	When fine due
66.0.1	Application for extension
66.1	Defendant's address
66.2	Fee for refused cheque collectable as a fine
67	Regulation for work credits for fines
68	Civil enforcement of fines
69	Default
69.1	Disclosure to consumer reporting agency
70	Fee where fine in default
70.1	Collection agency costs payable
71	Suspension of fine on conditions
72	Probation order
73	When order comes into force
74	Variation of probation order
75	Breach of probation order

## **PART V GENERAL PROVISIONS**

76	Limitation
76.1	Electronic court documents
77	Parties to offence
78	Counselling
79	Computation of age
80	Common law defences
81	Ignorance of the law
82	Representative
83	Recording of evidence
83.1	Participation in proceedings by electronic method
84	Interpreters
85	Extension of time
86	Penalty for false statements
87	Delivery
88	Civil remedies preserved
89	Process on holidays
90	Irregularities in form
91	Contempt
91.1	Set fines
92	Regulations

**PART VI YOUNG PERSONS**

- 93 Definitions
- 94 Minimum age
- 95 Offence notice not to be used
- 96 Notice to parent
- 97 Sentence where proceeding commenced by certificate
- 98 Young person to be present at trial
- 99 Identity of young person not to be published
- 100 Pre-sentence report
- 101 Penalties limited
- 102 No imprisonment for non-payment of fine
- 103 Open custody
- 104 Evidence of young person's age
- 105 Appeal
- 106 Arrest without warrant limited
- 107 S. 149 does not apply
- 108 Functions of a justice of peace limited

**PART VII APPEALS AND REVIEW**

- 109 Definitions
- 110 Custody pending appeal
- 111 Payment of fine before appeal
- 112 Stay
- 113 Fixing the date where appellant in custody
- 114 Payment of fine not waiver
- 115 Transmittal of material

**APPEALS UNDER PART III**

- 116 Appeals, proceedings commenced by information
- 117 Powers of court
- 118 Right to representation
- 119 Written argument
- 120 Powers on appeal against conviction
- 121 Powers on appeal against acquittal
- 122 Appeal against sentence
- 123 One sentence on more than one count
- 124 Appeal based on defect in information or process
- 125 Additional orders
- 126 New trial
- 127 Appeal by way of new trial
- 128 Dismissal or abandonment
- 129 Costs
- 130 Implementation of appeal court order
- 131 Appeal to Court of Appeal

TABLE OF CONTENTS

- 132 Custody pending appeal
- 133 Transfer of record
- 134 Application of ss. 114, 117-126, 128 (b), 129

**APPEALS UNDER PARTS I AND II**

- 135 Appeal
- 136 Conduct of appeal
- 137 Dismissal on abandonment
- 138 Powers of court on appeal
- 139 Appeal to Court of Appeal

**REVIEW**

- 140 Application for relief in nature of mandamus, prohibition, certiorari
- 141 Notice re certiorari
- 142 Application for *habeas corpus*

**PART VIII ARREST, BAIL AND SEARCH WARRANTS**  
**ARREST**

**ARREST**

- 143 Officer in charge
- 144 Execution of warrant
- 145 Arrest without warrant
- 146 Use of force
- 147 Immunity from civil liability
- 148 Production of process

**BAIL**

- 149 Release after arrest by officer
- 150 Person in custody to be brought before justice
- 151 Expediting trial of person in custody
- 152 Appeal
- 153 Appointment of agent for appearance
- 154 Recognizance binds for all appearances
- 155 Motion by surety to be relieved
- 156 Delivery of defendant by surety
- 157 Certificate of default

**SEARCH WARRANTS**

- 158 Search warrant
- 158.1 Electronic warrants
- 158.2 Duty of person who carries out seizure
- 159 Order of justice re things seized

- 160 Examination or seizure of documents where privilege claimed

**PART IX ORDERS ON APPLICATION UNDER STATUTES**

- 161 Orders under statutes

**PART X AGREEMENTS WITH MUNICIPALITIES CONCERNING ADMINISTRATIVE FUNCTIONS AND PROSECUTIONS**

- 161.1 Definition
- 162 Agreements
- 163 Area of application
- 164 Deposit with clerk
- 165 Collection and enforcement
- 165.1 Definition
- 166 Fines imposed before effective date
- 167 Special rules
- 168 Right to intervene
- 169 No agency
- 170 Protection from personal liability
- 171 Order for compliance
- 172 Review committee
- 173 Transition, Part III proceedings
- 174 Regulations
- 174.1 Municipal powers
- 175 Delegation
- 176 Group of municipalities

**PRINCE EDWARD ISLAND**

**SUMMARY PROCEEDINGS ACT**

- 1 Definitions
- 2 Application of Act
- 3 Summary proceedings
- 4 Procedure in *Criminal Code* applied
- 5 Punishment of offences
- 6 Punishment where no punishment provided in enactment
- 6.1 Certificate of Default
- 6.2 Notice by the sheriff
- 7 Judicial notice
- 8 Record ceases to have effect after five years
- 9 Regulations
- 10 Ticket summons
- 10.1 Electronic ticket

TABLE OF CONTENTS

- 11 Penalty payable out of court
- 12 Failure to appear
- 13 Administrative charge

**VICTIMS OF CRIME ACT**

- 1 Definitions

**PART I STATEMENT OF PRINCIPLES**

- 2 Declaration

**PART II VICTIM SERVICES**

- 3 Advisory Committee
- 4 Functions
- 5 Annual report to Minister
- 6 Membership of Committee
- 7 Victim Services

**PART III VICTIM ASSISTANCE FUND**

- 8 Establishment of Fund
- 9 Application of surcharge
- 10 Other sources
- 11 Use of Fund
- 12 Administration of Fund

**PART IV CRIMINAL INJURIES COMPENSATION**

- 13 Definitions
- 14 Application of Part
- 15 Administration
- 16 Entitlement to compensation
- 17 Limitation period for application
- 18 Interim compensation
- 19 Compensation of last resort
- 20 Determining compensation
- 21 Failure to notify of change of address
- 22 Hearing
- 23 Considerations in assessing claims
- 24 Deductions
- 25 Maximum award
- 26 Conditions of payment
- 27 Release of exhibits
- 28 Payment of compensation
- 29 Appeal
- 30 Variation of award
- 31 Compensation not subject to garnishment
- 32 Civil proceedings

33 Offence and penalty

**PART V GENERAL**

34 Act creates no cause of action  
35 Agreements with Canada  
35.1 Definition, “victim services record”  
36 Annual report  
37 Regulations  
38 Commencement

**QUEBEC**

**CODE OF PENAL PROCEDURE**

**CHAPTER I GENERAL PROVISIONS**

**DIVISION I INTRODUCTORY PROVISIONS**

1  
2  
2.1  
2.2  
3  
4  
5  
6  
7  
8  
8.1  
8.2

**DIVISION II RIGHT TO PROSECUTE**

9  
10  
11  
11.1  
12  
13

**DIVISION III PRESCRIPTION**

14  
15  
16

**DIVISION IV COMPUTATION OF TIME**

17

TABLE OF CONTENTS

18

**DIVISION V SERVICE OF WRITTEN PROCEEDINGS**

19

19.1

20

20.1

20.2

21

22

22.1

23

24

25

26

27

27.1

27.2

28

29

**DIVISION VI MAKING OF APPLICATIONS**

30

31

32

33

34

**DIVISION VII PROCURING ATTENDANCE OF WITNESSES**

35

35.1

36

37

38

39

40

41

42

43

44

45

46

47

48  
49  
50  
51  
52  
53

**DIVISION VIII ROGATORY COMMISSION**

54  
55  
56  
57  
58  
59

**DIVISION IX DEFENSES AND GENERAL RULES OF EVIDENCE**

60  
61  
62  
62.1  
63  
64  
65  
66  
66.1  
67  
67.1 [Repealed 2001, c. 32, s. 93.]  
68  
69  
70  
70.1  
71

**CHAPTER II ARREST**

72  
73  
74  
75  
76  
77  
78  
79  
80



TABLE OF CONTENTS

81  
82  
83  
84  
85  
86  
87  
88  
89  
89.1  
90  
91  
92  
93  
94

**CHAPTER II.1 WARRANT OF ENTRY**

94.1  
94.2  
94.3  
94.4  
94.5  
94.6  
94.7  
94.8  
94.9

**CHAPTER III SEARCH AND SEIZURE**

**DIVISION I GENERAL PROVISIONS REGARDING SEARCHES**

95 Search  
96 Authorization  
97 Search without warrant  
98 Application for search warrant  
99 Affidavit  
100 Telewarrant  
101 Duties of applicant  
101.1  
102 Issue of search warrant  
103 Sufficient grounds  
104 Content of warrants  
105 Execution  
106 Time of execution  
107 Search

- 108 Identification and production of warrant
- 109 Right of access
- 109.1
- 110 Minutes of seizure
- 111 Copy of minutes
- 112 Notice of search
- 113 Report
- 114 Report on warrantless search

**DIVISION II SEARCH IN RESPECT OF  
CONFIDENTIAL INFORMATION**

- 115 Professional secrecy
- 116 Objection to the seizure
- 117 Examination of the thing seized
- 118 Determination of confidential nature
- 119 In camera hearing
- 120 Declaration of confidentiality
- 121 Execution

**DIVISION III EXAMINATION OF THINGS SEIZED AND  
OF DOCUMENTS RELATED TO SEARCH**

- 122 Examination and copy
- 123 Documents open to examination

**DIVISION III.1 ORDER PROHIBITING OR  
RESTRICTING ACCESS TO CERTAIN INFORMATION  
OR DOCUMENTS OR PROHIBITING THEIR  
COMMUNICATION**

- 124
- 125
- 126
- 127
- 128
- 128.1

**DIVISION IV CUSTODY, DETENTION AND  
DISPOSITION OF THINGS SEIZED**

- 129 Custody
- 130 Sale
- 131 Destruction
- 132 Period of detention
- 133 Extension
- 134 Release of thing seized
- 135 Dispute as to possession

TABLE OF CONTENTS

136 Thing seized retained for other proceedings  
137 Unlawful possession  
138 Return of thing seized  
139 Return of thing seized  
140 Execution  
141 Jurisdiction of the judge

**DIVISION V GENERAL WARRANT**

141.1  
141.2  
141.3  
141.4

**DIVISION VI COMMUNICATION ORDERS ISSUED TO  
A THIRD PARTY**

141.5  
141.6  
141.7  
141.8  
141.9  
141.10  
141.11  
141.12

**CHAPTER IV INSTITUTION OF PROCEEDINGS**

**DIVISION I LOCATION OF THE PROSECUTION**

142 Place of prosecution  
143 Judicial districts

**DIVISION II STATEMENT OF OFFENCE**

§ 1 General provisions

144 Statement of offence  
145 Prescribed form  
146 Content  
147 Name and quality of issuer  
148 Request for sentence  
149 Minimum and maximum sentence

§ 2 Description of the offence

150 One or several offences  
151 Nature of offence  
152 Description of each count  
153 Validity  
154 Number of offences

155 Number of offences

**DIVISION III SERVICE OF STATEMENT  
OF OFFENCE**

156 Commencement of proceedings  
157 Service  
157.1 Service  
157.2 Personal service  
158 Parking violation  
158.1 Service  
159 Service on parents

**DIVISION III.1 PROCEEDING RULES  
ADAPTATION PROGRAM**

159.1  
159.2  
159.3  
159.4  
159.5

**CHAPTER V PROCEDURE PRIOR TO THE  
TRIAL**

**DIVISION I TRANSMISSION OF PLEA**

160 Plea  
161 Plea of guilty  
162 Presumption  
163 Presumption  
164 Partial payment deemed security  
165 Deemed conviction  
166 Notification  
166.1 Notice of imprisonment or probation  
166.2 Plea of guilty  
167 Onus of proof

**DIVISION II PRELIMINARY  
APPLICATIONS**

168 Preliminary application  
168.1 Exception  
169 Time  
170 Date of trial  
171 Deferral of decision  
172 Late application  
173 Unfounded application

## TABLE OF CONTENTS

174	Objects of preliminary application
175	Transfer for lack of jurisdiction
176	Transfer in the interest of justice
177	Order of transfer
178	Application for further details
179	Application to amend a count
180	Application to amend the statement of offence
180.1	Fine
181	Separate trial
182	Joinder of counts
183	Severance of accused
184	Dismissal of a count
185	New proceedings
186	Costs

## **DIVISION III PROVISIONS RELATING TO CERTAIN CASES**

186.1
186.2
186.3
186.4

## **CHAPTER VI TRIAL**

### **DIVISION I GENERAL PROVISIONS**

187	Place of trial
188	Absence of defendant
188.1	
189	Judgment by default
190	Absence of prosecutor
191	Proceedings ex parte
192	
192.1	
193	Plea admitted or rejected
193.1	
194	Open court
194.1	Information
194.2	
195	Trial judge
196	Decision of other judge binding
197	Payment of costs
198	Person under 18 years of age
199	Defendant in detention
200	Earlier date
201	Conduct of proceedings

202	Evidence and rebuttal
203	Hearing of witnesses
204	Taking of evidence
205	Transcription
206	Transfer for lack of jurisdiction
206.1	
207	Dismissal of a count
208	Questions reserved for decision
209	Amendment of a count
210	Application for acquittal
211	New fact
212	Address
213	Defendant mentally unfit
214	Psychiatric examination
215	Suspension of proceedings
216	Mental fitness
217	Continuation of the trial
218	Continuation after suspension
218.0.1	
218.1	[Repealed 2001, c. 32, s. 97.]

**DIVISION II PROVISIONS SPECIFIC TO  
THE TRIAL OF PROCEEDINGS DEEMED  
UNCONTESTED BY THE DEFENDANT**

218.2	Application
218.3	Place of trial
218.4	Judgment by default
218.5	Examination of record
218.6	Correction
218.7	Applicability

**CHAPTER VII JUDGMENT**

**DIVISION I GENERAL PROVISIONS**

219	Verdicts
220	General counts
221	Lesser offence
222	Disposal of thing seized
223	Judgment as to costs
224	Representations by the parties
225	Final judgment
225.1	[Repealed 2001, c. 32, s. 97.]
226	Recording
227	Date of judgment
228	Date of judgment

TABLE OF CONTENTS

**DIVISION I.1 PROVISIONS SPECIFIC TO  
JUDGMENTS RELATING TO  
PROCEEDINGS DEEMED UNCONTESTED  
BY THE DEFENDANT**

- 228.1 Uncontested case
- 228.2 Notification
- 228.3 Applicability

**DIVISION II SENTENCE**

- 229 Sentence
- 230 Continued offence
- 231 Imprisonment excluded
- 232 Fine
- 232.1
- 233 Person under 18 years of age
- 234 Legal person
- 235 Minimum sentence
- 236 Subsequent offence
- 237 Execution
- 238 Imprisonment
- 239 Execution
- 240 Interruptions
- 241 Consecutive terms
- 242 Intermittent detention

**CHAPTER VIII RECTIFICATION OF  
JUDGMENT**

- 243 Rectification
- 244 Rectification by the judge
- 245 Execution
- 246 Notice
- 247 Stay of execution
- 248 Appeal
- 249 Dismissal of application

**CHAPTER IX REVOCATION OF  
JUDGMENT**

**DIVISION I REVOCATION UPON  
APPLICATION OF THE DEFENDANT**

- 250 Defendant convicted by default
- 251 Application
- 252 Filing
- 253 Granting of application

- 254 Dismissal of application
- 255 Execution
- 256 Stay of execution

**DIVISION II REVOCATION UPON APPLICATION OF THE PROSECUTOR**

- 257 Conviction through administrative error
- 258 Oral application
- 259 Sufficient grounds
- 260 Stay of execution

**DIVISION III REDUCTION OF COSTS**

- 261 Costs reduced
- 262 Reduction of costs
- 263 Granting of application
- 264 Provisions applicable

**CHAPTER X APPLICATIONS FOR JUDICIAL REVIEW UNDER THE *CODE OF CIVIL PROCEDURE* CHAPTER AND HABEAS CORPUS PROCEEDINGS**

- 265 Procedure

**CHAPTER XI APPEAL TO THE SUPERIOR COURT**

**DIVISION I GENERAL PROVISIONS**

- 266 “judgment rendered in first instance”
- 267 Appeal
- 268 Persons who may appeal
- 269 Right of appeal not waived

**DIVISION II INSTITUTION OF APPEAL**

- 270 Judicial district
- 271 Time for filing appeal
- 272 Notice
- 273 Transmission of notice
- 274 Written appearance
- 275 Entry on roll
- 276 Stay of execution
- 277 Conditional release
- 278 Security
- 279 Dismissal of appeal
- 280 Abandonment



TABLE OF CONTENTS

**DIVISION III HEARING OF APPEAL AND JUDGMENT**

- 281 Hearing of appeal
- 282 Application
- 283 Procedure
- 284 Oral or written presentation
- 285 Powers of the judge
- 286 Granting of appeal
- 287 New judgment
- 288 Conditional release
- 289 Costs
- 290 Transmission of documents

**CHAPTER XII APPEAL TO COURT OF APPEAL**

**DIVISION I GENERAL PROVISIONS**

- 291 Appeal on a question of law
- 292 Objection to the evidence
- 293 Payment of fine not a waiver

**DIVISION II INSTITUTION OF APPEAL**

- 294 Place of appeal
- 295 Number of judges
- 296 Application for leave to appeal
- 297 Stay of execution
- 298 Conditional release
- 299 Payment of security
- 300 When appeal brought
- 301 Copy of judgment
- 302 Transmission to the office of the court
- 303 Written appearance
- 304 Factum
- 305 Time of filing
- 306 Content of factums
- 307 Factums not filed
- 308 Appeal submitted orally
- 309 Entry on roll
- 310 Special roll
- 311 Notice of abandonment

**DIVISION III HEARING OF THE APPEAL  
AND JUDGMENT**

- 312 Powers of the court
- 313 Provisions applicable
- 314 Application for release

**CHAPTER XIII EXECUTION OF  
JUDGMENTS**

**DIVISION I GENERAL PROVISIONS**

- 315 Recovery of sums due
- 316 Powers of the judge
- 317 Costs
- 318 Ownership of sums due
- 319 Sums due from the State
- 320 Order of payment
- 321 Payment out of security
- 322 Collectors
- 322.1 Summons
- 322.2 Financial situation
- 323 Access to information held by the Government
- 324 Warrant of arrest
- 325 Payment and receipt
- 326 Content of warrant
- 327 Extension
- 328 Payment by instalments
- 329 Seizure
- 330 Procedure
- 331
- 332 Seizure of immovable
- 332.1 Seizure
- 332.2 Restriction
- 332.3 Fine and costs
- 333 Compensatory work
- 334 Nature of the work
- 335 Payment through works
- 336 Duration
- 337 Limit of hours
- 338 Twelve-month limit
- 339 Report
- 340 Provisions not applicable
- 341 Provisions applicable
- 342 Payment before work begins
- 343 Balance
- 344 Payment

## TABLE OF CONTENTS

- 345 Reduction
- 345.1 Application to costs
- 345.2 Payment to prosecutor

### **DIVISION II PROVISIONS RELATING TO IMPRISONMENT IN DEFAULT OF PAYMENT OF SUMS DUE**

- 345.3 Application
- 346 Warrant of committal
- 347 Issue of warrant
- 348 Maximum term
- 349 Uninterrupted detention
- 350 Beginning of term of imprisonment
- 351 Consecutive terms
- 352 Term of imprisonment
- 353 Time of issue and execution
- 354 Arrest
- 355 Right of access
- 356 Custody of facility director
- 357 Warrant against detainee
- 358 Payment and receipt
- 359 Payment before beginning term
- 360 Balance
- 361 Payment
- 362 Receipt

### **DIVISION III SPECIAL PROVISIONS RELATING TO TRAFFIC AND PARKING OFFENCES**

- 363 Application
- 364 Suspension of driver's licence
- 365 Notice to the Société de l'assurance automobile
- 366 Offence and penalty
- 366.1 Sentences of imprisonment
- 366.2 Persons under 18 years of age

### **CHAPTER XIV REGULATIONS**

- 367 Regulations
- 367.1
- 368 Regulations
- 368.1
- 368.2

**CHAPTER XV TRANSITIONAL AND FINAL PROVISIONS**

- 369 Minister of Justice
- 370 Powers and duties
- 371 Presumption
- 372 Applicability
- 373 Substitutions
- 374 [Omitted.]
- 375 Orders, decrees, regulations in force
- 376 Nullity
- 377 Acts and decisions
- 378 Act begun before 1 October 1990
- 379 Pleadings
- 380 Renewal of warrant
- 381 Search warrant
- 382 Renewal of warrant of imprisonment
- 383 Applications and proceedings
- 384 Application
- 385 Execution of judgment
- 386 Proceedings continued by prosecutor
- 387 Authorization to institute proceedings
- 388 Prescription
- 389 Custody of thing seized
- 390 Written proceedings valid
- 391 Summons equivalent to statement of offence
- 392 Plea following summons
- 393 Statement of offence served upon appearance
- 394 Period for entering plea
- 395 Hearing or pending case continued
- 396 Written proceedings sufficient
- 397 Disposal of things seized
- 398 Adjournment for notice
- 399 Application of article 230
- 400 Reduction of costs
- 401 Validity of warrants arrest
- 402 Cancellation of imprisonment
- 403 [Omitted.]

**SCHEDULE**

**APPENDICES**

Appendix A. Summary of Contraventions Act

Appendix TC. Table of Concordance

**Table of Cases**

TABLE OF CONTENTS

**Index**