

His Majesty the King

Order # _____

v.

Approved:

(Name & ID Number of Offender / Young Person)

Judge

D/M/Y

ORDER
(authorizing the taking of bodily substances
for forensic DNA analysis)
(Section 487.051(3))

To the peace officers

Whereas (name of person) _____, in this order called the “person”,

- (a) has been found not criminally responsible on account of mental disorder for (offence) _____, which, on the day on which the finding was made, was a primary designated offence within the meaning of section 487.04 of the *Criminal Code*, or
- (b) has been convicted under the *Criminal Code*, discharged under section 730 of that Act or, in the case of a young person, found guilty under the *Young Offenders Act*, chapter Y-1 of the Revised Statutes of Canada, 1985, or the *Youth Criminal Justice Act*, of, or has been found not criminally responsible on account of mental disorder for, (offence) _____ which, on the day on which the person was sentenced or discharged or the finding was made, was one of the following secondary designated offences within the meaning of section 487.04 of the *Criminal Code* (check applicable box):

- ☐ (i) an offence under the *Criminal Code* for which the maximum punishment is imprisonment for five years or more and that was prosecuted by indictment,
- ☐ (i.01) an offence under any of sections 9 to 14 of the *Cannabis Act* for which the maximum punishment is imprisonment for five years or more and that was prosecuted by indictment,
- ☐ (ii) an offence under any of sections 5 to 7 of the *Controlled Drugs and Substances Act* for which the maximum punishment is imprisonment for five years or more and that was prosecuted by indictment,
- ☐ (iii) an offence under any of sections 145 to 148, subsection 173(1), sections 264, 264.1, 266 and 270, subsections 286.1(1) and 320.16(1), paragraph 348(1)(e) and sections 349 and 423 of the *Criminal Code*,
- ☐ (iv) an offence under section 433 or 434 of the *Criminal Code* as that section read from time to time before July 1, 1990,
- ☐ (iv.1) an offence under section 252 of the *Criminal Code*, as it read from time to time before the day on which section 14 of *An Act to amend the Criminal Code (offences relating to conveyances) and to make consequential amendments to other Acts* comes into force, or
- ☐ (v) an attempt or a conspiracy to commit an offence referred to in any of subparagraphs (i) to (ii) that was prosecuted by indictment (or, if applicable, an attempt or a conspiracy to commit an offence referred to in subparagraph (iii) or (iv));

Whereas the person's criminal record, the nature of the offence, the circumstances surrounding its commission, whether the person was previously found not criminally responsible on account of mental disorder for a designated offence, and the impact that this order would have on the person's privacy and security have been considered by the court;

And whereas the court is satisfied that it is in the best interests of the administration of justice to make this order;

Therefore, you are authorized to take or cause to be taken from (name of person) _____ the number of samples of bodily substances that is reasonably required for forensic DNA analysis, provided that the person taking the samples is able, by virtue of training or experience, to take them by means of the investigative procedures

described in subsection 487.06(1) of the *Criminal Code* and that, if the person taking the samples is not a peace officer, they take them under the direction of a peace officer.

This order is subject to the following terms and conditions that the court considers advisable to ensure that the taking of the samples is reasonable in the circumstances:

Dated (*date*) _____, at _____ (*place*), Nova Scotia.

(*Signature of judge of the court or clerk of the court*)