

**IN THE PROVINCIAL COURT
COURT PROVINCIALE**

YOUTH COURT / TRIBUNAL POUR ADOLESCENT(S)

His Majesty the King
V.

(Name, Date of Birth, and ID Number of Offender / Young Person)

RELEASE ORDER

(Sections 502(2), 503, 515 C.C. / Articles 502(2), 503, 515 c. c.)

1. Identification:

Surname: _____ Given name(s): _____ Date of birth: _____

2. Contact Information: _____

3. Charges(s): (set out briefly the offence in respect of which the accused was charged).

Case No.	Brief Description of Offence(s)	Section	Date	Place

4. Financial Obligations

You do not have any financial obligations under this Release Order.

or

In order for you to be released, the obligations that are indicated below by a check mark must be compiled with.

You promise to pay the amount of \$ _____ if you fail to comply with a condition of this Release Order.

You must deposit money in the amount of \$ _____ or other valuable security whose value does not exceed \$ _____ with the Clerk of the Court.

The surety _____ (name), born on _____ (date of birth),
 promises to pay, or deposits to the Court the amount of \$ _____.

5. Conditions

The condition of this Release Order is that the accused/young person attends Court on _____
at _____ (time) at the Provincial Court House at _____, Nova
Scotia, Court Room No. ____ and attends thereafter as required and complies with the following conditions:

- (a) You must report to (name or title) _____, at _____ (place),
on (date or dates) _____.
- (b) You must remain within the following territorial jurisdiction (province/territory): _____
- (c) You must notify (name, title, and phone number) _____
of any change of your (address, employment, or occupation) _____
- (d) You must not communicate, directly or indirectly, with _____
except in accordance with the following conditions:

- (e) You must not go to (place) _____
or enter (geographic area) _____
except in accordance with the following conditions:

- (f) You must deposit all your passports with (name or title) _____ at
_____ (place) before _____ (date)
- (g) You must not possess a firearm, crossbow, prohibited weapon, restricted weapon, prohibited device, ammunition,
prohibited ammunition, or explosive substance and you must surrender any of them in your possession and any
authorization, license or registration certificate, or other document enabling the acquisition or possession of a
firearm to (name or title) _____ at _____ (place).
- (h) You must comply with the following conditions (conditions for ensuring the safety and security of any victim of or witness
to the alleged offence):

- (i) You must comply with the following conditions:

The accused has the right to be represented by counsel (a lawyer), including the right to apply for Legal Aid.

6. Variation

The conditions of this Release Order may be varied with the written consent of the Prosecutor, yourself, and your sureties, if any. In addition, you or the Prosecutor may apply to a Judge to have any condition in this Release Order cancelled or changed.

7. Conditions in effect

The conditions indicated by a check mark on this Release Order (including any obligations imposed on your sureties) remain in effect until they are cancelled or changed or until you have been discharged, sentenced, or otherwise detained by the Court (Sections 763 and 764 of the *Criminal Code*).

8. Consequence for non-compliance

You are warned that, unless you have a lawful excuse, you commit an offence under section 145 of the *Criminal Code* if you fail to follow any of the conditions set out in this Release Order, including if you fail to attend Court as required.

If you commit an offence under section 145 of the *Criminal Code*, a warrant for your arrest may be issued (sections 512 or 512.3 of the *Criminal Code*) and you may be liable to a fine or to imprisonment, or to both.

If you do not comply with this Release Order or are charged with committing an indictable offence after you have been released, this Release Order may be cancelled, and as a result, you may be detained in custody (subsection 524(4) of the *Criminal Code*).

If you do not comply with this Release Order, the money or other valuable security promised or deposited by you or your surety could be forfeited (subsection 771(2) of the *Criminal Code*).

9. Signatures

SURETY: (if applicable)

- I understand my role and my responsibilities under this Release Order, and I agree to act as a surety.
- I agree to promise, or deposit to the Court the amount of money described in section 4 of this Release Order.
- Surety Declaration is attached (section 515.1 of the *Criminal Code*).
- Surety is exempted from providing Surety Declaration (subsection 515.1(2) of the *Criminal Code*).

Signed on _____ (date), at _____ (place), Nova Scotia.

Signature of the Surety

ACCUSED:

I understand the contents of this form and agree to comply with the conditions that are indicated by a check mark. I understand that I do not have to accept the conditions and that, if I do not accept the conditions, I will be detained.

Signed on _____ (date), at _____ (place), Nova Scotia.

Signature of Accused

JUDGE, JUSTICE, OR CLERK OF THE COURT:

Signed on _____ (date), at _____ (place), Nova Scotia.

Signature of Judge, Justice, or Clerk of the Court

Name of Judge or Justice who has issued this Order

THE FOLLOWING ARE FROM THE **CRIMINAL CODE OF CANADA**.

763 (1) If a person is bound by an Undertaking, Release Order, or Recognizance to appear before a Court, Provincial Court Judge or Justice for any purpose and the session or sittings of that Court or the proceedings are adjourned or an Order is made changing the place of trial, that person and their sureties continue to be bound by the Undertaking, Release Order, or Recognizance as if it had been entered into or issued with respect to the resumed proceedings or the trial at the time and place at which the proceedings are ordered to be resumed or the trial is ordered to be held.

764 (1) If an accused is bound by an Undertaking or Release Order to appear for trial, their arraignment or conviction does not cancel the Undertaking or Release Order, and it continues to bind them and their sureties for their appearance until the accused is discharged or sentenced, as the case may be.

(2) Despite subsection (1), the Court, Provincial Court Judge or Justice may commit an accused to prison or may require them to furnish new or additional sureties for their appearance until the accused is discharged or sentenced, as the case may be.

(3) The sureties of an accused who is bound by a Release Order to appear for trial are discharged if the accused is committed to prison pursuant to subsection (2).

I have read and explained this Release Order to the accused, and the accused has been given a copy of this Release Order and informed of the provisions of Sections 763(1), 764(1), 764(2), and 764(3) of the **Criminal Code of Canada**.

Justice, Justice, or Clerk of the Court