

## Regulations and other acts

Gouvernement du Québec

### O.C. 140-2000, 16 February 2000

Code of Penal Procedure  
(R.S.Q., c. C-25.1)

#### Form of statements of offence

Regulation to amend the Regulation respecting the form of statements of offence

WHEREAS under paragraph 1 of article 367 of the Code of Penal Procedure (R.S.Q., c. C-25.1), the Government may, by regulation, prescribe the form of statements of offence;

WHEREAS the Government made the Regulation respecting the form of statements of offence by Order in Council 1211-97 dated 17 September 1997;

WHEREAS it is expedient to make amendments to the statements issued for offences relating to the control of highway transportation and highway safety in order to take into account the Act respecting owners and operators of heavy vehicles (1998, c. 40);

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the text of the Regulation was published as a draft in the *Gazette officielle du Québec* of 1 September 1999, with a notice that it could be made by the Government upon the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Justice:

THAT the Regulation to amend the Regulation respecting the form of statements of offence, attached to this Order in Council, be made.

MICHEL NOËL DE TILLY,  
*Clerk of the Conseil exécutif*

### Regulation to amend the Regulation respecting the form of statements of offence\*

Code of Penal Procedure  
(R.S.Q., c. C-25.1, a. 367, par.1)

1. Section 33 of the Regulation respecting the form of statements of offence is amended by deleting paragraphs 1 and 3.

2. Section 34 of the Regulation is amended:

(1) by inserting “if any” after the word “notice” in subparagraph *b* of paragraph 1;

(2) by adding the words “or a transport services intermediary” at the end of subparagraph *a* of paragraph 2;

(3) by inserting the words “recorded size and allowed size” after “authorized weight” in subparagraph *d* of paragraph 4;

(4) by substituting “operator” for “carrier” in subparagraph *c* of paragraph 6.

(5) by adding the following subparagraphs at the end of paragraph 6:

“*d*) mention of whether the driver is the vehicle operator;

*e*) the reference to the Act respecting owners and operators of heavy vehicles (1998, c. 40) for the identification of penalty that must be considered for the application of this act;”.

3. The appended model for the front of the Statement of Offence replaces the model of Schedules III and V to the Regulation.

4. The appended model of Schedule V for the back of the Statement of Offence is amended by adding “R = Identification on CTQ no” in the section concerning the confirmation of identity.

\* The Regulation respecting the form of statements of offence was made by Order in Council 1211-97 dated 17 September 1997 (1997, *G.O.* 2, 5074 ) and had not yet been amended.

5. Statement of offence forms printed in accordance with the provisions of Division IV of Chapter II of the Regulation respecting the form of statements of offence, made by Order in Council 1211-97 dated 17 September 1997, may continue to be used.

6. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

**SCHEDULE III**  
**(s. 23, par. 1, subpar. 3)**

**Statement of Offence**

Judicial district		<b>NOTICE</b> (.....) <input type="checkbox"/> <b>SEE BACK</b>		
Court office record no.:				
Prosecutor				
<b>Defendant</b>	A 1- Mr. _____ Surname - Given name(s)			
	2- Ms. _____			
	3- Legal person _____			
	Address _____			
	Prov./ State _____	Postal code _____	Intermediary _____ Non-resident _____ Minor _____	
	Confirmation of identity (See back)		Prov./ State _____	
<b>Vehicle</b>	B Registration _____		Temporary _____ Expiry _____ Prov./ State _____	
	Make _____	Model _____ Year _____	Declared axes _____ Declared net weight (kg) _____	
<b>Offence</b>	C Highway Safety Code _____ Other statute, title _____			
	Regulation, title: _____			
	Section _____	Code _____	Defendant code _____ Vehicle code _____	
	Description of offence: _____		Speed recorded by: 1-Radar _____ 2-Vehicle _____ 3-Air _____	
			Speed recorded (km/h) _____	
			Speed limit (km/h) _____	
			Weight / Size recorded _____	
			Weight / Size authorized _____	
	Date of offence (Y-M-D) _____		Time From _____ to _____	Demerit points _____
	<b>Place</b>	D PLACE _____		1-Facing _____ 2-Near _____ 3-Opposite _____ 4-Inters. _____ 6-Rear _____ 1-North _____ 2-South _____ 3-East _____ 4-West _____
Highway _____		Direction _____ Location _____	Unit _____	
<b>Officer</b>	E 1- Driver _____ Surname - Given name(s)			
	2- Operator _____ 3- Driver-Operator _____			
<b>Penalty</b>	O.O.H.V. _____ Confirmation of identity (See reverse)		Prov./ State _____	
	<b>PENALTY</b>		Minimum fine \$ _____ Costs \$ _____ = \$ _____ <b>Amount payable</b>	
<b>Attestation</b>	G I, the undersigned, attest that I have personally observed the facts mentioned in _____ and I have reasonable grounds to believe that the offence described in C has been committed. A _____ B _____ C _____ D _____ E _____ I did not remit a duplicate of the statement of offence _____ I observed the facts and served a duplicate of the statement of offence (only one signature required below) _____			
	1- Peace officer _____ Name (in block letters) _____		Officer's number _____	
	2- Other _____		Unit _____	
	Position _____			
<b>Service</b>	H I remitted a duplicate of the statement of offence: _____ after the offence was committed: _____ Date of service (Y-M-D) _____ Time (H-M) _____			
	to the defendant _____ to the driver _____ in a conspicuous place on the vehicle _____ otherwise _____			
	1- Peace officer _____ Name (in block letters) _____ Same as attestation _____		Officer's number _____	
	2- Other _____		Unit _____	
Position _____				
Signature or validation code _____				

**SCHEDULE V**  
**(s. 23, par. 2)**  
**Statement of Offence**

Judicial district		<b>NOTICE</b> <input type="checkbox"/> (.....)		
Court office record no.:				
Prosecutor				
<b>A</b>	1- Mr. _____ Surname - Given name(s)			
	2- Ms. _____			
	3- Legal person _____			
<b>Defendant</b>	Address _____			
	Prov./ State _____	Postal code _____	Intermediary _____	
	Non-resident _____	Minor _____		
Confirmation of identity (See back)			Prov./ State _____	
<b>B</b>	Registration _____		Temporary _____	
	Make _____		Model _____	
<b>Véhic.</b>	Year _____		Declared net weight (kg) _____	
	Declared axes _____		Declared net weight (kg) _____	
<b>C</b>	Highway Safety Code _____		Other statute, title, _____	
	Regulation, title: _____			
<b>Offence</b>	Section _____		Code _____	
	Defendant code _____		Vehicle code _____	
	Description of offence: _____			
	Speed recorded by: 1-Radar _____ 2-Vehicle _____ 3-Air _____			
	Speed recorded (km/h) _____			
	Speed limit (km/h) _____			
	Weight / Size recorded _____			
	Weight / Size authorized _____			
	Date of offence (Y-M-D) _____		Time From _____ to _____	Demerit points _____
	Thaw period _____		Unit of measurement _____ 1-Kg 2-Metre	
<b>D</b>	1-Facing _____		Side _____	
	2-Near _____		1-North _____	
<b>Place</b>	3-Opposite _____		2-South _____	
	4-Inters. _____		3-East _____	
5-Rear _____		4-West _____		
Highway _____		Direction _____		
Location _____		Unit _____		
<b>E</b>	1- Driver _____ Surname - Given name(s)			
	2- Operator _____			
<b>F</b>	3- Driver/Operator _____			
	O.O.H.V. _____			
Confirmation of identity (See reverse)			Prov./ State _____	
<b>G</b>	<b>PENALTY</b>		Minimum fine \$ _____	
	Costs \$ _____		= \$ _____	
<b>Amount payable</b>			\$ _____	
<b>Attestation</b>	I, the undersigned, attest that I have personally observed the facts mentioned in _____ and I have reasonable grounds to believe that the offence described in C has been committed.			
	I did not remit a duplicate of the statement of offence _____			
	I observed the facts and served a duplicate of the statement of offence (only one signature required below) _____			
	1- Peace officer _____ Name (in block letters) _____		Officer's number _____	
	2- Other _____		Unit _____	
	Position _____			
	Signature or validation code _____			
	I remitted a duplicate of the statement of offence: _____			
	Date of service (Y-M-D) _____		Time (H-M) _____	
	when the offence was committed: _____ after the offence was committed: _____			
to the defendant: _____ to the driver: _____ in a conspicuous place on the vehicle _____ otherwise _____				
<b>Service</b>	1- Peace officer _____ Name (in block letters) _____		Officer's number _____	
	2- Other _____ Same as attestation		Unit _____	
	Position _____			
	Signature or validation code _____			
<b>Conversion</b>	I attest that the document is true to its duplicate in electronic form.			
	Authorized person Name _____		Date (Y-M-D) _____	
	Position _____		Time (H-M-S) _____	
	Validation code _____			

(Reference)

**DEFENDANT**