

Draft Regulations

Draft Regulation

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

Form of statements of offence — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting the form of statements of offence, appearing below, may be made by the Government on the expiry of 45 days from the date of this publication.

The draft Regulation contains provisions for the implementation of the above-cited Act to amend the Code of Penal Procedure and the Courts of Justice Act, which was assented to on 17 June 2005. The Act introduces a new regime for default proceedings for traffic and parking violations under the Code of Penal Procedure.

The coming into force of the Act must await regulatory amendments adapting statement of offence forms to the new procedure. Article 367 of the Code of Penal Procedure allows the Government to prescribe the form of statements of offence, which may vary depending on the offence.

The main changes introduced by the draft Regulation are to the statement of offence form used for Highway Safety Code offences and municipal traffic and parking by-law violations. The aim is to apply the statement of offence form to both the current default proceedings and the new default proceedings. To that end, the new form includes a warning to the defendant of the consequences of failure to act, in other words, failure to enter a plea or to pay the amount owed; the defendant will be deemed not to contest the proceedings and could be convicted by default (in the defendant's absence), without an opportunity to be heard.

The draft Regulation also modifies the statement of offence form used specifically for parking violations to adapt it to the new default proceedings. Other consequential amendments are made to the statement of offence form used exclusively for electronically issued statements of offence.

Study of the matter to date has shown little impact on the public or on enterprises, including small and medium-sized businesses.

Further information may be obtained by contacting Pierre Reid, Bureau de la sous-ministre, Ministère de la Justice, 1200, route de l'Église, 9^e étage, Sainte-Foy (Québec) G1V 4M1; telephone: 418 643-4090; fax: 418 643-3877; e-mail: preid@justice.gouv.qc.ca

Any interested person having comments to submit on this draft Regulation is asked to send them in writing before the expiry of the 45-day period to the Minister of Justice, 1200, route de l'Église, 9^e étage, Sainte-Foy (Québec) G1V 4M1.

YVON MARCOUX,
Minister of Justice

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 23 of the Regulation respecting the form of statements of offence is amended

(1) by inserting “, except offences to which Division II of Chapter VI of the Code of Penal Procedure applies,” after “applies to all offences” in subparagraph 1 of the first paragraph;

(2) by inserting “, except offences to which Division II of Chapter VI of the Code of Penal Procedure applies,” after “applies to all offences” in subparagraph 2 of the first paragraph;

* The Regulation respecting the form of statements of offence, made by Order in Council 1211-97 dated 17 September 1997 (1997, *G.O.* 2, 5074), was last amended by the regulation made by Order in Council 973-2003 dated 17 September 2003 (2003, *G.O.* 2, 2980). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2005, updated to 1 September 2005.

(3) by inserting “whether or not Division II of Chapter VI of the Code of Penal Procedure applies to those offences,” after “responsible for prosecuting,” in subparagraph 3 of the first paragraph;

(4) by inserting “whether or not Division II of Chapter VI of the Code of Penal Procedure applies to the offence,” after “parking violation,” in subparagraph 4 of the first paragraph;

(5) by replacing the second paragraph by the following:

“A statement of offence converted into hard copy within the meaning of Division V of Chapter I of this Regulation must include an attestation of hard copy conversion. A model for the front and back of the type of statement of offence provided for in subparagraph 3 of the first paragraph bearing an attestation of hard copy conversion is set out in Schedule V.”

2. Section 24 is amended by adding “the prosecutor’s address may appear on the back of the statement of offence rather than on the front;” at the end of paragraph 4.

3. Section 29 is amended by adding “the prosecutor’s address may appear on the back of the statement of offence rather than on the front;” at the end of subparagraph *d* of paragraph 1.

4. Section 33 is revoked.

5. Section 34 is amended

(1) by striking out subparagraph *b* of paragraph 1;

(2) by adding “the prosecutor’s address may appear on the back of the statement of offence rather than on the front;” at the end of subparagraph *e* of paragraph 1;

(3) by replacing “his or its name and address” in paragraph 2 by “the defendant’s name and address or, if the offence is a parking violation, an indication that the vehicle owner is identified as the defendant;”

(4) by replacing paragraph 8 by the following:

“(8) in the section concerning the attestation of the facts and the service of the statement of offence, or in separate sections relating to the attestation and service:

(*a*) an attestation of the facts by the peace officer or, as the case may be, the person entrusted with the enforcement of the Act who witnessed the offence or issued the statement of offence;

(*b*) if applicable, an attestation by the peace officer who issued the statement of offence that the facts constituting the offence were witnessed in part by that peace officer and in part by another peace officer;

(*c*) the name and capacity of the person attesting to the facts and badge number if the person is a police officer;

(*d*) an attestation that the statement of offence was served at the time of the offence or subsequent to the commission of the offence, or mention of the fact that the duplicate of the statement of offence was not delivered;

(*e*) the manner in which service was made;

(*f*) the name and capacity of the person who served the statement of offence or mention of the fact that the person who attested to the facts also served the statement of offence;

(*g*) the date and time of service or a reference to the document showing the date and time of service; and

(*h*) the signature of the person attesting to the facts and of the person serving the statement of offence or, as the case may be, their respective signatures in electronic form or their electronic signature validation codes; if the same person attests to the facts and serves the statement of offence, an indication to that effect and the person’s signature for the attestation of the facts and the service or, as the case may be, the person’s signature in electronic form or the person’s electronic signature validation code;

(8.1) in a section concerning warnings to the defendant, immediately after the section referred to in paragraph 8, the following boxed text in bold capital letters, in nine-point print or larger:

IMPORTANT
PLEASE READ WARNING NO. 1 ON THE BACK. HOWEVER, IF YOU ARE UNDER 18 YEARS OF AGE OR IF THIS BOX IS CHECKED <input type="checkbox"/> PLEASE READ WARNING NO. 2 ON THE BACK.

This section is used by the issuer of the statement of offence to notify the defendant of the default proceedings that apply.”

6. Section 35 is replaced by the following :

“**35.** The back of the pages in the statement of offence form, or the data on the corresponding page screens, must contain at least the headings, keywords, texts and spaces allowing the following to be entered :

- (1) a description of the general purpose of a statement of offence ;
- (2) a description of the procedure that follows the entering of a plea or a failure to enter a plea ;
- (3) the address to which the defendant must send the plea and, if the defendant enters a plea of guilty, the address to which the total amount of the fine, costs and, if applicable, contribution, must be sent ;
- (4) the time within which the defendant must enter a plea and the time within which the total amount of the fine, costs and, if applicable, contribution, must be paid if the defendant enters a plea of guilty ;
- (5) the procedure for payment of the total amount of the fine, costs and, if applicable, contribution ;
- (6) the following warnings, under a heading on the failure to enter a plea, in bold capital letters, in nine-point print or larger :

“FAILURE TO ENTER A PLEA AND PAY TOTAL AMOUNT OF THE FINE AND COSTS

WARNING NO. 1

IF YOU DO NOT ENTER A PLEA OR DO NOT PAY THE TOTAL AMOUNT OR A PART OF THE FINE AND COSTS WITHIN 30 DAYS AFTER THE DATE OF SERVICE INDICATED IN THE “SERVICE” SECTION OF THE STATEMENT OF OFFENCE, YOU WILL BE DEEMED NOT TO CONTEST THE PROCEEDINGS AND MAY BE CONVICTED BY DEFAULT (IN YOUR ABSENCE) WITHOUT AN OPPORTUNITY TO BE HEARD.

WARNING NO. 2

IF YOU DO NOT ENTER A PLEA OR DO NOT PAY THE TOTAL AMOUNT OF THE FINE AND COSTS WITHIN 30 DAYS AFTER THE DATE OF SERVICE INDICATED IN THE “SERVICE” SECTION OF THE STATEMENT OF OFFENCE OR IN THE DOCUMENT REFERRED TO, YOU WILL BE DEEMED TO HAVE ENTERED A PLEA OF NOT GUILTY. PROCEEDINGS WILL THEN BE TRIED IN YOUR ABSENCE AND JUDGMENT WILL BE RENDERED WITHOUT FURTHER NOTICE.

IF YOU ARE CONVICTED BY DEFAULT, ADDITIONAL COSTS MAY BE IMPOSED.”;

- (7) general information on demerit points ;
- (8) a notice that preliminary applications may be filed with a plea of not guilty ; and
- (9) the defendant’s right to seek legal counsel.

The back of the pages in the statement of offence form, or the data on the corresponding page screens, must state the place or the telephone number at which the defendant may obtain additional information concerning the statement of offence.

The back of the pages or the corresponding page screen data may also contain a section for an explanation of codes or initialisms and, depending on the type of payment, may contain one or more of the following :

- (1) a boxed space where a cashier’s stamp may be affixed attesting that a payment has been received ;
- (2) a payment receipt form ;
- (3) a record or an attestation of an electronic transaction ; and
- (4) reference to the document attesting the receipt of a payment.

The back may also contain a section for the prosecutor’s address, if applicable.”.

7. Section 36 is replaced by the following :

“**36.** The front of the plea form on the statement of offence, or the data on the corresponding page screens, must consist of two sections which contain at least the headings, keywords, pre-printed or pre-programmed texts and spaces allowing the following to be entered :

- (1) in the section concerning the plea :
 - (a) the statement of offence number ;
 - (b) the defendant’s plea ; and
 - (c) the defendant’s signature or, as the case may be, the defendant’s signature in electronic form or the electronic signature validation code, and the date of signature ; and

(2) in the section concerning the penalty and the payment:

(a) the minimum fine and costs prescribed by law and, if applicable, the contribution, and the total amount of the fine, costs and, if applicable, contribution;

(b) other amounts that may be imposed by law;

(c) the address to which the defendant must send the plea and, if the defendant enters a plea of guilty, the address to which the total amount of the fine, costs and, if applicable, contribution, must be sent;

(d) a repetition of the date of service of the statement of offence; and

(e) any amount that has been paid.”.

8. Section 38 is amended

(1) by adding “the prosecutor’s address may appear on the back of the statement of offence rather than on the front;” after “name and address;” in subparagraph *c* of paragraph 1;

(2) by replacing paragraph 6 by the following:

“(6) in the section concerning the attestation of the facts and the service of the statement of offence, or in separate sections relating to the attestation and service:

(a) an attestation of the facts by the person who witnessed the offence or issued the statement of offence;

(b) the name and capacity of the person attesting to the facts and badge number if the person is a police officer;

(c) an attestation that the statement of offence was served at the time of the offence or subsequent to the commission of the offence, or mention of the fact that the defendant was not given a duplicate of the statement of offence;

(d) the manner in which service was made;

(e) the name and capacity of the person who served the statement of offence or mention of the fact that the person who attested to the facts also served the statement of offence;

(f) the date and time of service or a reference to the document showing the date and time of service; and

(g) the signature of the person attesting to the facts and of the person serving the statement of offence or, as the case may be, their respective signatures in electronic form or their electronic signature validation codes; if the same person attests to the facts and serves the statement of offence, an indication to that effect and the person’s signature for the attestation of the facts and the service or, as the case may be, the person’s signature in electronic form or the person’s electronic signature validation code;

(6.1) in a section concerning warnings to the defendant, immediately after the section referred to in paragraph 6, the following boxed text in bold capital letters, in nine-point print or larger:

IMPORTANT
PLEASE READ WARNING NO. 1 ON THE BACK. HOWEVER, IF YOU ARE UNDER 18 YEARS OF AGE OR IF THIS BOX IS CHECKED <input type="checkbox"/> PLEASE READ WARNING NO. 2 ON THE BACK.

This section is used by the issuer of the statement of offence to notify the defendant of the default proceedings that apply.”.

9. Section 39 is replaced by the following:

“**39.** The back of the pages in the statement of offence, or the data on the corresponding page screens, must contain at least the headings, keywords, texts and spaces allowing the information set out in section 35 to be entered, except the information in subparagraph 7 of the first paragraph of that section.”.

10. Section 40 is amended by striking out subparagraph *c* of paragraph 1.

11. Section 41 is amended

(1) by replacing “shall contain” in the introductory part by “must contain at least”;

(2) by striking out paragraph 6.

12. Section 42 is revoked.

13. The statement of offence models in Schedules III, IV and V to the Regulation are replaced by the models in the schedules to this Regulation.

14. Section 5 of the Regulation to amend the Regulation respecting the form of statements of offence, made by Order in Council 140-2000 dated 16 February 2000, is revoked.

15. Statement of offence forms that have been pre-printed in accordance with Divisions IV and V of Chapter II of the Regulation respecting the form of statements of offence in use before (*insert the date of coming into force of this Regulation*) may continue to be used until no later than (*insert the date that occurs one year after the date of coming into force of this Regulation*) for proceedings to which Division I of Chapter VI of the Code of Penal Procedure applies. This also applies to the statement of offence forms referred to in section 42 of this Regulation.

16. This Regulation comes into force on 15 September 2006.

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

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STATEMENT OF OFFENCE

Judicial district										
Court office record number										
Prosecutor										
DEFENDANT	1. Mr. <input type="checkbox"/>		Surname		Given name					
	2. Ms. <input type="checkbox"/>		Address		Apt.					
	3. Legal person <input type="checkbox"/>		Address		Apt.					
	4. Owner to be identified <input type="checkbox"/>		Address		Apt.					
Locality				Prov/State		Postal code				
Confirmation of identity				Prov/State		<input type="checkbox"/> Non resident <input type="checkbox"/> Under 18 years of age				
VEH	Licence plate No. <input type="checkbox"/> Temporary registration certificate		Expiry		Prov/State		Vehicle make			
	Model		Year		Number of axles declared		Net weight declared			
OFFENCE	<input type="checkbox"/> Highway Safety Code <input type="checkbox"/> Municipal traffic or parking by-law <input type="checkbox"/> Other law or regulation									
	Title of the law or regulation:									
	Section or article			Code		Defendant code		Vehicle code		
	DESCRIPTION OF THE OFFENCE									
Speed recorded km/h		Speed limit km/h		By <input type="checkbox"/> 1. Radar <input type="checkbox"/> 2. Vehicle <input type="checkbox"/> 3. Air		Weight/dimension recorded <input type="checkbox"/> kg <input type="checkbox"/> m		Allowable weight/dimension <input type="checkbox"/> kg <input type="checkbox"/> m		
Date of offence (Y-M-D)			Time from to		Dement points		Thaw period <input type="checkbox"/>			
PLACE	Location					1-Facing <input type="checkbox"/>		Side 1-North <input type="checkbox"/>		
	Route		Direction		Location		2-Near <input type="checkbox"/>		2-South <input type="checkbox"/>	
IT	1-Driver		Surname		Given name					
	2-Operator		Confirmation of identity		Prov/State		O.O.H.V. <input type="checkbox"/>			
3-Driver=Operator <input type="checkbox"/>		Confirmation of identity		Prov/State		O.O.H.V. <input type="checkbox"/>				
F PENALTY					Minimum fine Costs Contribution					
\$					+ \$ + \$ = \$ TOTAL AMOUNT					
ATTESTATION / SERVICE	ATTESTATION					SERVICE				
	I, the undersigned, certify that I personally witnessed the facts set out in <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> E and (if applicable) certify that _____ peace officer, badge number _____, witnessed the facts set out in <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> E and I have reasonable grounds to believe that the offence described in C has been committed. <input type="checkbox"/> I did not deliver a duplicate of the statement of offence.					I certify that I delivered a duplicate of the statement of offence <input type="checkbox"/> at the time of the offence <input type="checkbox"/> subsequent to the commission of the offence <input type="checkbox"/> to the defendant <input type="checkbox"/> to the driver <input type="checkbox"/> by leaving it in a conspicuous place on the vehicle <input type="checkbox"/> in another manner (specify):				
	Name (in block letters)					Name (in block letters) <input type="checkbox"/> same as attestation				
	<input type="checkbox"/> Peace officer		Badge number		Unit		<input type="checkbox"/> Peace officer		Badge number Unit	
	<input type="checkbox"/> Person entrusted with the enforcement of the Act		Capacity		Unit		<input type="checkbox"/> Person entrusted with the enforcement of the Act		Capacity	
	Signature		Capacity		Unit		Time (H-M)		Date of service (Y-M-D)	
IMPORTANT										
H PLEASE READ WARNING NO. 1 ON THE BACK. HOWEVER, IF YOU ARE UNDER 18 YEARS OF AGE OR IF THIS BOX IS CHECKED <input type="checkbox"/> PLEASE READ WARNING NO. 2 ON THE BACK.										

STATEMENT OF OFFENCE

Penal proceedings are instituted by means of a statement of offence and commence on the date of service of the statement of offence.

PLEA

You are required to enter a plea of guilty or not guilty within 30 days after the date of service indicated in the "SERVICE" section of the statement of offence.

If the defendant is a legal person, a director or officer of the defendant must sign the plea and indicate his or her capacity.

PLEA OF GUILTY AND PAYMENT

If you plead guilty to the offence, please use the attached plea form to:

- enter your plea; and
- pay (in Canadian funds) the total amount of the fine, costs and contribution indicated on the statement of offence.

The contribution is used to assist victims of crime, as provided in article 8.1 of the Code of Penal Procedure.

The plea and the payment may be sent to the address indicated on the plea form or

Payment may be made (*indicate method of payment*).

A defendant who enters a plea of guilty is deemed to have been convicted of the offence.

Additional costs may be imposed if the total amount of the fine, costs and contribution is not transmitted with the plea of guilty.

PLEA OF NOT GUILTY

If you plead not guilty to the offence, please enter your plea on the attached plea form. Your plea must be sent to the address indicated on the plea form.

You will be notified by the clerk of the competent court of the place, date and time set for the trial.

PRELIMINARY APPLICATIONS

To prepare your defence, you may file with your plea of not guilty a preliminary application as provided in articles 168 to 186 of the Code of Penal Procedure.

FAILURE TO ENTER A PLEA AND PAY THE TOTAL AMOUNT OF THE FINE AND COSTS**WARNING NO. 1**

IF YOU DO NOT ENTER A PLEA OR DO NOT PAY THE TOTAL AMOUNT OR A PART OF THE FINE AND COSTS WITHIN 30 DAYS AFTER THE DATE OF SERVICE INDICATED IN THE "SERVICE" SECTION OF THE STATEMENT OF OFFENCE, YOU WILL BE DEEMED NOT TO CONTEST THE PROCEEDINGS AND MAY BE CONVICTED BY DEFAULT (IN YOUR ABSENCE) WITHOUT AN OPPORTUNITY TO BE HEARD.

WARNING NO. 2

IF YOU DO NOT ENTER A PLEA OR DO NOT PAY THE TOTAL AMOUNT OF THE FINE AND COSTS WITHIN 30 DAYS AFTER THE DATE OF SERVICE INDICATED IN THE "SERVICE" SECTION OF THE STATEMENT OF OFFENCE OR IN THE DOCUMENT REFERRED TO, YOU WILL BE DEEMED TO HAVE ENTERED A PLEA OF NOT GUILTY. PROCEEDINGS WILL THEN BE TRIED IN YOUR ABSENCE AND JUDGMENT WILL BE RENDERED WITHOUT FURTHER NOTICE.

IF YOU ARE CONVICTED BY DEFAULT, ADDITIONAL COSTS MAY BE IMPOSED.

DEMERIT POINTS

The demerit points entered on the statement of offence serve only as a guideline. The Société de l'assurance automobile du Québec is responsible for registering demerit points in a defendant's record.

RIGHT TO LEGAL COUNSEL

You have the right to seek legal counsel before entering a plea or making a preliminary application.

INFORMATION

PROSECUTOR'S ADDRESS (IF APPLICABLE)

DEFENDANT

PLEA FORM

PLEA	
IMPORTANT: SEE THE BACK OF THE STATEMENT OF OFFENCE FOR INFORMATION ON THE CONSEQUENCES OF YOUR PLEA	
<p style="text-align: center;">TO THE OFFENCE DESCRIBED IN SECTION C OF STATEMENT No. _____, I PLEAD:</p> <p> <input type="checkbox"/> GUILTY <input type="checkbox"/> NOT GUILTY </p> <p>Signature _____ Date _____</p> <p>Please enter any change of address</p> <p>_____</p> <p>_____</p> <p style="text-align: right;">_____ POSTAL CODE</p>	

*Address where plea
and (if applicable) payment must be sent*

NOTICE OF PENALTY					
Minimum fine		Costs	Contribution		amount
\$	+	\$	\$	\$	

Amount paid
\$

Date of service
Y - M - D

CASHIER'S STAMP

SCHEDULE IV
(s. 23, 1st par., subpar. 4)

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**CANADA
PROVINCE OF QUÉBEC**

**STATEMENT
OF OFFENCE
(PARKING)**

Judicial district
Prosecutor
Defendant
Vehicle owner

PAYMENT: SEE PLEA FORM

VEHICLE	Licence plate number	Prov/State	Vehicle make	Model
	Temporary registration certificate		Towing/Vehicle towed to	
	Surname		Given name	
	Address			Apt.
Place	Town/City		Province/State	Postal code
	Time of the offence From		to	Date of the offence (Y-M-D)
	District	Parking sign	Parking meter number	
	Location			<input type="checkbox"/> 1-Facing <input type="checkbox"/> 2-Near <input type="checkbox"/> 3-Opposite <input type="checkbox"/> 4-Inters. <input type="checkbox"/> 5-Rear
Highway/Road		Direction	Location	Unit

Description of the offence				

	Minimum fine	Costs	Contribution	Total amount
PENALTY	\$	+	\$	+
				\$
<input type="checkbox"/> If this box is checked, towing fees of \$ _____ have been added.				

ATTESTATION / SERVICE	ATTESTATION		SERVICE	
	I, the undersigned, certify that I personally witnessed the facts set out in this statement of offence and have reasonable grounds to believe that the above-described offence has been committed.		I certify that I delivered a duplicate of the statement of offence <input type="checkbox"/> at the time of the offence <input type="checkbox"/> subsequent to the commission of the offence <input type="checkbox"/> by leaving it in a conspicuous place on the vehicle <input type="checkbox"/> in another manner (specify): _____	
	Name (in block letters)		Name (in block letters) <input type="checkbox"/> same as attestation	
	Person entrusted with the enforcement of the Act	Capacity	Person entrusted with the enforcement of the Act	Capacity
	<input type="checkbox"/> I did not deliver the duplicate of the statement <input type="checkbox"/> I witnessed the facts and served the duplicate of the statement (only one signature required)		Date of service (Y-M-D)	Time (H-M)
Signature		Signature		

IMPORTANT
PLEASE READ WARNING NO. 1 ON THE BACK.
HOWEVER, IF YOU ARE UNDER 18 YEARS OF AGE
OR IF THIS BOX IS CHECKED
PLEASE READ WARNING NO. 2 ON THE BACK.

DEFENDANT

STATEMENT OF OFFENCE

Penal proceedings are instituted by means of a statement of offence and commence on the date of service of the statement of offence.

PLEA

You are required to enter a plea of guilty or not guilty within 30 days after the date of service indicated in the "SERVICE" section of the statement of offence.

If the defendant is a legal person, a director or officer of the defendant must sign the plea and indicate his or her capacity.

PLEA OF GUILTY AND PAYMENT

If you plead guilty to the offence charged, please use the attached plea form to:

- enter your plea, and
- pay (in Canadian funds) the total amount of the fine, costs and contribution indicated on the statement of offence.

The contribution is used to assist victims of crime, as provided in article 8.1 of the Code of Penal Procedure.

The plea and the payment may be sent to the address indicated on the plea form or

Payment may be made (*indicate method of payment*).

A defendant who enters a plea of guilty is deemed to have been convicted of the offence.

Additional costs may be imposed if the total amount of the fine, costs and contribution is not transmitted with the plea of guilty.

PLEA OF NOT GUILTY

If you plead not guilty to the offence, please enter your plea on the back of the attached plea form. Your plea must be sent to the address indicated on the plea form.

You will be notified by the clerk of the competent court of the place, date and time set for the trial.

PRELIMINARY APPLICATIONS

To prepare your defence, you may file with your plea of not guilty a preliminary application as provided in articles 168 to 186 of the Code of Penal Procedure.

FAILURE TO ENTER A PLEA AND PAY THE TOTAL AMOUNT OF THE FINE AND COSTS**WARNING NO. 1**

IF YOU DO NOT ENTER A PLEA OR DO NOT PAY THE TOTAL AMOUNT OR A PART OF THE FINE AND COSTS WITHIN 30 DAYS AFTER THE DATE OF SERVICE INDICATED IN THE "SERVICE" SECTION OF THE STATEMENT OF OFFENCE, YOU WILL BE DEEMED NOT TO CONTEST THE PROCEEDINGS AND MAY BE CONVICTED BY DEFAULT (IN YOUR ABSENCE) WITHOUT AN OPPORTUNITY TO BE HEARD.

WARNING NO. 2

IF YOU DO NOT ENTER A PLEA OR DO NOT PAY THE TOTAL AMOUNT OF THE FINE AND COSTS WITHIN 30 DAYS AFTER THE DATE OF SERVICE INDICATED IN THE "SERVICE" SECTION OF THE STATEMENT OF OFFENCE OR IN THE DOCUMENT REFERRED TO, YOU WILL BE DEEMED TO HAVE ENTERED A PLEA OF NOT GUILTY. PROCEEDINGS WILL THEN BE TRIED IN YOUR ABSENCE AND JUDGMENT WILL BE RENDERED WITHOUT FURTHER NOTICE.

IF YOU ARE CONVICTED BY DEFAULT, ADDITIONAL COSTS MAY BE IMPOSED.

RIGHT TO LEGAL COUNSEL

You have the right to seek legal counsel before entering a plea or making a preliminary application.

INFORMATION

PROSECUTOR'S ADDRESS (IF APPLICABLE)

DEFENDANT

CANADA
PROVINCE OF QUÉBEC

PLEA FORM

Judicial district

Licence plate number	Province/State	Vehicle make	Model
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Date of offence (Y-M-D)

Plea of guilty

I plead guilty

Signature:

Capacity (title)

Date

PAYMENT

If you plead guilty to the offence charged, you must pay the Total Amount indicated, or your may be required to pay an additional amount as costs.

Your plea and your payment must be sent no later than 30 days after the date of service appearing at the bottom of this form or, if service was made by mail, the date on the notice of receipt or delivery or on the envelope.

Your plea and payment must be sent to:

RETURN THIS FORM WITH YOUR PAYMENT

PENALTY	Minimum	Costs	Contribution	=	\$	Total amount
	\$	\$	\$			
	<input type="checkbox"/> If this box is checked, towing fees of \$_____ have been added.					

Amount paid

\$

\$

Date of service (Y-M-D)

Time (H-M)

Plea of not guilty			
To enter a plea of not guilty, you must complete this form.			
<input type="checkbox"/> I plead not guilty		Signature:	
Surname (in block letters)		Given name	
No. and street			Apt.
Town/City			
Province		Postal code	Date (Y-M-D)
Licence plate number	Province/State	Vehicle make	Model
<p>If this statement of offence is maintained, you will be notified by the clerk of the competent court of the place, date and time set for the trial of the proceedings.</p>			
<p>This plea of not guilty must be sent to the following address, no later than 30 days after the date of service:</p> <p><i>Address where plea form must be sent</i></p>			

CASHIER'S STAMP

SCHEDULE V
(s. 23, 2nd par.)

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STATEMENT OF OFFENCE

Judicial district																											
Court office record number																											
Prosecutor																											
DEFENDANT	A	1. Mr. Surname		Given name																							
		2. Ms. Address		Apt.																							
	3. Legal person		Address																								
	4. Owner to be identified <input type="checkbox"/>		Locality																								
Provi/State				Postal code				Confirmation of identity																			
Provi/State				<input type="checkbox"/> Non resident				<input type="checkbox"/> Under 18 years of age																			
VEH	B Licence plate No. <input type="checkbox"/> Temporary registration		Expiry		Provi/State		Vehicle make																				
	Model		Year		No. of axes declared		Net weight declared																				
OFFENCE	<input type="checkbox"/> Highway Safety Code																										
	<input type="checkbox"/> Municipal traffic or parking by-law																										
	<input type="checkbox"/> Other law or regulation																										
	Title of the law or regulation																										
Section or article			Code			Defendant code			Vehicle code																		
DESCRIPTION OF THE OFFENCE																											
Speed recorded		Speed limit		By		Weight/dimension recorded		Allowable weight/dimension																			
km/h		km/h		<input type="checkbox"/> 1. Radar <input type="checkbox"/> 2. Vehicle <input type="checkbox"/> 3. Air		<input type="checkbox"/> kg <input type="checkbox"/> m		<input type="checkbox"/> kg <input type="checkbox"/> m																			
Date of offence (Y-M-D)			Time from to		Demerit points		Thaw period <input type="checkbox"/>																				
PLACE	Location					1-Facing <input type="checkbox"/> 2-Near <input type="checkbox"/> 3-Opposite <input type="checkbox"/> 4-Inters. <input type="checkbox"/> 5-Rear <input type="checkbox"/>			Side 1-North <input type="checkbox"/> 2-South <input type="checkbox"/> 3-East <input type="checkbox"/> 4-West <input type="checkbox"/>																		
	Highway/Road		Direction		Location		Unit																				
OPERATOR	1-Driver		Surname		Given name																						
	2-Operator		Confirmation of identity																								
3-Driver = Operator <input type="checkbox"/>		Provi/State		O.O.H.V. <input type="checkbox"/>																							
PENALTY					<table style="width:100%; border-collapse: collapse;"> <tr> <td style="text-align: right;">Minimum fine</td> <td colspan="2" style="text-align: center;">Costs</td> <td colspan="2" style="text-align: center;">Contribution</td> <td colspan="3"></td> </tr> <tr> <td style="text-align: right;">\$</td> <td style="text-align: center;">+</td> <td style="text-align: center;">\$</td> <td style="text-align: center;">+</td> <td style="text-align: center;">\$</td> <td style="text-align: center;">=</td> <td style="text-align: center;">\$</td> <td style="text-align: center;">at</td> </tr> </table>							Minimum fine	Costs		Contribution					\$	+	\$	+	\$	=	\$	at
Minimum fine	Costs		Contribution																								
\$	+	\$	+	\$	=	\$	at																				
ATTESTATION / SERVICE	ATTESTATION						SERVICE																				
	I, the undersigned, certify that I personally witnessed the facts set out in <input type="checkbox"/> A <input type="checkbox"/> B (if applicable) <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> E certify that _____, peace officer, badge number _____ witnessed the facts set out in <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> E and I have reasonable grounds to believe that the offence described in C was committed.						I certify that I delivered a duplicate of the statement of offence: <input type="checkbox"/> at the time of the offence <input type="checkbox"/> subsequent to the commission of the offence <input type="checkbox"/> to the defendant <input type="checkbox"/> to the driver <input type="checkbox"/> by leaving it in a conspicuous place on the vehicle <input type="checkbox"/> in another manner (specify)																				
	<input type="checkbox"/> I did not deliver a duplicate of the statement						Name (in block letters) <input type="checkbox"/> same as attestation																				
	Name (in block letters)						<input type="checkbox"/> Peace officer		Badge number		Unit																
	<input type="checkbox"/> Peace officer		Badge number		Unit		<input type="checkbox"/> Person entrusted with the enforcement of the Act		Capacity																		
	<input type="checkbox"/> Person entrusted with the enforcement of the Act		Capacity				Time (H-M)		Date of service (Y-M-D)																		
Signature or validation code						Signature or validation code																					
IMPORTANT																											
H																											
<p>PLEASE READ WARNING NO. 1 ON THE BACK.</p> <p>HOWEVER, IF YOU ARE UNDER 18 YEARS OF AGE</p> <p>OR IF THIS BOX IS CHECKED <input type="checkbox"/></p> <p>PLEASE READ WARNING NO. 2 ON THE BACK.</p>																											
HARD-COPY CONVERSION																											
I CERTIFY THAT THIS DOCUMENT IS TRUE TO ITS DUPLICATE IN ELECTRONIC FORM.								Date (Y-M-D)		Time (H-M-S)																	
Authorized person	Name			Capacity			Validation code																				

STATEMENT OF OFFENCE

Penal proceedings are instituted by means of a statement of offence and commence on the date of service of the statement of offence.

PLEA

You are required to enter a plea of guilty or not guilty within 30 days after the date of service indicated in the "SERVICE" section of the statement of offence.

If the defendant is a legal person, a director or officer of the defendant must sign the plea and indicate his or her capacity.

PLEA OF GUILTY AND PAYMENT

If you plead guilty to the offence charged, please use the attached plea form to:

- enter your plea; and
- pay (in Canadian funds) the total amount of the fine, costs and contribution indicated on the statement of offence.

The contribution is used to assist victims of crime, as provided in article 8.1 of the Code of Penal Procedure.

The plea and the payment may be sent to the address indicated on the plea form or

Payment may be made (*indicate method of payment*).

A defendant who enters a plea of guilty is deemed to have been convicted of the offence.

Additional costs may be imposed if the total amount of the fine, costs and contribution is not transmitted with the plea of guilty.

PLEA OF NOT GUILTY

If you plead not guilty to the offence, please enter your plea on the attached plea form. Your plea must be sent to the address indicated on the plea form.

You will be notified by the clerk of the competent court of the place, date and time set for the trial.

PRELIMINARY APPLICATIONS

To prepare your defence, you may file with your plea of not guilty a preliminary application as provided in articles 168 to 186 of the Code of Penal Procedure.

FAILURE TO ENTER A PLEA AND PAY THE TOTAL AMOUNT OF THE FINE AND COSTS**WARNING NO. 1**

IF YOU DO NOT ENTER A PLEA OR PAY THE TOTAL AMOUNT OR A PART OF THE FINE AND COSTS WITHIN 30 DAYS AFTER THE DATE OF SERVICE INDICATED IN THE "SERVICE" SECTION OF THE STATEMENT OF OFFENCE, YOU WILL BE DEEMED NOT TO CONTEST THE PROCEEDINGS AND MAY BE CONVICTED BY DEFAULT (IN YOUR ABSENCE) WITHOUT AN OPPORTUNITY TO BE HEARD.

WARNING NO. 2

IF YOU DO NOT ENTER A PLEA OR PAY THE TOTAL AMOUNT OF THE FINE AND COSTS WITHIN 30 DAYS AFTER THE DATE OF SERVICE INDICATED IN THE "SERVICE" SECTION OF THE STATEMENT OF OFFENCE OR THE DOCUMENT REFERRED TO, YOU WILL BE DEEMED TO HAVE ENTERED A PLEA OF NOT GUILTY. PROCEEDINGS WILL THEN BE TRIED IN YOUR ABSENCE AND JUDGMENT WILL BE RENDERED WITHOUT FURTHER NOTICE.

IF YOU ARE CONVICTED BY DEFAULT, ADDITIONAL COSTS MAY BE IMPOSED.

DEMERIT POINTS

The demerit points indicated on the statement of offence serve only as a guideline. The Société de l'assurance automobile du Québec is responsible for registering demerit points in a defendant's record.

RIGHT TO LEGAL COUNSEL

You have the right to seek legal counsel before entering a plea or making a preliminary application.

INFORMATION

PROSECUTOR'S ADDRESS (IF APPLICABLE)

DEFENDANT