

NOT AN OFFICIAL FORM.

Included only as guidelines for assistance with Criminal Harassment cases. For further information contact the National Weapons Enforcement Support Team (NWEST) at 1-800-731-4000 Ext 2053.

Canada,
Province of _____,
(territorial division)

**UNDERTAKING GIVEN TO A JUSTICE OR
A JUDGE PURSUANT TO SECTIONS 515
AND 679 OF THE CRIMINAL CODE**

Court file number

I, _____
of _____
occupation _____
understand that I have been charged that _____

(set out briefly the offence in which the accused is charged)

In order that I might be released from custody, I undertake to attend court on _____ day, the _____ day of _____, 20____, and to attend thereafter as required by the court in order to be dealt with according to law (or, where date and place of appearance before court are not known at the time the undertaking is given, to attend at the time and place fixed by the court and thereafter as required by the court in order to be dealt with according to law).

(and where applicable)

I also undertake to (insert any conditions that are directed):

- (a) report at _____ (state time) to _____ (name of peace officer or other person designated);
- (b) remain within _____ (designated territorial jurisdiction);
- (c) notify _____ (name of peace officer or other person designated) of any change in my address, employment or occupation;
- (d) abstain from communication with _____ (name of witness or other person) except in accordance with the following conditions _____ (as the justice or judge specified);
- (e) deposit my passport _____ (as the justice or judge directed); and
- (f) abstain from possessing, during the term of this undertaking, any firearms, cross-bow, prohibited weapon, restricted weapon, prohibited device, ammunition, prohibited ammunition or explosive substance,

or

- abstain from possessing, during the term of this undertaking, any of the foregoing items except for _____;
- g) surrender to the police within 48 hours of release OR deposit with the police as a precondition of release, or _____, the items subject to prohibition in paragraph f) and every authorization, licence and registration certificate relating thereto. *
 - h) _____
_____ (any other reasonable condition).

*Assuming that it would otherwise apply, s.115 of the *Criminal Code* shall not apply to this order.

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I understand that failure without lawful excuse to attend court in accordance with this undertaking is an offence under subsection 145(2) of the *Criminal Code*.

SUBSECTION 145(2) AND 145(3) OF THE CRIMINAL CODE STATE AS FOLLOWS:

- (2) Every one who,
- (a) being at large on his undertaking or recognizance given to or entered into before a justice or a judge, fails without lawful excuse, the proof of which lies on him to attend court in accordance with the undertaking or recognizance, or
 - (b) having appeared before a court, justice, or judge, fails, without lawful excuse, the proof of which lies on him, to attend court as thereafter required by the court, justice or judge, or to surrender himself in accordance with an order of the court, justice or judge, as the case may be is guilty of an offence punishable on summary conviction.
- (3) Every person who is at large on an undertaking or recognizance given to or entered into before a justice or a judge and is bound to comply with a condition of that undertaking or recognizance directed by a justice or a judge, and every person who is bound to comply with a direction ordered under subsection 515(12) or 522(2.1), and who fails without lawful excuse the proof of which lies on the person, to comply with that condition or direction, is guilty of
- (a) an indictable offence and liable to imprisonment for a term not exceeding two years; or
 - (b) an offence punishable on summary conviction.

Dated this _____ day of _____, 20_____, at the _____ of _____.

Signature of Accused

Judge/Justice of the Peace in and for the Province
of _____

IT IS ORDERED THAT A COPY OF THIS UNDERTAKING BE SENT TO THE CHIEF FIREARMS OFFICER.

