



PLEASE NOTE

This document, prepared by the [Legislative Counsel Office](#), is a consolidation of this statute current to November 1, 2003. It is intended for information and reference purposes only.

For more information concerning the history of this Act, please see the [Table of Public Acts](#).

This document is *not* the official version of the statute printed pursuant to the authority of the [Queen's Printer Act](#) R.S.P.E.I. 1988, Cap. Q-1.

This Act and the amendments as printed under the authority of the Queen's Printer for the province should be consulted when determining the authoritative statement of the law.

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CHAPTER A-13

APPEALS ACT

- 1.** In this Act “provincial court judge” has the same meaning as it has in the *Provincial Court Act* R.S.P.E.I. 1988, Cap. P-25. R.S.P.E.I. 1974, Cap.A-11,s.1; 1975,c.78,s.3. Definition
- 2.** An appeal lies to the Supreme Court from any decree, judgment, order or conviction of any one or more justices of the peace or of any provincial court judge, except in those cases where it is expressly declared by statute that no appeal shall lie. R.S.P.E.I. 1974, Cap.A-11,s.2; 1975,c.78,s.3; 1975,c.27,s.5; 1987,c.66,s.69. Cases where appeals lie
- 3.** Unless it is otherwise provided, the time for giving notice of appeal, the mode of appeal, the practice and procedure on appeal, and the powers of the Supreme Court on such appeal, shall be according to the practice in appeal from a summary conviction as prescribed by Part XXVII, of the *Criminal Code* (Canada) R.S.C. 1985, Chap. C-46; but, where not otherwise provided or agreed, the appeal shall be tried in the county wherein the cause of the information or complaint arose or wherein the judgment, order or conviction appealed from was given or made. R.S.P.E.I. 1974, Cap.A-11,s.3. Part XXVII
Criminal Code
- 4.** If, in any proceedings under any statute or other law of the province, an appellant desires to appeal against sentence only, or against some portion only of the decree, judgment, order or conviction, he shall so state in his notice of appeal, and the amount of costs of appeal awarded, if any, shall depend to such extent, in the discretion of the court, on the appellant's compliance with, or failure to comply with, this requirement. R.S.P.E.I. 1974, Cap.A-11,s.4. Appeal against sentence etc. only