

OFFENCE GRID

This grid covers offences under the **Criminal Code**. It shows:

- whether an offence is indictable, summary, or hybrid,
- whether an offence is absolute jurisdiction,
- the maximum and minimum sentence,
- available sentencing options,
- illegal sentences,
- orders that you may wish to consider or that are mandatory,
- and more.

CAUTION: The applicability of remarks in the comments column depends upon the circumstances of a particular case. Thus, for example, where the comment "S. 491 mandatory weapon forfeiture order" appears, the order is mandatory only if the requirements of s. 491 are met. Likewise, where the comment "S. 109 mandatory firearms order" appears, the order is mandatory only if the requirements of s. 109 are met. Further, even where it is indicated that the prohibition is discretionary under s. 110, it should be noted that pursuant to s. 109(1)(d), where the offence is one that involves, or the subject-matter of which is, a firearm, a cross-bow, a prohibited weapon, a restricted weapon, a prohibited device, any ammunition, any prohibited ammunition or an explosive substance and, at the time of the offence, the person was prohibited by any order made under the *Criminal Code* or any other Act of Parliament from possessing any such thing, the offender is liable to the mandatory firearms prohibition in s. 109. Although referred to as a "firearms order", the order prohibits the person from possessing any firearm, cross-bow, prohibited weapon, restricted weapon, prohibited device, ammunition, prohibited ammunition and explosive substance, unless an order is made under s. 113 allowing the lifting of a prohibition order for certain specified reasons.

NOTE: A court may impose, in addition to any other measure, a restitution order in the following circumstances:

- (1) damage to, or loss or destruction of, property as a result of the commission of an offence, or the arrest or the attempted arrest of the offender (s. 738(1)(a));
- (2) bodily harm resulting from the commission of an offence, or the arrest or attempted arrest of the offender (s. 738(1)(b));
- (3) in cases of bodily harm or threat of bodily harm, expenses that are incurred in order to move out of the offender's household (s. 738(1)(c));
- (4) a person acting in good faith and without notice purchased any property obtained as a result of the commission of an offence, or loaned money to an offender on the security of such property (s. 739).

Further, even where a type of sentence is marked as an option, it may only be available in some circumstances. In particular, a conditional sentence of imprisonment is available only if the sentence imposed is less than two years

- (c) section 151 (sexual interference);
- (d) section 152 (invitation to sexual touching);
- (e) section 153 (sexual exploitation);
- (f) section 155 (incest);
- (g) section 159 (anal intercourse);
- (h) section 170 (parent or guardian procuring sexual activity by child);
- (i) subsection 212(2) (living off the avails of prostitution by a child);
- (j) subsection 212(4) (obtaining sexual services of a child);
- (k) section 231 or 235 (first degree murder or second degree murder within the meaning of section 231);
- (l) section 232, 234 or 236 (manslaughter);
- (m) section 239 (attempt to commit murder);
- (n) section 267 (assault with a weapon or causing bodily harm);
- (o) section 268 (aggravated assault);
- (p) section 269 (unlawfully causing bodily harm);
- (q) section 271 (sexual assault);
- (r) section 272 (sexual assault with a weapon, threats to a third party or causing bodily harm);
- (s) section 273 (aggravated sexual assault);
- (t) section 279 (kidnapping);
- (u) section 344 (robbery);
- (v) section 433 (arson — disregard for human life);
- (w) section 434.1 (arson — own property);
- (x) section 436 (arson by negligence); and
- (y) paragraph 465(1)(a) (conspiracy to commit murder).

2. An offence under any of the following provisions of the *Criminal Code*, as they read immediately before July 1, 1990:

- (a) section 433 (arson);
- (b) section 434 (setting fire to other substance); and
- (c) section 436 (setting fire by negligence).

3. An offence under any of the following provisions of the *Criminal Code*, chapter C-34 of the Revised Statutes of Canada, 1970, as they read immediately before January 4, 1983:

- (a) section 144 (rape);
- (b) section 145 (attempt to commit rape);
- (c) section 149 (indecent assault on female);
- (d) section 156 (indecent assault on male); and
- (e) section 246 (assault with intent).

4. An offence under any of the following provisions of the *Controlled Drugs and Substances Act*:

- (a) section 5 (trafficking);
- (b) section 6 (importing and exporting); and
- (c) section 7 (production of substance).

(s. 742.1(a)) and an intermittent sentence of imprisonment is available only if the sentence is 90 days or less (s. 732).

Sections 487.051 and 487.052 provide that the court may make an order authorizing the taking of samples for forensic DNA analysis if the offender is convicted, discharged or, in the case of a young offender, found guilty of certain offences. The test to be applied depends on whether the offence is a primary or secondary designated offence as defined in s. 487.04. In the "comments" section the application of these provisions is indicated by the letter "P" (primary designated offence) or "S" (secondary designated offence).

Acknowledgments

We are indebted to the Provincial Judges' Association of British Columbia, who developed this Offence Grid for their Judges' Handbook and have kindly allowed us to include it here. In particular, we wish to acknowledge, with thanks, the following:

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SECTION	TYPE	MAX/MIN SENTENCE	SENTENCE OPTIONS											COMMENTS (applicability depends on circumstances of case)
			DISCHARGE s. 730	SUSPENDED SENTENCE s. 731(1)(a)	FINE ALONE s. 734	PRISON s. 733	PRISON & PROBATION s. 731(1)(b)	PRISON & PROBATION & FINE s. 734	INTERMITTENT s. 733	FINE, PROB. & INTERMITTENT s. 733	WCT/IM SURCHARGE s. 732	CONDITIONAL SENTENCES s. 732.1		
57(1) Forge passport or use forged passport	Indictable	14 yrs	x	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
57(2) Passport, false statement	Hyb-Ind.	2 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
	Hyb-Sum.	6 mth/ 2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
57(3) Possession, forged passport	Indictable	5 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
58 Fraud, use of citizenship certificate	Indictable	2 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
65 Riot	Indictable	2 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
66 Unlawful assembly	Summary	6 mth/ 2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
72, 73 Forcible entry	Hyb-Ind.	2 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
	Hyb-Sum.	6 mth/ 2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 110 discretionary firearms order.
76 Hijacking	Indictable	Life	x	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	P S. 109 mandatory firearms order.
77 Endanger aircraft	Indictable	Life	x	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	P S. 109 mandatory firearms order.
78 Take weapon or explosive on board	Indictable	14 yrs	x	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 109 mandatory firearms order. S. 491 mandatory weapon forfeiture order.
80(a) Breach of duty of care, explosives, causing death	Indictable	Life	x	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 109 mandatory firearms order.
80(b) Breach of duty of care, explosives, causing harm	Indictable	14 yrs	x	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 109 mandatory firearms order.
81(1)(a) & (b) Explosives, intent to cause death or harm	Indictable	Life	x	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	P S. 109 mandatory firearms order.
81(1)(c) & (d) Explosives, placing or making	Indictable	14 yrs	x	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	P S. 109 mandatory firearms order.
82(1) Explosives, possession w/o lawful excuse	Indictable	5 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
82(2) Explosives, for benefit of criminal organization	Indictable	14 yrs	x	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	s. 82.1 requires sentence to be consecutive to any other sentence.
83 Prize fight	Summary	6 mth/ 2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 110 discretionary firearms order.

*\$100,000 for organizations for summary conviction offence s. 735.

✓ Sentence Option x Illegal Sentence

P = Primary designated offence
S = Secondary designated offence
[see note on p. OG/2]



SECTION	TYPE	MAX./MIN.SENTENCE	DISCRETIONARY SENTENCES												COMMENTS (applicability depends on circumstances of case)						
			DISCHARGE s. 730	FINE ALONE s. 734	PRISON s. 731(a)	PRISON & PROBATION s. 731(b)	PRISON s. 731 & FINE s. 734	INTERMITTENT s. 732	FINE, PROB & INTERMITTENT s. 732	VICTIM SURCHARGE s. 742	CONDITIONAL SENTENCE s. 742.1	DISCHARGE s. 730	FINE ALONE s. 734	PRISON s. 731(a)		PRISON & PROBATION s. 731(b)	PRISON s. 731 & FINE s. 734	INTERMITTENT s. 732	FINE, PROB & INTERMITTENT s. 732	VICTIM SURCHARGE s. 742	CONDITIONAL SENTENCE s. 742.1
85 Use of firearm or imitation, commission of offence	Indictable	14 yrs max. Minimums: 1 yr-1st 3 yrs-2nd	x	x	x	x	✓	**	✓	x	x	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 109 mandatory firearms order. S. 491 mandatory weapon forfeiture order. Sentence must be consecutive to any other imposed. **Not a possible sentence for a second offence because there is a minimum sentence of three years. Higher penalty for second or subsequent offence requires compliance with s. 727.
86 Firearm, careless use or storage, breach of regulations	Hyb-Ind.	Maximums: 2 yrs-1st 5 yrs-2nd	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 110 discretionary firearms order. S. 491 mandatory weapon forfeiture order. Higher penalty for second or subsequent offence requires compliance with s. 665.
	Hyb-Sum.	6 mth/ 2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
87 Firearm, pointing	Hyb-Ind.	5 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 110 discretionary firearms order. S. 491 mandatory weapon forfeiture order.
	Hyb-Sum.	6 mth/ 2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
88 Possession for purpose dangerous to the public	Hyb-Ind.	10 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 109 mandatory firearms order. S. 491 mandatory weapon forfeiture order.
	Hyb-Sum.	6 mth/ 2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 110 discretionary firearms order. S. 491 mandatory weapon forfeiture order.
89 Weapon at public meeting	Summary	6 mth/ 2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 110 discretionary firearms order. S. 491 mandatory weapon forfeiture order.
90 Weapon, concealed	Hyb-Ind.	5 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 110 discretionary firearms order. S. 491 mandatory weapon forfeiture order.
	Hyb-Sum.	6 mth/ 2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
91 Unauthorized possession of firearm	Hyb-Ind.	5 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 110 discretionary firearms order. S. 491 mandatory weapon forfeiture order.
	Hyb-Sum.	6 mth/ 2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	

* \$100,000 for organizations for summary conviction offence s. 735.

✓ Sentence Option ✗ Illegal Sentence

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[see note on p. OG/2]

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			DISCHARGE s. 730	FINE ALONE s. 734	PRISON s. 731(a)	PRISON & PROBATION s. 731(b)	PRISON s. 731 & FINE s. 734	INTERMITTENT s. 732	FINE, PROB & INTERMITTENT s. 732	VICTIM SURCHARGE s. 742	CONDITIONAL SENTENCE s. 742.1	DISCHARGE s. 730	FINE ALONE s. 734	PRISON s. 731(a)		PRISON & PROBATION s. 731(b)	PRISON s. 731 & FINE s. 734	INTERMITTENT s. 732	FINE, PROB & INTERMITTENT s. 732	VICTIM SURCHARGE s. 742	CONDITIONAL SENTENCE s. 742.1
92 Possession of firearm knowing possession unauthorized	Indictable	10 yrs max	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 109 mandatory firearms order. S. 491 mandatory weapon forfeiture order.
		minimums 1 yr-2nd	x	x	x	x	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 109 mandatory firearms order. S. 491 mandatory weapon forfeiture order.
		2 yr-3rd	x	x	x	x	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	Higher penalty for second or subsequent offence requires compliance with s. 727.
93 Possession of weapon at unauthorized place	Hyb-Ind.	5 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 110 discretionary firearms order. S. 491 mandatory weapon forfeiture order.
	Hyb-Sum.	6 mth/ 2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
94 Possession of weapon in motor vehicle	Hyb-Ind.	10 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 109 mandatory firearms order. S. 491 mandatory weapon forfeiture order.
	Hyb-Sum.	6 mth/ 2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
95 Possession of restricted or prohibited firearm with ammunition	Hyb-Ind.	10 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 109 mandatory firearms order. S. 491 mandatory weapon forfeiture order.
	Hyb-Sum.	1 yr	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
96 Possession of weapon obtained by crime	Hyb-Ind.	10 yrs max 1 yr min	x	x	x	x	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 109 mandatory firearms order. S. 491 mandatory weapon forfeiture order.
	Hyb-Sum.	1 yr	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
97 Transfer of cross-bow	Hyb-Ind.	2 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 110 discretionary firearms order. S. 491 mandatory weapon forfeiture order.
	Hyb-Sum.	6 mth/ 2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
99 Weapons trafficking	Indictable	10 yrs max 1 yr min Minimums where firearm, prohibited device, ammunition: 3 yrs-1st 5 yrs-2nd	x	x	x	x	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 109 mandatory firearms order. S. 491 mandatory weapon forfeiture order.
100 Possession of weapons for purpose of trafficking	Indictable	10 yrs max 1 yr min Minimums where firearm, prohibited device, ammunition: 3 yrs-1st 5 yrs-2nd	x	x	x	x	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 109 mandatory firearms order. S. 491 mandatory weapon forfeiture order.

* \$100,000 for organizations for summary conviction offence s. 735.

✓ Sentence Option ✗ Illegal Sentence

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[see note on p. OG/2]



SECTION	TYPE	MAX/MIN SENTENCE	DISCHARGE s. 730										COMMENTS (applicability depends on circumstances of case)	
			SUSPENDED SENTENCE s. 731	FINE ALONE s. 734	PRISON s. 733	PRISON & PROBATION s. 733(1)(b)	PRISON & PROBATION s. 734	INTERMITTENT s. 732	FINE, PROB. & INTERMITTENT s. 732	VICTIM SURCHARGE s. 737	CONDITIONAL SENTENCE s. 742.1			
101 Transfer without authority	Hyb-Ind.	5 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 110 discretionary firearms order. S. 491 mandatory weapon forfeiture order.
	Hyb-Sum.	6 mth/2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
102 Making automatic firearm	Hyb-Ind.	10 yrs max 1 yr min	✗	✗	✗	✗	✓	✓	✗	✗	✓	✗	S. 109 mandatory firearms order. S. 491 mandatory weapon forfeiture order.	
	Hyb-Sum.	1 yr	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
103 Importing or exporting knowing it is unauthorized	Indictable	10 yrs max 1 yr min Minimums where firearm, prohibited device, ammunition: 3 yrs-1st 5 yrs-2nd	✗	✗	✗	✗	✓	✓	✗	✗	✓	✗	S. 109 mandatory firearms order. S. 491 mandatory weapon forfeiture order.	
104 Unauthorized importing or exporting	Hyb-Ind.	5 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 110 discretionary firearms order. S. 491 mandatory weapon forfeiture order.	
	Hyb-Sum.	6 mth/2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
105 Failing to report lost or stolen weapon or documents or found weapons	Hyb-Ind.	5 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 110 discretionary firearms order. S. 491 mandatory weapon forfeiture order.	
	Hyb-Sum.	6 mth/2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
106 Failing to report destroyed weapons	Hyb-Ind.	5 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 110 discretionary firearms order. S. 491 mandatory weapon forfeiture order.	
	Hyb-Sum.	6 mth/2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
107 Making false statement about loss, theft or destruction	Hyb-Ind.	5 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
	Hyb-Sum.	6 mth/2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
108 Altering, defacing or removing serial number of firearm	Hyb-Ind.	5 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 110 discretionary firearms order. S. 491 mandatory weapon forfeiture order.	
	Hyb-Sum.	6 mth/2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		

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117.01 Possession contrary to order, failure to surrender documents	Hyb-Ind.	10 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 109 mandatory firearms order. S. 491 mandatory weapon forfeiture order.
	Hyb-Sum.	6 mth/2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
119 Bribery of judicial officers	Indictable	14 yrs	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	Written consent of A.G. Canada required to prosecute judge. S. 522 release by superior court judge only where accused is a judge. S. 462.37 proceeds of crime for forfeiture order on Crown application. S. 750(1), (2) conviction may result in loss of office and other disabilities.
120 Bribery of officers	Indictable	14 yrs	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 462.37 proceeds of crime for forfeiture order on Crown application. S. 750(1), (2) conviction may result in loss of office and other disabilities.
121 Frauds on the government	Indictable	5 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 462.37 proceeds of crime for forfeiture order on Crown application. S. 750(3) conviction bars accused from contracting with Crown or benefiting from contract with Crown unless capacity restored under s. 750(4) and (5).
122 Breach of trust by public officer	Indictable	5 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 462.37 proceeds of crime for forfeiture order on Crown application. S. 750(1), (2) conviction may result in loss of office and other disabilities.
123 Municipal corruption	Indictable	5 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 750(1), (2) conviction may result in loss of office and other disabilities.
125 Influencing or negotiating appointments	Indictable	5 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 750(1), (2) conviction may result in loss of office and other disabilities.
126 Disobeying a statute	Indictable	2 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
127 Disobeying an order of court	Indictable	2 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	

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129	Obstructing or resisting peace officer	Hyb-Ind. 2 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 110 discretionary firearms order. S. 491 mandatory weapon forfeiture order.
		Hyb-Sum. 6 mth/2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
130	Personating peace officer	Summary 6 mth/2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
131, 132	Perjury	Indictable 14 yrs	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	Max. sentence is life where perjury relates to offence punishable by death.
134	False statement where not required	Summary 6 mth/2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
136	Contradictory evidence with intent to mislead	Indictable 14 yrs	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	Attorney General's consent required.
137	Fabricating evidence	Indictable 14 yrs	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
138	Offences relating to affidavits	Indictable 2 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
139(1)	Obstructing justice	Hyb-Ind. 2 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
		Hyb-Sum. 6 mth/2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
139(2)	Obstructing justice	Indictable 10 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
140	Public mischief	Hyb-Ind. 5 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
		Hyb-Sum. 6 mth/2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
141	Compounding indictable offence	Indictable 2 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
144	Prison breach	Indictable 10 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 109 mandatory firearms order. S. 491 mandatory weapon forfeiture order.
145(1) to (5)	Escape, failure to appear, etc.	Hyb-Ind. 2 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 110 discretionary firearms order. S. 491 mandatory weapon forfeiture order.
		Hyb-Sum. 6 mth/2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
146	Permit or assist escape	Indictable 2 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 110 discretionary firearms order. S. 491 mandatory weapon forfeiture order.

SECTION	TYPE	MAX/MIN SENTENCE	DISCHARGE s. 730	SUSPENDED SENTENCE s. 731(1)(a)	FINE ALONE s. 734	PRISON s. 731(1)(b)	PRISON & PROBATION s. 731(1)(b)	PRISON s. 734	PRISON & FINE s. 732	INTERMITTENT s. 732	FINES, PROB. & INTERMITTENT s. 732	VICTIM SURCHARGE s. 737	CONDITIONAL SENTENCE s. 742.1	COMMENTS (applicability depends on circumstances of case)
147	Rescue or permit escape	Indictable 5 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 110 discretionary firearms order. S. 491 mandatory weapon forfeiture order.
151	Sexual interference	Hyb-Ind. 10 yrs max 45 days min	✗	✗	✗	✗	✓	✓	✓	✓	✓	✓	✗	Indictable, s. 109 mandatory firearms order. Summary conviction, s. 109 discretionary firearms order. S. 491 mandatory weapon forfeiture order. S. 161 discretionary prohibition from attending certain public places or taking certain employment where complainant under 14 years.
		Hyb-Sum. 18 mth/2000* 14 days min	✗	✗	✗	✗	✓	✓	✓	✓	✓	✓	✗	P
152	Invite sexual touching, under 14	Hyb-Ind. 10 yrs max 45 days min	✗	✗	✗	✗	✓	✓	✓	✓	✓	✓	✗	Indictable, s. 109 mandatory firearms order. Summary conviction, s. 110 discretionary firearms order. S. 491 mandatory weapon forfeiture order. S. 161 discretionary prohibition from attending certain public places or taking certain employment where complainant under 14 years.
		Hyb-Sum. 18 mth/2000* 14 days min	✗	✗	✗	✗	✓	✓	✓	✓	✓	✓	✗	P
153	Sexual exploitation, age 14 to 18	Hyb-Ind. 10 yrs max 45 days min	✗	✗	✗	✗	✓	✓	✓	✓	✓	✓	✗	S. 110 discretionary firearms order. S. 491 mandatory weapons forfeiture order.
		Hyb-Sum. 18 mth/2000* 14 days min	✗	✗	✗	✗	✓	✓	✓	✓	✓	✓	✗	P
153.1	Sexual exploitation of person with disability	Hyb-Ind. 5 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 110 discretionary firearms order. S. 491 mandatory weapons forfeiture order.
		Hyb-Sum. 18 mth/2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	P

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SECTION	TYPE	MAX/MIN SENTENCE	DISCHARGE s. 730	SUSPENDED SENTENCE s. 731(1)(c)	FINE ALONE s. 734	FINE & PROBATION s. 731(1)(b)	PRISON s. 732.3 & 737	PRISON & PROBATION s. 731(1)(b)	PRISON & FINE s. 734	INTERMITTENT s. 732	VICTIM SUBCHARGE s. 731	CONDITIONAL SENTENCE s. 742.1	COMMENTS (applicability depends on circumstances of case)
155 Incest	Indictable	14 yrs	x	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 110 mandatory firearms order. S. 491 mandatory weapon forfeiture order. S. 161 discretionary prohibition from attending certain public places or taking certain employment where complainant under 14 years. P
159 Anal intercourse	Hyb-Ind.	10 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	Indictable, s. 109 mandatory firearms order; summary conviction, s. 110 discretionary firearms order. S. 491 mandatory weapon forfeiture order. S. 161 discretionary prohibition from attending certain public places or taking certain employment where complainant under 14 years.
	Hyb-Sum.	6 mth/ 2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
160 Bestiality	Hyb-Ind.	10 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	Indictable, s. 109 mandatory firearms order; summary conviction, s. 110 discretionary firearms order. S. 491 mandatory weapon forfeiture order. S (s. 160(3) only)
	Hyb-Sum.	6 mth/ 2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
163, 169 Corrupting morals	Hyb-Ind.	2 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 462.37 proceeds of crime forfeiture order on Crown application.
	Hyb-Sum.	6 mth/ 2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
163.1(2), (3) Child pornography	Hyb-Ind.	10 yrs max 1 yr min	x	x	x	x	✓	✓	✓	✓	x	✓	S. 462.37 proceeds of crime forfeiture order on Crown application. S
	Hyb-Sum.	18 mth/ 2000* 90 days min	x	x	x	x	✓	✓	✓	✓	✓	✓	
163.1(4), (4.1) Possession of or accessing child pornography	Hyb-Ind.	5 yrs max 45 days min	x	x	x	x	✓	✓	✓	✓	✓	x	S. 462.37 proceeds of crime forfeiture order on Crown application. S
	Hyb-Sum.	18 mth/ 2000* 14 days min.	x	x	x	x	✓	✓	✓	✓	✓	x	
166 Mailing obscene material	Hyb-Ind.	2 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
	Hyb-Sum.	6 mth/ 2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	

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SECTION	TYPE	MAX/MIN SENTENCE	DISCHARGE s. 730	SUSPENDED SENTENCE s. 731(1)(c)	FINE ALONE s. 734	FINE & PROBATION s. 731(1)(b)	PRISON s. 732.3 & 737	PRISON & PROBATION s. 731(1)(b)	PRISON & FINE s. 734	INTERMITTENT s. 732	VICTIM SUBCHARGE s. 731	CONDITIONAL SENTENCE s. 742.1	COMMENTS (applicability depends on circumstances of case)
170 Parent or guardian procuring sexual activity	Indictable	person under 14: 5yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 161 discretionary prohibition from attending certain public places or taking certain employment where complainant under 14 years.
		person 14- 18: 2 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S
171 Householder permitting sexual activity	Indictable	person under 14: 5yrs max 6 mth min	x	x	x	x	✓	✓	✓	✓	x	✓	S. 161 discretionary prohibition from attending certain public places or taking certain employment where complainant under 14 years.
		person 14- 18: 2 yrs 45 days min	x	x	x	x	✓	✓	✓	✓	✓	x	
172 Corrupting children	Indictable	2 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	Attorney General's consent may be required, see s. 172(4).
172.1 Child luring	Hyb-Ind.	5 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
	Hyb-Sum.	6 mth/ 2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
173 Indecent acts	Summary	6 mth/ 2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S
174 Nudity	Summary	6 mth/ 2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 174(3) Attorney General's consent required.
175 Disturbance, indecent exhibition, loitering	Summary	6 mth/ 2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 110 discretionary firearms order. S. 491 mandatory weapon forfeiture order.
176(1) Obstructing or violence to clergy	Indictable	2 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 110 discretionary firearms order. S. 491 mandatory weapon forfeiture order.
176(2) & (3) Disturbing religious worship, etc.	Summary	6 mth/ 2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
177 Trespassing at night	Summary	6 mth/ 2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
178 Offensive volatile substance	Summary	6 mth/ 2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
179 Vagrancy	Summary	6 mth/ 2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
180 Common nuisance	Indictable	2 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 110 discretionary firearms order. S. 491 mandatory weapon forfeiture order.

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SECTION	TYPE	MAX./MIN. SENTENCE	DISCHARGE s. 730	SUSPENDED SENTENCE s. 731(1)(a)	FINE ALONE s. 734	FINE & PROBATION s. 731(1)(b)	PRISON s. 718.2, 787	PRISON & PROBATION s. 734	INTERMITTENT s. 732	FINE, PROB. & INTERMITTENT s. 732	VICTIM SURCHARGE s. 757	CONDITIONAL SENTENCE s. 762.1	COMMENTS (applicability depends on circumstances of case)
182	Dead body	Indictable 5 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
191	Possession, etc. of device for surreptitious interception of private communications	Indictable 2 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 192 discretionary forfeiture order.
193	Disclosure of information	Indictable 2 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 194 discretionary order of punitive damages to maximum of \$5,000 on application of person aggrieved.
193.1	Disclosure of information, radio-based telephone communications	Indictable 2 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 194 discretionary order of punitive damages to maximum of \$5,000 on application of person aggrieved.
201(1)	Keeping gaming or betting house	Indictable Absolute PCJ 2 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 462.37 proceeds of crime forfeiture order on Crown application.
201(2)	Person found in gaming or betting house or owner permitting use	Summary 6 mth/2000	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
202	Betting, pool-selling, book-making, etc.	Indictable Absolute PCJ 1st offence: 2 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 462.37 proceeds of crime forfeiture order on Crown application. Higher penalty for second or subsequent offence requires compliance with s. 727.
		2nd offence: 14 days min., 2 yrs max.	x	x	x	x	✓	✓	✓	✓	✓	x	
		3rd & subseq: 3 mth min., 2 yrs max.	x	x	x	x	✓	✓	✓	✓	✓	x	
203	Placing bets on behalf of others	Indictable Absolute PCJ 1st offence: 2 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
		2nd offence: 14 days min., 2 yrs max.	x	x	x	x	✓	✓	✓	✓	✓	x	
		3rd & subseq: 3 mth min., 2 yrs max.	x	x	x	x	✓	✓	✓	✓	✓	x	
206(1)	Lotteries and games of chance	Indictable Absolute PCJ 2 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	

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SECTION	TYPE	MAX./MIN. SENTENCE	DISCHARGE s. 730	SUSPENDED SENTENCE s. 731(1)(a)	FINE ALONE s. 734	FINE & PROBATION s. 731(1)(b)	PRISON s. 718.2, 787	PRISON & PROBATION s. 734	INTERMITTENT s. 732	FINE, PROB. & INTERMITTENT s. 732	VICTIM SURCHARGE s. 757	CONDITIONAL SENTENCE s. 762.1	COMMENTS (applicability depends on circumstances of case)
206(4)	Buying, taking or receiving lot, ticket or other device	Summary 6 mth/2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
210(1)	Keep common bawdy house	Indictable Absolute PCJ 2 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 210(3) notice of conviction to be served on owner, landlord or lessor. S. 462.37 proceeds of crime forfeiture order on Crown application.
210(2)	Inmate, etc. of common bawdy house	Summary 6 mth/2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 462.37 proceeds of crime forfeiture order on Crown application.
211	Transport person to bawdy house	Summary 6 mth/2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
212(1)	Procuring	Indictable 10 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 462.37 proceeds of crime forfeiture order on Crown application.
212(2)	Living on avails of person under 18	Indictable 14 yrs max 2 yrs min	x	x	x	x	✓	✓	✓	x	✓	x	S. 462.37 proceeds of crime forfeiture order on Crown application.
212(2.1)	Living on avails of person under 18 and using violence	Indictable 10 yrs max 5 yrs min	x	x	x	x	✓	x	✓	x	x	✓	S. 109 mandatory firearms order. S. 491 mandatory weapon forfeiture order.
212(4)	Obtain sexual services of person under 18	Indictable 5 yrs max 6 mth min	x	x	x	x	✓	✓	x	✓	x	✓	S. 462.37 proceeds of crime forfeiture order on Crown application. P
213	Prostitution, or obtaining services	Summary 6 mth/2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
215	Fail to provide necessities	Hyb-Ind. 2 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
		Hyb-Sum. 18 mth/2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
218	Abandon child	Hyb-Ind. 5 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
		Hyb-Sum. 18 mth/2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
220(a)	Cause death by criminal negligence, use of firearm	Indictable Life Min: 4 yrs	x	x	x	x	✓	x	✓	x	x	✓	S. 109 mandatory firearms order. S. 491 mandatory weapon forfeiture order. S
220(b)	Cause death by criminal negligence (other)	Indictable Life	x	✓	✓	✓	✓	✓	✓	✓	✓	x	S. 109 mandatory firearms order. S. 259(2) discretionary driving prohibition (no limit). S. 491 mandatory weapon forfeiture order. S

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SECTION	TYPE	MAX/MIN SENTENCE	DISCHARGE, FINE, PROBATION, PRISON, INTERMITTENT, VICTIM SURCHARGE												COMMENTS (applicability depends on circumstances of case)
			DISCHARGE s. 730	SUSPENDED SENTENCE s. 731(1)(c)	FINE ALONE s. 734	PRISON s. 733	PRISON & PROBATION s. 731(1)(b)	PRISON s. 733 & FINE s. 737	PRISON & PROBATION s. 731(1)(b)	INTERMITTENT s. 732	FINE, PROB. & INTERMITTENT s. 732	VICTIM SURCHARGE s. 737	CONDITIONAL SENTENCE s. 742.1		
221 Cause bodily harm by criminal negligence	Indictable	10 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✗	S. 109 mandatory firearms order. S. 259(2) discretionary driving prohibition (up to 10 yrs). S. 491 mandatory weapon forfeiture order. S
229-231, 235 Murder	Indictable	Minimum Life See ss.745, 745.1 for parole eligibility	✗	✗	✗	✗	✓	✗	✓	✗	✗	✓	✗	✗	S. 109 mandatory firearms order. S. 491 mandatory weapon forfeiture order. S. 522, release by Superior Court Judge only. S. 462.37 proceeds of crime forfeiture order on Crown application. P
234, 236(a) Manslaughter, use of firearm	Indictable	Life Min: 4 yrs	✗	✗	✗	✗	✓	✗	✓	✗	✗	✓	✗	✗	S. 109 mandatory firearms order. S. 491 mandatory weapon forfeiture order. P
234, 236(b) Manslaughter (other)	Indictable	Life	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✗	S. 109 mandatory firearms order. S. 259(2) discretionary driving prohibition (no limit). S. 491 mandatory weapon forfeiture order. P
237 Infanticide	Indictable	5 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 110 discretionary firearms order. S. 491 mandatory weapon forfeiture order. P
239(a) Attempt murder, use restricted or prohibited firearm, or any firearm, in committing for criminal organization	Indictable	Life Minimum: 5 yrs-1st 7 yrs-2nd	✗	✗	✗	✗	✓	✗	✓	✗	✗	✓	✗	✗	S. 109 mandatory firearms order. S. 491 mandatory weapon forfeiture order.
239(a.1) Attempt murder, use of firearm (other)	Indictable	Life Min: 4 yrs	✗	✗	✗	✗	✓	✗	✓	✗	✗	✓	✗	✗	S. 109 mandatory firearms order. S. 491 mandatory weapon forfeiture order.
239(b) Attempt murder (other)	Indictable	Life	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✗	S. 109 mandatory firearms order. S. 491 mandatory weapon forfeiture order.
240 Accessory after fact, murder	Indictable	Life	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 522, release by Superior Court Judge only.
244(2)(a) Discharging firearm with intent, use restricted or prohibited firearm, or any firearm, in committing for criminal organization	Indictable	14 yrs Minimum: 5 yrs-1st 7 yrs-2nd	✗	✗	✗	✗	✓	✗	✓	✗	✗	✓	✗	✗	S. 109 mandatory firearms order. S. 491 mandatory weapon forfeiture order. P

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SECTION	TYPE	MAX/MIN SENTENCE	DISCHARGE, FINE, PROBATION, PRISON, INTERMITTENT, VICTIM SURCHARGE												COMMENTS (applicability depends on circumstances of case)
			DISCHARGE s. 730	SUSPENDED SENTENCE s. 731(1)(c)	FINE ALONE s. 734	PRISON s. 733	PRISON & PROBATION s. 731(1)(b)	PRISON s. 733 & FINE s. 737	PRISON & PROBATION s. 731(1)(b)	INTERMITTENT s. 732	FINE, PROB. & INTERMITTENT s. 732	VICTIM SURCHARGE s. 737	CONDITIONAL SENTENCE s. 742.1		
244(2)(b) Discharging firearm (other) with intent	Indictable	14 yrs Minimum - 4 yrs	✗	✗	✗	✗	✓	✗	✓	✗	✗	✓	✗	✗	S. 109 mandatory firearms order. S. 491 mandatory weapon forfeiture order. P
244.1 Causing bodily harm with intent, use of air gun or pistol	Indictable	14 yrs	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✗	S. 109 mandatory firearms order. S. 491 mandatory weapon forfeiture order.
245(a) Administering noxious thing with intent to endanger life or cause bodily harm	Indictable	14 yrs	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✗	S. 109 mandatory firearms prohibition.
245(b) Administering noxious thing with intent to aggravate or annoy	Indictable	2 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 110 discretionary firearms prohibition.
246 Overcoming resistance to commission of offence	Indictable	Life	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 109 mandatory firearms prohibition.
249(1) & (2) Dangerous operation of vehicle, etc., no injury	Hyb-Ind. Hyb-Sum.	5 yrs 6 mth/ 2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 259(2) discretionary driving prohibition (up to 3 yrs).
249(3) Dangerous operation of vehicle, etc., injury occurs	Indictable	10 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 109 mandatory firearms order. S. 259(2) discretionary driving prohibition (up to 10 yrs). S
249(4) Dangerous operation of vehicle, etc., death occurs	Indictable	14 yrs	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 109 mandatory firearms order. S. 259(2) discretionary driving prohibition (up to 10 yrs). S
250 Fail to watch, water skiing at night	Summary	6 mth/ 2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 259(2) discretionary driving prohibition (up to 3 yrs).
251 Send unsafe vessel or aircraft	Indictable	5 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 259(2) discretionary driving prohibition (up to 3 yrs). Prosecution requires consent of A.G. of Canada.
252 Fail to stop at scene of accident	Hyb-Ind. Hyb-Sum.	5 yrs 6 mth/ 2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 259(2) discretionary driving prohibition (up to 3 yrs). S
252(1.1) Fail to stop at scene of accident, no injury	Hyb-Ind. Hyb-Sum.	5 yrs 6 mth/ 2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 259(2) discretionary driving prohibition (up to 3 yrs).
252(1.2) Fail to stop at scene of accident knowing bodily harm caused	Indictable	10 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 259(2) discretionary driving prohibition (up to 5 yrs).

* \$100,000 for organizations for summary conviction offence s.735.

✓ Sentence Option ✗ Illegal Sentence

P = Primary designated offence
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[see note on p. OG/2]

SECTION	TYPE	MAX/MIN SENTENCE	DISCHARGE s. 730	SUSPENDED SENTENCE s. 731(1)(a)	FINE ALONE s. 734	PRISON & PROBATION s. 731(1)(b)	PRISON s. 718.3(187)	PRISON & PROBATION s. 734	INTERMITTENT s. 732	FINE, PROB & INTERMITTENT s. 734	VICTIM SURCHARGE s. 732	CONDITIONAL SENTENCE s. 742.1	COMMENTS (applicability depends on circumstances of case)
252(1.3) Fail to stop at scene of accident knowing person is dead; or reckless whether death results	Indictable	Life	x	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 259(2) discretionary driving prohibition (up to life).
253, 255(1) Operation or having care or control while impaired (not causing bodily harm) or while over .08.	Hyb-Ind.	5 yrs max. Minimums: \$1000-1st	x	x	✓	✓	✓	✓	✓	✓	✓	✓	S. 259(1) mandatory driving prohibition (maximum 3 years plus any period to which offender sentenced to imprisonment, minimum 1 year for first offence; maximum 5 years plus any period to which offender sentenced to imprisonment, minimum 2 years for second offence; for each subsequent offence, minimum 3 years plus any period to which offender sentenced to imprisonment; note: court may authorize offender to operate vehicle with alcohol ignition interlock device during prohibition). Discharge available in some jurisdictions for s. 253 offence, s. 255(5). Higher penalty for second or subsequent offence requires compliance with s. 727.
		30 days-2nd	x	x	x	x	✓	✓	✓	x	✓	x	
		120 days-3rd	x	x	x	x	✓	✓	x	x	✓	x	
	Hyb-Sum.	6 mth max. Minimums: \$1000-1st	x	x	✓	✓	✓	✓	✓	✓	✓	✓	
		30 days-2nd	x	x	x	x	✓	✓	✓	✓	✓	x	
		120 days-3rd	x	x	x	x	✓	✓	x	✓	✓	x	

* \$100,000 for organizations for summary conviction offence s. 735.

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SECTION	TYPE	MAX/MIN SENTENCE	DISCHARGE s. 730	SUSPENDED SENTENCE s. 731(1)(a)	FINE ALONE s. 734	PRISON & PROBATION s. 731(1)(b)	PRISON s. 718.3(187)	PRISON & PROBATION s. 734	INTERMITTENT s. 732	FINE, PROB & INTERMITTENT s. 734	VICTIM SURCHARGE s. 732	CONDITIONAL SENTENCE s. 742.1	COMMENTS (applicability depends on circumstances of case)
254(5), 255(1) Refuse to provide breath or blood sample	Hyb-Ind.	5 yrs max. Minimums: \$1000-1st	x	x	✓	✓	✓	✓	✓	✓	✓	✓	S. 259(1) mandatory driving prohibition (maximum 3 years plus any period to which offender sentenced to imprisonment, minimum 1 year for first offence; maximum 5 years plus any period to which offender sentenced to imprisonment, minimum 2 years for second offence; for each subsequent offence, minimum 3 years plus any period to which offender sentenced to imprisonment; note: court may authorize offender to operate vehicle with alcohol ignition interlock device during prohibition). Higher penalty for second or subsequent offence requires compliance with s. 727.
		30 days-2nd	x	x	x	x	✓	✓	✓	✓	✓	x	
		120 days-3rd	x	x	x	x	✓	✓	x	✓	✓	x	
	Hyb-Sum.	6 mth max. Minimums: \$600-1st	x	x	✓	✓	✓	✓	✓	✓	✓	✓	
		14 days-2nd	x	x	x	x	✓	✓	✓	✓	✓	x	
		90 days-3rd	x	x	x	x	✓	✓	✓	✓	✓	x	
253(1), 255(2), (2.1), (2.2) Impaired operation causing bodily harm; "over 80" causing accident resulting in bodily harm; refusing to provide breath or blood sample knowing accident resulted in bodily harm	Indictable	10 yrs max. Minimums: \$1000-1st	x	x	✓	✓	✓	✓	✓	✓	✓	✓	S. 109 mandatory firearms order. S. 259(1) mandatory driving prohibition (maximum 3 years plus any period to which offender sentenced to imprisonment, minimum 1 year for first offence; maximum 5 years plus any period to which offender sentenced to imprisonment, minimum 2 years for second offence; for each subsequent offence, minimum 3 years plus any period to which offender sentenced to imprisonment; note: court may authorize offender to operate vehicle with alcohol ignition interlock device during prohibition). S. 259(2) discretionary driving prohibition up to 10 years (no minimum). Higher penalty for second or subsequent offences requires compliance with s. 727.
		30 days-2nd	x	x	x	x	✓	✓	✓	✓	✓	x	
		120 days-3rd	x	x	x	x	✓	✓	x	✓	✓	x	

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SECTION	TYPE	MAX/MIN SENTENCE	DISCHARGE s. 730	SUSPENDED SENTENCE s. 731(1)(a)	FINE ALONE s. 734	FINE & PROBATION s. 731(1)(b)	PRISON s. 742.3(78)	PRISON & PROBATION s. 731(1)(b)	PRISON s. 742.3(78)	PRISON & FINE s. 734	INTERMITTENT s. 732	VICTIM SURCHARGE s. 737	CONDITIONAL SENTENCE s. 742.1	COMMENTS (applicability depends on circumstances of case)
253 255(3), (3.1), (3.2)	Indictable	Life max. Minimums: \$1000-1st	x	x	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 109 mandatory firearms order. S. 259(1) mandatory driving prohibition (maximum 3 years plus any period to which offender sentenced to imprisonment, minimum 1 year for first offence; maximum 5 years plus any period to which offender sentenced to imprisonment, minimum 2 years for second offence; for each subsequent offence, minimum 3 years plus any period to which offender sentenced to imprisonment; note: court may authorize offender to operate vehicle with alcohol ignition interlock device during prohibition). S. 259(2) discretionary driving prohibition up to 10 years (no minimum). Higher penalty for second or subsequent offences requires compliance with s. 727. S
30 days- 2nd		x	x	x	x	✓	✓	✓	✓	✓	✓	✓		
120 days- 3rd		x	x	x	x	✓	✓	x	✓	✓	✓	✓		
259(4)	Hyb-Ind.	5 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 109 mandatory firearms order. S. 259(1) mandatory driving prohibition (maximum 3 years plus any period to which offender sentenced to imprisonment, minimum 1 year for first offence; maximum 5 years plus any period to which offender sentenced to imprisonment, minimum 2 years for second offence; for each subsequent offence, minimum 3 years plus any period to which offender sentenced to imprisonment; note: court may authorize offender to operate vehicle with alcohol ignition interlock device during prohibition). S. 259(2) discretionary driving prohibition up to 10 years (no minimum). Higher penalty for second or subsequent offences requires compliance with s. 727. S	
Operate vehicle, etc. while disqualified		Hyb-Sum.	6 mth/ 2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓		
264	Hyb-Ind.	10 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	Aggravating factors, s. 264(4). S. 109 mandatory firearms prohibition.	
Criminal harassment		Hyb-Sum.	6 mth/ 2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓		

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SECTION	TYPE	MAX/MIN SENTENCE	DISCHARGE s. 730	SUSPENDED SENTENCE s. 731(1)(a)	FINE ALONE s. 734	FINE & PROBATION s. 731(1)(b)	PRISON s. 742.3(78)	PRISON & PROBATION s. 731(1)(b)	PRISON s. 742.3(78)	PRISON & FINE s. 734	INTERMITTENT s. 732	VICTIM SURCHARGE s. 737	CONDITIONAL SENTENCE s. 742.1	COMMENTS (applicability depends on circumstances of case)	
264.1(1)(a)	Hyb-Ind.	Threat to cause death or harm	5 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 110 discretionary firearms order. S. 491 mandatory weapon forfeiture order.	
		Hyb-Sum.	18 mth/ 2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓			
264.1(1)(b) or (c)	Hyb-Ind.	Threat to damage prop. or harm animal	2 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 110 discretionary firearms order. S. 491 mandatory weapon forfeiture order.	
		Hyb-Sum.	6 mth/ 2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓			
265, 266	Hyb-Ind.	Assault	5 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 110 discretionary firearms order. S. 491 mandatory weapon forfeiture order. S	
		Hyb-Sum.	6 mth/ 2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓			
267	Hyb-Ind.	Assault causing bodily harm or with weapon	10 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	x	Indictable, s. 109 mandatory firearms order. Summary conviction, s. 110 discretionary firearms order. S. 491 mandatory weapon forfeiture order.	
		Hyb-Sum.	18 mth/ 2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	P		
268	Indictable	Aggravated assault	14 yrs	x	✓	✓	✓	✓	✓	✓	✓	✓	x	S. 109 mandatory firearms order. S. 491 mandatory weapon forfeiture order. P	
269	Hyb-Ind.	Unlawfully cause bodily harm	10 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	x	Indictable, s. 109 mandatory firearms order. Summary conviction, s. 110 discretionary firearms order. S. 491 mandatory weapon forfeiture order. May be convicted notwithstanding that charge.
		Hyb-Sum.	18 mth/ 2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	P	
269.1	Indictable	Torture	14 yrs	x	✓	✓	✓	✓	✓	✓	✓	✓	x	S. 109 mandatory firearms order. S. 491 mandatory weapon forfeiture order. S	
270	Hyb-Ind.	Assault officer, resist arrest, etc.	5 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 110 discretionary firearms order. S. 491 mandatory weapon forfeiture order. S (s. 270(1)(a) only)	
		Hyb-Sum.	6 mth/ 2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓			

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SECTION	TYPE	MAX/MIN SENTENCE	DISCHARGE s. 730	SUSPENDED SENTENCE s. 731(a)	FINE ALONE s. 734	PRISON & PROBATION s. 731(b)	PRISON s. 736.3	PRISON & PROBATION s. 731(b)	INTERMITTENT s. 732	FINE PROB. & INTERMITTENT s. 732	VICTIM SURCHARGE s. 737	CONDITIONAL SENTENCE s. 742.1	COMMENTS (applicability depends on circumstances of case)
271 Sexual assault	Hyb-Ind.	10 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	Indictable, s. 109 mandatory firearms order; summary conviction, s. 110 discretionary firearms order. S. 486(2.1) private testimony order. S. 486(3) discretionary publication ban. S. 491 mandatory weapon forfeiture order. S. 161 Discretionary prohibition from attending certain public places or taking certain employment where complainant under 14 years. P
	Hyb-Sum.	18 mth/ 2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
272(2)(a) Sexual assault with weapon, threats or causing bodily harm, use of restricted or prohibited firearm, or any firearm, in committing for criminal organization	Indictable	14 yrs Minimum: 5 yrs-1st 7 yrs-2nd	✗	✗	✗	✗	✓	✗	✓	✗	✓	✗	S. 109 mandatory firearms order. S. 486(2.1) private testimony order. S. 486(3) discretionary publication ban. S. 491 mandatory weapon forfeiture order. S. 161 Discretionary prohibition from attending certain public places or taking certain employment where complainant under 14 years. P
272(2)(a.1) Sexual assault with weapon, threats or causing harm, use of firearm (other)	Indictable	14 yrs Min: 4 yrs	✗	✗	✗	✗	✓	✗	✓	✗	✓	✗	S. 109 mandatory firearms order. S. 486(2.1) private testimony order. S. 486(3) discretionary publication ban. S. 491 mandatory weapon forfeiture order. S. 161 Discretionary prohibition from attending certain public places or taking certain employment where complainant under 14 years. P
272(2)(b) Sexual assault with weapon, threats or causing harm (other)	Indictable	14 yrs	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 109 mandatory firearms order. S. 491 mandatory weapon forfeiture order. S. 161 Discretionary prohibition from attending certain public places or taking certain employment where complainant under 14 years. P

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SECTION	TYPE	MAX/MIN SENTENCE	DISCHARGE s. 730	SUSPENDED SENTENCE s. 731(a)	FINE ALONE s. 734	PRISON & PROBATION s. 731(b)	PRISON s. 736.3	PRISON & PROBATION s. 731(b)	INTERMITTENT s. 732	FINE PROB. & INTERMITTENT s. 732	VICTIM SURCHARGE s. 737	CONDITIONAL SENTENCE s. 742.1	COMMENTS (applicability depends on circumstances of case)
273(2)(a) Aggravated sexual assault, use restricted or prohibited weapon, or any firearm, in committing for criminal organization	Indictable	Life Minimum: 5 yrs-1st 7 yrs-2nd	✗	✗	✗	✗	✓	✗	✓	✗	✓	✗	S. 109 mandatory firearms order. S. 491 mandatory weapon forfeiture order. S. 161 Discretionary prohibition from attending certain public places or taking certain employment where complainant under 14 years. P
273(2)(a.1) Aggravated sexual assault, use of firearm (other)	Indictable	Life Min: 4 yrs	✗	✗	✗	✗	✓	✗	✓	✗	✓	✗	S. 109 mandatory firearms order. S. 491 mandatory weapon forfeiture order. S. 161 Discretionary prohibition from attending certain public places or taking certain employment where complainant under 14 years. P
273(2)(b) Aggravated sexual assault (other)	Indictable	Life	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 109 mandatory firearms order. S. 491 mandatory weapon forfeiture order. S. 161 Discretionary prohibition from attending certain public places or taking certain employment where complainant under 14 years. P
279(1),(1.1)(a) Kidnapping, use restricted or prohibited firearm, or any firearm, in committing for criminal organization	Indictable	Life Minimum: 5 yrs-1st 7 yrs-2nd	✗	✗	✗	✗	✓	✗	✓	✗	✓	✗	S. 109 mandatory firearms order. S. 491 mandatory weapon forfeiture order. S. 462.37 proceeds of crime forfeiture order on Crown application. P
279(1),(1.1)(a.1) Kidnapping, use of firearm	Indictable	Life Min: 4 yrs	✗	✗	✗	✗	✓	✗	✓	✗	✓	✗	S. 109 mandatory firearms order. S. 491 mandatory weapon forfeiture order. S. 462.37 proceeds of crime forfeiture order on Crown application. P
279(1),(1.1)(b) Kidnapping (other)	Indictable	Life	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 109 mandatory firearms order. S. 491 mandatory weapon forfeiture order. P
279(2) Forcible confinement	Hyb-Ind.	10 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 109 mandatory firearms order. S. 491 mandatory weapon forfeiture order.
	Hyb-Sum.	18 mth/ 2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	Aggravating circumstance, s. 348.1.

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SECTION	TYPE	MAX/MIN SENTENCE	DISCHARGE s. 730	SUSPENDED SENTENCE s. 731(1)(a)	FINE ALONE s. 734	PRISON & PROBATION s. 731(1)(b)	PRISON s. 748 & 747	PRISON & PROBATION s. 731(1)(b)	INTERMITTENT s. 732	FINE, PROB. & INTERMITTENT s. 732	VICTIM SURCHARGE s. 737	CONDITIONAL SENTENCE s. 742.1	COMMENTS (applicability depends on circumstances of case)
279.01(1)(a) Trafficking in persons, aggravating circumstances	Indictable	14 yrs	X	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 109 mandatory firearms prohibition. S. 491 mandatory weapon forfeiture.
279.01(1)(b) Trafficking in persons, other	Indictable	10 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 109 mandatory firearms prohibition. S. 491 mandatory weapon forfeiture.
279.1(2)(a) Hostage taking, use restricted or prohibited firearm, or any firearm, in committing for criminal organization	Indictable	Life Minimum: 5 yrs-1st 7 yrs-2nd	X	X	✓	X	✓	X	X	✓	X	X	S. 109 mandatory firearms order. S. 491 mandatory weapon forfeiture order.
279.1(2)(a.1) Hostage taking, use of firearm (other)	Indictable	Life Min: 4 yrs	X	X	✓	X	✓	X	X	✓	X	X	S. 109 mandatory firearms order. S. 491 mandatory weapon forfeiture order.
279.1(2)(b) Hostage taking (other)	Indictable	Life	X	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 109 mandatory firearms order. S. 491 mandatory weapon forfeiture order. P
280 Abduction of person under 16	Indictable	5 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 110 discretionary firearms prohibition.
281 Abduction of person under 14	Indictable	10 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 110 discretionary firearms prohibition.
282 Abduction contravening custody order	Hyb-Ind. Hyb-Sum.	10 yrs 6 mth/ 2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	Indictable, s. 109 mandatory firearms order; summary conviction, s. 110 discretionary firearms order. S. 491 mandatory weapon forfeiture order.
283 Abduction where no custody order	Hyb-Ind. Hyb-Sum.	10 yrs 6 mth/ 2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	Indictable, s. 109 mandatory firearms order; summary conviction, s. 110 discretionary firearms order. S. 491 mandatory weapon forfeiture order. Needs consent of A.G. or counsel (s.283(2)).
300 Defamatory libel known to be false	Indictable	5 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
318 Advocating genocide	Indictable	5 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	Attorney General's consent required.

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319(1), (2) Incite or promote hatred	Hyb-Ind. Hyb-Sum.	2 yrs 6 mth/ 2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	Attorney General's consent required for s. 319(2) offence.
322-332, 334(a) Theft over \$5,000	Indictable	10 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 462.37 proceeds of crime forfeiture order on Crown application.
322-332, 334(b) Theft \$5,000 or less	Hyb-Ind. Absolute PCJ Hyb-Sum.	2 yrs 6 mth/ 2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 462.37 proceeds of crime forfeiture order on Crown application.
335 Take motor vehicle without consent	Summary	6 mth/ 2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
336 Criminal breach of trust	Indictable	14 yrs	X	✓	✓	✓	✓	✓	✓	✓	✓	✓	
337 Public servant, refuse to deliver property	Indictable	14 yrs	X	✓	✓	✓	✓	✓	✓	✓	✓	✓	
338(1) Fraudulently take cattle or deface brand, etc.	Indictable	5 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
338(2) Cattle theft	Indictable	10 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
339(1) Take poss'n of drift timber, etc.	Indictable	5 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
339(2) Dealer in second hand goods	Summary	6 mth/ 2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
342 Theft or forgery of credit card	Hyb-Ind. Hyb-Sum.	10 yrs 6 mth/ 2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
342.1 Unauthorized use of computer	Hyb-Ind. Hyb-Sum.	10 yrs 6 mth/ 2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
342.2 Unlawful possession of device for committing s. 342.1 offence	Hyb-Ind. Hyb-Sum.	2 yrs 6 mth/ 2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	Court may also make forfeiture order.

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SECTION	TYPE	MAX/MIN SENTENCE	DISCHARGE s. 730											COMMENTS (applicability depends on circumstances of case)	
			SUSPENDED SENTENCE s. 731(1)(a)	FINE ALONE s. 734	FINE & PROBATION s. 734	PRISON s. 714.3 (1)	PRISON & PROBATION s. 731(1)(b)	PRISON & FINE s. 734	INTERMITTENT s. 732	FINE PROB. & INTERMITTENT s. 732	VICTIM SURCHARGE s. 737	CONDITIONAL SENTENCE s. 742.1			
343, 344(1)(a) Robbery, use of restricted or prohibited firearm, or any firearm, in committing for criminal organization	Indictable	Life Minimum: 5 yrs-1st 7 yrs-2nd	x	x	x	x	✓	x	✓	x	x	✓	x	✓	S. 109 mandatory firearms order. S. 491 mandatory weapon forfeiture order. S. 462.37 proceeds of crime forfeiture order on Crown application. S Aggravating circumstance, s. 348.1.
343, 344(1)(a.1) Robbery, use of firearm (other)	Indictable	Life Min: 4 yrs	x	x	x	x	✓	x	✓	x	x	✓	x	✓	S. 109 mandatory firearms order. S. 491 mandatory weapon forfeiture order. S. 462.37 proceeds of crime forfeiture order on Crown application. S Aggravating circumstance, s. 348.1.
343, 344(b) Robbery (other)	Indictable	Life	x	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	x	S. 109 mandatory firearms order. S. 491 mandatory weapon forfeiture order. S. 462.37 proceeds of crime forfeiture order on Crown application. S Aggravating circumstance, s. 348.1.
345 Stop mail with intent	Indictable	Life	x	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 109 mandatory firearms order. S. 491 mandatory weapon forfeiture order.
346(1),(1.1)(a) Extortion, use of restricted or prohibited firearm, or any firearm, in committing for criminal organization	Indictable	Life Minimum: 5 yrs-1st 7 yrs-2nd	x	x	x	x	✓	x	✓	x	x	✓	x	✓	S. 109 mandatory firearms order. S. 491 mandatory weapon forfeiture order. S. 462.37 proceeds of crime forfeiture order on Crown application. Aggravating circumstance, s. 348.1.
346(1),(1.1)(a.1) Extortion, use of firearm (other)	Indictable	Life Min: 4 yrs	x	x	x	x	✓	x	✓	x	x	✓	x	✓	S. 109 mandatory firearms order. S. 491 mandatory weapon forfeiture order. S. 462.37 proceeds of crime forfeiture order on Crown application. Aggravating circumstance, s. 348.1.
346(1),(1.1)(b) Extortion (other)	Indictable	Life	x	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	x	S. 109 mandatory firearms order. S. 491 mandatory weapon forfeiture order. S. 462.37 proceeds of crime forfeiture order on Crown application. Aggravating circumstance, s. 348.1.

* \$100,000 for organizations for summary conviction offence s. 735.

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SECTION	TYPE	MAX/MIN SENTENCE	DISCHARGE s. 730											COMMENTS (applicability depends on circumstances of case)	
			SUSPENDED SENTENCE s. 731(1)(a)	FINE ALONE s. 734	FINE & PROBATION s. 734	PRISON s. 714.3 (1)	PRISON & PROBATION s. 731(1)(b)	PRISON & FINE s. 734	INTERMITTENT s. 732	FINE PROB. & INTERMITTENT s. 732	VICTIM SURCHARGE s. 737	CONDITIONAL SENTENCE s. 742.1			
347 Criminal interest rate	Hyb-Ind. Hyb-Sum.	5 yrs 6 mth/ 25,000	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	Attorney General's consent required. S. 462.37 proceeds of crime forfeiture order on Crown application.
348 Break & enter with intent, committing indictable offence re: dwelling house	Indictable	Life	x	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 109 mandatory firearms order. S. 491 mandatory weapon forfeiture order. S Aggravating circumstance, s. 348.1.
348 Break & enter with intent, committing indictable offence re: non-dwelling house	Hyb-Ind. Hyb-Sum.	10 yrs 6 mth/ 2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S Aggravating circumstance, s. 348.1.
349 Being unlawfully in dwelling house	Hyb-Ind. Hyb-Sum.	10 yrs 6 mth/ 2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 109 mandatory firearms order. S. 491 mandatory weapon forfeiture order.
351(1) Housebreaking instruments poss'n	Indictable	10 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
351(2) Disguise with Intent	Indictable	10 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
352 Poss'n, instruments for breaking into coin operated devices, etc.	Indictable	2 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
354, 355(a) Poss'n of property over \$5,000 obtained by crime	Indictable	10 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 462.37 proceeds of crime forfeiture order on Crown application.
354, 355(b) Poss'n of property under \$5,000 obtained by crime	Hyb-Ind. Absolute PCJ Hyb-Sum.	2 yrs 6 mth/ 2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 462.37 proceeds of crime forfeiture order on Crown application.
356 Theft from mail	Indictable	10 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
357 Bring into Canada property obtained by crime	Indictable	10 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	

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SECTION	TYPE	MAX./MIN. SENTENCE	DISCHARGE s. 730	SUSPENDED SENTENCE s. 734	FINE ALONE s. 734	PRISON & PROBATION s. 731(1)(b)	PRISON s. 731(1)(a)	PRISON & PROBATION s. 731(1)(b)	INTERMITTENT s. 732	FINE, PROB. & INTERMITTENT s. 732	CONDITIONAL SENTENCE s. 732	COMMENTS (applicability depends on circumstances of case)
362(2)(a) False pretence, property over \$5,000	Indictable	10 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	
362(2)(b) False pretence, property \$5,000 or less	Hyb-Ind. Absolute PCJ	2 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	
	Hyb-Sum.	6 mth/ 2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	
362(3) Obtain credit, etc. by false pretence	Indictable	10 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	
363 Obtain execution of security by fraud	Indictable	5 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	
364 Obtain food or lodging by fraud	Summary	6 mth/ 2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	
365 Pretend to practise witchcraft	Summary	6 mth/ 2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	
366, 367(1) Forgery	Hyb-Ind.	10 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 462.37 proceeds of crime forfeiture order on Crown application.
	Hyb-Sum.	6 mth/ 2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	
368 Utter forged document	Hyb-Ind.	10 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 462.37 proceeds of crime forfeiture order on Crown application.
	Hyb-Sum.	6 mth/ 2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	
372(1) False Message	Indictable	2 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 110 discretionary firearms order.
372(2) Indecent telephone calls	Summary	6 mth/ 2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 110 discretionary firearms order.
372(3) Harassing telephone calls	Summary	6 mth/ 2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 110 discretionary firearms order.
374 Draw document without authority	Indictable	14 yrs	✗	✓	✓	✓	✓	✓	✓	✓	✓	
375 Obtaining, etc., based on forged document	Indictable	14 yrs	✗	✓	✓	✓	✓	✓	✓	✓	✓	
380(1)(a) Fraud over \$5,000 or re: testamentary instrument	Indictable	14 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 462.37 proceeds of crime forfeiture order on Crown application. Aggravating circumstance, s. 380.1.

SECTION	TYPE	MAX./MIN. SENTENCE	DISCHARGE s. 730	SUSPENDED SENTENCE s. 734	FINE ALONE s. 734	PRISON & PROBATION s. 731(1)(b)	PRISON s. 731(1)(a)	PRISON & PROBATION s. 731(1)(b)	INTERMITTENT s. 732	FINE, PROB. & INTERMITTENT s. 732	CONDITIONAL SENTENCE s. 732	COMMENTS (applicability depends on circumstances of case)
380(1)(b) Fraud; \$5,000 or less	Hyb-Ind. Absolute PCJ	2 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 462.37 proceeds of crime forfeiture order on Crown application. Aggravating circumstance, s. 380.1.
	Hyb-Sum.	6 mth/ 2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	
381 Using mails to defraud	Indictable	2 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	
382 Manipulation of stock exchange	Indictable	10 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 380.1 aggravating circumstances on sentence.
382.1 Insider trading	Hyb-Ind.	5 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 380.1 aggravating circumstances on sentence
	Hyb-Sum.	6 mth/ 2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	
393(1), (2) Fraud in relation to fares	Indictable Absolute PCJ	2 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	
393(3) Obtain transportation by fraud	Summary	6 mth/ 2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	
394 Fraud in relation to minerals	Indictable	5 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 394(6) discretionary forfeiture order.
394.1 Possession of stolen minerals	Indictable	5 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 394.1(4) discretionary forfeiture order.
400 False prospectus	Indictable	10 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	Aggravating circumstance, s. 380.1.
403 Personation with intent	Hyb-Ind.	10 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	
	Hyb-Sum.	6 mth/ 2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	
423 Intimidation	Hyb-Ind.	5 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 110 discretionary firearms order. S. 491 mandatory weapon forfeiture order.
	Hyb-Sum.	6 mth/ 2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	
423.1 Intimidation of justice system participant	Indictable	14 yrs	✗	✓	✓	✓	✓	✓	✓	✓	✓	S. 109 or s. 110 firearms prohibition depending on circumstances. S. 491 mandatory weapon forfeiture.
426 Secret commissions	Indictable	5 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 462.37 proceeds of crime forfeiture order on Crown application.

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SECTION	TYPE	MAX/MIN SENTENCE	SENTENCE OPTIONS											COMMENTS (applicability depends on circumstances of case)		
			DISCHARGE s. 730	SUSPENDED SENTENCE s. 730	FINE ALONE s. 734	PRISON & PROBATION s. 731(1)(b)	PRISON s. 710.3, 707	PRISON & PROBATION s. 731(1)(b)	INTERMITTENT s. 732	FINE, PROB. & INTERMITTENT s. 732	VICTIM SURCHARGE s. 732	CONDITIONAL SENTENCE s. 742.1	CONDITIONAL SENTENCE s. 742.2			
430(2)	Wilful mischief endangering life	Indictable	Life	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	S. 109 mandatory firearms order. S. 491 mandatory weapon forfeiture order. S
430(3)	Wilful mischief, testamentary instrument or property over \$5,000	Hyb-Ind.	10 yrs	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Indictable, s. 109 mandatory firearms order. Summary conviction, s. 110 discretionary firearms order. S. 491 mandatory weapon forfeiture order.
		Hyb-Sum.	6 mth/2000*	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
430(4)	Wilful mischief, other property	Hyb-Ind.	2 yrs	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	S. 110 discretionary firearms order. S. 491 mandatory weapon forfeiture order. S. 553 absolute PCJ only if \$5,000 or less.
		Hyb-Sum.	6 mth/2000*	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
430(4.1)	Mischief relating to religious property	Hyb-Ind.	10 yrs	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
		Hyb-Sum.	18 mth/2000*	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
430(4.2)	Mischief relating to cultural property	Hyb-Ind.	10 yrs	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
		Hyb-Sum.	6 mth/2000*	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
430(5)	Wilful mischief, data	Hyb-Ind.	10 yrs	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
		Hyb-Sum.	6 mth/2000*	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
430(5.1)	Wilful act or omission, cause danger to life or mischief to property	Hyb-Ind.	5 yrs.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	S. 110 discretionary firearms order. S. 491 mandatory weapon forfeiture order.
		Hyb-Sum.	6 mth/2000*	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
433	Arson, disregard for human life	Indictable	Life	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	S. 109 mandatory firearms order. S. 491 mandatory weapon forfeiture order. S. 462.37 proceeds of crime forfeiture order on Crown application. S
434	Arson, damage to property of others	Indictable	14 yrs	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	S. 109 mandatory firearms order. S. 491 mandatory weapon forfeiture order. S
434.1	Arson, damage to own property, threat to safety of others	Indictable	14 yrs	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	

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			DISCHARGE s. 730	SUSPENDED SENTENCE s. 730	FINE ALONE s. 734	PRISON & PROBATION s. 731(1)(b)	PRISON s. 710.3, 707	PRISON & PROBATION s. 731(1)(b)	INTERMITTENT s. 732	FINE, PROB. & INTERMITTENT s. 732	VICTIM SURCHARGE s. 732	CONDITIONAL SENTENCE s. 742.1	CONDITIONAL SENTENCE s. 742.2			
435	Arson for fraudulent purpose	Indictable	10 yrs	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
436	Arson by negligence	Indictable	5 yrs	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
436.1	Poss'n incendiary material	Indictable	5 yrs	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
437	False alarm of fire	Hyb-Ind.	2 yrs	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
		Hyb-Sum.	6 mth/2000*	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
444	Injure or endanger cattle	Hyb-Ind.	5 yrs	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	S. 447.1 discretionary prohibition order.
		Hyb-Sum.	18 mths/10,000	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
445	Injure or endanger other animals	Hyb-Ind.	5 yrs	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	S. 447.1 discretionary prohibition order.
		Hyb-Sum.	18 mths/10,000	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
445.1	Cause unnecessary suffering to animals or birds	Hyb-Ind.	5 yrs	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	S. 447.1 discretionary prohibition order.
		Hyb-Sum.	18 mths/10,000	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
446	Neglect animal or bird	Hyb-Ind.	2 yrs	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	S. 447.1 discretionary prohibition order.
		Hyb-Sum.	6 mths/5000	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
447	Keeping cockpit	Hyb-Ind.	5 yrs	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	S. 447.1 discretionary prohibition order.
		Hyb-Sum.	18 mths/10,000	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
449	Make counterfeit money	Indictable	14 yrs	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	S. 462.37 proceeds of crime forfeiture order on Crown application.
450	Possession, etc., of counterfeit money	Indictable	14 yrs	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	S. 462.37 proceeds of crime forfeiture order on Crown application.
452	Uttering, etc., counterfeit money	Indictable	14 yrs	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	S. 462.37 proceeds of crime forfeiture order on Crown application.
460	Advertising & dealing in counterfeit money	Indictable	5 yrs	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
462.31	Laundering proceeds of crime	Hyb-Ind.	10 yrs	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	S. 462.37 proceeds of crime forfeiture order on Crown application.
		Hyb-Sum.	6 mth/2000*	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	

*\$100,000 for organizations for summary conviction offence s. 735.

Sentence Option Illegal Sentence

P = Primary designated offence
S = Secondary designated offence
[see note on p. OG/2]

SECTION	TYPE	MAX/MIN SENTENCE	DISCHARGE s. 730											COMMENTS (applicability depends on circumstances of case)					
			SUSPENDED SENTENCE s. 731(1)(a)	FINE ALONE s. 734	PRISON s. 731(1)(b)	PRISON & PROBATION s. 731(1)(b)	PRISON s. 731(1)(b) & FINE s. 734	INTERMITTENT s. 739	FINE, PROB. & INTERMITTENT s. 739	CONDIITIONAL SENTENCE s. 742.1	WCTM SURCHARGE s. 737	CONDIITIONAL SENTENCE s. 742.1	CONDIITIONAL SENTENCE s. 742.1						
463(a) Attempts & accessories, indictable, punishment by death or life	Indictable	14 yrs	x	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 109 mandatory firearms order. S. 462.37 proceeds of crime forfeiture order on Crown application where applicable. S. 491 mandatory weapon forfeiture order. S. 522, release by Superior Court Judge only for offences listed in s. 469. May be designated offence for purpose of forensic DNA analysis; see the substantive offence. Note: A conditional sentence may be unavailable if offence falls within definition of serious personal injury offence in s. 752.
463(b) Attempts & accessories, indictable, punished by 14 yrs or less	Indictable Absolute PCJ if principal offence absolute PCJ S.553	1/2 max. for principal offence	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 110 discretionary firearms order. S. 462.37 proceeds of crime forfeiture order on Crown application. S. 491 mandatory weapon forfeiture order. May be designated offence for purpose of forensic DNA analysis; see the substantive offence.
463(c) Attempts & accessories, summary conviction	Summary	6 mth/2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
463(d) Attempts & accessories, hybrid offences	Hyb-Ind. Absolute PCJ if principal offence absolute PCJ S.553	1/2 max. for principal offence	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 110 discretionary firearms order. S. 462.37 proceeds of crime forfeiture order on Crown application where applicable. S. 491 mandatory weapon forfeiture order. For indictable, max. sentence is half of the maximum (indictable) for the principal offence. May be designated offence for purpose of forensic DNA analysis; see the substantive offence.
	Hyb-Sum.	6 mth/2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	May be designated offence for purpose of forensic DNA analysis; see the substantive offence.
464(a) Counsel indictable offence, offence not committed	Indictable Absolute PCJ if principal offence absolute PCJ S.553	Same as for attempts	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 462.37 proceeds of crime forfeiture order on Crown application where applicable. Max. sentence is same as for attempt.
464(b) Counsel s/c offence, offence not committed	Summary	6 mth/2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 462.37 proceeds of crime forfeiture order on Crown application where applicable.

* \$100,000 for organizations for summary conviction offence s. 735.

✓ Sentence Option x Illegal Sentence

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[see note on p. OG/2]

SECTION	TYPE	MAX/MIN SENTENCE	DISCHARGE s. 730											COMMENTS (applicability depends on circumstances of case)					
			SUSPENDED SENTENCE s. 731(1)(a)	FINE ALONE s. 734	PRISON s. 731(1)(b)	PRISON & PROBATION s. 731(1)(b)	PRISON s. 731(1)(b) & FINE s. 734	INTERMITTENT s. 739	FINE, PROB. & INTERMITTENT s. 739	CONDIITIONAL SENTENCE s. 742.1	WCTM SURCHARGE s. 737	CONDIITIONAL SENTENCE s. 742.1	CONDIITIONAL SENTENCE s. 742.1						
465(1)(a) Conspiracy, murder	Indictable	Life	x	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 109 mandatory firearms order. S. 462.37 proceeds of crime forfeiture order on Crown application where applicable. S. 491 mandatory weapon forfeiture order. S. 522, release by Superior Court Judge only. P
465(1)(b)(i) Conspiracy to prosecute, sentence 14 yrs or more	Indictable	10 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
465(1)(b)(ii) Conspiracy to prosecute, sentence under 14 yrs	Indictable	5 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
465(1)(c) Conspiracy to commit other indictable offence	Indictable Absolute PCJ if principal offence absolute PCJ S. 553	Same as for principal offence	**	✓	†	†	✓	†	✓	†	✓	†	✓	†	✓	†	✓	†	Max. sentence is same as for principal offence. S. 109 mandatory firearms order if punishment for principal offence is 10 yrs or more; otherwise, s. 110 discretionary firearms order. S. 462.37 proceeds of crime forfeiture order on Crown application where applicable. S. 491 mandatory weapon forfeiture order. S. 522, release by Superior Court Judge only for offences listed in s. 469(a). **Discharge only if principal offence is less than 14 yrs. †Fine or conditional sentence only if no minimum imprisonment for principal offence. May be designated offence for purpose of forensic DNA analysis; see the substantive offence.
465(1)(d) Conspiracy to commit summary conviction offence	Summary	6 mth/2000*	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
467.11 Participating in criminal organization	Indictable	5 yrs	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	S. 467.14, sentence to be served consecutive to sentence imposed for offence arising out of same event.
467.12 Commission of offence for criminal organization	Indictable	14 yrs	x	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
467.13 Instructing offence for criminal organization	Indictable	Life	x	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	

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[see note on p. OG/2]



SECTION	TYPE	MAX/MIN SENTENCE	DISCHARGE s. 730											COMMENT'S (applicability depends on circumstances of case)		
			SUSPENDED SENTENCES s. 731(1)(a)	FINE ALONE s. 734	PRISON s. 731(1)(b)	PRISON & PROBATION s. 731(1)(b)	PRISON s. 736, 737	PRISON & PROBATION s. 731(1)(b)	INTERMITTENT s. 734	FINE, PROB. & INTERM s. 732	VICTIM SURCHARGE s. 737	CONDITIONAL SENTENCE s. 742.1				
708	Contempt of court witness fail to attend	90 days/ 100														May be ordered to pay costs incident to service and detention: s. 708(2). See s. 605(2) for contempt relating to exhibits.
733.1	Fail to comply with probation order	Hyb-Ind. Absolute PCJ 2 yrs														
		Hyd-Sum. 18 mth/ 2000														
811	Breach of recognizance	Hyb-Ind. Absolute PCJ 2 yrs														
		Summary 6 mth/ 2000*														

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✓ Sentence Option ✗ Illegal Sentence

P = Primary designated offence
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[see note on p. OG/2]

INDEX

NOTE: All references are to sections of the *Criminal Code* unless preceded by the following abbreviations:

CD = Controlled Drugs and Substances Act
CE = Canada Evidence Act
CH = Canadian Charter of Rights and Freedoms
WC = Crimes Against Humanity and War Crimes Act
YC = Youth Criminal Justice Act

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