

CANADA
PROVINCE OF PRINCE EDWARD ISLAND

INITIAL REPORT TO A JUDGE OR JUSTICE
(Section 489.1 CC)

(NOTE: This report is required when things are seized under the authority of all federal legislation whether or not charges are laid or proceedings are commenced. This Report is not required to document the arrest of a person but is required in relation to any things seized. Please ensure that all the appropriate boxes are checked.)

- To the Justice (or another justice for the same territorial division) who issued a warrant to the undersigned, pursuant to federal legislation (other than section 487.01, or 487.05 of the **Criminal Code**) for any warrant authorized seizure or seizure of things not specified in the warrant.
- To the Justice who issued a warrant pursuant to section 11(1) of the **Controlled Drugs and Substances Act**.
- To the Provincial Court Judge or Supreme Court Judge (or another Judge of the same issuing court) who issued a General Investigative warrant under section 487.01 of the **Criminal Code**.
- To the Youth Court Judge or Provincial Court Judge (or another Judge of the same issuing court) who issued a Bodily Substance warrant under section 487.05 of the **Criminal Code**.
- To a Justice having jurisdiction in respect of the matter where pursuant to a Federal Act an authorized exigent circumstances seizure, plain view doctrine seizure, or a seizure authorized by the execution of duties has occurred.
- To a Supreme Court Judge where a Supreme Court Judge has issued a Restraint Order under section 14 of the **Controlled Drugs and Substances Act**.

I, _____, _____
(name of peace officer or other person) (occupation)

of _____, have (check as applicable)
(address)

- seized things pursuant to a warrant issued under section 487 of the **Criminal Code**
- seized things pursuant to a warrant issued under section 256 of the **Criminal Code**
- seized things pursuant to a warrant issued under section 11(1) of the **Controlled Drugs and Substances Act**
- while acting pursuant to a warrant, seized things permitted by section 489(1)(a) or (b) or (c) of the **Criminal Code**
- while acting pursuant to a **Controlled Drugs and Substances Act** s. 11(1) warrant, seized things permitted by section 11(8) of the **Controlled Drugs and Substances Act**
- in my capacity as a peace officer, seized things permitted by section 11(7) of the **Controlled Drugs and Substances Act** in exigent circumstances
- restrained property pursuant to a Restraint Order issued under section 14 of the **Controlled Drugs and Substances Act** and served the restraint order upon _____ at _____, Prince Edward Island on _____, 201 .
- in my capacity as a peace officer or public officer, seized without warrant, things permitted by section 489(2)(a), (b) or (c) of the **Criminal Code**
- seized things pursuant to section 117.02(1) of the **Criminal Code**.
- in my capacity as a peace officer or public officer, seized things permitted by section 487.11 of the **Criminal Code** in exigent circumstance
- seized things pursuant to a Bodily Substance warrant under section 487.05 of the **Criminal Code**

- seized things pursuant to a General Investigative warrant under section 487.01 of the **Criminal Code**
- seized things pursuant to a warrant under a federal act as follows: _____
- seized things pursuant to other federal powers as follows: _____

1. In the course of searching _____
 the following things were seized and dealt with as follows:

Property seized <i>(describe each thing seized)</i>	Description <i>(state, in respect of each thing seized, whether (a) it was returned to the person lawfully entitled to its possession in which case the receipt shall be attached or (Note: only a peace officer may return items seized prior to this report) s. 489.1(2) of the Criminal Code or (b) it is being detained to be dealt with according to law, and the location and the manner in which , or where applicable, the person by whom, it is being detained.)</i>
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Property	Disposition
1. _____	_____
2. _____	_____
3. _____	_____

(If additional space is required, attach a schedule to this report in the same manner as above.)

The detention of the property seized identified as # _____ is/are required for the purpose of enabling the police to continue an investigation and will be necessary as evidence for the purpose of prosecuting any charge(s) which may result from the investigation or other proceedings that may arise from the investigation.

The property seized and identified as # _____ is/are not required to be detained and have been returned to the person lawfully entitled to its possession, and a receipt for such items has been issued (section 489.1(1)(a)).

- A consent to detention of all things seized is **attached** pursuant to section 490(3.1) of the Criminal Code.
- A consent to detention of some things seized is **attached** pursuant to section 490(3.1) of the Criminal Code.

Dated at _____, Prince Edward Island, on the ____ day of _____, 201 .

(Signature of peace officer/other person)

Detention Order For Things Seized

Upon application of _____, and having been satisfied that the detention of the thing(s) seized is required for the purposes of any investigation or a preliminary inquiry, trial or other proceeding, **IT IS HEREBY ORDERED** that, pursuant to section 490(1)(b) of the *Criminal Code*, the thing(s) set out in the **INITIAL REPORT TO A JUDGE OR JUSTICE**, be **detained for a period of three months from the date of the seizure, unless an application for an order of further detention is made**, or for another time period as provided by provincial statute, or proceedings are instituted in which the thing(s) detained may be required. It is also ordered that the thing(s) be entrusted to the custody of the applicant or her/his designate.

Dated this ____ day of _____, 201

 Judge/Justice/Youth Court Judge