

PRACTICE DIRECTIVE 13

APPLICATION TO CHANGE A RELEASE ORDER MADE PURSUANT TO PART XVI OF THE CRIMINAL CODE

APPLICATION OF THE PRACTICE DIRECTIVE AND TO WHOM MADE

13.01 An application pursuant to provisions of Part XVI of the *Code* to vary or revoke a release order made pursuant to a provision of Part XVI of the *Code* shall be made on Form 9 or such other form acceptable to the court and in accordance with this Practice Directive, unless both the applicant and the respondent request the court to dispense with the application of this Practice Directive.

CONTENT OF APPLICATION

13.02 Every Notice of Application shall state:

- (a) the conditions(s) sought to be changed; and
- (b) the reason(s) for seeking the change.

MATERIAL IN SUPPORT OF APPLICATION

13.03(1) The applicant shall file with the application a copy of the existing release order (written undertaking, recognizance) sought to be changed.

13.03(2) The applicant may file in support of the application

- (a) an affidavit prepared in accordance with Practice Directive 4.04;
- (b) the original or copy of any other document; and
- (c) the written consent of the prosecutor.

SERVICE AND FILING

13.04(1) The Notice of Application and other supporting materials shall be served in accordance with Practice Directive 6.03(1).

13.04(2) The Notice of Application shall be filed in accordance with Practice Directive 6.03(2).