|  |  |
| --- | --- |
| **APPLICATION TO VARY BY CONSENT**  **JUDICIAL INTERIM RELEASE /**  **POLICE ISSUED RELEASE**  **s.519.1** | **DEMANDE DE MODIFICATION DE L’ORDONNANCE DE MISE EN LIBERTÉ SOUS CAUTION PAR CONSENTEMENT**  **MISE EN LIBERTÉ PROVISOIRE PAR VOIE JUDICIAIRE/MISE EN LIBERTÉ PAR LA POLICE**  **art. 519.1** |

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **PART ONE: APPLICANT/COUNSEL** | | | | | | | | | **PREMIÈRE PARTIE : DEMANDEUR/AVOCAT** | | | | | | | | | | |
| The following is a request for a variation with respect to the Interim Release of : | | | | | | | | | Le présent constitue une demande de modification  d’une ordonnance de mise en liberté sous caution relatif à: | | | | | | | | | | |
|  | | | | | | | | |  | | | | | | | | | | |
| **Click or tap here to enter text.** | | | | | |  | Click or tap here to enter text. | | | | | | | | |  | In Custody/ Sous garde | | |
| Name of Accused/Defendant/Young Person  Nom du (de la) prévenu(e)/L'adolescent(e) | | | | | |  | Date of Birth  Date de naissance | | | | | | | | |  | | | |
| entered into on/signée le | | | | Day | Month | | | | Year | | | | | |  | | | | |
|  | | | | (day/jour) | (month/mois) | | | | (year/année) | | | | | |  | | | | |
|  | | | |  |  | | | |  | | | | | |  | | | | |
| granted by/accordée par | | | **Click or tap here to enter text.** | | | | | | | | or/ou |  | | Police Issued Release/Mise en liberté par la police | | | | | |
|  | | | (Judge/Justice/Juge/Juge de paix) | | | | | | | |  |  | |  | | | | | |
| Details of the requested variation and the reason for the request:/ Précisions concernant la modification demandée et motifs de la demande : | | | | | | | | | | | | | | | | | | | |
| **Click or tap here to enter text.** | | | | | | | | | | | | | | | | | | | |
| **To be completed by Counsel or Applicant if self-represented:** | | | | | | | | | | **À remplir par l’avocat(e) ou par la personne qui fait demande si elle n’est pas représentée :** | | | | | | | | | |
|  | | | | | | | | | |  | | | | | | | | | |
| Counsel or Applicant's name/Nom de l’avocat ou du demandeur: | | | | | | | | | | | | | **Click or tap here to enter text.** | | | | | | |
| Email address of Counsel or Applicant/  Adresse électronique de l’avocat ou du demandeur: | | | | | | | | | | | | | **Click or tap here to enter text.** | | | | | | |
| Phone/Téléphone: | | | | | | | | | | | | | **Click or tap here to enter text.** | | | | | | |
|  | | | | | | | | | | | | |  | | | | | | |
| I have spoken with | | Click or tap here to enter text. | | | | |  | J’ai parlé à | | | | | Click or tap here to enter text. | | | | |  | |
|  |  | Name of surety(ies) | | | | |  | Nom de la ou des cautions | | | | | | | | | | | |
| and they are aware of the variation request and consent to the | | | | | | |  | qui est au courant de la demande de modification et y consent. | | | | | | | | | | | |
| variation. | | | | | | |  |  | | | | | | | | | | | |
|  |  | | | | | |  |  | | | | | | | | | | | |
| If the variation is granted, the surety(ies) and the applicant | | | | | | |  | Si les modifications sont acceptées, la ou les cautions et le | | | | | | | | | | | |
| understand that they will be required to attend the court office to | | | | | | |  | demandeur comprennent qu’ils seront tenus de se présenter au | | | | | | | | | | | |
| sign the variation **before it will take effect**. | | | | | | |  | greffe de la Cour pour signer les modifications **avant leur prise d’effet.** | | | | | | | | | | | |
|  | | | | | | |  |  | | | | | | | | | | | |
|  |  | | | | | | | |  | | | | Click or tap here to enter text. | | | | | |  |
|  | Signature of counsel/accused/young person | | | | | | | |  | | | | Date | | | | | |  |
|  | Signature de l’avocat(e)/de la personne accusée/de la jeune personne | | | | | | | |  | | | |  | | | | | |  |
|  | | | | | | | | | | | | | | | | | | | |

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **CROWN CONSENT** | | | | **CONSENTEMENT DU POURSUIVANT** | | | | |
| By consent of Crown, change to take effect only when  signed by the accused and surety(ies) | | ⌧ | | Avec le consentement du Poursuivant, les modifications ne prendront effet que lorsque la personne accusée et la ou les cautions auront signé le présent | | | | |
|  | |  | |  | | | | |
| Domestic Violence / Violence familiale | | |  | Yes / Oui |  | | No / Non | |
|  | | | | | | | | |
| The consent of the complainant has been provided through  Victim Services. | | |  | Le consentement du (de la) plaignant(e) a été fourni par  l'intermédiaire de Services aux victimes. | | | | |
|  | | |  |  | | | | |
| **Click or tap here to enter text.** |  | | | |  | **Enter date** | |  |
|  | Name and Signature of Crown/Nom et signature du Poursuivant | | | |  | Date | |  |
|  |  | | | |  |  | |  |

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **JUDICIAL DECISION/DÉCISION JUDICIAIRE** | | | | | | | |
|  |  | | |  |  | | |
|  | Variation Granted/Modification accordée | | |  | Hearing required/Audience requise | | |
|  | | | | | | | |
| Judge/Juge | | **Click or tap here to enter text.** | | | | |  |
|  | | Name and Signature of Judge/Nom et signature du juge | | | | |  |
|  | |  | | | | |  |
| Date | | **Click or tap here to enter text.** |  | | |  |  |
|  | |  |  | | |  |  |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **JUSTICE/JUGE DE PAIX** | |  |  |  |
| **Click or tap here to enter text.** |  |  | **Enter date** |  |
|  | Name and Signature of Justice/Nom et signature du juge de paix |  | Date |  |
|  |  |  |  |  |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **SIGNATURES AFTER COURT APPROVAL/**  **SIGNATURES APPOSÉES APRÈS APPROBATION PAR LE TRIBUNAL** | | | | Date | Justice/Court Clerk  Juge de paix/Greffier |
| Accused/Defendant/Young Person | | | **Click or tap here to enter text.** | **Enter text** | **Enter text** |
| Prévenu(e)/Défendeur/L’adolescent(e) | | |
| Surety/Caution | (1) | **Click or tap here to enter text.** | | **Enter text** | **Enter text** |
|  | (2) | **Click or tap here to enter text.** | | **Enter text** | **Enter text** |
|  | | | | | |

|  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Original – Court / Document original – Cour | | | **Interim Release Conditions Report distributed as follows/ Le rapport sur les conditions de mise en liberté provisoire est distribué aux personnes suivantes :** | | | | | | | | | |
|  | Police Agency/Report No.: |  | | |  | accused/defendant/young person/counsel/surety | | | | | | |
|  |  |  | | |  |  | | | | | | |
|  | Other (stakeholders) / Autres personnes (intervenants) : | | |  | | | Date: |  | Initials: | |  |  |
|  | | | | | | | | | | | | |
| **Original Interim Release noted "Varied"/Formule de mise en liberté provisoire portant la mention « modifiée »** | | | | | | | | |  | Yes | | |

|  |  |
| --- | --- |
| **HOW TO CHANGE YOUR**  **BAIL ORDER** | **COMMENT MODIFIER VOTRE**  **ORDONNANCE DE MISE EN**  **LIBERTÉ SOUS CAUTION** |

|  |  |  |  |
| --- | --- | --- | --- |
| **1.** | Complete Part One of the application form to request a variation to your bail order. | **1.** | Remplir la première partie du présent formulaire pour demander la modification de votre ordonnance de mise en liberté sous caution. |

|  |  |  |  |
| --- | --- | --- | --- |
| **2.** | Attach a copy of your bail order to this application form and send both to the Crown Attorney's office. | **2.** | Annexer une copie de votre ordonnance de mise en liberté sous caution au présent formulaire et faire parvenir ces deux documents au bureau du procureur général. |

|  |  |  |  |
| --- | --- | --- | --- |
| **3.** | If the Crown consents to the change, the application will be forwarded to the Court Office for the Judge's consideration. If the Judge approves the change, you will be notified. | **3.** | Si le Poursuivant accepte la modification demandée, le présent formulaire sera acheminé au greffe du tribunal pour être soumis à l'examen du juge. Si le juge approuve la modification demandée, vous en serez avisé. |

|  |  |  |  |
| --- | --- | --- | --- |
| **4.** | After this application has been approved, you must attend the Court Office to sign the variation form.  If you have a surety, your surety must attend the Court Office to sign the variation form before you sign it. You will have to notify your surety to attend the Court Office.  The change you've requested is conditional upon you and your surety(ies) signing the variation form. If the form is not signed within 30 days of your initial application, it will be considered abandoned and returned to the Crown's office. | **4.** | Une fois que la présente demande a été approuvée, vous devez vous présenter au greffe du tribunal pour signer le formulaire de modification.  Si vous avez une caution, celle-ci doit se présenter au  greffe du tribunal pour signer le formulaire de modification avant que vous ne la signiez vous-même. Vous devrez informer votre caution de son obligation de se présenter au greffe du tribunal.  Pour que la modification que vous avez demandée  prenne effet, vous et votre caution devrez signer le présent formulaire. Si vous ne le signez pas dans un délai de 30 jours de la date de votre demande initiale, elle sera considérée abandonnée et renvoyée au bureau du procureur général. |

|  |  |  |  |
| --- | --- | --- | --- |
| **5.** | If the Crown is opposed to the change or if the Judge will not approve the change, you will be notified. | **5.** | Si le Poursuivant s'oppose à la modification demandée ou si le juge n'approuve pas la modification demandée, vous en serez informé. |