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| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| APPLICATION TO JUSTICE TO STRIKE OUT CONVICTION | | | | | | | | | | | | | | | | | | | | | | | | |
| ONTARIO COURT OF JUSTICE | | | | | | Under subsection 9(3) and subsection 85(1) of the *Provincial Offences Act* | | | | | | | | | | | | | | Form 101.1 | | | | |
| PROVINCE OF ONTARIO | | | | | |  | | | | | | | | | | | | | | *Courts of Justice Act*  R.R.O. 1990  Reg. 200 | | | | |
|  | | | | | |  | | | | | | | | | | | | | |  | | | | |
|  | Defendant’s Statement | | | | | | | | | | | | | | | | | | | | | | |  |
| I, |  | | | | | | | | | | | | | | | | | | | | | | | , |
|  | (name) | | | | | | | | | | | | | | | | | | | | | | |  |
| of | |  | | |  | | | | | | |  | | | | |  | | | |  | | | , |
|  | | (street number) | | | (street) | | | | | | | (apt. number) | | | | | (municipality) | | | | (postal code) | | |  |
|  | | | | | | | | | | | | | | | | | | | | | | | | |
|  | |  | | | | | |  | | | | | | | | | | | | | | | |  |
|  | | (phone) | | | | | | (email) | | | | | | | | | | | | | | | |  |
| make an application to have a justice strike out the conviction entered against me. In support, I confirm and assert as follows: | | | | | | | | | | | | | | | | | | | | | | | | |
| 1. | | I was deemed not to dispute the charge and convicted of: | | | | | | | | | | |  | | | | | | | | | | |  |
|  | |  | | | | | | | | |  | | |  | | | | | | | | | | |
|  | |  | | |
|  | | *Description of Offence* | | | | | | | | |  | | | *Offence Number* | | | | | | | | | | |
|  | |  | | | | | | | | |  | | |  | | | | | | | | | | |
|  | |  | | |
|  | | *Offence Date* | | | | | | | | |  | | | *Conviction Date* | | | | | | | | | | |
| 2. | | The conviction first came to my attention on the | | | | |  | | | | | | | | | | | day of |  | | | , yr. |  | |
|  | |  | | More than 15 days have passed since becoming aware of the conviction and I am requesting an extension of time to make this application based on the following reasons: (state reason) | | | | | | | | | | | | | | | | | | | | |
|  | | | |  | | | | | | | | | | | | | | | | | | | | |
| 3. | | I ask that the conviction be struck out as the certificate of offence is defective, as determined by the regulations, or is otherwise not complete and regular on its face because: (state reason) | | | | | | | | | | | | | | | | | | | | | | |
|  | |  | | | | | | | | | | | | | | | | | | | | | | |
| **I assert that the facts contained in this statement are true, complete and accurate.** | | | | | | | | | | | | | | | | | | | | | | | | |
|  | | | | | | | | |  | | | | | |  | | | | | | | | | |
| Date *(YYYY-MM-DD)* | | | | | | | | |  | | | | | | Signature of Defendant | | | | | | | | | |
| **NOTE:**  Section 86 of the *Provincial Offences Act* provides that every person who makes an assertion of fact in a statement or entry in a document or form for use under this Act knowing that the assertion is false is guilty of an offence and on conviction is liable to a fine of not more than $2,000. | | | | | | | | | | | | | | | | | | | | | | | | |
| *FOR COURT USE ONLY* | | | | | | | | | | | | | | | | | | | | | | | | |
| **RECORD OF JUDICIAL DECISION AND REASONS FOR DECISION**  Under subsection 9(4) of the *Provincial Offences Act* and Rule 23 of Regulation 200; and subsection 85(1) of the *Provincial Offences Act* | | | | | | | | | | | | | | | | | | | | | | | | |
|  | | | Application granted for extension of time (if applicable)  Application denied for extension of time (if applicable) | | | | | | |  | | | | | | Application to strike conviction granted, proceeding quashed  Application to strike conviction denied, conviction upheld | | | | | | | | |
| Reason: | | | | | | | | | | | | | | | | | | | | | | | | |
|  | | | | | | | | |  | | | | | | |  | | | | | | | | |
| Date *(YYYY-MM-DD)* | | | | | | | | |  | | | | | | | Signature of Justice of the Peace | | | | | | | | |

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| REQUÊTE AU JUGE D’ANNULER LA DÉCLARATION DE CULPABILITÉ | | | | | | | | | | | | | | | | | | | | | | | | | |
| COUR DE JUSTICE DE L’ONTARIO | | | | | | | En vertu du paragraphe 9 (3) et du paragraphe 85 (1) de la *Loi sur les infractions provinciales* | | | | | | | | | | | | | | Formulaire 101.1 | | | | |
| PROVINCE DE L’ONTARIO | | | | | | |  | | | | | | | | | | | | | | *Loi sur les tribunaux judiciaires*  R.R.O. 1990  Règl. de l’Ont. 200 | | | | |
|  | | | | | | |  | | | | | | | | | | | | | |  | | | | |
|  | Déclaration du défendeur | | | | | | | | | | | | | | | | | | | | | | | |  |
| Je soussigné(e) | | | | |  | | | | | | | | | | | | | | | | | | | | , |
|  | | | | | (nom) | | | | | | | | | | | | | | | | | | | |  |
| de | |  | | | |  | | | | |  | | | | | | | |  | | |  | | | , |
|  | | (numéro de rue) | | | | (rue) | | | | | (numéro d’appart.) | | | | | | | | (municipalité) | | | (code postal) | | |  |
|  | | | | | | | | | | | | | | | | | | | | | | | | | |
|  | |  | | | | | |  | | | | | | | | | | | | | | | | |  |
|  | | (téléphone) | | | | | | (courriel) | | | | | | | | | | | | | | | | |  |
| demande, par requête, à un juge d’annuler la déclaration de culpabilité inscrite contre moi. À l’appui de ma requête, je confirme et déclare ce qui suit : | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1. | | J’ai été réputé(e) ne pas désirer contester l’accusation et j’ai été déclaré(e) coupable de : | | | | | | | | | | | | | | | | | | | | | | |  |
|  | |  | | | | | | | | | |  |  | | | | | | | | | | | | |
|  | |  |
|  | | *Description de l’infraction* | | | | | | | | | |  | *Numéro d’infraction* | | | | | | | | | | | | |
|  | |  | | | | | | | | | |  |  | | | | | | | | | | | | |
|  | |  |
|  | | *Date de l’infraction* | | | | | | | | | |  | *Date de la déclaration de culpabilité* | | | | | | | | | | | | |
| 2. | | J’ai pris connaissance de la déclaration de culpabilité le | | | | | | |  | | | | | | | | | jour de | |  | | | année |  | |
|  | |  | | Plus de 15 jours se sont écoulés depuis que j’ai pris connaissance de la déclaration de culpabilité et je demande une prorogation du délai de dépôt de la présente requête pour les motifs suivants : (indiquer les motifs) | | | | | | | | | | | | | | | | | | | | | |
|  | | | |  | | | | | | | | | | | | | | | | | | | | | |
| 3. | | Je demande l’annulation de la déclaration de culpabilité au motif que le procès-verbal d’infraction est vicié, comme prévu par les règlements, ou qu’il n’est pas complet et régulier à première vue, parce que : (indiquer la raison) | | | | | | | | | | | | | | | | | | | | | | | |
|  | |  | | | | | | | | | | | | | | | | | | | | | | | |
| **J’atteste que les faits contenus dans la présente déclaration sont véridiques, complets et exacts.** | | | | | | | | | | | | | | | | | | | | | | | | | |
|  | | | | | | | | | |  | | | |  | | | | | | | | | | | |
| Date *(JJ-MM-AAAA)* | | | | | | | | | |  | | | | Signature du défendeur | | | | | | | | | | | |
| **REMARQUE :**  L’article 86 de la *Loi sur les infractions provinciales* prévoit qu’est coupable d’une infraction et passible, sur déclaration de culpabilité, d’une amende d’au plus 2 000 $, quiconque affirme un fait dans une déclaration ou l’inscrit dans un document ou un formulaire dont cette loi prévoit l’usage, et sait que cette affirmation est fausse. | | | | | | | | | | | | | | | | | | | | | | | | | |
| *RÉSERVÉ AU TRIBUNAL* | | | | | | | | | | | | | | | | | | | | | | | | | |
| **DOSSIER DE LA DÉCISION JUDICIAIRE ET DES MOTIFS DE LA DÉCISION**  En vertu du paragraphe 9 (4) de la *Loi sur les infractions provinciales* et de la règle 23 du  Règlement 200; et du paragraphe 85 (1) de la *Loi sur les infractions provinciales* | | | | | | | | | | | | | | | | | | | | | | | | | |
|  | | | La requête en prorogation du délai est accueillie (le cas échéant) | | | | | | | | | | | | |  | La requête en annulation de la déclaration de culpabilité est accueillie, l’instance est annulée | | | | | | | | |
|  | | | La requête en prorogation du délai est rejetée (le cas échéant) | | | | | | | | | | | | |
|  | | |  | | | | | | | | | | | | |  | La requête en annulation de la déclaration de culpabilité est rejetée, la déclaration de culpabilité est confirmée | | | | | | | | |
| Motif : | | | | | | | | | | | | | | | | | | | | | | | | | |
|  | | | | | | | | | |  | | | | |  | | | | | | | | | | |
| Date *(JJ-MM-AAAA)* | | | | | | | | | |  | | | | | Signature du juge de paix | | | | | | | | | | |