|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  | | | | | | | | |  | | |  | | | | |
| Form 5 | | | | | | | | | | | | | | | | |
| NOTICE OF APPLICATION AND CONSTITUTIONAL ISSUE | | | | | | | | | | | | | | | | |
| ONTARIO  SUPERIOR COURT OF JUSTICE | | | | |  | | (*Criminal Proceedings Rules*, Rule 27.03) | | | | | |  |  | | |
|  | | | | |  | |  | | | | | |  |  | | |
|  | | | | |  | |  | | | | | |  | Court File No. (if known) | | |
| Region | | | | |  | |  | | | | | |  |  | | |
| BETWEEN: | | | | | | | | | | | | | | | | |
| **HIS MAJESTY THE KING** | | | | | | | | | | | | | | | | |
| **- and -** | | | | | | | | | | | | | | | | |
|  | | | | | | | | | | | | | | | | |
| (specify name of accused) | | | | | | | | | | | | | | | | |
| **TAKE NOTICE** that the | | | |  | | | | | | | | | | | | will bring an application on |
|  | | | | (identify party) | | | | | | | | | | | |  |
|  | day, the | |  | | | day of | |  | | , yr. |  | | | | , at | |
|  |  | |  | | |  | | (specify month) | |  |  | | | |  | |
|  | | | | | | | | | | | | | | | | |
| (specify address of courthouse) | | | | | | | | | | | | | | | | |
| for an order granting | |  | | | | | | | | | | | | | | |
|  | | (set out precise relief sought) | | | | | | | | | | | | | | |
| **THE GROUNDS FOR THIS APPLICATION ARE:** | | | | | | | | | | | | | | | | |

|  |  |  |
| --- | --- | --- |
| 1. | That |  |
| 2. | That |  |
| 3. | Such further and other grounds as counsel may advise and this Honourable Court may permit. | |

|  |  |
| --- | --- |
| **THE CONSTITUTIONAL ISSUES TO BE RAISED ARE:** | |
| (state concisely each issue to be raised) | |
| 1. |  |
| 2. |  |
| 3. |  |

|  |  |
| --- | --- |
| **THE CONSTITUTIONAL PRINCIPLES TO BE ARGUED ARE:** | |
| 1. |  |
| 2. |  |
| 3. |  |

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Page 2 | | | | | | | | | | | | | | |
| NOTICE OF APPLICATION AND CONSTITUTIONAL ISSUE | | | | | | | | | | | | | | |
| (*Criminal Proceedings Rules*, Rule 27.03, Form 5) | | | | | | | | | | | | | | |
| **STATUTORY PROVISIONS OR RULES UPON WHICH THE APPLICANT PLACES RELIANCE ARE:** | | | | | | | | | | | | | | |
| 1. |  | | | | | | | | | | | | | |
|  | | | | | | | | | | | | | | |
| **IN SUPPORT OF THIS APPLICATION, THE APPLICANT RELIES UPON THE FOLLOWING:** | | | | | | | | | | | | | | |
| (set out documents such as transcripts, etc. upon which the applicant relies) | | | | | | | | | | | | | | |
| 1. |  | | | | | | | | | | | | | |
|  | | | | | | | | | | | | | | |
| **THE RELIEF SOUGHT IS:** | | | | | | | | | | | | | | |
| 1. | An Order allowing the application and granting | | | | | | | | | | | | | |
|  | (indicate particular relief sought) | | | | | | | | | | | | | |
|  |  | | | | | | | | | | | | | |
|  | | | | | | | | | | | | | | |
| **THE APPLICANT MAY BE SERVED WITH DOCUMENTS PERTINENT TO THIS APPLICATION** | | | | | | | | | | | | | |
| 1. | By service in accordance with rule 5, through | | | | | | | | | | | | |
|  |  | | | | | | | | | | | | |
|  | (specify address) | | | | | | | | | | | | |
| **DATED** at | | |  | , Ontario, this | | | |  | day of |  | , 20 |  | . |
|  | | | | |  | | | | | | | | |
|  | | | | | Signature of applicant or counsel | | | | | | | | |
|  | | | | |  | | | | | | | | |
|  | | | | | (set out name and address, as well as telephone number and email) | | | | | | | | |
| To | | The Attorney General of Ontario | | | |  |  | | | | | | |
|  | | Constitutional Law Branch | | | |  |  | | | | | | |
|  | | Legal Services Division | | | |  |  | | | | | | |
|  | | 720 Bay Street, 4th Floor | | | |  |  | | | | | | |
|  | | Toronto, Ontario M5G 2K1 | | | |  |  | | | | | | |
|  | |  | | | |  |  | | | | | | |
|  | | The Attorney General of Canada | | | |  |  | | | | | | |
|  | | 120 Adelaide Street West | | | |  |  | | | | | | |
|  | | Suite 400 | | | |  |  | | | | | | |
|  | | Toronto, Ontario M5H 1T1 | | | |  |  | | | | | | |
|  | | Email: [NCQ-AQC.Toronto@justice.gc.ca](mailto:NCQ-AQC.Toronto@justice.gc.ca) | | | |  |  | | | | | | |
|  | | *(or* Justice Building | | | |  |  | | | | | | |
|  | | 284 Wellington Street | | | |  |  | | | | | | |
|  | | Ottawa, Ontario K1A 0H8 | | | |  |  | | | | | | |
|  | | Email: [AGC\_PGC\_OTTAWA@JUSTICE.GC.CA](mailto:AGC_PGC_OTTAWA@JUSTICE.GC.CA)*)* | | | |  |  | | | | | | |
|  | |  | | | |  |  | | | | | | |
|  | | and/or | | | |  |  | | | | | | |
|  | | (office of the prosecutor) | | | |  |  | | | | | | |