

FORM M
(Rule 51)

File No. 20__ 01H ____
IN THE COURT OF APPEAL OF NEWFOUNDLAND AND LABRADOR

BETWEEN:

APPLICANT/APPELLANT

AND:

RESPONDENT

RELEASE ORDER

1. Identification

Surname: _____ Given name(s): _____

Date of Birth: _____

2. Contact Information

Address: _____ Telephone: _____ Email: _____

3. Before: (name of Justice who granted the order) _____

Whereas:

On _____ (date), the Court heard submissions from _____, counsel
for the applicant, and _____ counsel for the respondent;

The applicant has filed a notice of appeal, and, if necessary, an application for leave to appeal, in respect to the
following convictions:

(Set out each conviction being appealed and the sentence imposed)

Accordingly, it is ordered that, upon the Court accepting the following Appendix A completed by the applicant, the person having custody of the applicant shall immediately release the applicant if the applicant is not detained for another reason.

Appendix A

1. **Financial Obligations**

- You do not have any financial obligations under this release order.
Or

In order for you to be released, the obligations that are indicated below by a check mark must be complied with.

- You promised to pay the amount of _____ if you fail to comply with a condition of this release order.
- You must deposit money in the amount of _____ or other valuable security whose value does not exceed _____ with the clerk of the court.
- The surety _____ (*name*), born on _____ (*date of birth*), promises to pay or deposits to the court the amount of _____
- The surety _____ (*name*), born on _____ (*date of birth*), promises to pay or deposits to the court the amount of _____
- The surety _____ (*name*), born on _____ (*date of birth*), promises to pay or deposits to the court the amount of _____

2. **Conditions**

- You must immediately surrender yourself into police custody (and within 24 hours that judgment is filed) if your appeal is dismissed, unless otherwise specified in the filed judgment or by court order.

You must also comply with the conditions that are indicated below by a check mark.

- You must report to _____ (*name or title*) at _____ (*place*) on _____ (*date or dates*).
- You must remain within the territorial jurisdiction of _____ (*province or territory*).
- You must notify _____ (*name, title and phone number*) of any change of your _____ (*address, employment or occupation*).
- You must not communicate, directly or indirectly, with _____ (*victims, witnesses or other persons*), except in accordance with the following conditions:
- _____
- You must not go to _____ (*place*) or enter _____ (*geographic area*), except in accordance with the following conditions:
- _____
- You must deposit all your passports with _____ (*name or title*) at _____ (*place*) before _____ (*date*).
- You must not possess a firearm, crossbow, prohibited weapon, restricted weapon, prohibited device, ammunition, prohibited ammunition or explosive substance and you must surrender any of them in your possession and any authorization, licence or registration certificate or other document enabling the acquisition or possession of a firearm to _____ (*name or title*) at _____ (*place*).
- You must comply with the following conditions (*conditions for ensuring the safety and security of any victim of or witness to the alleged offence*):
- _____

- You must comply with the following conditions:

3. Variation

The conditions of this release order may be varied with the written consent of the prosecutor, yourself and your sureties, if any. In addition, you or the prosecutor may apply to a judge to have any condition in this release order cancelled or changed.

4. Conditions in effect

The conditions indicated by a check mark on this release order (including any obligations imposed on your sureties) remain in effect until they are cancelled or changed or until your appeal is decided.

5. Consequences for non-compliance

You are warned that, unless you have a lawful excuse, you will commit an offence under section 145 of the *Criminal Code* if you fail to follow any of the conditions set out in this release order, including if you fail to attend court as required.

If you commit an offence under section 145 of the *Criminal Code*, a warrant for your arrest may be issued (sections 512 and 512.3 of the *Criminal Code*) and you may be liable to a fine or to imprisonment, or to both.

If you do not comply with this release order or are charged with committing an indictable offence after you have been released, this release order may be cancelled and, as a result, you may be detained in custody (section 524(4) of the *Criminal Code*).

If you do not comply with this release order, the money or other valuable security promised or deposited by you or your surety could be forfeited (subsection 771(2) of the *Criminal Code*).

6. Signatures

SURETY: *(if applicable)*

I understand my role and my responsibilities under this release order and I agree to act as a surety.

I agree to *(promise or deposit)* to the court the amount of money described in section 1 of Appendix A of this release order.

- Surety Declaration is attached (section 515.1 of the *Criminal Code*).
- Surety is exempted from providing a Surety Declaration (subsection 515.1(2) of the *Criminal Code*).

Signed on _____ (date), at _____ (place).

(signature of the surety)

SURETY: *(if applicable)*

I understand my role and my responsibilities under this release order and I agree to act as a surety.

I agree to _____ *(promise or deposit)* to the court the amount of money described in section 1 of Appendix A of this release order.

- Surety Declaration is attached (section 515.1 of the *Criminal Code*).
- Surety is exempted from providing a Surety Declaration (subsection 515.1(2) of the *Criminal Code*).

Signed on _____ (date), at _____ (place).

(signature of the surety)

SURETY: (if applicable)

I understand my role and my responsibilities under this release order and I agree to act as a surety.

I agree to (*promise or deposit*) to the court the amount of money described in section 1 of Appendix A of this release order.

- Surety Declaration is attached (section 515.1 of the *Criminal Code*).
- Surety is exempted from providing a Surety Declaration (subsection 515.1(2) of the *Criminal Code*).

Signed on _____ (date), at _____ (place).

(signature of the surety)

APPLICANT/APPELLANT:

I understand the contents of this form and agree to comply with the conditions that are indicated by a check mark.

I understand that I do not have to accept the conditions and that, if I do not accept the conditions, I will be detained.

Signed on _____ (date), at _____ (place).

(signature of the applicant/appellant)

JUSTICE OR CLERK OF THE COURT:

Signed on _____ (date), at _____ (place).

(signature of Justice or clerk of the court)

(name of Justice who has issued this order)