|  | | | | | | | File no.: | | | | | | | | | | | | | | |  | | | | | |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  | | | | | | |  | | | | | | | | | | | | | |  | | | | | | |
|  | | | | IN THE TERRITORIAL COURT OF YUKON | | | | | | | | | | | | | | | | | | |  | | | | |
|  | | | | | | |  | | | | | | | | | | | | | |  | | | | | | |
|  | | | | | | | **REGINA** | | | | | | | | | | | | | |  | | | | | | |
|  | | | | | | |  | | | | | | | | | | | | | | Applicant/ Respondent | | | | | | |
|  | | | | | | | v. | | | | | | | | | | | | | |  | | | | | | |
|  | | | | | | |  | | | | | | | | | | | | | |  | | | | | | |
|  | | | | | | |  | | | | | | | | | | | | | |  | | | | | | |
|  | | | | | | | (Name of accused) | | | | | | | | | | | | | |  | | | | | | |
|  | | | | | | |  | | | | | | | | | | | | | | Applicant/ Respondent | | | | | | |
|  | | | | | | | **NOTICE OF APPLICATION** | | | | | | | | | | | | | |  | | | | | | |
|  | | | | | | |  | | | | | | | | | | | | | |  | | | | | | |
| **TAKE NOTICE** that an application will be made by | | | | | | | | | | | | | | |  | | | | | | | | | | | | |
| to the court on the | | | | |  | | | day of | |  | | | | | | | | | | | | | | , | 20 | | |
| at the courthouse in | | | | | |  | | | | | | | | | | | | | , Yukon for an order: | | | | | | | | |
|  | | | | | | |  | | | | | | | | | | |  | | | | | | | | | |
|  |  | | Granting a remedy pursuant to subsection 24(1) of the *Charter*, specifically: | | | | | | | | | | | | | | | | | | | | | | | | |
|  |  | |  | | | | | | | | | | | | | | | | | | | | | | | | |
|  |  | |  | | | | | | | | | | | | | | | | | | | | | | | | |
|  |  | | Granting the exclusion of evidence pursuant to subsection 24(2) of the *Charter* (specify evidence to be excluded): | | | | | | | | | | | | | | | | | | | | | | | | |
|  |  | |  | | | | | | | | | | | | | | | | | | | | | | | | |
|  |  | |  | | | | | | | | | | | | | | | | | | | | | | | | |
|  |  | | Granting other relief (specify): | | | | | | | | | | | | | | | | | | | | | | | | |
|  |  | |  | | | | | | | | | | | | | | | | | | | | | | | | |
|  |  | |  | | | | | | | | | | | | | | | | | | | | | | | | |
|  |  | | Declaring the following enactment constitutionally invalid: | | | | | | | | | | | | | | | | | | | | | | | | |
|  |  | |  | | | | | | | | | | | | | | | | | | | | | | | | |
|  |  | |  | | | | | | | | | | | | | | | | | | | | | | | | |
|  |  | |  | | | | | | | | | | | | | | | | | | | | | | | | |
| **This application is based upon:** (specify the sections of the Charter, *Criminal Code*, other statutory or common law source of authority upon which the application is based) | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|  | 1. |  | | | | | | | | | | | | | | | | | | | | | | | | | |
|  | 2. |  | | | | | | | | | | | | | | | | | | | | | | | | | |
|  | 3. |  | | | | | | | | | | | | | | | | | | | | | | | | | |
|  |  |  | | | | | | | | | | | | | | | | | | | | | | | | | |
| **In support of this application, the applicant relies upon the following:**  **(a) evidence**: (set out documents, e.g. affidavits, transcripts, etc., and any potential witnesses upon which you intend to rely) | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|  | 1. |  | | | | | | | | | | | | | | | | | | | | | | | | | |
|  | 2. |  | | | | | | | | | | | | | | | | | | | | | | | | | |
|  | 3. |  | | | | | | | | | | | | | | | | | | | | | | | | | |
|  | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| **(b) grounds:** (set out a brief description of your argument) | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|  | 1. |  | | | | | | | | | | | | | | | | | | | | | | | | | |
|  | 2. |  | | | | | | | | | | | | | | | | | | | | | | | | | |
|  | 3. |  | | | | | | | | | | | | | | | | | | | | | | | | | |
|  |  |  | | | | | | | | | | | | | | | | | | | | | | | | | |
| **(c) case authorities:** (list case law on which you intend to rely) | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|  | 1. |  | | | | | | | | | | | | | | | | | | | | | | | | | |
|  | 2. |  | | | | | | | | | | | | | | | | | | | | | | | | | |
|  | 3. |  | | | | | | | | | | | | | | | | | | | | | | | | | |
|  |  |  | | | | | | | | | | | | | | | | | | | | | | | | | |
| It is expected that the application will take | | | | | | | | | | | |  | | | | | minutes/hours. | | | | | | | | | | |
|  | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Dated at | | |  | | | | | | , Yukon this | | | |  | | of |  | | | | | | | | | | , | 20 |
|  | | | | | | | | | | |  | | | | | | | | |  | | | | | | | |
|  | | | | | | | | | | | | | |  | | | | | | | | | | | | | |
| (Signature of applicant or counsel)  (set out name, address, telephone and fax numbers (if applicable)) | | | | | | | | | | | | | |  | | | | | | | | | | | | | |
|  | | | | | | | | | | |  | | | | | | | | |  | | | | | | | |

|  | | | | | | | | C.T. no: | | | | | | | | | | | | | | |  | | | | | |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  | | | | | | | |  | | | | | | | | | | | | |  | | | | | | | |
|  | | | | | | | COUR TERRITORIALE DU YUKON | | | | | | | | | | | | | | | | |  | | | | |
|  | | | | | | | | **LA REINE** | | | | | | | | | | | | |  | | | | | | | |
|  | | | | | | | |  | | | | | | | | | | | | | Requérante/Intimée | | | | | | | |
|  | | | | | | | | c. | | | | | | | | | | | | |  | | | | | | | |
|  | | | | | | | |  | | | | | | | | | | | | |  | | | | | | | |
|  | | | | | | | | (Nom du prévenu) | | | | | | | | | | | | |  | | | | | | | |
|  | | | | | | | |  | | | | | | | | | | | | | Requérant/Intimé | | | | | | | |
|  | | | | | | | | **AVIS DE REQUÊTE** | | | | | | | | | | | | |  | | | | | | | |
|  | | | | | | | |  | | | | | | | | | | | | | |  | | | | | | |
| **SACHEZ QU’**une requête sera présentée à la Cour par | | | | | | | | | | | | | | | | |  | | | | | | | | | | | |
| le |  | | | | | | | | jour de | |  | | | | | | | | | | | | | | , | 20 | | |
| au palais de justice de | | | | | |  | | | | | | | | | | | | | (Yukon), en vue d’obtenir | | | | | | | | | |
| une ordonnance : | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|  | | | | | | | |  | | | | | | | | | |  | | | | | | | | | | |
|  | |  | | | accordant un recours en vertu du par. 24(1) de la *Charte*, en particulier | | | | | | | | | | | | | | | | | | | | | | | |
|  | |  | | |  | | | | | | | | | | | | | | | | | | | | | | | |
|  | |  | | |  | | | | | | | | | | | | | | | | | | | | | | | |
|  | |  | | | permettant d’écarter certains éléments de preuve en vertu du par. 24(2) de la *Charte* (préciser les éléments de preuve à écarter) : | | | | | | | | | | | | | | | | | | | | | | | |
|  | |  | | |  | | | | | | | | | | | | | | | | | | | | | | | |
|  | |  | | |  | | | | | | | | | | | | | | | | | | | | | | | |
|  | |  | | | accordant une autre mesure de redressement (préciser) : | | | | | | | | | | | | | | | | | | | | | | | |
|  | |  | | |  | | | | | | | | | | | | | | | | | | | | | | | |
|  | |  | | |  | | | | | | | | | | | | | | | | | | | | | | | |
|  | |  | | | déclarant inconstitutionnel le texte législatif suivant : | | | | | | | | | | | | | | | | | | | | | | | |
|  | |  | | |  | | | | | | | | | | | | | | | | | | | | | | | |
|  | |  | | |  | | | | | | | | | | | | | | | | | | | | | | | |
|  | |  | | |  | | | | | | | | | | | | | | | | | | | | | | | |
| **La présente requête se fonde sur :** (préciser les dispositions de la *Charte, du Code criminel*, d’une autre loi ou de common law sur lesquelles se fonde la requête) | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|  | | 1. | |  | | | | | | | | | | | | | | | | | | | | | | | | |
|  | | 2. | |  | | | | | | | | | | | | | | | | | | | | | | | | |
|  | | 3. | |  | | | | | | | | | | | | | | | | | | | | | | | | |
|  | |  | |  | | | | | | | | | | | | | | | | | | | | | | | | |
| **À l’appui de la présente requête, le requérant se fonde sur ce qui suit :**  **a) preuve :** (préciser les documents – affidavits, transcriptions ou autres – que vous avez l’intention d’invoquer et tout témoin potentiel que vous avez l’intention de présenter) | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|  | | 1. | |  | | | | | | | | | | | | | | | | | | | | | | | | |
|  | | 2. | |  | | | | | | | | | | | | | | | | | | | | | | | | |
|  | | 3. | |  | | | | | | | | | | | | | | | | | | | | | | | | |
|  | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| **b) motifs :** (décrire brièvement votre argumentation) | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|  | | 1. | |  | | | | | | | | | | | | | | | | | | | | | | | | |
|  | | 2. | |  | | | | | | | | | | | | | | | | | | | | | | | | |
|  | | 3. | |  | | | | | | | | | | | | | | | | | | | | | | | | |
|  | |  | |  | | | | | | | | | | | | | | | | | | | | | | | | |
| **c) jurisprudence :** (énumérer la jurisprudence que vous avez l’intention d’invoquer) | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|  | | 1. | |  | | | | | | | | | | | | | | | | | | | | | | | | |
|  | | 2. | |  | | | | | | | | | | | | | | | | | | | | | | | | |
|  | | 3. | |  | | | | | | | | | | | | | | | | | | | | | | | | |
|  | |  | |  | | | | | | | | | | | | | | | | | | | | | | | | |
| La durée prévue de présentation de la requête est de | | | | | | | | | | | | | | | |  | | | | | | | | minutes/heures. | | | | |
|  | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Fait à | | |  | | | | | | | (Yukon), ce | | |  | | de | |  | | | | | | | | | |  | 20 |
|  | | | | | | | | | | | |  | | | | | | | |  | | | | | | | | |
|  | | | | | | | | | | | | | |  | | | | | | | | | | | | | | |
| (Signature du requérant ou de l’avocat)  (nom, adresse et no de téléphone et de télécopie (s’il y a lieu)) | | | | | | | | | | | | | |  | | | | | | | | | | | | | | |