

<b>Bond Room and Exhibits</b>		Inspection and Enforcement New Brunswick	1.1.3
Policy Title	New or Amended	Division / Branch / Section	Policy #
Chief/Executive Director	December 3, 2018	December 3, 2018	January 2021
Approved by	This policy was approved on:	This version takes effect on:	This policy will be reviewed by:

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## **1. Purpose of Policy**

- A. To ensure that articles seized or otherwise coming into Inspection and Enforcement New Brunswick's (IENB) possession are properly accounted for, securely stored, and properly disposed of.
- B. To provide and maintain consistent standards and processes for the handling of seized and found property under the control of IENB.
- C. To provide for the security, integrity, and continuity of seized and found property while providing access to the property for evidentiary purposes.

## **2. Admissibility of Exhibits/ Continuity**

- A. The admissibility of exhibits introduced in evidence will depend, in part, upon the manner in which they were collected and the safeguards which were followed to ensure continuity and the satisfaction of the Court, that the evidence was not altered and that it can be positively identified from all other items that may have a similar appearance.
- B. The admissibility of exhibits introduced as evidence can be facilitated if the investigating officer follows the accepted methods of:
  - i. marking the evidence for future identification; and
  - ii. maintaining the chain of possession.

## **3. Property Management Function**

IENB will establish and maintain a property management function for seized and found property which will include:

### *A. Handling*

- i. provide for the receipt, recording, storing, handling, and disposition of seized and found property in a consistent and accountable manner,
- ii. ensure the security of seized and found property by:
  - a. storing property in a designated secure area, conforming with all environmental requirements,
  - b. storing items of property requiring added protection in separate, locked, secure areas located within IENB's property storage area,

- c. limiting access to the property storage area to authorized personnel,
- iii. provide for the use of a detailed inventory relating to the acceptance, release and destruction of controlled drugs and substances held by IENB,
- iv. provide for the security of found and seized property during periods when the property room is closed,
- v. provide secure, refrigerated storage for perishable property items,

**B. Audit**

- i. ensure the integrity of the property management system through an independent periodic, documented, audit of seized and found property,

**C. Disposition**

- i. provide for the final disposition and disposal of found, recovered and evidentiary property after legal requirements have been satisfied,

**D. Administration**

- i. be described and maintained in writing,
- ii. be administered under the authority of the Chief/Executive Director of IENB or designate and the responsibility of the designated Exhibit Officer.

**4. Policy**

- A. All property coming into the possession of an IENB Officer for evidentiary purposes, safekeeping, or forfeiture shall be handled in a professional and ethical manner that maintains the requirements of continuity of evidence. All reports regarding the property shall be completed prior to the end of the Officer's working shift, unless the officer is authorized by a supervisor to do otherwise. Officers shall not keep, buy, barter, or accept as a gift any property that is found, seized by, surrendered to, or intended to be surrendered to IENB.
- B. Federal and Provincial statutes, including the *Criminal Code of Canada*, provide a Peace Officer with the authority to seize property in prescribed circumstances. Officers who seize property must have reasonable and probable grounds to do so and must conduct a thorough investigation in relation to that property. In some circumstances, whether or not there is sufficient evidence to recommend charges, it is appropriate to seize certain items where lawful authority exists (e.g., drugs, prohibited weapons). Where suspected stolen property is involved, Officers shall notify the policing agency having jurisdiction.

## 5. Definitions for the Purpose of this Policy

**Bond Room:** A secure room with controlled access where designated staff secure exhibits on behalf of IENB Exhibit Officers.

**Bond Room Custodian:** Specific IENB Officers shall be designated as Bond Room Custodians, with secondary Officers assigned as designates, to assume control and continuity of any exhibit submitted to Bond Rooms.

**Exhibit Officer:** Any IENB Officer who seizes or handles exhibits.

**Seized Property:** Is any property that comes into the possession of an IENB Officer during the course of an investigation, and is not considered found property, relinquished property, or property for safekeeping.

**Found Property:** Any property that is found by an IENB Officer to not be in the possession of the lawful owner, or person who claims to be the owner, and is not linked to an investigation or required for a future investigation.

**Found Property as Evidence:** Any property that is found by an IENB Officer to not be in the possession of the lawful owner, or person who claims to be the owner, but is linked to an investigation or required for a future investigation.

**Safekeeping:** Any property that belongs to a person in custody, which is too large to be admitted by IENB Officers, shall be securely stored in the Bond Room.

**Secure Room:** A locked room with controlled access where IENB Officers secure exhibits in locked personal lockers.

**Relinquishment:** An owner of property may relinquish claim to the property by voluntarily turning it over to IENB with the knowledge that the property will not be returned to them and will be otherwise disposed of by IENB Officers. Anyone in possession of property is deemed, in law, to be in lawful possession of the property, unless it is proven otherwise in a court of law. If an IENB Officer believes the possessor of property is neither the owner nor in lawful possession of the property, then the IENB Officer is conducting a possession of stolen property investigation. In that case, the IENB Officer cannot seek relinquishment of the property but can only seize the property, if reasonable grounds exist, during the course of the possession of stolen property investigation

## Storage of Exhibits

### 6. Disclaimer

Not all Sections within IENB have identical exhibit storage facilities; therefore, the following outlines general procedures for exhibit control that may require amendments to meet local conditions.

### 7. Overview of Bond Room Physical Requirements when Utilized

Exhibit storage facilities (Bond Rooms) where and when possible, shall entail the following:

- A. A secure area to store all exhibits held by IENB – preferably a locked room (inner) within a locked room (outer) with no outside wall on its perimeter with a security alarm and cameras installed. The walls ceiling, and doors to the rooms should be fortified. All walls within the outer and inner rooms should be windowless.
- B. Overnight lockers: lockers equipped with locks for overnight or weekend storage of seized items pending transfer to the bond room to be located in the outer room. Once closed, only the Bond Room Custodian may access the locker.
- C. Temporary lockers: temporary lockers located in the outer room and equipped with locks for storage of seized items that may require further expert examination or analysis or must remain in possession of the Officer who made the seizure for a specific reason. Only the Officer who placed the exhibit within the locker has access to the locker.

**Note:** When hazardous or biological materials must be secured, specially equipped Bond Rooms must be utilized without exception.

### 8. Key Control

- A. **Bond room** - One key for the bond room and each locker will be placed in separate envelopes, initialed, and dated by the Bond Room Custodian, and retained in a secure area for safekeeping and use in the event of an emergent requirement to enter the bond room or one of the lockers. The Exhibit Officer should hold a second key for the bond room.
- B. **Overnight lockers** - Overnight lockers will be equipped with keyed locks and, when unused, the locker doors should remain in the open position without the keys. When an exhibit is

placed in a locker, the door will be closed, which locks automatically, and the Exhibit Officer should retain the keys for the lockers.

- C. **Temporary lockers** - Temporary lockers will be equipped with keyed locks and, when unused, the keys should remain in the locks. When an Officer secures an exhibit in a temporary locker the key will be retained in the Officer's possession until such time as the exhibit is forwarded to an analyst for examination, at which point the key should be returned to the lock.

## 9. Log Book

Each Bond Room may contain a log book to record the transfer of submission of all exhibits into and out of the Bond Room.

## 10. Submitting Exhibits

The procedure for submitting exhibits to the Bond Room shall be followed in accordance with the [Exhibit Process Map](#)

## 11. Overview of Secure Room Structure (when utilized)

Secure Rooms, where and when possible, to do so, shall be structured as follows:

- A. A secure area to store all exhibits held by IENB – a locked room within an alarmed building inside which are individual tamper-proof lockers. Access to the locked room is controlled, and where windows exist, they must be barred.
- B. Temporary lockers: temporary lockers located in the outer room and equipped with locks for storage of seized items that may require further expert examination or analysis or must remain in possession of the Officer who made the seizure for a specific reason. Only the Officer who placed the exhibit within the locker has access to the locker.

**Note:** Biological materials/ exhibits may be stored in secured rooms provided the secure room(s) contain the proper storage accommodations to house biological exhibits. If windows are present in a secure room, they must be barred. Hazardous materials/ exhibits cannot be stored within secure rooms.

## 12. Submission of a General Occurrence (GO) Report / Exhibit Tracking Form (ETF) and Reporting to a Justice

- A. A General Occurrence (GO) or Exhibit Tracking Form (ETF) clearly indicating disposition of the property shall be submitted for all property/exhibits.
- B. Any property seized by officers pursuant to a criminal investigation, under the *Criminal Code of Canada*, must be reported on a Report to a Justice in addition to a property/exhibit form. This does not include found property or relinquished property which does not require [Report to a Justice](#). All property shall be entered in the property section of the GO Report or an ETF.

## 13. Return of Exhibits

Where any exhibit is in the custody of an IENB Officer and is to be returned, the following procedures will apply:

- A. No IENB Officer will return property held under the authority of a Report to a Justice unless released by a Judge;
- B. Where an exhibit is held under the authority of POPA, the exhibit will not be returned until the final disposition of the file.
- C. In consultation with the Supervisor or the Crown Prosecutor, an exhibit may be returned in special circumstances.
- D. An exhibit may be returned or disposed of if ordered by the Courts.
- E. Found property may be returned upon the owner identifying the property or disposed of / returned to the individual who turned the property in after ninety (90)

## 14. Property Disposition

- A. If the disposition of the property is disputed at the hearing, the court will assist in setting a hearing date before a Provincial Court Judge. The property disposition hearing shall be set on the IENB Officer's regular duty hours.



- B. All property must be held by the Bond Room 31 days from the date any Order is issued by a Justice as per the Criminal Code of Canada. This provides 31 days for any appeals or disputes in relation to the disposition of the property. After 31 days, if no appeals or disputes are received by the Bond Room Custodian and investigating officer, the property shall be dealt with as stated in the Order.

## **15. Bond Room After Hours**

When the Bond Room Custodian is unavailable or it is after hours, IENB Officers shall:

- A. Handle exhibits in accordance with the attached [process map](#).
- B. Where a Bond Room Custodian receives an exhibit and finds that the procedures referring to labeling have not been followed by the Exhibit Officer, they will notify the Exhibit Officers superior and hold the exhibit in the overnight locker until such time as the Exhibit Officer can return and properly complete the labeling.

## **16. Marking and Handling of Exhibits**

- A. IENB Officers shall refer to the corresponding [process map](#) for their Sections for procedures for marking and handling exhibits.
- B. Exhibits submitted to a forensic laboratory for examination will be done so in a timely manner and be guided by the conditions relative to the investigation. Chain of custody information must be retained for the exhibits transferred to and received from a forensic laboratory.

## **17. Dangerous Goods and/ or Materials**

### **A. IENB classifies the following as Dangerous Goods:**

- i. Class 1: Explosives, including explosives within the meaning of the Explosives Act.
- ii. Class 2: Gases: compressed gases, liquefied petroleum, liquefied natural gas, and liquefied or dissolved gases under pressure
- iii. Class 3: Flammable liquids and combustible liquids.

- iv. Class 4: Flammable solids; substances liable to spontaneous combustion; substances that on contact with water emit flammable gases.
- v. Class 5: Oxidising substances; organic peroxides, chlorates, nitrates, etc.
- vi. Class 6: Poisonous (toxic) and infectious substances.
- vii. Class 7: Radioactive materials and prescribed substances within the meaning of the Atomic Energy Control Act.
- viii. Class 8: Corrosives.
- ix. Class 9: Miscellaneous products, substances, or organisms considered dangerous to life, health, or the environment, not included in any of the above classes that may include any material (organic or otherwise) deemed to be a health hazard to anyone who might be adversely affected through breathing associated contaminants in the air or through the skin by touching the material (i.e., marijuana grows).

## **B. Classification of Dangerous Goods for Handling and Storage**

Notwithstanding the classification above, it is recognized that some dangerous goods may be safely handled in the normal course of our duties with reasonable precautions. To facilitate this Dangerous Goods may be further subdivided into the following categories;

- i. Exempt- Dangerous Goods having known low risks which can be managed with standardized precautions (i.e., the handling of sharps, biological samples, small quantities of drugs or ammunition).
- ii. Exempt with Permission- Dangerous Goods having a known risk which because of the quantity involved may require special precautions; or substances with an unknown risk. In the event an Officer wishes to exhibit something in this group, permission must be obtained from their supervisor and Bondsperson where appropriate.
- iii. Dangerous Goods (alternate term-BANNED) - Dangerous goods as outline above which cannot be safely handled with current equipment, training, or facilities available to Inspection and Enforcement Staff. Dangerous Goods in this category may not be handled or stored (as the case may be) by IENB staff. For example, a large quantity of marijuana is seized; it may be handled, but not stored in current facilities. Explosives for which staff has no training may neither be handled nor stored.

### C. Dangerous Goods Handling

- i. Officers whose investigations involve dangerous, biologically contaminated, or explosive substances should make every effort to have the substance photographed if the substance(s) might be required as an exhibit in a court.
- ii. Officers must determine that the dangerous goods etc. can be photographed without danger, e.g., flash photography may cause an explosion; if in doubt, an "Incendiary Explosive Device" qualified Officer shall be consulted.
- iii. Where it is assessed that an officer can safely handle a Dangerous Good, they must be packaged and transported in accordance with legislated requirements (i.e., environmental, transportation and workplace hazardous materials). Exhibits should be clearly labelled, and appropriate warning stickers placed on exhibits in accordance with the Transportation of Dangerous Goods Regulations and guidelines under the Workplace Hazardous Material Information System.
- iv. If a determination is made that the material falls under the Exempt Category or exempt with Permission, the item may be stored with the appropriate precautions.
- v. Where a Dangerous Good(s) is taken as an Exhibit and if it falls in the Exempt with Permission or Dangerous Goods categories, it shall not be presented at court without consultation with the crown and appropriate safeguards.
- vi. Where an IENB staff encounter a Dangerous Good that requires special handling or Safety precautions the officer will advise their supervisor. The Supervisor shall notify associated response teams (including jurisdictional explosive, fire, hazmat teams, Health and Safety, Work Safe NB, and Emergency Measures Organization etc.) as well as the Chief / Executive Director of Inspection and Enforcement New Brunswick or their designate as dictated by the circumstance presented by staff on the ground.

### D. Handling Hazardous/inflammable items

Hazardous/inflammable items i.e., all gas cans, propane, oxygen, acetylene tanks and other items containing flammable or volatile substances) must be handled with extreme caution and care and should not be stored with other exhibits in the bond room. Hazardous/inflammable items should be stored in another secure facility with an outdoor ventilation capability.

## **E. Disposition**

- i. Under no circumstances are any hazardous materials to be rinsed or flushed into the sewage system. When IENB is in possession of toxic substances as exhibits, officers must request the assistance/guidance/support from qualified professionals (i.e., Environment Canada Inspector).
- ii. Toxic substances must be packaged and transported in accordance with legislated requirements (i.e., environmental, transportation and workplace hazardous materials). Exhibits should be clearly labelled, and appropriate warning stickers placed on exhibits in accordance with the Transportation of Dangerous Goods Regulations and guidelines under the Workplace Hazardous Material Information System.

## **Processing of Exhibits**

### **18. Biological Exhibits**

#### **A. Handling of Wet, DNA, or Exhibits with Live Biological Evidence**

All wet items must be dried before packaging for analysis submission. Officers shall;

- i. Issue a property tag for each item;
- ii. Secure the exhibit(s) in the drying cabinets in selected outer Bond Rooms and ensure that the exhibit(s), once dry, are delivered for analysis (i.e., CBSA Lab);
- iii. Place DNA (i.e., Blood samples) in fridge and biological (i.e., moose meat) in freezer;
- iv. Record the exhibits into the evidence logbook; and
- v. If an exhibit contains maggots, flies, or other vermin, do not place it in a locker. Ensure that a property tag is securely attached to the exhibit and place it inside a freezer.

#### **B. Human Biological Exhibits (*Handling*)**

- i. Biological exhibits must be handled and stored in a manner which preserves their evidential value, in addition to the continuity of possession. Biological exhibits include any body fluids or tissues seized for analysis such as liquid blood, urine, semen, stomach contents, organ tissues and flesh

(i.e., for the most part, these exhibits would be blood samples seized from suspected impaired drivers and post-mortem exhibits seized by officers).

- ii. Any human biodegradable exhibits, those consisting of material of biological origins which are, by nature, in a liquid or moist condition (i.e., body fluid samples [blood/urine] tissue samples [organ/skin]) must be stored in a Fridge/Freezer at selected Bond Room sites. Containers of liquids which are more than  $\frac{3}{4}$  full should be stored in a refrigerator rather than frozen, as the risk of breaking when frozen is high.
- iii. Officers handling biological exhibits will use latex gloves and take appropriate precautions for protection. Officers, who accidentally puncture themselves or come into contact with bodily fluids, must immediately report the incident to their immediate supervisor and consult a qualified medical practitioner.
- iv. In the majority of cases, the exhibits will be handed to officers in specific test tube vacutainers, or other suitable containers supplied by the doctor, medical technician, or pathologist. Officers attending post-mortem examinations will wear protective clothing. Officers collecting exhibits at post-mortem examinations will place exhibits in appropriate containers, marked for identification by the receiving officer and further packaged to prevent breakage and damage. Biological exhibits should, if possible, be delivered by hand to the forensic laboratory otherwise they should be forwarded in metal containers to avoid breakage.
- v. Any confirmed or suspected disease process in the donor of the biological exhibits should be prominently noted on the face page of the Request for Analysis Form C414.

*(Disposition)*

- vi. When the destruction of biological exhibits has been authorized, the destruction must be carried out in a safe manner.
- vii. Bodily substances obtained by warrant and the results of the DNA analysis must be destroyed when the seized sample does not match the biological sample found at the scene, the person is discharged after a preliminary hearing, the charge has been dismissed, the information has been withdrawn or proceedings have been stayed, unless new information is laid within one year.

**Note:** A Provincial Court Judge may issue an order that the bodily substances obtained by warrant under Section 487.05 CC, and the results of DNA analysis, not be destroyed if they are reasonably required in an investigation or prosecution as outlined in Section 487.09 CC.

If the person is convicted or acquitted by reason of insanity or mental disorder, the samples of bodily substances and DNA analysis results must be retained. The conditions of any retention order must be complied with for the destruction of the samples of bodily substances that were retained. Voluntary samples of bodily substances, and the resulting DNA information, will be destroyed if the innocence of the contributor is established.

### **C. Non-Human Biological Samples**

- i. Non-Human Biological Samples refers to any animal, or part thereof (including fluid), taken as exhibits under this policy whereas;
- ii. Complete animals come into the possession of the Department as an exhibit it must be assessed for our need and ability to store the complete sample. Consideration should be given to the size of the animal or exhibit, the availability of DNA tests to confirm species from a sample, the value of the exhibit for educational or other purposes, the state of decomposition. When the biological sample is required, if possible, only a partial sample sufficient to provide the required evidence should be retained as an exhibit.
- iii. Animals can carry insects and disease, where possible gloves should be used when handling exhibits in the raw form. Under any circumstances proper washing of hands and contaminated equipment should be done as soon as practical.
- iv. Non-human biological samples which are wet will be stored in a fridge or freezer dedicated to that purpose and which is padlocked and only accessible to the Officer in the district. Exhibits that can be placed in freezer boxes must be labeled with a tag identifying the file number, offence, seizing officer, dates of seizure, and suspect if known, and have a red seizure tag attached. Freezer boxes should be labeled with file information on the exterior and padlocked by the seizing officer who will retain the keys.
- v. Seizures which are too large to be placed in lock boxes shall be placed in large seizure bag which are appropriately sealed and labeled or in large garbage bags which are sealed by twisting the bag off above the exhibit, cutting a hole through the folds that are created and inserting and securing a seizure lock seal tag.
- vi. Samples of flesh retained for DNA analysis should be at minimum 2.5 cm square or larger.

- vii. Where swabs are used to collect samples from fluids for DNA analysis, the tube containing the sample will be labeled appropriately and returned to the office. Once in a secure location the officer in possession of the exhibit will clip the base of the tube to allow the sample to dry and place the sample in a paper bag to prevent contamination. The sample bag will also be labeled and placed in a secure location where drying of the sample can occur.

## 19. Controlled Drugs and Substances

### A. Drugs Handling

- i. Officers shall complete form [HSC 3515](#) and [HSC 3525](#) (if additional space is required) as soon as practicable following the seizure of drugs. Information shall be recorded on the HSC 3515 as follows;
  - a. Subject(s) Date of Birth;
  - b. Exhibit Number;
  - c. File Number;
  - d. Chemical Name on the Analyst's Certificate;
  - e. The Appropriate Drug Schedule Name;
  - f. Quantity and/or Weight of Drugs Seized;
  - g. Brief Synopsis of the Event; and
  - h. Any other information deemed necessary or relevant.
- ii. Drug seizures shall be exhibited and packaged using approved evidence bags and/or canisters prior to submission to the submission of the [HSC 3515](#) and/or submission to the Bond Room or Personal Secure Locker.

### B. Drugs Analysis

- i. The Exhibit Officer shall forward a sample of the seized items to be examined to Health Canada. All exhibits sent for analysis must be contained in security envelopes.  
  
Only one analysis will be performed on each security envelope therefore a separate security envelope must be used for each substance for which a certificate is required.
- ii. All quantitation requests must be accompanied by a formal request by an immediate supervisor. The presence of syringes, liquids, hazardous materials (i.e., exposure to



body fluids) should be indicated on the outside of the security envelopes (i.e., these items should be packaged carefully to prevent breakage and accidental injection or spillage.

- iii. The following are required for the submission of drug exhibits;
  - a. Security exhibit envelope;
  - b. Plastic evidence bag containing exhibit;
  - c. Acknowledgement and receipt card – available from the local post office; and
  - d. Drug Offence and Disposition Report ([HSC 3515](#)) - which may be obtained in printed form from Canada Communications Group, Telephone: (819) 779-4335, Fax: (819) 779-2833, Catalogue # HC/SC 3515.

### **C. Disposition of Seized Drugs**

The procedure for disposing of items seized under the Controlled Drugs and Substances Act shall follow normal investigative parameters and outcome as follows;

- i. Items seized under the Controlled Drugs and Substances Act cannot be disposed of until authorization has been received by the Minister of Health. In order for the Minister of Health to authorize destruction of exhibits a request must be sent via an updated HSC 3515.
- ii. When the Exhibit Officer is informed that the file has been concluded and no charges are being pursued or a person has been convicted and the appeal period has passed the officer will begin the process to dispose of exhibits by completing form HSC 3515. When completing Form HSC 3515, the Exhibit Officer will ensure that the disposition of the charge, the date of sentence, and the sentence are indicated (i.e. when there are two or more charges, the Officer should indicate which charge and which drug is associated with a particular sentence in the event that one or more charges are not proceeded with).
- iii. In the case of “found drugs” the disposition of the drugs should not commence until two months after the drugs were seized.



#### D. Immediate Destruction of Seized Drugs

- i. If a situation arises where it becomes necessary to destroy a large quantity of drugs as quickly as possible (e.g., a field of marijuana); an approval for emergency destruction may be granted. Officers seeking approval for destruction shall:
  - a. Communicate with the Crown to ensure that they concur with the destruction;
  - b. Complete and submit the necessary documentation ([HSC 3515](#)) and forward copy to the Office of Controlled Substances before destroying any seized items;
  - c. Include the file number, the name of the Branch, all pertinent information surrounding the case, photos, and the reason for the request for destruction.
- ii. When the destruction of drugs is authorized at the local level, it must be by commercial-type incinerator, one which affords security and safety and is operated by a qualified person. Officers shall witness the destruction of drugs to their satisfaction that the exhibits are completely destroyed.
- iii. If the drug is creating a storage problem because of its volume or because it is hazardous or deteriorating;
  - a. The Chief/Executive Director or their designate with the concurrence of Crown Counsel, may request approval from the Minister of Health and Welfare Canada to destroy the seizure.
  - b. If approval is granted, the exhibit must be properly weighed, analyzed, and photographed and a sample must be retained for re-analysis at a later date if necessary.
  - c. In cases of emergency or exceptional circumstances (e.g., field of marijuana) verbal authorization may be obtained from the Information and Liaison Officer of the Office of Controlled Substances or designate, Ottawa, Ontario, Telephone: (613) 946-1134.

#### E. Disposition of Seized Drug Money

Seized drug money shall not, under any circumstances, be destroyed. Officers may choose to complete Form HSC 3515 and send to the Office of Controlled Substances. The money should be held pending instructions from the Office of Controlled Substances as to whether

the money should be returned to the accused or sent to the Office of Controlled Substances or to the office of the Attorney General (PPSC) for consideration of forfeiture.

## **20. Currency, Cheques, Counterfeit, Negotiable Instruments, and Credit Cards**

### **A. Cheques**

All cheques and other paper exhibits, subject to an Exhibit Report, will be processed in the same manner as other exhibits. Exhibits relating to fraud/false pretence offences should be handled as is practicable in view of possible need for scientific/technical examination. Cheques and other paper exhibits should be sealed in clear, tamperproof envelopes (i.e., to allow photocopies to be made without removal).

### **B. Cash**

All cash, subject to an Exhibit Report, will be processed in the same manner as other exhibits. Cash must be counted while two Officers are present and listed on the Exhibit Report by showing the number of bills in each denomination (i.e., 10 x 2.00 coin = \$20.00; 2 x \$5.00 bill = \$10.00) as well as the currency (i.e., Canadian dollars, American dollars). Cash should be sealed in tamperproof envelopes. Where counterfeit currency is suspected this should be done individually to allow photocopies to be made without removal. Exhibits relating to fraud/false pretence offences should be handled as is practicable in view of the possible need for scientific/technical examination

### **C. Counterfeits**

- i. Counterfeit exhibits include, but are not limited to, counterfeit currency, payment cards, cheques, bonds, and other negotiable instruments such as bank notes, traveler's cheques, money orders, bonds, coins, birth certificates, drivers' licences and credit cards.
- ii. To assist in detecting counterfeit banknotes and coins, an investigator should consult the Counterfeit Detection booklet, conduct a CPIC query, query the Central Bureau for Counterfeits database, and contact Central Bureau for Counterfeits by CPIC (ON10094), Telephone: (613) 993-0664, Fax: (613) 952-7325. To determine if a payment card is counterfeit, an investigator should contact issuers whose 24-hour-a-day telephone numbers are published in the CPIC National Directory, consult the payment card bulletins, and contact the Central Bureau for Counterfeits.

- iii. To ensure the accuracy of the counterfeit database, investigators should immediately forward confirmed or suspected counterfeit banknote and payment card exhibits in sealed, clear, tamperproof envelopes (i.e., to allow photocopies to be made without removal) to the Central Bureau for Counterfeits.
- iv. Suspect paper and coin currency should be submitted to the Central Bureau for Counterfeits, RCMP Forensic Lab, 1200 Vanier Parkway, Ottawa, Ontario, K1A 0R2, when expert examination is required for Court purposes, exhibits are no longer required for investigation, or exhibits are no longer required by Courts and the file is closed.
- v. Requests for counterfeit banknotes, required for training or educational purposes, should be forwarded to the Central Bureau for Counterfeits.

## **21. Documents**

Where documents are taken as an exhibit shall be copied or photographed for file, disclosure, and investigative purposes. The original document will then be placed in a sealed envelope, labelled in accordance with this policy, and placed in a bond room or secure locker.

## **22. Equipment**

### **ORDERS OF FORFEITURE – All Provincial Acts**

- A. Informing the Crown Prosecutor – in the event that charges are being considered the Crown Prosecutor shall be informed of all seized articles, even for minor offences where no special circumstances exist.
- B. Informing the Accused – the accused shall be informed of the Department's intention to request an Order of Forfeiture for seized articles, prior to plea appearance.
- C. Where articles are seized under the Authority of the Crown Lands and Forest Act, Protected Natural Areas Act, or the Quarriable Substances Act; the person in apparent possession must be served a notice in person, or by registered mail itemizing the seized items and our intention to retain the items until trial.
- D. Forfeiture of Equipment – the Department will only request an Order of Forfeiture regarding seized equipment where:

- i. A major offence (as defined in the Fish and Wildlife Act) has been committed;
- ii. Organized commercial activity is involved;
- iii. When special circumstances exist after discussions have occurred with the Inspector.
- iv. Where an order of forfeiture is being requested, officers must be prepared to identify and justify all seized articles to the Court.

#### E. Forfeiture of Vehicles

- i. Notwithstanding stipulations on orders of forfeiture above, an order of forfeiture will only be requested for vehicles when:
  - a. They have been used in conjunction with commercialized offences
  - b. When special circumstances exist after discussions have occurred with the Inspector.
  - c. It is felt that the severity of the incident is such that the resource is, or has been, seriously affected (e.g., netting of 30 salmon in September/October). Such cases must be discussed with the Regional Inspector.
- ii. When a vehicle is seized, it then becomes part of the court case process, and must be safeguarded appropriately.

**Note:** The final decision of any request for forfeiture rests with the Crown Prosecutor.

### 23. Evidence in Electronic Format

- A. Where any evidence is preserved or stored on an electronic medium (i.e. memory stick, DVD, video tape, etc.) the original will, where practical, be treated as an exhibit. Working copies of the original will be made for disclosure and investigative purposes. The original will be labelled in accordance with this policy and stored in a bond room or secure locker.
- B. As a best practice, where the original will not be available for production in court, two master copies should be made from the original; 1 to make all working copies and disclosure from, and a 2nd which should be treated as an exhibit, labelled, and stored as above.

## 24. Firearms

### A. Firearms – Handling

- i. Firearms will only be handled by an authorized public agent, as defined under the Public Agents Firearms Regulations. The weapon must be unloaded with the breech left open and, when possible, the bolt and ammunition clip must be removed from the weapon. If the breech cannot be opened, an armourer or licenced gunsmith will be contacted to examine the weapon and render it safe.
- ii. Firearms and ammunition will be stored in accordance with the Firearms Act and Firearms Regulations. Tapes, labels, and markings will not be used where such use causes damage to the wood or metal parts. Instead, a durable tag with a wire or elastic affixed should be attached to the firearm.

### B. Firearms – Disposition

Disposal of firearm exhibits will be in accordance with the provisions of the Firearms Act and Firearms Act Regulations. Where a firearm is returned, the person receiving the firearm must present a valid PAL (Possession and Acquisition Licence) and the IENB Officer must run a current CPIC on this person.

### C. Firearms - Record Keeping

- i. Any related record keeping requirements (i.e., inventory of protected firearms, lost or stolen firearms) will be in accordance with the provisions of the *Firearms Act and Firearms Act Regulations*.
- ii. Where a non-agency firearm will be held for more than twenty-four (24) hours, the officer who has possession of the firearm will record the following:
  - a. Make;
  - b. Model;
  - c. Serial number;
  - d. Caliber;
  - e. Barrel length taken from then entrance to the chamber to the end of the barrel in millimetres;
  - f. Magazine type and capacity (if any);
  - g. Overall length,
  - h. Photographs of the firearm and especially close ups of any markings (stamps); and

- i. Place of storage
- iii. This information will then be forwarded to a IENB Officer (verifier), who will record the information about the firearm on the RCMP Firearm database. A IENB Officer, who is a verifier, must also be notified once a firearm is returned or transferred to another location.

## 25. Found Property

Officers shall make every effort to locate the owner of found property (not believed to be evidentiary in nature), have it photographed, and return it to the owner.

Any found personal property shall be exhibited and reported to the supervising officer and, if deemed appropriate, communicated to the policing agency having jurisdiction. When found property is received by IENB, the Exhibit Report/Exhibit Tracking Form or, if applicable, a Found Property Report shall be completed.

### A. Retention

- i. Where applicable, the street and mailing address and residence and business telephone numbers must be recorded on the General Occurrence (GO) Report / Exhibit Tracking Form, describing how IENB came into possession of the property. When continuity of possession is not required on found property, the property shall be stored in a secure area (i.e. Bond Room) or secured locker/storage area.
- ii. If the owner cannot be located, photograph the item and retain for a period of 90 days after which a written Request for Disposal may be submitted to the person in charge of the officer's unit.
- iii. Where the property is of little or no monetary value, and the finder does not wish to take possession of it at a later date, the finder should sign the Relinquishment of Claim portion of the Exhibit Report, for the property thereby avoiding inconvenience in the future if the owner cannot be located.

**Note:** The appropriate field on the exhibit report form regarding relinquishment should be completed.

- iv. Identifiable property that has a serial number, monogram, or other mark by which it can be identified should be entered on CPIC to determine if it was previously reported as lost or stolen (i.e., the entry should be removed when the property is disposed of).

Found property should be retained for 90 days and the CPIC entry should be removed when the property is disposed of.

### **B. Disposition**

- i. Where the property has little or no value, the finder should sign the portion of the Relinquishment of Claim portion of the Exhibit Report, if not previously done, and the property shall be destroyed at the discretion of the Chief/Executive Director of IENB or their designate.
- ii. Where the property has some commercial value and the finder is not an Officer with IENB, the property should be returned to the finder and the Exhibit Report (Found Property Report) receipted.
- iii. If the finder is a IENB Officer and the property has some commercial value, it should be disposed of in a manner as directed by the Chief/Executive Director of IENB or their designate.
- iv. Where the found property is a firearm, the disposition of such will be in accordance with the provisions of the *Firearms Act and the Firearms Act Regulations*.

## **26. Liquor**

### **A. Handling**

When liquor comes into possession of IENB under any circumstances, it will be recorded on an Exhibit Report. When the seizure consists of several bottles, the bottles should be secured in a suitable container with an exhibit sticker placed on the container. Tape should be used to seal open bottles of liquor during transport.

### **B. Disposition**

Liquor exhibits will be destroyed in the presence of two officers from IENB with the action taken recorded on the Exhibit Report.

## 27. Relinquished Property

- A. In cases where the ownership of property is not disputed and the owner voluntarily relinquishes the property to the Officer, the property shall be tagged prior to submission to the Bond Room with any other relevant and required documentation.
- B. The word “RELINQUISHED” shall be clearly written on the tag. A photocopy of the receipt of relinquishment obtained by the Officer in their notebook shall be attached to the property. The receipt shall state the following:
  - i. List of property being relinquished;
  - ii. Signature of owner; and,
  - iii. Signature of Officer.
- C. *“I, (name of owner) do hereby voluntarily relinquish my property to the Inspection and Enforcement Branch to be disposed of in accordance with departmental policy”;*

**Note:** In these types of cases, where the property is a dangerous weapon or controlled substance, for example, a GO / Violation Report shall be submitted for the substantive offence such as possession of a firearm.

## 28. Statement of Accused Person

- A. In the interests of security, the originals of any statements taken, either in written, audio/video taped formats, from accused persons, except those taken in an officer’s notebook will be treated as exhibits.
- B. An original statement should be placed in a sealed envelope marked with the name of the person making the statement, case file number, initials of the officer and date. Photocopies of the statement will be retained on the case file. Reference to the statement and its location will be made in the file occurrence report. Where IENB has an established Central Records repository, the original statement may be retained in a “Key Material” envelope and kept with the original file, stored in Central Records.



## Administrative Processes

### 29. Major Crime Scene and Exhibits

- A. Officers encountering any suspected major crime scene shall immediately notify their supervisor and secure the scene to the best of their ability without contaminating the scene or its contents. Officers and Supervisors shall refrain from approaching, touching, or seizing any item within the suspected crime scene and shall notify the police agency of jurisdiction of the location and associated details.
- B. The only exception shall be if the officers observe a life in distress in which case, they may attend to apply First Aid, AED or other life saving techniques intended to protect life.
- C. Officers shall maintain continuity of the crime scene until the agency of jurisdiction arrives and may continue to assist that agency as requested or required.
- D. Officers may also preserve evidence from inclement weather by shielding objects of potential evidentiary value without disturbing the item in question (i.e., a Tupperware bin may be placed over a bloody knife to protect it from rain).
- E. Officers shall submit a GO Report that records their involvement and/or assistance to another agency.

### 30. Property Seized for Destruction or Disposal

In cases where property, such as prohibited weapons, is seized for forfeiture (commonly referred to as destruction), and where no charges are laid and no further investigation is required, a GO / Violation Report shall be submitted for the substantive offence, such as possession of a prohibited weapon. In addition, the IENB Officer shall:

- A. Complete and submit a Report to a Justice and request that the property be detained;
- B. Complete and serve the person from whom the property was seized with a no charges are laid, and no further investigation is required, a GO / Violation Report shall be submitted for the substantive offence, such as possession of a controlled substance (please refer to CDSA procedures).
- C. Non-Criminal Offences: Where exhibits are seized under authority of a Provincial act or other Federal act where the handling of seizures differs from the Criminal Code process list above,

the IENB Officer will follow that process. A GO report/Violation Report shall be submitted for the substantive offence.

- i. Any article belonging to the Crown which is taken or possessed illegally is forfeited to the Minister of Energy and Resource Development, who may dispose of it as the Minister sees fit (i.e., wood, or animals, etc.)
    - a. Timber to be disposed of must be done in consultation with the ERD Regional Inspector.
    - b. Endangered species and furbearers should only be disposed of after consultation with ERD unless their condition dictates immediate disposal.
  - ii. An officer must complete a Go Report/Interim Violation Report outlining the offence.
  - iii. The Officer will complete the Exhibit Report/Exhibit Tracking Form as appropriate.
- D. Exhibits Required for Training and/or Educational Purposes: Re-Purposed Exhibits for Training/Educational Purposes - The Chief/ Executive Director of Inspection and Enforcement or designate may authorize exhibits to be repurposed for education, special investigations, or operational needs within the Units.

### 31. Report to a Judge: Seized Property

- A. The Criminal Code of Canada requires judicial control over property seized by officers while investigating any offence under the Criminal Code or other Federal statutes.
- B. A Report to a Justice must be submitted so that officers may return seized property as soon as practicable. Failure to comply with this requirement may prevent property from being entered in court as evidence.
  - i. Seizing/Exhibits Officer - Report to a Justice:
    - a. A Report to a Justice must be completed whenever officers seize anything, including drugs, for an investigative or legal process. This would include items seized under Federal, statutory authority, or under common law powers.

**Note:** Property cannot be lawfully held without a detention order. Therefore, officers must complete the application for detention section of the Report to a Justice report. A Detention Order authorizes the detention of property for 90 days so that officers can continue an investigation.

C. Offences under Provincial Law

Items seized pursuant to an investigation under a provincial statute, where charges are not laid almost immediately, require that a Form 50 (Report on a Seizure other than in the Execution of a Search Warrant) be filed with the provincial court. This form must be accompanied by an Order of Detention. Once sought and signed, the order of detention expires after 90. If Charges have not been laid a new Order of Detention must be sought.

## **32. Further Detention of Items Seized**

### ***A. Criminal Code of Canada***

After the expiry of the 90 day detention period, the property seized can be reclaimed by the owner. Where no charges have been laid with respect to seized property and an investigation is still ongoing, at the 60 day mark officers shall:

- i. Request authorization from a Justice of the Peace to further detain the property pending investigation. An officer shall complete and serve or attempt to serve one copy of a Notice of Application for Hearing to the possessor of the property and retain another copy for administrative;
- ii. Complete an Affidavit for Service swearing the service/attempt service of the possessor of property. If unable to serve the Notice of Application for Hearing to the possessor of property, document on the Affidavit for Service the number of attempts made, and detail reasons for failure. This may include the number of attempts at service, person moved and no forwarding address, evading service etc.;
- iii. Print-off the Order for Further Detention of Things Seized;
- iv. Update VERSADEx or Electronic System as to why the officer is seeking the continued detention of the property via supplementary text (SO).

### ***B. Other Offences***

After the expiry of the 90 day detention period, the property seized can be reclaimed by the owner. Where no charges have been laid with respect to seized property and an investigation is still ongoing, at the 60 day mark officers shall:

- i. Request authorization from a Judge to further detain the property pending investigation. Under POPA the officer shall use an Application for Further Detention and also submit a new Order of Detention with the application. Where required an officer shall complete and serve or attempt to serve one copy of a Notice of Application for Hearing to the possessor of the property and retain another copy for administrative purposes:
- ii. Where a Notice of Application for Hearing is served the officer must complete an Affidavit for Service swearing the service/attempt service of the possessor of property. If unable to serve the Notice of Application for Hearing to the possessor of property, document on the Affidavit for Service the number of attempts made, and detail reasons for failure. This may include the number of attempts at service, person moved and no forwarding address, evading service ext.;
- iii. Print-off the Order for Further Detention of Things Seized where appropriate;
- iv. Update VERSADEx or Electronic System as to why the officer is seeking the continued detention of the property via supplementary text (SO).

### **33. Forms Used for Recording Exhibits**

IENB Officers will use IENB's Exhibit Report, to record all exhibits, with the exception of drugs which will require the following:

- A. Form CS-FRM-013 Drug Offence and Disposition Report (i.e., formerly HPB 3515) to record drug exhibit seizures under the *Controlled Drugs and Substances Act*.

### **34. Forfeiture Orders – *Criminal Code of Canada***

Property that cannot be returned such as prohibited weapons/devices or items that are illegal to possess or where there is evidence to support that the property was not lawfully possessed by the person from whom it was seized, the officer shall request permission from a Justice to have the property forfeited. The officer shall;

- A. Complete and serve or attempt to serve one copy of a Notice of Application for Hearing to the possessor of the property and retain another copy for the Property Office;
- B. Complete an Affidavit for Service swearing the service or attempted service of the possessor of property. If unable to serve the Notice of Application for Hearing to the possessor of property, document on the Affidavit for Service the number of attempts made and detail

reasons for failure. This may include the number of attempts at service, person moved and no forwarding address, evading service etc. and

- C. Update VERSADEx or Electronic System as to why the officer is seeking forfeiture of the property via supplementary text (SO).

### **35. Controlled Drugs and Substances for Destruction**

Controlled drugs and substances tagged for destruction do not require a forfeiture process but may be destroyed by the Bond Room Custodian once a Destruction Order is obtained from Health Canada and with final consent from the lead investigator of the file in question. Officers shall choose disposition "A" on the [Report to a Justice](#) and write "Destroy as per Health Canada/Drugs for Destruction Safe" in the section "Location Where Detained."

### **36. Early Release of Exhibits Prior to Court by Photographing**

- A. Photographs of exhibits may be taken in order that the exhibits themselves may be released early where ownership is positively established. Where there is any doubt whether an exhibit should be held or photographed and returned, the Provincial Crown Prosecutor will be consulted.
  - i. Examples of photographing of exhibits for release prior to Court may include:
    - a. Large exhibits causing storage issues;
    - b. Exhibits that are required by their rightful owner to maintain their livelihood;
    - c. CDSA seizures are that creating safety/security concerns (with authority of Emergency Destruction Order and samples retained for analysis).
- B. Photographing of exhibits for early release should be considered when bulky seized items are causing storage problems, seized items are required by their rightful owner to maintain their livelihood, or large drug seizures are beginning to deteriorate.
- C. Where photographs are taken of exhibits for early release, the photograph will include the owner or agent, the exhibit to be released, a card displaying exhibit number, case file number and time and date of release, the Exhibit Report will be receipted, and a copy of the photograph will be stapled to the Exhibit Report.
- D. Where Conservation Enforcement staff use photographs for early release of firearms or fishing gear, the officer's notes must contain the identifying information of the suspect, offence,

location, etc. In this case the photographs must be exhibited as previously outline under Electronic Evidence.

### **37. Final Disposition of any Seizure, Exhibit, Unclaimed Found or Surrendered Item**

Notwithstanding the legal obligation to consult with other agencies regarding the disposal of drugs, fish, wildlife, timber, or other item where the legislation providing authority for a seizure or ownership of that item fall under the mandate of a minister other than the minister of Justice and Public Safety; the final determination on the manner in which IENB will deal with, or seek to permission to deal with, any seizure, exhibit, unclaimed found or surrendered item rests with the Chief/Executive Director or their designate. The options available to the Chief/Executive Director are retain for educational purposes, re-assign within government for use, destroy, surrender for auction, or other legitimate purpose.

### **38. Property Seized – No Charges Laid**

In cases where property is seized and will not be returned, and where no charges are laid and no further investigation is required, a GO Report/ Violation Report shall be submitted for the substantive offence (i.e., possession of a prohibited weapon). In addition, the IENB Officer shall request permission to have the property forfeited, either through informed consent by the owner, or through a forfeiture hearing before a Judge:

#### **A. Criminal Code Offences**

- i. Complete and submit a [Report to a Justice](#) and request that the property be detained;
- ii. Complete and serve the person from whom the property was seized with Notice of Application for Hearing;
- iii. Complete the Affidavit for Service and attach it to the Forfeiture Order; and,
- iv. Submit a copy of the Notice of Application for Hearing, Affidavit for Service and Forfeiture Order to the Investigating Officer who will forward the documents for the scheduled Hearing Date with the Judge and request that an order is granted for forfeiture.
- v. Update the GO Report on the final disposition of the property.

### **39. Non-Criminal Offences**

Where exhibits are seized under authority of a Provincial act or other Federal act where the handling of seizures differs from the Criminal Code process list above, the IENB Officer will follow that process. A GO report/Violation Report shall be submitted for the substantive offence.

- A. Any article belonging to the Crown which is taken or possessed illegally is forfeited to the Minister of Energy and Resource Development, who may dispose of it as the Minister sees fit (i.e. wood, or animals, etc.)
  - i. Timber to be disposed of must be done in consultation with the ERD Regional Inspector.
  - ii. Endangered species and furbearers should only be disposed of after consultation with ERD unless their condition dictates immediate disposal.
- B. An officer must complete a Go Report/Interim Violation Report outlining the offence.
- C. The Officer will complete the Exhibit Report/Exhibit Tracking Form as appropriate.



**REPORT TO A JUDGE  
( FOLLOWING SEIZURE OF PROPERTY  
AND / OR WARRANT TO SEARCH)  
AND APPLICATION FOR DETENTION**  
CRIMINAL CODE SECTIONS 489.1 and 490  
FORM 5.2



**RAPPORT À UN JUGE  
(SUIVANT LA SAISIE DE BIENS  
ET / OU UN MANDAT DE PERQUISITION)  
ET DEMANDE DE DÉTENTION**  
CODE CRIMINEL, ARTICLES 489.1 ET 490  
FORMULE 5.2

CANADA: PROVINCE OF NEW BRUNSWICK  
To a Judge of the Provincial Court of New Brunswick

CANADA: PROVINCE DU NOUVEAU-BRUNSWICK  
À un juge de la Cour provinciale du Nouveau-Brunswick

I, Je, \_\_\_\_\_, a peace officer of the un agent de la paix de \_\_\_\_\_  
Province of New Brunswick / Province du Nouveau-Brunswick  
Court File No. / Numéro du dossier (Cour)

**1. COMPLETE THIS SECTION IF A WARRANT TO SEARCH HAS BEEN ISSUED**      **1. REMPLIR CETTE SECTION SI LE MANDAT DE PERQUISITION A DÉJÀ ÉTÉ DÉCERNÉ**

In respect of a Warrant to Search being issued pursuant to Section \_\_\_\_\_ of the de \_\_\_\_\_ (Federal Statute / Loi fédérale)  
Au titre du mandat de perquisition étant décerné en vertu de l'article \_\_\_\_\_ de \_\_\_\_\_, par \_\_\_\_\_ (Name of Judge / Nom du Juge)

- (a) have not executed the warrant for the following reason(s):  
Je n'ai pas exécuté le mandat pour la (les) raison(s) suivante(s): \_\_\_\_\_
- (b) have searched / j'ai fouillé \_\_\_\_\_ situated at à \_\_\_\_\_  
Province of New Brunswick, on province du Nouveau-Brunswick, le \_\_\_\_\_  
at à \_\_\_\_\_ hours, and have seized the things noted hereunder / attached.  
heures, et ai saisi les choses relevées ci-dessous / dans l'annexe;
- (c) and have seized, pursuant to section 489 of the Criminal Code of Canada, additional things other than those specified in the warrant, as set out on lines et ai saisi, en vertu de l'article 489 du Code criminel du Canada, des choses additionnelles à celles spécifiées dans le mandat, telles qu'énoncées aux lignes \_\_\_\_\_ of this report and / or attachment.  
de ce rapport et / ou dans l'annexe.

**2. COMPLETE THIS SECTION IF NO WARRANT HAS BEEN ISSUED**      **2. REMPLIR CETTE SECTION SI AUCUN MANDAT N'A ÉTÉ DÉCERNÉ**

have acted in the execution of duties under the J'ai agi dans l'exercice de mes fonctions en vertu de \_\_\_\_\_, and have seized the things noted hereunder and / or attached from ci-dessous et / ou dans l'annexe de \_\_\_\_\_  
situated at à \_\_\_\_\_ Province of New Brunswick / province du Nouveau-Brunswick  
on le \_\_\_\_\_ at à \_\_\_\_\_ hours.  
heures.

**3. COMPLETE THIS SECTION OR ATTACH EXHIBIT REPORT**      **3. REMPLIR CETTE SECTION OU ANNEXER LES PIÈCES A L'APPUI**

Line No. Numéro de ligne	Property Description Description du bien	State A or B (see below) * Inscrire A ou B (voir ci-dessous)	Disposition State location where detained or name of person returned to Indiquer l'endroit où le bien est détenu ou le nom de la personne à qui il a été remis
1			
2			
3			
4			
5			
6			

Page 1 of \_\_\_\_\_ pages. Continued on page 2  
Page 1 de \_\_\_\_\_ pages. Suite page 2

Dated / Daté du \_\_\_\_\_ at à \_\_\_\_\_  
New Brunswick / Nouveau-Brunswick  
Signature of Peace Officer / Signature d'un agent de la paix

I, Je, \_\_\_\_\_, a prosecutor, being satisfied that detention of the things set out on lines numbered / choses indiquées aux lignes numérotées \_\_\_\_\_ in the Report to a Judge herein is required for the purposes of a preliminary inquiry, trial or other proceeding, or for the purposes of further investigation, hereby apply for the detention of the aforesaid things pursuant to Section 490 (1)(b) of the Criminal Code.  
enquête préliminaire, d'un procès ou de toute autre instance, ou aux fins d'une enquête supplémentaire, demande par les présentes que les choses susmentionnées soient détenues en vertu de l'article 490 (1)(b) du Code criminel.

Dated / Daté du \_\_\_\_\_ at à \_\_\_\_\_  
New Brunswick / Nouveau-Brunswick  
Signature of Prosecutor / Signature du procureur

\* A - It was returned to the person lawfully entitled to its possession, in which case the receipt therefor shall be attached hereto;  
\* A - Le bien a été remis à la personne ayant droit à sa possession, auquel cas un reçu doit être joint au présent rapport.  
B - If it is being detained to be dealt with according to law - state the location and manner in which, or where applicable, the person by whom, it is being detained  
B - Il a été détenu pour qu'il en soit disposé conformément à la loi - Indiquer l'endroit où il est détenu et les modalités de détention, ou le cas échéant, la personne qui le détient.