

Arrest without warrant for contravention of disposition

672.91 A peace officer may arrest an accused without a warrant at any place in Canada if the peace officer has reasonable grounds to believe that the accused has contravened or wilfully failed to comply with the assessment order or disposition or any condition of it, or is about to do so.

Release or delivery of accused subject to paragraph 672.54 (b) disposition order

672.92 (1) If a peace officer arrests an accused under section 672.91 who is subject to a disposition made under paragraph 672.54(b) or an assessment order, the peace officer, as soon as practicable, may release the accused from custody and

- (a) issue a summons or appearance notice compelling the accused's appearance before a justice; and
- (b) deliver the accused to the place specified in the disposition or assessment order.

No release

672.92 (2) A peace officer shall not release an accused under subsection (1) if the peace officer believes, on reasonable grounds,

- (a) that it is necessary in the public interest that the accused be detained in custody having regard to all the circumstances, including the need to
 - (i) establish the identity of the accused,
 - (ii) establish the terms and conditions of a disposition made under section 672.54 or of an assessment order,
 - (iii) prevent the commission of an offence, or
 - (iv) prevent the accused from contravening or failing to comply with the disposition or assessment order;
- (b) that the accused is subject to a disposition or an assessment order of a court, or Review Board, of another province; or
- (c) that, if the accused is released from custody, the accused will fail to attend, as required, before a justice.

Accused to be brought before justice

- 672.92 (3) If a peace officer does not release the accused, the accused shall be taken before a justice having jurisdiction in the territorial division in which the accused is arrested, without unreasonable delay and in any event within twenty-four hours after the arrest.

Accused subject to paragraph 672.54(c) disposition order

- 672.92 (4) If a peace officer arrests an accused under section 672.91 who is subject to a disposition under paragraph 672.54(c), the accused shall be taken before a justice having jurisdiction in the territorial division in which the accused is arrested without unreasonable delay and, in any event, within twenty-four hours.

Justice not available

- 672.92 (5) If a justice described in subsection (3) or (4) is not available within twenty-four hours after the arrest, the accused shall be taken before a justice as soon as practicable.

Where justice to release accused

- 672.93 (1) A justice shall release an accused who is brought before the justice under section 672.92 unless the justice is satisfied that there are reasonable grounds to believe that the accused has contravened or failed to comply with a disposition or an assessment order.

Notice

- 672.93 (1.1) If the justice releases the accused, notice shall be given to the court or Review Board, as the case may be, that made the disposition or assessment order.

Order of justice pending decision of Review Board

- 672.93 (2) If the justice is satisfied that there are reasonable grounds to believe that the accused has contravened or failed to comply with a disposition or an assessment order, the justice, pending a hearing of a Review Board with respect to the disposition or a hearing of a court or Review Board with respect to the assessment order, may make an order that is appropriate in the circumstances in relation to the accused, including an order that the accused be returned to a place that is specified in the disposition or assessment order. If the justice makes an order under this subsection, notice shall be given to the court or Review Board, as the case may be, that made the disposition or assessment order.