

THE CRIMINAL CODE PROVIDES AS FOLLOWS:

NOTE: Section 763 and subsections 764(1) to (4) of the *Criminal Code* state as follows:

“763. Where a person is bound by recognizance to appear before a court, justice or provincial court judge for any purpose and the session or sittings of that court or the proceedings are adjourned or an order is made changing the place of trial, that person and his sureties continue to be bound by the recognizance in like manner as if it had been entered into with relation to the resumed proceedings or the trial at the time and place at which the proceedings are ordered to be resumed or the trial is ordered to be held. R.S., c.C-34, s.697; R.S.C. 1985, c.27 (1st Supp.), s.203.

- 764. (1) Where an accused is bound by recognizance to appear for trial, his arraignment or conviction does not discharge the recognizance, but it continues to bind him and his sureties, if any, for his appearance until he is discharged or sentenced, as the case may be.
- (2) Notwithstanding subsection (1), the court, justice or provincial court judge may commit an accused to prison or may require him to furnish new or additional sureties for his appearance until he is discharged or sentenced, as the case may be.
- (3) The sureties of an accused who is bound by recognizance to appear for trial are discharged if he is committed to prison pursuant to subsection (2).
- (4) The provisions of section 763 and subsection (1), (2) and (3) of this section shall be endorsed on any recognizance entered into pursuant to this Act. R.S., c.C-34, s.698”

Signature of Accused

Signature of Surety

RECOGNIZANCE OF BAIL

ENTERED INTO BEFORE A JUDGE OR
JUSTICE OF THE PEACE

(accused)

Date _____ **day of** _____, **yr.** _____

CERTIFICATE OF DEFAULT

Form 33

I hereby certify that _____
(has not appeared as required by this recognizance or has not complied with a condition of this recognizance) and that by reason thereof the ends of justice have been (defeated or delayed, as the case may be).

The nature of the default is

And the reason for the default is

(state reason if known)

The names and addresses of the principals and sureties are as follows:

Dated this _____ day of _____, yr _____
at _____ in the Province of Ontario

Signature of Justice, Judge, Ontario Court of Justice Judge, Clerk of the Court, peace officer or other person, as the case may be

In case of cash bail, signature of person depositing cash:

_____, yr. _____ RECEIVED

From the Court Clerk the sum of _____ Dollars

\$ _____ \$ _____
(Signature)