

1994

CHAPTER 22

An Act to amend *The Summary Offences Procedure Act, 1990*

(Assented to May 2, 1994)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows:

Short title

1 This Act may be cited as *The Summary Offences Procedure Amendment Act, 1994*.

S.S. 1990-91, c.S-63.1 amended

2 *The Summary Offences Procedure Act, 1990* is amended in the manner set forth in this Act.

Section 4 amended

3 Subsection 4(5) is repealed and the following substituted:

"(5) Notwithstanding subsections (1) to (4), the information issued for a violation of those bylaw offences that are prescribed in the regulations is not required to be laid under oath, and the information and summons are not required to be issued by a justice of the peace".

Section 8 amended

4 Subsection 8(1) is amended by repealing the portion preceding clause (a) and substituting the following:

"(1) Subject to subsection (2), a summons or offence notice issued pursuant to this Act or a summons issued pursuant to the *Criminal Code* shall be served:".

New section 49.1

5 The following section is added after section 49:

Interim release

49.1(1) Where a defendant has been arrested pursuant to this Act under a warrant other than a warrant of committal, the officer in charge may release the defendant, after the defendant has entered into a recognizance in the prescribed form, without sureties, on a condition to appear in court.

(2) Where the defendant is held for the reason only that he or she is not ordinarily resident in Saskatchewan, and the officer in charge believes that he or she will not obey a summons, the officer, in addition to anything required in subsection (1), may require the defendant to deposit cash or other satisfactory negotiable security in an amount not to exceed the maximum fine for the offence or \$500, whichever is less".

Section 50 repealed

6 Section 50 is repealed.

TRANSITION AND COMING INTO FORCE

Transition

7 Where, at the time this Act comes into force, a notice of appeal has been served pursuant to section 50, that appeal and any further appeal permitted by section 50 are to be dealt with according to that section, notwithstanding its repeal.

Coming into force

8 This Act comes into force on proclamation.