

DESIGNATED OFFENCES - SECTION 487.04 OF THE *CRIMINAL CODE OF CANADA*

Primary – Compulsory Sec. 487.04(a)	Primary – Presumptive Sec. 487.04(a.1)		Listed Secondary Offences
<p>212(2.1) Aggravated offence in relation to living on the avails of prostitution of a person under the age of 18 years</p> <p>235 Murder</p> <p>236 Manslaughter</p> <p>239 Attempt to commit murder</p> <p>244 Causing bodily harm with intent with a firearm</p> <p>244.1 Causing bodily harm with intent with an air gun or pistol</p> <p>244.2 Discharging firearm - recklessness</p> <p>245(a) Administering noxious thing with intent to endanger life or cause bodily harm</p> <p>246 Overcoming resistance to the commission of an offence</p> <p>267 Assault with a weapon or assault causing bodily harm</p> <p>268 Aggravated assault</p> <p>269 Unlawfully causing bodily harm</p> <p>270.01 Assaulting peace officer with weapon or causing bodily harm</p> <p>270.02 Aggravated assault of peace officer</p> <p>272 Sexual assault with a weapon, threats to a third party or causing bodily harm</p> <p>273 Aggravated sexual assault</p> <p>279 Kidnapping</p> <p>344 Robbery</p> <p>346 Extortion</p> <p>An attempt or a conspiracy to commit one of these compulsory primary offences <u>does not</u> constitute a primary compulsory offence but a primary offence (refer to sec. 487.04 especially sub-sec. d) and 487.051(1) and (2)).</p>	<p>75 Piratical acts</p> <p>76 Hijacking</p> <p>77 Endangering safety of aircraft or airport</p> <p>78.1 Seizing control of ship or fixed platform</p> <p>81(1) Using explosives</p> <p>83.18 Participation in activity of terrorist group</p> <p>83.19 Facilitating terrorist activity</p> <p>83.2 Commission of offence for terrorist group</p> <p>83.21 Instructing to carry out activity for terrorist group</p> <p>83.22 Instructing to carry out terrorist activity</p> <p>83.23 Harboursing or concealing</p> <p>151 Sexual interference</p> <p>152 Invitation to sexual touching</p> <p>153 Sexual exploitation</p> <p>153.1 Sexual exploitation of person with disability</p> <p>155 Incest</p> <p>163.1(2) Making child pornography</p> <p>163.1(3) Distribution, etc of child pornography</p> <p>163.1(4) Possession of child pornography</p> <p>163.1 (4.1) Accessing child pornography</p> <p>172.1 Luring a child</p> <p>212(1) Procuring</p> <p>212(2) Living on the avails of prostitution of a person under 18 years</p> <p>212(4) Prostitution of a person under 18</p> <p>233 Infanticide</p> <p>271 Sexual assault</p> <p>279.01 Trafficking in a person</p> <p>279.1 Hostage taking</p> <p>348(1)(d) Breaking and entering a dwelling-house</p> <p>423.1 Intimidation of a justice system participant or journalist</p> <p>431 Attack on premises, residence or transport of internationally protected person</p> <p>431.1 Attack on premises, accommodation or transport of United Nations or associated personnel</p> <p>431.2(2) Explosive or other lethal device</p> <p>467.11 Participation in activities of criminal organization</p> <p>467.12 Commission of offence for criminal organization</p> <p>467.13 Instructing commission of offence for criminal organization</p>	<p>Historic sexual offences under any of the following provisions of the Criminal Code, chapter C-34 of the Revised Statutes of Canada, 1970, as they read from time to time before January 4, 1983, namely:</p> <p>144 Rape</p> <p>146 Sexual intercourse with female under 14 and between 14 and 16</p> <p>148 Sexual intercourse with feeble-minded, etc.</p> <p>149 Indecent assault on female</p> <p>156 Indecent assault on male</p> <p>157 Acts of gross indecency</p> <p>An offence under the following section of the Criminal Code, chapter C-34 of the Revised Statutes of Canada, 1970, as it read from time to time before January 1, 1988:</p> <p>153(1)(a) Sexual intercourse with step-daughter</p> <hr/> <p>484.04(d)-An attempt or a conspiracy to commit one of these offences also constitute a primary offence</p> <p align="center"><u>Sec 487.04 primary (c.1)</u> <u>The Security of Information Act, section:</u></p> <p>6 Approaching, entering, etc., a prohibited place</p> <p>20(1) Threats or violence</p> <p>21(1) Harboursing or concealing</p>	<p>Sec. 487.04(c)</p> <p>145 Escape and being at large without excuse</p> <p>146 Permitting or assisting escape</p> <p>147 Rescue or permit escape</p> <p>148 Assist prisoner of war to escape</p> <p>160(3) Bestiality in the presence of or by child</p> <p>170 Parent or guardian procuring sexual activity</p> <p>173 Indecent acts</p> <p>252 Failure to stop at scene of accident</p> <p>264 Criminal harassment</p> <p>264.1 Uttering threats</p> <p>266 Assault</p> <p>270 Assaulting a peace officer</p> <p>348(1)(e) Breaking and entering a place other than dwelling-house</p> <p>349 Being unlawfully in a dwelling-house</p> <p>423 Intimidation</p> <p>Sec. 487.04 (d)</p> <p>An offence under any of the following provisions of the Criminal Code, as they read from time to time before July 1, 1990, namely,</p> <p>433 Arson, attempt & conspiracy included</p> <p>434 Setting fire to other substance, attempt & conspiracy incl.</p> <p>Hybrid: Any other <i>Criminal Code</i> offence that is prosecuted by indictment for which the maximum punishment is imprisonment for five years or more. (See listing in Annex)</p> <p align="center"><u>Sec. 487.04 (b)</u> <u>Controlled Drugs and Substances Act section:</u> <u>(only if prosecuted by indictment)</u></p> <p>5 trafficking in substance and possession for purpose of trafficking</p> <p>6 importing and exporting</p> <p>7 production of substance</p> <p>487.04(e)-Attempt & Conspiracy: An attempt or conspiracy to commit any of the above but where in respect of Hybrid or CDSA offences, must be prosecuted by indictment.</p>

Generic Secondary Offences Sec. 487.04(a)

(Criminal Code offences that are prosecuted by indictment for which the maximum punishment is imprisonment for five years or more.)

<p>47 High treason and treason 49 Acts intended to alarm Her Majesty or break the public peace 50 Assisting alien enemy to leave Canada or omitting to prevent treason 51 Intimidating Parliament or legislature 52 Sabotage 53 Inciting mutiny 57(1) Forge or use forged passport 57(3) Possession of forged passport, etc 61 Punishment of seditious offences 62 Offences in relation to military offences 68 Proclamation offences 70 Unlawful drilling – Orders by Governor in Council 74 Piracy 78 Take weapon or explosive on board 80 Breach duty of care re explosive substances 82(1) Explosives, possession w/o lawful excuse 82(2) Explosives, for benefit of criminal organisation 83.02 Providing or collection property for certain purposes 83.03 Providing, making available, etc., property or services for terrorist purposes 83.04 Using or possessing property for terrorist purposes 83.12* Offences - freezing of property, disclosure, or audit 83.231* Hoax terrorist activity 83.27 Punishment for terrorist activity 85 Use of firearm or imitation in offence (in case of second or subsequent offence) 86* Careless use, storage of firearm 87* Pointing a firearm 88* Possession of weapon for dangerous purpose 90* Carry a concealed weapon 91* Unauthorized possession firearm, etc. 92 Possession of firearm, etc. knowing unauthorized 93* Possession at unauthorized place 94* Unauthorized possession in motor vehicle 95* Possessing of prohibited or restricted firearm with ammunition 96* Possession of weapon obtained by offence 98(1) Break & Entering to steal firearm 98.1 Robbery to steal firearm 99 Weapons trafficking 100 Possession for purpose of weapon trafficking 101* Transfer without authority 102* Making automatic firearm 103 Importing/exporting knowing unauthorized 104* Unauthorized importing/exporting 105* Losing or finding weapons 106* Destroying weapons 107* False statements 108* Tampering with serial number 117.01* Possession contrary to order, etc 119 Bribery of judicial officers 120 Bribery of officers, etc</p>	<p>121 Frauds on the government 122 Breach of trust by public officer 123 Municipal corruption 124 Selling or purchasing office 125 Influencing or negotiating appointments or dealing in offices 132 Perjury 136 Witness giving contradictory evidence 137 Fabricating evidence 139(2) Obstructing justice 140* Public mischief 142 Corruptly taking reward for recovery of goods 144 Prison breach 159(1)* Anal Intercourse 160(1)& (2)* Bestiality and Compelling 162* Voyeurism 171(a) Householder permitting sexual activity 182 Dead body 184 Interception of communications 184.5 Interception of radio-based telephone communications 215* Duty of persons to provide necessities 218* Abandoning child 220 Causing death by criminal negligence 221 Causing bodily harm by criminal negligence 238 Killing unborn child in act of birth 240 Accessory after fact to murder 241 Counselling or aiding suicide 242 Neglect to obtain assistance in child birth 247 Traps likely to cause bodily harm 248 Interfering with transportation facilities 249(1)* Dangerous driving 249(3) Dangerous driving causing bodily harm 249(4) Dangerous driving causing death 249.1(1)/(2)* Flight 249.1(3)/(4) Flight causing bodily harm or death 249.2 Causing death by criminal negligence - street racing 249.3 Causing bodily harm by criminal negligence - street racing 249.4(1)/(2)* Dangerous operation of motor vehicle while street racing 249.4(3) Dangerous operation causing bodily harm – street racing 249.4(4) Dangerous operation causing death – street racing 251 Unseaworthy vessel and unsafe aircraft 255(1)* Impaired driving 255(2) Impaired driving causing bodily harm 255(3) Impaired driving causing death 259(4)* Operation while disqualified 262 Impeding attempt to save life 269.1 Torture 270.1* Disarming a peace officer 273.3* Removal of child from Canada</p>	<p>279.02 Trafficking in persons – material benefit 279.03 Trafficking in persons - withholding or destroying documents 280 Abduction of person under 16 281 Abduction of person under 14 282* Abduction in contravention of custody order 283* Abduction 287(1) Procuring miscarriage 291 Bigamy 292 Procuring feigned marriage 293 Polygamy 300 Libel known to be false 302 Extortion by libel 318 Advocating genocide 334(a) Theft over \$5000 336 Criminal breach of trust 337 Public servant refusing to deliver property 338(1) Fraudulently taking cattle or defacing brand 338(2) Theft of cattle 339 Taking possession, etc of drift timber 340 Destroying documents of title 342* Theft, forgery, etc or unauthorized use of credit card 342.01* Making, having or dealing in instruments for forgery or falsifying credit cards 342.1* Unauthorized use of computer 345 Stopping mail with intent 347* Criminal interest rate 351(1) Possess break-in instrument 351(2) Disguise with intent 355(a) Possess property over \$5000/testamentary 356 Theft from mail 357 Bringing into Canada property obtained by crime 362(2)(a) False pretence or false statement over \$5000 362(3) False pretence or false statement 363 Obtaining execution of security by fraud 367* Forgery 368* Uttering forged document 369 Exchequer bill paper, seals, etc 370 Counterfeit proclamation 371 Telegram in false name 374 Drawing document w/o authority 375 Obtaining, etc based on forged documents 376 Using counterfeit stamp, etc 377 Damaging documents 378 Offence in relation to registers 380(1) Fraud over \$5000 380(2) Affecting public market 382 Fraudulent manipulation of stock transactions</p>	<p>382.1(1) Insider trading 382.1(2)* Tipping 383 Gaming in stocks or merchandise 384 Broker reducing stock by selling for his own account 386 Fraudulent registration of title 394 Fraud in relation to valuable minerals 394.1 Possession of stolen or fraudulently obtained valuable minerals 396 Offence in relation to mines 397 Falsification of books & documents 399 False return by public officer 400 False prospectus, etc 403* Personation with intent 405 Acknowledging instrument in false name 418 Selling defective stores to Her Majesty 420* Military stores 422* Criminal breach of contract 424 Threat against internationally protected person 424.1 Threats against United Nations or associated personnel 425.1* Threats and retaliation against employees 426 Secret commissions 430(2) Mischief that causes actual danger to life 430(3)* Mischief exceeding \$5000 432(2)* Unauthorized recording for the purpose of sale, etc 433 Arson – disregard for human life 434 Setting fire to other substance 434.1 Arson – own property 435 Arson for fraudulent purpose 436 Arson by negligence 436.1 Possession of incendiary material 438(1) Interfering with saving of wrecked vessel 439(2) Interfering with marine signal 441 Occupant injuring building 443 Interfering with international boundary marks 444 Injuring or endangering cattle 449 Counterfeit money, making 450 Possession, etc of counterfeit money 451 Having unauthorized clippings, etc 452 Uttering counterfeit money, etc 455 Clipping & uttering clipped coin 458 Making, having or dealing in instrument for counterfeiting 459 Conveying instruments for coining out of Mint, etc 460 Advertising & dealing in counterfeit money, etc 462.31* Laundering proceeds of crime 753.3(1) Breach of order of long term supervision</p>
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*** = Represent a hybrid offence that becomes a secondary offence only if prosecuted by indictment - for which the maximum punishment is imprisonment of 5 years or more**

For attempt and conspiracy, see page 1