



COURT OF KING'S BENCH FOR  
SASKATCHEWAN

## CRIMINAL PRACTICE DIRECTIVE #13

### REMAND WARRANTS

**REFERENCE: CRIM-PD #13**

**Effective:** February 1, 2024

1. The Court of King's Bench, in remanding accused persons, will issue a Warrant of Committal in Form 8 of the *Criminal Code*, attached as Form A (referred to from this point as a "remand warrant").
2. A remand warrant issued by the Court of King's Bench remands an accused until they are dealt with according to law and only expires when all counts listed on the remand warrant are resolved by stay, withdrawal, acquittal, conviction (including a conviction on a lesser included offence) or sentence, or when a Release Order is issued.

#### **No Automatic Cancellation or Replacement of a Provincial Court Remand Warrant**

3. A remand warrant issued by the Court of King's Bench does not cancel, replace or affect any remand warrant issued by a Provincial Court judge, including any remand warrant relating to the same counts.
4. A Production Order issued by the Court of King's Bench does not cancel, replace or affect any remand warrant issued by a Court of King's Bench judge or a Provincial Court judge.
5. The filing of an indictment, including a direct indictment, in the Court of King's Bench, does not cancel, replace or affect a remand warrant issued by a Provincial Court judge.

#### **Process to Cancel a Provincial Court of Saskatchewan Remand Warrant in the Court of King's Bench**

6. The Court of King's Bench will not cancel a remand warrant issued by a Provincial Court judge in Form 8 or Form 19 of the *Criminal Code*, unless an application to cancel the remand warrant is made to the Court of King's Bench on the record.

7. When an indictment is concluded in the Court of King's Bench, it is the responsibility of the Crown to ensure there are no additional charges in the Provincial Court related to that indictment that need to be addressed. These may include:
  - charges in an information pending before the Provincial Court;
  - charges in an information that have been transferred to the Court of King's Bench pursuant to Criminal Practice Directive #6 – Summary Conviction or Absolute Jurisdiction Offences;
  - charges in relation to which jurisdiction has been transferred to the Court of King's Bench but were not included in the indictment or appear as a different offence or lesser included offence.

**Remand Warrants Relating to Counts in an Information Subsequently Not Contained in the Indictment**

8. Where a remand warrant issued by the Provincial Court judge contains counts in an information which subsequently are not included in an indictment, it is the responsibility of the Crown to address whether the remand warrant in respect of the counts not contained in the indictment should be cancelled or continued.
9. To facilitate the identification of any outstanding remand warrants issued by a Provincial Court judge, the Crown shall identify on the face of every indictment the related information number(s) and specific count(s) in the information(s) relating to each count in the indictment.
10. If any questions arise relating to the remand status of an accused pursuant to a remand warrant issued by the Court of King's Bench, such questions shall be directed to the Court of King's Bench through the registry office in the applicable judicial centre.

Chief Justice M.D. Popescul,  
Court of King's Bench for Saskatchewan.

**FORM A - WARRANT OF COMMITTAL**

Form 8

Sections 493 and 515

COURT FILE NUMBER: CRM \_\_\_\_\_

COURT OF KING'S BENCH FOR SASKATCHEWAN

JUDICIAL CENTRE: \_\_\_\_\_

IN THE MATTER OF: The King v \_\_\_\_\_ (accused)

Indictment Count (\_\_\_\_) – Information # \_\_\_\_\_ Count (\_\_\_\_)

Indictment Count (\_\_\_\_) – Information # \_\_\_\_\_ Count (\_\_\_\_)

Indictment Count (\_\_\_\_) – Information # \_\_\_\_\_ Count (\_\_\_\_)

Occurrence #: \_\_\_\_\_

**CANADA**

**Province of Saskatchewan**

**Judicial Centre of** \_\_\_\_\_

To the peace officers in the Province of Saskatchewan and to the keeper of the  
\_\_\_\_\_ (prison) at \_\_\_\_\_

This warrant is issued for the committal of \_\_\_\_\_  
of \_\_\_\_\_ (place), born on \_\_\_\_\_ (date of birth),  
referred to in this warrant as the accused.

Because the accused has been charged with

*(set out briefly the offence in respect of which the accused is charged);*

And because

*(check those that are applicable)*

- (a) the prosecutor has shown cause why the detention of the accused in custody is justified [s. 515(5)];
- (b) a release order has been issued but the accused has not yet complied with the conditions of the order [ss. 519(1), 520(9), 521(10), 524(8), 525(6)];\*
- (c) the application by the prosecutor for a review of the release order has been allowed and that release order has been vacated, and the prosecutor has shown cause why the detention of the accused in custody is justified [s. 521];
- (d) the accused has contravened or was about to contravene a (summons or appearance notice or undertaking or release order) and it was cancelled, and the

detention of the accused in custody is justified [ss. 515(10), 523.1(3), 524(3) and (4)];

- (e) there are reasonable grounds to believe that the accused has committed an indictable offence after having become subject to the (summons *or* appearance notice *or* undertaking *or* release order) and the detention of the accused in custody is justified [ss. 515(10), 524(3) and (4)];
- (f) with the consent of the accused, and subject to their right to apply to the Provincial Court of Saskatchewan for interim release, the accused is remanded until they are dealt with according to law.

Therefore, you are ordered, in His Majesty's name, to arrest the accused and convey them safely to the prison and there deliver them to its keeper, with the following order:

You are ordered to receive the accused in your custody in this prison and keep them safely there until they are delivered by due course of law.

Signed on \_\_\_\_\_ (date), at \_\_\_\_\_, Saskatchewan (place).

\_\_\_\_\_  
Signature of judge or clerk of the Court of King's Bench

Warrant issued by: \_\_\_\_\_ (name of judge)

*\* If the person having custody of the accused is authorized under s. 519(1)(b) of the Criminal Code to release the accused if they comply with a release order, endorse the authorization on this warrant and attach a copy of the order.*