

CANADA

## Form 35A

NUNAVUT TERRITORY

(Practice Directive # 35)

### **SURETY CAUTION**

Surety's Full Name:

Address:

Phone Number:

Amount of money pledged as bail: \$

#### **THE ACCUSED'S PRESENT CHARGES**

I understand that: \_\_\_\_\_, of the City/Hamlet of:

born the \_\_\_\_\_ day of \_\_\_\_\_

, has been charged with the following criminal offence(s):

**(list of charges)**

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.

I understand that the accused:

has a criminal record that I have reviewed;

has no criminal record.

I have reviewed the proposed conditions of release and agree to supervise the accused's performance on all of these conditions.

#### **RESPONSIBILITIES OF A SURETY**

I understand that by becoming a surety, I am guaranteeing to the Court that \_\_\_\_\_ will:

**(name of the accused)**

- A. come to court as required;
- B. obey all of the conditions of the bail; and
- C. not commit any criminal offences while on bail.

#### **THE CONSEQUENCES OF A BREACH**

I understand that **I may lose all or part of the money pledged as bail** if the accused while in my care:

- a. does not attend court as required; or

- b. does not comply with a term of bail; or
- c. commits a further offence while on bail.

I understand that it is my responsibility to prevent any of these things from happening. If any of these things do happen, I may owe the court the amount of bail that I have pledged if I have been in any way negligent and not supervised the accused to the best of my ability.

**ACCEPTANCE OF LEGAL RESPONSIBILITY**

By agreeing to be a surety I understand that I am responsible for the accused's behavior once he/she is released from jail, until the charges are concluded. I also understand that I do not have to be a surety. It is my free choice to make this promise and take on these obligations.

**I am still prepared to be a surety for this accused.**

\_\_\_\_\_ dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

**(Signature of Surety)**

**TO BE REMOVED AS SURETY**

I understand that the law allows me to stop being a surety at any time. I can do this by:

- 1. applying in writing to a Judge, Justice of the Peace or peace officer to be relieved of my obligation under the recognizance (bail); or
- 2. bringing the accused to the court at any time that the court is sitting and asking the Judge to remove me as surety; or
- 3. bringing the accused to any police station and telling the police that I do not wish to continue as surety.

I read and understand the English language. \_\_\_\_ **(surety's initials)**

I require the assistance of a French \_\_\_\_ Inuktitut \_\_\_\_ interpreter and that assistance has been provided to me for the purposes of translating and completing this form \_\_\_\_ **(surety's initials)**

Signed by \_\_\_\_\_

on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

at \_\_\_\_\_, Nunavut.

Witnessed by:

\_\_\_\_\_  
**Clerk of the Court**