

**Form 5**  
**NOTICE OF APPLICATION AND CONSTITUTIONAL ISSUE**

*(Criminal Proceedings Rules, Rule 27.03)*

ONTARIO  
SUPERIOR COURT OF JUSTICE

.....  
Court File No. (if known)

.....  
Region

BETWEEN:

**HER MAJESTY THE QUEEN**

**- and -**

.....  
(specify name of accused)

**TAKE NOTICE** that the ..... will bring an application on

.....  
(identify party)

..... day, the ..... day of ..... , yr. .... , at

.....  
(specify month)

.....  
(specify address of courthouse)

for an order granting .....  
(set out precise relief sought)

**THE GROUNDS FOR THIS APPLICATION ARE:**

1. That .....
2. That .....
3. Such further and other grounds as counsel may advise and this Honourable Court may permit.

**THE CONSTITUTIONAL ISSUES TO BE RAISED ARE:**

(state concisely each issue to be raised)

1. ....
2. ....
3. ....

**THE CONSTITUTIONAL PRINCIPLES TO BE ARGUED ARE:**

1. ....
2. ....
3. ....

**NOTICE OF APPLICATION AND CONSTITUTIONAL ISSUE**

(Criminal Proceedings Rules, Rule 27.03, Form 5)

**STATUTORY PROVISIONS OR RULES UPON WHICH THE APPLICANT PLACES RELIANCE ARE:**

1. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**IN SUPPORT OF THIS APPLICATION, THE APPLICANT RELIES UPON THE FOLLOWING:**

(set out documents such as transcripts, etc. upon which the applicant relies)

1. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**THE RELIEF SOUGHT IS:**

1. An Order allowing the application and granting

(indicate particular relief sought)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**THE APPLICANT MAY BE SERVED WITH DOCUMENTS PERTINENT TO THIS APPLICATION**

1. By service in accordance with rule 5, through

\_\_\_\_\_ (specify address and fax number)

**DATED** at \_\_\_\_\_, Ontario, this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

\_\_\_\_\_  
Signature of applicant or solicitor

\_\_\_\_\_  
(set out name and address, as well as telephone and fax numbers)

To The Attorney General of Ontario  
Constitutional Law Branch  
Legal Services Division  
720 Bay Street, 4<sup>th</sup> Floor  
Toronto, Ontario M5G 2K1

The Attorney General of Canada  
Box 36  
3400 Exchange Tower  
First Canadian Place  
Toronto, Ontario M5X 1K6

(or Justice Building  
284 Wellington Street  
Ottawa, Ontario K1A 0H8)

and/or

(office of the prosecutor)

**Form 3  
BACKSHEET**

Court File No.

**SUPERIOR COURT OF JUSTICE**

**HER MAJESTY THE QUEEN**

**- and -**

(name of accused/applicant/appellant/respondent)

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Notice of Application and Constitutional Issue, Form 5

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*(Criminal Proceedings Rules, Form 3)*

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(name of counsel)

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(complete address of counsel)

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(counsel's telephone and fax numbers with area code)