

Telewarrant Applicability to *Criminal Code* CDSA and *Cannabis Act* Provisions

Section	Provision	Judicial Officer	Applicant
<i>Criminal Code - Investigative warrants and Authorizations for which the telewarrant process applies</i>			
184.2(2), 184.3(1) Authorization for interception of private communications with consent	<p>184.2(2) An application for an authorization under this section shall be made by a peace officer, or a public officer who has been appointed or designated to administer or enforce any federal or provincial law and whose duties include the enforcement of this or any other Act of Parliament, ex parte and in writing to a provincial court judge, a judge of a superior court of criminal jurisdiction or a judge as defined in section 552, and shall be accompanied by an affidavit, which may be sworn on the information and belief of that peace officer or public officer or of any other peace officer or public officer, deposing to the following matters:</p> <p>(a) that there are reasonable grounds to believe that an offence against this or any other Act of Parliament has been or will be committed;</p> <p>(b) the particulars of the offence;</p> <p>(c) the name of the person who has consented to the interception;</p> <p>(d) the period for which the authorization is requested; and</p> <p>(e) in the case of an application for an authorization where an authorization has previously been granted under this section or section 186, the particulars of the authorization.</p> <p>184.3(1) Notwithstanding section 184.2, an application for <u>an authorization under subsection 184.2(2) may be made ex parte to a provincial court judge, a judge of a superior court of criminal jurisdiction or a judge as defined in section 552, by telephone or other means of telecommunication</u>, if it would be impracticable in the circumstances for the applicant to appear personally before a judge.</p>	Provincial court judge, judge of a superior court of criminal jurisdiction or a judge as defined by s. 552	Peace officer or public officer
320.29(1) Warrants to obtain blood samples	<p>320.29(1) <u>A justice may issue a warrant authorizing a peace officer to require a qualified medical practitioner or a qualified technician to take the samples of a person's blood</u> that, in the opinion of the practitioner or technician taking the samples, are necessary to enable a proper analysis to be made to determine the person's blood alcohol concentration or blood drug concentration, or both, if the justice is satisfied, on an information on oath in Form 1 or on an information on oath submitted to the justice by telephone or other means of telecommunication, that</p> <p>(a) there are reasonable grounds to believe that the person has, within the preceding eight hours, operated a conveyance that was involved in an accident that resulted in bodily harm to themselves or another person or in the death of another person;</p> <p>(b) there are reasonable grounds to suspect that the person has alcohol or a drug in their body; and</p> <p>(c) a qualified medical practitioner is of the opinion that</p> <p>(i) by reason of any physical or mental condition of the person, the person is unable to consent to the taking of samples of their blood, and</p>	Justice	Unspecified

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	<p>(ii) the taking of samples of the person's blood will not endanger their health.</p> <p>320.29(3) Section 487.1 applies, with any modifications that the circumstances require, in respect of an <u>application for a warrant that is submitted by telephone or other means of telecommunication</u>.</p>		
<p>487</p> <p>Ordinary warrants</p>	<p>487 (1) A justice who is satisfied by information on oath in Form 1 that there are reasonable grounds to believe that there is in a building, receptacle or place:</p> <p>(a) anything on or in respect of which any offence against this Act or any other Act of Parliament has been or is suspected to have been committed,</p> <p>(b) anything that there are reasonable grounds to believe will afford evidence with respect to the commission of an offence, or will reveal the whereabouts of a person who is believed to have committed an offence, against this Act or any other Act of Parliament,</p> <p>(c) anything that there are reasonable grounds to believe is intended to be used for the purpose of committing any offence against the person for which a person may be arrested without warrant, or</p> <p>(c.1) any offence-related property, may at any time issue a warrant <u>authorizing a peace officer or a public officer</u> who has been appointed or designated to administer or enforce a federal or provincial law and whose duties include the enforcement of this Act or any other Act of Parliament and who is named in the warrant</p> <p>(d) to search the building, receptacle or place for any such thing and to seize it, and</p> <p>(e) subject to any other Act of Parliament, to, as soon as practicable, bring the thing seized before, or make a report in respect thereof to, the justice or some other justice for the same territorial division in accordance with section 489.1.</p> <p>487.1(1) If a <u>peace officer</u> believes that an <u>indictable offence</u> has been committed and that it would be impracticable to appear personally before a justice to make an application for a warrant in accordance with <u>section 487</u>, the <u>peace officer may submit an information on oath by telephone or other means of telecommunication</u> to a justice designated for the purpose by the chief judge of the provincial court having jurisdiction in the matter.</p>	Justice	Unspecified
<p>487.01(7)</p> <p>General warrant</p>	<p>487.01 (1) A provincial court judge, a judge of a superior court of criminal jurisdiction or a judge as defined in section 552 may issue a warrant in writing authorizing a peace officer to, subject to this section, use any device or investigative technique or procedure or do any thing described in the warrant that would, if not authorized, constitute an unreasonable search or seizure in respect of a person or a person's property if</p> <p>(a) the judge is satisfied by information on oath in writing that there are reasonable grounds to believe that an offence against this or any other Act of Parliament has been or will be committed and that information concerning the offence will be obtained through the use of the technique, procedure or device or the doing of the thing;</p> <p>(b) the judge is satisfied that it is in the best interests of the administration of justice to issue the warrant; and</p>	Provincial court judge, judge of a superior court of criminal jurisdiction or a judge as defined in section 552	Unspecified

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	<p>(c) there is no other provision in this or any other Act of Parliament that would provide for a warrant, authorization or order permitting the technique, procedure or device to be used or the thing to be done.</p> <p>(4) A warrant issued under subsection (1) that authorizes a peace officer to observe, by means of a television camera or other similar electronic device, any person who is engaged in activity in circumstances in which the person has a reasonable expectation of privacy shall contain such terms and conditions as the judge considers advisable to ensure that the privacy of the person or of any other person is respected as much as possible.</p> <p>(5) The definition offence in section 183 and sections 183.1, 184.2, <u>184.3</u> and 185 to 188.2, subsection 189(5), and sections 190, 193 and 194 to 196 apply, with such modifications as the circumstances require, to a warrant referred to in subsection (4) as though references in those provisions to interceptions of private communications were read as references to observations by peace officers by means of television cameras or similar electronic devices of activities in circumstances in which persons had reasonable expectations of privacy.</p> <p>(7) Where a peace officer believes that it would be impracticable to appear personally before a judge to make an application for a warrant under this section, <u>a warrant may be issued under this section on an information submitted by telephone or other means of telecommunication</u> and, for that purpose, section 487.1 applies, with such modifications as the circumstances require, to the warrant.</p>		
<p>487.05</p> <p>Warrant to take bodily substances for forensic DNA analysis</p>	<p>487.05 (1) A provincial court judge who on <i>ex parte</i> application made in Form 5.01 is satisfied by information on oath that there are reasonable grounds to believe</p> <p>(a) that a designated offence has been committed, (b) that a bodily substance has been found or obtained (i) at the place where the offence was committed, (ii) on or within the body of the victim of the offence, (iii) on anything worn or carried by the victim at the time when the offence was committed, or (iv) on or within the body of any person or thing or at any place associated with the commission of the offence, (c) that a person was a party to the offence, and (d) that forensic DNA analysis of a bodily substance from the person will provide evidence about whether the bodily substance referred to in paragraph (b) was from that person.</p> <p>and who is satisfied that it is in the best interests of the administration of justice to do so may issue a warrant in Form 5.02 authorizing the taking, from that person, for the purpose of forensic DNA analysis, of any number of samples of one or more bodily substances that is reasonably required for that purpose, by means of the investigative procedures described in subsection 487.06(1).</p> <p>487.05(3) Where a peace officer believes that it would be impracticable to appear personally before a judge to make an application for a warrant under this section, <u>a warrant may be issued under this section on an information</u></p>	Judge	Unspecified

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	<u>submitted by telephone or other means of telecommunication</u> and, for that purpose, section 487.1 applies, with such modifications as the circumstances require, to the warrant.		
487.092 Impression warrant	<p>487.092 (1) A justice may issue a warrant in writing authorizing a peace officer to do any thing, or cause any thing to be done under the direction of the peace officer, described in the warrant in order to obtain any handprint, fingerprint, footprint, foot impression, teeth impression or other print or impression of the body or any part of the body in respect of a person if the justice is satisfied</p> <p>(a) by information on oath in writing that there are reasonable grounds to believe that an offence against this or any other Act of Parliament has been committed and that information concerning the offence will be obtained by the print or impression; and</p> <p>(b) that it is in the best interests of the administration of justice to issue the warrant.</p> <p>487.092(4) Where a peace officer believes that it would be impracticable to appear personally before a justice to make an application for a warrant under this section, <u>a warrant may be issued under this section on an information submitted by telephone or other means of telecommunication</u> and, for that purpose, section 487.1 applies, with such modifications as the circumstances require, to the warrant.</p>	Justice	Unspecified
<i>CDSA - Investigative warrant for which the telewarrant process applies</i>			
11 Search warrant	<p>11 (1) A justice who, on <i>ex parte</i> application, is satisfied by information on oath that there are reasonable grounds to believe that</p> <p>(a) a controlled substance or precursor in respect of which this Act has been contravened,</p> <p>(b) any thing in which a controlled substance or precursor referred to in paragraph (a) is contained or concealed,</p> <p>(c) offence-related property, or</p> <p>(d) any thing that will afford evidence in respect of an offence under this Act or an offence, in whole or in part in relation to a contravention of this Act, under section 354 or 462.31 of the <i>Criminal Code</i> is in a place may, at any time, issue a warrant authorizing a peace officer, at any time, to search the place for any such controlled substance, precursor, property or thing and to seize it.</p> <p>(2) For the purposes of subsection (1), <u>an information may be submitted by telephone or other means of telecommunication in accordance with section 487.1 of the <i>Criminal Code</i>, with such modifications as the circumstances require.</u></p>	Justice	Unspecified

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<i>Cannabis Act - Investigative warrant for which the telewarrant process applies</i>			
87 Search Warrant	<p>87 (1) A justice who, on ex parte application, is satisfied by information on oath that there are reasonable grounds to believe that any of the following is in a place may, at any time, issue a warrant authorizing a peace officer, at any time, to search the place for it and to seize it:</p> <p>(a) cannabis in respect of which this Act has been contravened; (b) anything in which cannabis in respect of which this Act has been contravened is contained or concealed; (c) offence-related property; or (d) anything that will afford evidence in respect of an offence under this Act or an offence, in whole or in part, in relation to a contravention of this Act, under section 354 or 462.31 of the <i>Criminal Code</i>.</p> <p>(2) For the purposes of subsection (1), <u>the information may be submitted by telephone or other means of telecommunication in accordance with section 487.1 of the <i>Criminal Code</i>, with any necessary modifications.</u></p>	Justice	Unspecified
<i>Other Criminal Code provisions (other than investigative or in rem) for which the telewarrant process applies</i>			
529 Authorization to enter in warrant of arrest	<p>529(1) A warrant to arrest or apprehend a person issued by a judge or justice under this or any other Act of Parliament may authorize a peace officer, subject to subsection (2), to enter a dwelling-house described in the warrant for the purpose of arresting or apprehending the person if the judge or justice is satisfied by information on oath in writing that there are reasonable grounds to believe that the person is or will be present in the dwelling-house.</p> <p>529.5 If a peace officer believes that it would be impracticable in the circumstances to appear personally before a judge or justice to make an application for a warrant under section 529.1 or an authorization under section <u>529</u> or 529.4, the <u>warrant or authorization may be issued on an information submitted by telephone or other means of telecommunication</u> and, for that purpose, section 487.1 applies, with any modifications that the circumstances require, to the warrant or authorization.</p>	Judge or justice	Unspecified
529.1 Warrant to enter dwelling-house	<p>529.1 A judge or justice may issue a warrant in Form 7.1 authorizing a peace officer to enter a dwelling-house described in the warrant for the purpose of arresting or apprehending a person identified or identifiable by the warrant if the judge or justice is satisfied by information on oath that there are reasonable grounds to believe that the person is or will be present in the dwelling-house and that</p> <p>(a) a warrant referred to in this or any other Act of Parliament to arrest or apprehend the person is in force anywhere in Canada; (b) grounds exist to arrest the person without warrant under paragraph 495(1)(a) or (b) or section 672.91; or (c) grounds exist to arrest or apprehend without warrant the person under an Act of Parliament, other than this Act.</p>	Judge or justice	Unspecified

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	529.5 If a peace officer believes that it would be impracticable in the circumstances to appear personally before a judge or justice to make an application for a warrant under section 529.1 or an authorization under section 529 or 529.4, the <u>warrant or authorization may be issued on an information submitted by telephone or other means of telecommunication</u> and, for that purpose, section 487.1 applies, with any modifications that the circumstances require, to the warrant or authorization.		
529.4 Authorization omitting announcement before entry	529.4 (1) A judge or justice who authorizes a peace officer to enter a dwelling-house under section 529 or 529.1, or any other judge or justice, may authorize the peace officer to enter the dwelling-house without prior announcement if the judge or justice is satisfied by information on oath that there are reasonable grounds to believe that prior announcement of the entry would (a) expose the peace officer or any other person to imminent bodily harm or death; or (b) result in the imminent loss or imminent destruction of evidence relating to the commission of an indictable offence. 529.5 If a peace officer believes that it would be impracticable in the circumstances to appear personally before a judge or justice to make an application for a warrant under section 529.1 or an authorization under section 529 or 529.4, the <u>warrant or authorization may be issued on an information submitted by telephone or other means of telecommunication</u> and, for that purpose, section 487.1 applies, with any modifications that the circumstances require, to the warrant or authorization.	Judge or justice	Unspecified
742.6(1)(f) Procedure on breach of condition – warrant of arrest	742.6 (1) For the purpose of proceedings under this section, (...) (f) any judge of a superior court of criminal jurisdiction or of a court of criminal jurisdiction or any justice of the peace may issue a warrant to arrest no matter which court, judge or justice sentenced the offender, and the <u>provisions that apply to the issuance of telewarrants apply, with any modifications that the circumstances require, as if a breach of condition were an indictable offence.</u>	Judge of a superior court of criminal jurisdiction, or a court of criminal jurisdiction, or any justice of the peace	Unspecified Provisions of Parts XVI and XVII apply (peace officer)
<i>Criminal Code search and seizure provisions for which the telewarrant process does <u>not</u> apply</i>			
83.222 Warrant of seizure	83.222 (1) A judge who is satisfied by information on oath that there are reasonable grounds to believe that any publication, copies of which are kept for sale or distribution in premises within the court's jurisdiction, is terrorist propaganda may issue a warrant authorizing seizure of the copies.	Judge	Unspecified
83.223	83.223 (1) If a judge is satisfied by information on oath that there are reasonable grounds to believe that there is material — that is terrorist propaganda or computer data that makes terrorist propaganda available — stored on and made available to the public through a computer system that is within the court's jurisdiction, the judge may	Judge	Unspecified

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Order to computer system's custodian	order the computer system's custodian to (a) give an electronic copy of the material to the court; (b) ensure that the material is no longer stored on and made available through the computer system; and (c) provide the information that is necessary to identify and locate the person who posted the material.		
117.04(1) Preventive seizure of firearms	117.04 (1) Where, pursuant to an application made by a peace officer with respect to any person, a justice is satisfied by information on oath that there are reasonable grounds to believe that the person possesses a weapon, a prohibited device, ammunition, prohibited ammunition or an explosive substance in a building, receptacle or place and that it is not desirable in the interests of the safety of the person, or of any other person, for the person to possess the weapon, prohibited device, ammunition, prohibited ammunition or explosive substance, the justice may issue a warrant authorizing a peace officer to search the building, receptacle or place and seize any such thing, and any authorization, licence or registration certificate relating to any such thing, that is held by or in the possession of the person.	Justice	Peace officer
164 Warrant of seizure	(1) A judge may issue a warrant authorizing seizure of copies of a recording, a publication, a representation or any written material, if the judge is satisfied by information on oath that there are reasonable grounds to believe that (a) the recording, copies of which are kept for sale or distribution in premises within the jurisdiction of the court, is a voyeuristic recording; (b) the recording, copies of which are kept for sale or distribution in premises within the jurisdiction of the court, is an intimate image; (c) the publication, copies of which are kept for sale or distribution in premises within the jurisdiction of the court, is obscene, within the meaning of subsection 163(8); (d) the representation, written material or recording, copies of which are kept in premises within the jurisdiction of the court, is child pornography as defined in section 163.1; or (e) the representation, written material or recording, copies of which are kept in premises within the jurisdiction of the court, is an advertisement of sexual services.	Judge	Unspecified
164.1 Warrant of seizure	164.1 (1) If a judge is satisfied by information on oath that there are reasonable grounds to believe that there is material — namely, child pornography as defined in section 163.1, a voyeuristic recording, an intimate image or an advertisement of sexual services as defined in 164(8) or computer data as defined in subsection 342.1(2) that makes child pornography, a voyeuristic recording, an intimate image or an advertisement of sexual services available — that is stored on and made available through a computer system as defined in subsection 342.1(2) that is within the jurisdiction of the court, the judge may order the custodian of the computer system to (a) give an electronic copy of the material to the court; (b) ensure that the material is no longer stored on and made available through the computer system; and (c) provide the information necessary to identify and locate the person who posted the material.	Judge	Unspecified

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185 186 Application for authorization	<p>185 (1) <u>An application for an authorization to be given under section 186 shall be made ex parte and in writing to a judge of a superior court of criminal jurisdiction or a judge as defined in section 552 and shall be signed by the Attorney General of the province in which the application is made or the Minister of Public Safety and Emergency Preparedness or an agent specially designated in writing for the purposes of this section by</u></p> <p>(a) the Minister personally or the Deputy Minister of Public Safety and Emergency Preparedness personally, if the offence under investigation is one in respect of which proceedings, if any, may be instituted at the instance of the Government of Canada and conducted by or on behalf of the Attorney General of Canada, or</p> <p>(b) the Attorney General of a province personally or the Deputy Attorney General of a province personally, in any other case,</p> <p>and shall be accompanied by an affidavit, which may be sworn on the information and belief of a <u>peace officer or public officer</u> deposing to the following matters:</p> <p>(c) the facts relied on to justify the belief that an authorization should be given together with particulars of the offence,</p> <p>(d) the type of private communication proposed to be intercepted,</p> <p>(e) the names, addresses and occupations, if known, of all persons, the interception of whose private communications there are reasonable grounds to believe may assist the investigation of the offence, a general description of the nature and location of the place, if known, at which private communications are proposed to be intercepted and a general description of the manner of interception proposed to be used,</p> <p>(f) the number of instances, if any, on which an application has been made under this section in relation to the offence and a person named in the affidavit pursuant to paragraph (e) and on which the application was withdrawn or no authorization was given, the date on which each application was made and the name of the judge to whom each application was made,</p> <p>(g) the period for which the authorization is requested, and</p> <p>(h) whether other investigative procedures have been tried and have failed or why it appears they are unlikely to succeed or that the urgency of the matter is such that it would be impractical to carry out the investigation of the offence using only other investigative procedures.</p> <p>186 (1) An authorization under this section may be given if the judge to whom the application is made is satisfied</p> <p>(a) that it would be in the best interests of the administration of justice to do so; and</p> <p>(b) that other investigative procedures have been tried and have failed, other investigative procedures are unlikely to succeed or the urgency of the matter is such that it would be impractical to carry out the investigation of the offence using only other investigative procedures.</p>	Judge of a superior court of criminal jurisdiction or a judge as defined by s. 552	Peace officer or public officer
188 Interception -	<p>188 (1) Notwithstanding section 185, an application made under that section for an authorization may be made ex parte to a judge of a superior court of criminal jurisdiction, or a judge as defined in section 552, designated from time to time by the Chief Justice, by a peace officer specially designated in writing, by name or otherwise, for the purposes of this section by</p>	Judge of a superior court of criminal jurisdiction, or a judge as defined in section	Specially designated peace officer

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Emergency application	<p>(a) the Minister of Public Safety and Emergency Preparedness, if the offence is one in respect of which proceedings, if any, may be instituted by the Government of Canada and conducted by or on behalf of the Attorney General of Canada, or</p> <p>(b) the Attorney General of a province, in respect of any other offence in the province,</p> <p>if the urgency of the situation requires interception of private communications to commence before an authorization could, with reasonable diligence, be obtained under section 186.</p> <p>(2) Where the judge to whom an application is made pursuant to subsection (1) is satisfied that the urgency of the situation requires that interception of private communications commence before an authorization could, with reasonable diligence, be obtained under section 186, he may, on such terms and conditions, if any, as he considers advisable, give an authorization in writing for a period of up to thirty-six hours.</p>	552, designated by the Chief Justice	
199(1) Warrant to search related to gaming and bawdy-houses	199 (1) A justice who is satisfied by information on oath that there are reasonable grounds to believe that an offence under section 201, 202, 203, 206, 207 or 210 is being committed at any place within the jurisdiction of the justice may issue a warrant authorizing a peace officer to enter and search the place by day or night and seize anything found therein that may be evidence that an offence under section 201, 202, 203, 206, 207 or 210, as the case may be, is being committed at that place, and to take into custody all persons who are found in or at that place and requiring those persons and things to be brought before that justice or before another justice having jurisdiction, to be dealt with according to law.	Justice	Unspecified
320 Warrant of seizure	320 (1) A judge who is satisfied by information on oath that there are reasonable grounds for believing that any publication, copies of which are kept for sale or distribution in premises within the jurisdiction of the court, is hate propaganda shall issue a warrant under his hand authorizing seizure of the copies.	Judge	Unspecified
320.1 Warrant of seizure	<p>320.1 (1) If a judge is satisfied by information on oath that there are reasonable grounds to believe that there is material that is hate propaganda within the meaning of subsection 320(8) or computer data within the meaning of subsection 342.1(2) that makes hate propaganda available, that is stored on and made available to the public through a computer system within the meaning of subsection 342.1(2) that is within the jurisdiction of the court, the judge may order the custodian of the computer system to</p> <p>(a) give an electronic copy of the material to the court;</p> <p>(b) ensure that the material is no longer stored on and made available through the computer system; and</p> <p>(c) provide the information necessary to identify and locate the person who posted the material.</p>	Judge	Unspecified
395(1)	395 (1) If an information in writing is laid under oath before a justice by a peace officer or by a public officer who has been appointed or designated to administer or enforce a federal or provincial law and whose duties include the enforcement of this Act or any other Act of Parliament and the justice is satisfied that there are reasonable	Justice	Peace officer or public officer

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Warrant to search for valuable minerals	grounds to believe that, contrary to this Act or any other Act of Parliament, any valuable mineral is deposited in a place or held by a person, the justice may issue a warrant authorizing a peace officer or a public officer, if the public officer is named in it, to search any of the places or persons mentioned in the information.		
462.32 Special search warrant	462.32 (1) Subject to subsection (3), if a judge, on application of the Attorney General, is satisfied by information on oath in Form 1 that there are reasonable grounds to believe that there is in any building, receptacle or place, within the province in which the judge has jurisdiction or any other province, any property in respect of which an order of forfeiture may be made under subsection 462.37(1) or (2.01) or 462.38(2), in respect of a designated offence alleged to have been committed within the province in which the judge has jurisdiction, the judge may issue a warrant authorizing a person named in the warrant or a peace officer to search the building, receptacle or place for that property and to seize that property and any other property in respect of which that person or peace officer believes, on reasonable grounds, that an order of forfeiture may be made under that subsection.	Judge	Attorney General
462.33 Application for restraint order	462.33 (1) The Attorney General may make an application in accordance with subsection (2) for a restraint order under subsection (3) in respect of any property. (2) An application made under subsection (1) for a restraint order under subsection (3) in respect of any property may be made ex parte and shall be made in writing to a judge and be accompanied by an affidavit sworn on the information and belief of the Attorney General or any other person deposing to the following matters, namely, (a) the offence or matter under investigation; (b) the person who is believed to be in possession of the property; (c) the grounds for the belief that an order of forfeiture may be made under subsection 462.37(1) or (2.01) or 462.38(2) in respect of the property; (d) a description of the property; and (e) whether any previous applications have been made under this section with respect to the property.	Judge	Attorney General
487.013 Preservation order — computer data	487.013 (1) On ex parte application made by a peace officer or public officer, a justice or judge may order a person to preserve computer data that is in their possession or control when they receive the order.	Justice or judge	Peace officer or public officer
487.014 General production order	487.014 (1) Subject to sections 487.015 to 487.018, on ex parte application made by a peace officer or public officer, a justice or judge may order a person to produce a document that is a copy of a document that is in their possession or control when they receive the order, or to prepare and produce a document containing data that is in their possession or control at that time.	Justice or judge	Peace officer or public officer

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487.015 Production order to trace specified communication	487.015 (1) On ex parte application made by a peace officer or public officer for the purpose of identifying a device or person involved in the transmission of a communication, a justice or judge may order a person to prepare and produce a document containing transmission data that is related to that purpose and that is, when they are served with the order, in their possession or control.	Justice or judge	Peace officer or public officer
487.016 Production order — transmission data	487.016 (1) On ex parte application made by a peace officer or public officer, a justice or judge may order a person to prepare and produce a document containing transmission data that is in their possession or control when they receive the order.	Justice or judge	Peace officer or public officer
487.017 Production order — tracking data	487.017 (1) On ex parte application made by a peace officer or public officer, a justice or judge may order a person to prepare and produce a document containing tracking data that is in their possession or control when they receive the order.	Justice or judge	Peace officer or public officer
487.018 Production order — financial data	487.018 (1) On ex parte application made by a peace officer or public officer, a justice or judge may order a financial institution, as defined in section 2 of the Bank Act, or a person or entity referred to in section 5 of the Proceeds of Crime (Money Laundering) and Terrorist Financing Act, to prepare and produce a document setting out the following data that is in their possession or control when they receive the order: (a) either the account number of a person named in the order or the name of a person whose account number is specified in the order; (b) the type of account; (c) the status of the account; and (d) the date on which it was opened or closed.	Justice or judge	Peace officer or public officer
487.0191 Order prohibiting disclosure	487.0191 (1) On ex parte application made by a peace officer or public officer, a justice or judge may make an order prohibiting a person from disclosing the existence or some or all of the contents of a preservation demand made under section 487.012 or a preservation or production order made under any of sections 487.013 to 487.018 during the period set out in the order.	Justice or judge	Peace officer or public officer
492.1 Warrant for tracking device	492.1 (1) A justice or judge who is satisfied by information on oath that there are reasonable grounds to suspect that an offence has been or will be committed under this or any other Act of Parliament and that tracking the location of one or more transactions or the location or movement of a thing, including a vehicle, will assist in the investigation of the offence may issue a warrant authorizing a peace officer or a public officer to obtain that tracking data by means of a tracking device. (2) A justice or judge who is satisfied by information on oath that there are reasonable grounds to believe that an offence has been or will be committed under this or any other Act of Parliament and that tracking an individual's movement by identifying the location of a thing that is usually carried or worn by the individual will assist in the	Judge or justice	Unspecified

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	investigation of the offence may issue a warrant authorizing a peace officer or a public officer to obtain that tracking data by means of a tracking device.		
492.2 Warrant for transmission data recorder	492.2 (1) A justice or judge who is satisfied by information on oath that there are reasonable grounds to suspect that an offence has been or will be committed against this or any other Act of Parliament and that transmission data will assist in the investigation of the offence may issue a warrant authorizing a peace officer or a public officer to obtain the transmission data by means of a transmission data recorder.	Judge or justice	Unspecified