

490.011 (1) The following definitions apply in this section and in sections 490.012 to 490.032.

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| ``crime of a sexual nature" « <i>crimes de nature sexuelle</i> » | ``crime of a sexual nature" means a crime referred to in subsection 3(2) of the <i>Sex Offender Information Registration Act</i> . |
| ``database" « <i>banque de données</i> » | ``database" has the same meaning as in subsection 3(1) of the <i>Sex Offender Information Registration Act</i> . |
| ``designated offence" « <i>infraction désignée</i> » | ``designated offence" means |

(a) an offence under any of the following provisions:

- (i) subsection 7(4.1) (offence in relation to sexual offences against children),
- (ii) section 151 (sexual interference),
- (iii) section 152 (invitation to sexual touching),
- (iv) section 153 (sexual exploitation),
- (v) section 153.1 (sexual exploitation of person with disability),
- (vi) section 155 (incest),
- (vii) subsection 160(3) (bestiality in presence of or by a child),
- (viii) section 163.1 (child pornography),
- (ix) section 170 (parent or guardian procuring sexual activity),
- (x) section 172.1 (luring a child by means of a computer system),
- (xi) subsection 173(2) (exposure),
- (xii) paragraph 212(1)(i) (stupefying or overpowering for the purpose of sexual intercourse),
- (xiii) subsection 212(2) (living on the avails of prostitution of a person under age of eighteen),
- (xiv) subsection 212(2.1) (aggravated offence - living on the avails of prostitution of a person under age of eighteen),

(xv) subsection 212(4) (obtaining prostitution of person under age of eighteen),
(xvi) section 271 (sexual assault),
(xvii) section 272 (sexual assault with a weapon, threats to a third party or causing bodily harm),
(xviii) paragraph 273(2)(a) (aggravated sexual assault - use of a firearm),
(xix) paragraph 273(2)(b) (aggravated sexual assault), and
(xx) subsection 273.3(2) (removal of a child from Canada);

(b) an offence under any of the following provisions:

(i) subsection 173(1) (indecent acts),
(ii) section 177 (trespassing at night),
(iii) section 230 (murder in commission of offences),
(iv) section 234 (manslaughter),
(v) paragraph 246(b) (overcoming resistance to commission of offence),
(vi) section 264 (criminal harassment),
(vii) section 279 (kidnapping),
(viii) section 280 (abduction of a person under age of sixteen),
(ix) section 281 (abduction of a person under age of fourteen),
(x) paragraph 348(1)(d) (breaking and entering a dwelling house with intent to commit an indictable offence),
(xi) paragraph 348(1)(d) (breaking and entering a dwelling house and committing an indictable offence),
(xii) paragraph 348(1)(e) (breaking and entering a place other than a dwelling house with intent to commit an indictable offence), and
(xiii) paragraph 348(1)(e) (breaking and entering a place other than a dwelling house and committing an

indictable offence);

(c) an offence 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:

- (i) section 144 (rape),
- (ii) section 145 (attempt to commit rape),
- (iii) section 149 (indecent assault on female),
- (iv) section 156 (indecent assault on male), and
- (v) subsection 246(1) (assault with intent);

(d) an offence 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 1, 1988:

- (i) subsection 146(1) (sexual intercourse with a female under age of fourteen),
- (ii) subsection 146(2) (sexual intercourse with a female between ages of fourteen and sixteen),
- (iii) section 153 (sexual intercourse with step-daughter),
- (iv) section 157 (gross indecency),
- (v) section 166 (parent or guardian procuring defilement), and
- (vi) section 167 (householder permitting defilement);

(e) an attempt or conspiracy to commit an offence referred to in any of paragraphs (a), (c) and (d); or

(f) an attempt or conspiracy to commit an offence referred to in paragraph (b).

``Ontario Act"
« *loi ontarienne* »

``pardon"
« *réhabilitation* »

``Ontario Act" means *Christopher's Law (Sex Offender Registry)*, 2000, S.O. 2000, c. 1.

``pardon" means a pardon granted by any authority under law, other than a free pardon granted under Her Majesty's royal prerogative of mercy or under section 748, that has not

ceased to have effect or been revoked.

``registration centre"
« *bureau d'inscription* »

``registration centre" has the same meaning as in subsection 3(1) of the *Sex Offender Information Registration Act*.

``Review Board"
« *commission d'examen* »

``Review Board" means the Review Board established or designated for a province under subsection 672.38(1).

``verdict of not criminally responsible on account of mental disorder"
« *verdict de non-responsabilité* »

``verdict of not criminally responsible on account of mental disorder" has the same meaning as in section 672.1.

Interpretation

(2) For the purpose of this section and sections 490.012 to 490.032, a person who is convicted of, or found not criminally responsible on account of mental disorder for, a designated offence does not include a young person

(a) within the meaning of subsection 2(1) of the *Youth Criminal Justice Act* unless they are given an adult sentence within the meaning of that subsection for the offence; or

(b) within the meaning of subsection 2(1) of the *Young Offenders Act*, chapter Y-1 of the Revised Statutes of Canada, 1985, unless they are convicted of the offence in ordinary court within the meaning of that subsection.