

**SEX OFFENDER INFORMATION REGISTRATION ACT
OBLIGATION SECTIONS FOR SEX OFFENDERS**

4. (1) A sex offender shall report, for the first time under this Act, in person to the registration centre that serves the area in which their main residence is located.
- (2) A person who is subject to an order shall report within 15 days after
- (a) the order is made, if they are convicted of the offence in connection with which the order is made but are not given a custodial sentence;
 - (b) they receive an absolute or conditional discharge under Part XX.1 of the *Criminal Code*, if they are found not criminally responsible on account of mental disorder for the offence in connection with which the order is made;
 - (c) they are released from custody pending the determination of an appeal relating to the offence in connection with which the order is made; or
 - (d) they are released from custody after serving the custodial portion of a sentence for the offence in connection with which the order is made.
- (3) A person who is subject to an obligation under section 490.019 of the *Criminal Code* shall report,
- (a) if they are not in custody on the day on which they become subject to the obligation, within 15 days after that day; or
 - (b) in any other case, within 15 days after
 - (i) they receive an absolute or conditional discharge under Part XX.1 of the *Criminal Code*,
 - (ii) they are released from custody pending the determination of an appeal, or
 - (iii) they are released from custody after serving the custodial portion of a sentence.
- (4) A sex offender shall not leave Canada before they report under this section.
- 4.1 A sex offender shall subsequently report to the registration centre that serves the area in which their main residence is located in person or in accordance with regulations made under paragraph 18(1)(a) or subsection 19(1),
- (a) within 15 days after they change their main residence or any secondary residence;
 - (b) within 15 days after they change their given name or surname; and
 - (c) at any time between 11 months and one year after they last reported to a registration centre under this Act.
- 4.2 (1) If a person who is subject to an obligation under section 490.019 of the *Criminal Code* becomes subject to an order, they shall report on the reporting dates established under the order only.
- (2) A person who is subject to more than one order shall report on the reporting dates established under the most recent order only.
- 4.3 A sex offender who is outside Canada when they are required to report under section 4.1 shall report not later than 15 days after they return to Canada.
5. (1) When a sex offender reports to a registration centre, they shall provide the following information to a person who collects information at the registration centre:
- (a) their given name and surname, and every alias that they use;
 - (b) their date of birth and gender;
 - (c) the address of their main residence and every secondary residence or, if there is no such address, the location of that place;
 - (d) the address of every place at which they are employed or retained, or are engaged on a volunteer basis or, if there is no such address, the location of that place;
 - (e) the address of every educational institution at which they are enrolled or, if there is no such address, the location of that place;
 - (f) a telephone number at which they may be reached, if any, for every place referred to in paragraphs (c) and (d), ; number of every mobile telephone or pager in their possession; and
 - (g) their height and weight and a description of every physical distinguishing mark that they have.
- (2) When a sex offender provides the information referred to in subsection (1), the person who collects the information may ask them when and where they were convicted of, or found not criminally responsible on account of mental disorder

for, an offence in connection with which an order was made or, if they are subject to an obligation under section 490.019 of the *Criminal Code*, a designated offence within the meaning of subsection 490.011(1) of that Act.

(3) When a sex offender reports to a registration centre in person, the person who collects the information referred to in subsection (1) may record any observable characteristic that may assist in identification of the sex offender, including their eye colour and hair colour, and may require that their photograph be taken.

6. (1) A sex offender shall notify a person who collects information at the registration centre that serves the area in which their main residence is located

(a) of every address or location at which they stay or intend to stay, and of their actual or estimated dates of departure from, and return to, their main residence or a secondary residence, not later than 15 days after departure if they are in Canada but are absent from their main residence and every secondary residence for a period of at least 15 consecutive days;

(b) of their actual or estimated date of departure from their main residence or a secondary residence, not later than 15 days after departure if they are outside Canada for a period of at least 15 consecutive days; and

(c) of their actual return to their main residence or a secondary residence after a departure referred to in paragraph (a) or (b), not later than 15 days after they return, unless they are required to report under section 4.1 or 4.3 within that period.

(2) Notification shall be by registered mail or in accordance with regulations made under paragraph 18(1)(a) or subsection 19(1), but a sex offender may not be required to provide notification in person.

7. A sex offender who is under 18 years of age has the right to have an appropriate adult chosen by them in attendance when they report to a registration centre and when information is collected.

17. (1) Every person who knowingly provides false or misleading information under subsection 5(1) or 6(1) is guilty of an offence and liable

(a) in the case of a first offence, on summary conviction, to a fine of not more than \$10,000 or to imprisonment for a term of not more than six months, or to both; and

(b) in the case of a second or subsequent offence,

(i) on conviction on indictment, to a fine of not more than \$10,000 or to imprisonment for a term of not more than two years, or to both, or

(ii) on summary conviction, to a fine of not more than \$10,000 or to imprisonment for a term of not more than six months, or to both.

(2) Every person who knowingly contravenes any of subsections 16(1) to (5) is guilty of an offence and liable on summary conviction to a fine of not more than \$10,000 or to imprisonment for a term of not more than six months, or to both.

490.031 Every person who, without reasonable excuse, fails to comply with an order made under section 490.012 or with an obligation under section 490.019, is guilty of an offence and liable

(a) in the case of a first offence, on summary conviction, to a fine of not more than \$10,000 or to imprisonment for a term of not more than six months, or to both; and

(b) in the case of a second or subsequent offence,

(i) on conviction on indictment, to a fine of not more than \$10,000 or to imprisonment for a term of not more than two years, or to both, or

(ii) on summary conviction, to a fine of not more than \$10,000 or to imprisonment for a term of not more than six months, or to both.