



PRACTICE DIRECTION

Criminal Caseflow Management Rules

Elections

November 25, 2003

Extensive amendments to the ***Criminal Code*** preliminary inquiry provisions are expected to come into force on June 1, 2004. These provisions will eliminate automatic preliminary inquiries, and, in the absence of a request for a preliminary inquiry, a date for trial will be fixed by the trial court, Provincial or Supreme, following election. In order to comply with the new provisions, an election must be put to the accused and made before or at the arraignment hearing, and any request for a preliminary hearing must also be made at that time.

Accordingly, in anticipation of these changes, I make the following Practice Direction under Rule 3:

Effective December 1, 2003, where an election is required to be put to an accused pursuant to Section 536 of the *Criminal Code*, that election shall be put to an accused and the accused shall elect their mode of trial at or before the arraignment hearing.

Carol Baird Ellan
Chief Judge