

<p style="text-align: center;"><b>Canadian Mandatory Minimum Sentences in the Criminal Code and Controlled Drugs and Substances Act</b></p>								
<p><b>Current to July 2018 Not comprehensive</b></p>						<p><b>MMS.watch</b></p>	<p><b>A project of rangefindr.ca</b></p>	
Offence	Additional elements	Mandatory minimum sentence	Act	Section	Came into force	Created by	Status	Case citation(s) (for Status)
Sexual interference (previous)	Summary	14d	Criminal Code	151(b)	1-Nov-2005	An Act to amend the Criminal Code (protection of children and other vulnerable persons) and the Canada Evidence Act, SC 2005, c 32, s 3	Mostly upheld	<p><u>Challenged and not applied</u> (but not explicitly struck down):</p> <ul style="list-style-type: none"> <li>• R v BJT, 2016 ONSC 6616</li> </ul> <p><u>Upheld</u>:</p> <ul style="list-style-type: none"> <li>• R v SA, 2016 ONSC 5355</li> <li>• R v EMQ, 2015 BCSC 201</li> <li>• R v Craig, 2013 BCSC 2098</li> <li>• R v Lonegren, 2009 BCSC 1678 and 2010 BCSC 960</li> </ul>
	Indictable	45d	Criminal Code	151(a)	1-Nov-2005	An Act to amend the Criminal Code (protection of children and other vulnerable persons) and the Canada Evidence Act, SC 2005, c 32, s 3		
Sexual interference (current)	Summary	90d	Criminal Code	151(b)	9-Aug-2012	Safe Streets and Communities Act, SC 2012, c 1, s 11	Held to violate Charter / Upheld by provincial courts	<p><u>Held to violate Charter</u>:</p> <ul style="list-style-type: none"> <li>• R v Drumonde, 2018 ONCJ 336</li> <li>• R v Brandon Boeyenga (Main J, ONCJ, 2-Nov-2016)</li> </ul> <p><u>Upheld</u>:</p> <ul style="list-style-type: none"> <li>• R v CF, 2016 ONCJ 302</li> </ul>
	Indictable	1y	Criminal Code	151(a)	9-Aug-2012	Safe Streets and Communities Act, SC 2012, c 1, s 11	Struck down	<ul style="list-style-type: none"> <li>• R v Hood, 2018 NSCA 18</li> <li>• Caron Barrette c R, 2018 QCCA 516</li> <li>• R v Scofield, 2018 BCSC 91 and 2018 BCSC 419</li> <li>• R v Sarmales, 2017 ONSC 1869</li> <li>• R v Ford, 2017 ABQB 322 and 2017 ABQB 527</li> <li>• R v JED, 2017 MBPC 33</li> <li>• R v SJP, 2016 NSPC 50</li> <li>• R v ML, 2016 ONSC 7082</li> <li>• R v BJT, 2016 ONSC 6616</li> </ul>

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Inviting sexual touching (previous)	Summary	14d	<i>Criminal Code</i>	152(b)	1-Nov-2005	<i>Criminal Code (protection of children and other vulnerable persons) and the Canada Evidence Act, SC 2005, c 32, s 3</i>	Upheld (by a provincial court)	• <i>R v SK</i> , 2013 ONCJ 267
	Indictable	45d	<i>Criminal Code</i>	152(a)	1-Nov-2005	<i>Criminal Code (protection of children and other vulnerable persons) and the Canada Evidence Act, SC 2005, c 32, s 3</i>		
Inviting sexual touching (current)	Summary	90d	<i>Criminal Code</i>	152(b)	9-Aug-2012	<i>Safe Streets and Communities Act, SC 2012, c 1, s 12</i>	Held to violate Charter / Upheld by provincial courts	Held to violate Charter: • <i>R v JG</i> , 2017 ONCJ 881  Upheld: • <i>R v Gumban</i> , 2017 BCPC 226
	Indictable	1y	<i>Criminal Code</i>	152(a)	9-Aug-2012	<i>Safe Streets and Communities Act, SC 2012, c 1, s 12</i>		
Sexual exploitation (previous)	Summary	14d	<i>Criminal Code</i>	153(1.1)(b)	1-Nov-2005	<i>Criminal Code (protection of children and other vulnerable persons) and the Canada Evidence Act, SC 2005, c 32, s 4</i>	Upheld	• <i>R v Aldersley</i> , 2018 BCSC 734
	Indictable	45d	<i>Criminal Code</i>	153(1.1)(a)	1-Nov-2005	<i>Criminal Code (protection of children and other vulnerable persons) and the Canada Evidence Act, SC 2005, c 32, s 4</i>		
Sexual exploitation (current)	Summary	90d	<i>Criminal Code</i>	153(1.1)(b)	9-Aug-2012	<i>Safe Streets and Communities Act, SC 2012, c 1, s 13</i>	Held to violate Charter by provincial court	• <i>R v Okoro</i> (12 April 2018), Toronto, Ont, per Bacchus J  • <i>R v Hood</i> , 2018 NSCA 18 • <i>R v Cristoferi-Paolucci</i> , 2017 ONSC 4246 • <i>R v EJB</i> , 2017 ABQB 726
	Indictable	1y	<i>Criminal Code</i>	153(1.1)(a)	9-Aug-2012	<i>Safe Streets and Communities Act, SC 2012, c 1, s 13</i>		
Incest against child under 16		5y	<i>Criminal Code</i>	155(2)	9-Aug-2012	<i>Safe Streets and Communities Act, SC 2012, c 1, s 14</i>		
Bestiality involving child	Summary	6m	<i>Criminal Code</i>	160(3)(b)	9-Aug-2012	<i>Safe Streets and Communities Act, SC 2012, c 1, s 15</i>		
	Indictable	1y	<i>Criminal Code</i>	160(3)(a)	9-Aug-2012	<i>Safe Streets and Communities Act, SC 2012, c 1, s 15</i>		

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<b>Making child pornography</b>	Indictable (offence is straight indictable since 17-Jul-2015)	1y	<i>Criminal Code</i>	163.1(2)	1-Nov-2005	<i>An Act to amend the Criminal Code (protection of children and other vulnerable persons) and the Canada Evidence Act, SC 2005, c 32, s 7(2); Safe Streets and Communities Act, SC 2012, c 1, s 17; Tougher Penalties for Child Predators Act, SC 2015, c 23, s 7(1)</i>	Upheld	• <i>R v Cristoferi-Paolucci</i> , 2017 ONSC 4246
<b>Distributing child pornography</b>		1y	<i>Criminal Code</i>	163.1(3)	1-Nov-2005; 17-Jul-2015	<i>An Act to amend the Criminal Code (protection of children and other vulnerable persons) and the Canada Evidence Act, SC 2005, c 32, s 7(3); Tougher Penalties for Child Predators Act, SC 2015, c 23, s 7(1)</i>	Upheld	• <i>R v Schultz</i> , 2008 ABQB 679 • <i>R v Watts</i> , 2016 ABPC 57
<b>Possessing child pornography (previous)</b>	Summary	14d	<i>Criminal Code</i>	163.1(4)(b)	1-Nov-2005	<i>An Act to amend the Criminal Code (protection of children and other vulnerable persons) and the Canada Evidence Act, SC 2005, c 32, s 7(4)</i>		
	Indictable	45d	<i>Criminal Code</i>	163.1(4)(a)	1-Nov-2005	<i>An Act to amend the Criminal Code (protection of children and other vulnerable persons) and the Canada Evidence Act, SC 2005, c 32, s 7(4)</i>	Upheld	• <i>R v Walker</i> , 2017 BCSC 1301 • <i>R v LeCourtois</i> , 2016 ONSC 190
<b>Possessing child pornography (previous)</b>	Summary	90d	<i>Criminal Code</i>	163.1(4)(b)	9-Aug-2012	<i>Safe Streets and Communities Act, SC 2012, c 1, s 17(3)</i>	Struck down	• <i>R v Swaby</i> , 2017 BCSC 2020, leave to appeal granted 2018 BCCA 35
	Indictable	6m	<i>Criminal Code</i>	163.1(4)(a)	9-Aug-2012	<i>Safe Streets and Communities Act, SC 2012, c 1, s 17(3)</i>	Upheld	• <i>R v John</i> , 2017 ONSC 810 • <i>R v Cristoferi-Paolucci</i> , 2017 ONSC 4246 • <i>R v Watts</i> , 2016 ABPC 57 • <i>R v Machulec</i> (16 November 2016), Windsor, Ont, 14/3150, per Munroe J
<b>Possessing child pornography (current)</b>	Summary	6m	<i>Criminal Code</i>	163.1(4)(b)	17-Jul-2015	<i>Tougher Penalties for Child Predators Act, SC 2015, c 23, s 7(2)</i>		
	Indictable	1y	<i>Criminal Code</i>	163.1(4)(a)	17-Jul-2015	<i>Tougher Penalties for Child Predators Act, SC 2015, c 23, s 7(2)</i>		
<b>Accessing child pornography (previous)</b>	Summary	90d	<i>Criminal Code</i>	163.1(4.1)(b)	9-Aug-2012	<i>Safe Streets and Communities Act, SC 2012, c 1, s 17(4)</i>		
	Indictable	6m	<i>Criminal Code</i>	163.1(4.1)(a)	9-Aug-2012	<i>Safe Streets and Communities Act, SC 2012, c 1, s 17(4)</i>	Upheld	• <i>R v Cristoferi-Paolucci</i> , 2017 ONSC 4246

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<b>Accessing child pornography (current)</b>	Summary	6m	<i>Criminal Code</i>	163.1(4.1)(b)	17-Jul-2015	<i>Tougher Penalties for Child Predators Act</i> , SC 2015, c 23, s 7(3)		
	Indictable	1y	<i>Criminal Code</i>	163.1(4.1)(a)	17-Jul-2015	<i>Tougher Penalties for Child Predators Act</i> , SC 2015, c 23, s 7(3)		
<b>Parent/guardian procuring sexual activity against minor</b>		1y	<i>Criminal Code</i>	170	17-Jul-2015	<i>Tougher Penalties for Child Predators Act</i> , SC 2015, c 23, s 8		
<b>Householder permitting unlawful sexual activity with child</b>		1y	<i>Criminal Code</i>	171	17-Jul-2015	<i>Tougher Penalties for Child Predators Act</i> , SC 2015, c 23, s 9		
<b>Making sexually explicit material available to child (previous)</b>	Summary	30d	<i>Criminal Code</i>	171.1(2)(b)	9-Aug-2012	<i>Safe Streets and Communities Act</i> , SC 2012, c 1, s 22(2)		
	Indictable	90d	<i>Criminal Code</i>	171.1(2)(a)	9-Aug-2012	<i>Safe Streets and Communities Act</i> , SC 2012, c 1, s 22(2)	<b>Upheld</b>	• <i>R v Allen</i> , 2018 ONSC 252
<b>Making sexually explicit material available to child</b>	Summary	90d	<i>Criminal Code</i>	171.1(2)(b)	17-Jul-2015	<i>Tougher Penalties for Child Predators Act</i> , SC 2015, c 23, s 10		
	Indictable	6m	<i>Criminal Code</i>	171.1(2)(a)	17-Jul-2015	<i>Tougher Penalties for Child Predators Act</i> , SC 2015, c 23, s 10		
<b>Child luring (previous)</b>	Summary	90d	<i>Criminal Code</i>	172.1(2)(b)	9-Aug-2012	<i>Safe Streets and Communities Act</i> , SC 2012, c 1, s 22(2)	<b>Upheld</b> (by a provincial court)	• <i>R v Stapley</i> , 2014 ONCJ 184
<b>Child luring (current)</b>	Summary	6m	<i>Criminal Code</i>	172.1(2)(b)	17-Jul-2015	<i>Tougher Penalties for Child Predators Act</i> , SC 2015, c 23, s 11		
	Indictable	1y	<i>Criminal Code</i>	172.1(2)(a)	9-Aug-2012; 17-Jul-2015	<i>Safe Streets and Communities Act</i> , SC 2012, c 1 s 22(2); <i>Tougher Penalties for Child Predators Act</i> , SC 2015, c 23, s 11	<b>Struck down</b>	• <i>R v Hood</i> , 2018 NSCA 18 • <i>R v Morrison</i> , 2017 ONCA 582, leave to appeal to SCC granted 14 Dec 2017
<b>Agreeing or arranging sexual</b>	Summary	6m	<i>Criminal Code</i>	172.2(2)(b)	17-Jul-2015	<i>Tougher Penalties for Child Predators Act</i> , SC 2015, c 23, s 12		

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<b>offence against child</b>	Indictable	1y	<i>Criminal Code</i>	172.2(2)(a)	17-Jul-2015	<i>Tougher Penalties for Child Predators Act</i> , SC 2015, c 23, s 12	<b>Upheld</b>	• <i>R v Wheeler</i> , 2017 CanLII 86656 (Ont SCJ)
<b>Exposure to child</b>	Summary	30d	<i>Criminal Code</i>	173(2)(b)	9-Aug-2012	<i>Safe Streets and Communities Act</i> , SC 2012, c 1, s 23		
	Indictable	90d	<i>Criminal Code</i>	173(2)(a)	9-Aug-2012	<i>Safe Streets and Communities Act</i> , SC 2012, c 1, s 23		
<b>Sexual assault against child under 16</b>	Summary	6m	<i>Criminal Code</i>	271(b)	17-Jul-2015	<i>Tougher Penalties for Child Predators Act</i> , SC 2015, c 23, s 14		
	Indictable	1y	<i>Criminal Code</i>	271(a)	17-Jul-2015	<i>Tougher Penalties for Child Predators Act</i> , SC 2015, c 23, s 14	<b>Struck down</b>	• <i>R v Deyoung</i> , 2016 NSPC 67 • <i>R v ERDR</i> , 2016 BCSC 684 and 2016 BCSC 1759
<b>Sexual assault with weapon, threats, or bodily harm</b>	With a firearm	4y	<i>Criminal Code</i>	272(2)(a.1)	Pre-2000	<i>Firearms Act</i> , SC 1995, c 39, s 145		
	Against child under 16	5y	<i>Criminal Code</i>	272(2)(a.2)	9-Aug-2012	<i>Safe Streets and Communities Act</i> , SC 2012, c 1, s 26	<b>Struck down</b>	• <i>R v MJ</i> , 2016 ONSC 2769
	With restricted/prohibited firearm, or for crim org with any firearm, 1st offence	5y	<i>Criminal Code</i>	272(2)(a)(i)	1-May-2008	<i>Tackling Violent Crime Act</i> , SC 2008, c 6, s 28(1)		
	With restricted/prohibited firearm, or for crim org with any firearm, 2nd offence	7y	<i>Criminal Code</i>	272(2)(a)(ii)	1-May-2008	<i>Tackling Violent Crime Act</i> , SC 2008, c 6, s 28(1)		
<b>Aggravated sexual assault</b>	With a firearm	4y	<i>Criminal Code</i>	273(2)(a.1)	Pre-2000	<i>Firearms Act</i> , SC 1995, c 39, s 146		
	Against child under 16	5y	<i>Criminal Code</i>	273(2)(a.2)	9-Aug-2012	<i>Safe Streets and Communities Act</i> , SC 2012, c 1, s 27		
	With restricted/prohibited firearm, or for crim org with any firearm, 1st offence	5y	<i>Criminal Code</i>	273(2)(a)(i)	1-May-2008	<i>Tackling Violent Crime Act</i> , SC 2008, c 6, s 29(1)		
	With restricted/prohibited firearm, or for crim org with any firearm, 2nd offence	7y	<i>Criminal Code</i>	273(2)(a)(ii)	1-May-2008	<i>Tackling Violent Crime Act</i> , SC 2008, c 6, s 29(1)		

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Offence	Additional elements	Mandatory minimum sentence	Act	Section	Came into force	Created by	Status	Case citation(s) (for Status)
<b>Human trafficking</b>		4y	<i>Criminal Code</i>	279.01(1)(b)	6-Dec-2014	<i>Protection of Communities and Exploited Persons Act</i> , SC 2014, c 25, s 18		
	Involving kidnapping, aggravated assaults, or death	5y	<i>Criminal Code</i>	279.01(1)(a)	6-Dec-2014	<i>Protection of Communities and Exploited Persons Act</i> , SC 2014, c 25, s 18		
	Of child under 18	5y	<i>Criminal Code</i>	279.011(1)(b)	29-Jun-2010	<i>An Act to amend the Criminal Code (minimum sentence for offences involving trafficking of persons under the age of eighteen years)</i> , SC 2010, c 3, s 2	<b>Held to violate Charter by a provincial court</b>	• <i>R v Finestone</i> , 2017 ONCJ 22
	Of child under 18, involving kidnapping, aggravated assaults, or death	6y	<i>Criminal Code</i>	279.011(1)(a)	29-Jun-2010	<i>An Act to amend the Criminal Code (minimum sentence for offences involving trafficking of persons under the age of eighteen years)</i> , SC 2010, c 3, s 2		
<b>Obtaining material benefit from child trafficking</b>		2y	<i>Criminal Code</i>	279.02(2)	6-Dec-2014	<i>Protection of Communities and Exploited Persons Act</i> , SC 2014, c 25, s 19		
<b>Withholding/destroying documents, child trafficking</b>		1y	<i>Criminal Code</i>	279.03(2)	6-Dec-2014	<i>Protection of Communities and Exploited Persons Act</i> , SC 2014, c 25, s 19		
<b>Purchasing sex from child under 18 (previous)</b>		6m	<i>Criminal Code</i>	212(4)	Pre-2000		<b>Struck down</b>	• <i>Her Majesty The Queen v Jacques Lalonde</i> , 2017 ONCS 2181 • <i>R v Badali</i> , 2016 ONSC 788
<b>Purchasing sex (current)</b>		Fines from \$500-\$4,000	<i>Criminal Code</i>	286.1(1)(a)	6-Dec-2014	<i>Protection of Communities and Exploited Persons Act</i> , SC 2014, c 25, s 20	<b>Upheld for \$500 fine</b> (by a provincial court)	• <i>R v Mercer</i> , 2017 NSPC 20
	From child under 18, 1st offence	6m	<i>Criminal Code</i>	286.1(2)(a)	6-Dec-2014	<i>Protection of Communities and Exploited Persons Act</i> , SC 2014, c 25, s 20	<b>Struck down</b>	• <i>R v JLM</i> , 2017 BCCA 258 • <i>R v Alvi</i> , 2018 ABPC 136

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	From child under 18, 2nd offence	1y	<i>Criminal Code</i>	286.1(2)(b)	6-Dec-2014	<i>Protection of Communities and Exploited Persons Act, SC 2014, c 25, s 20</i>		
<b>Living on the avails of child prostitution (repealed)</b>		2y	<i>Criminal Code</i>	212(2)	Pre-2000		<b>Struck down</b>	• <i>R v Badali</i> , 2016 ONSC 788
<b>Obtaining material benefit from child prostitution</b>		2y	<i>Criminal Code</i>	286.2(2)	6-Dec-2014	<i>Protection of Communities and Exploited Persons Act, SC 2014, c 25, s 20</i>	<b>Held to violate Charter by a provincial court</b>	• <i>R v Robitaille</i> , 2017 ONCJ 768
<b>Procuring child under 18 for prostitution</b>		5y	<i>Criminal Code</i>	286.3(2)	6-Dec-2014	<i>Protection of Communities and Exploited Persons Act, SC 2014, c 25, s 20</i>		

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<b>Trafficking and possession for the purpose of trafficking — Schedule I drug</b>	For criminal organization	1y	<i>Controlled Drugs and Substances Act</i>	5(3)(a)(i)(A)	6-Nov-2012	<i>Safe Streets and Communities Act, SC 2012, c 1, s 39(1)</i>		
	Use or threaten violence	1y	<i>Controlled Drugs and Substances Act</i>	5(3)(a)(i)(B)	6-Nov-2012	<i>Safe Streets and Communities Act, SC 2012, c 1, s 39(1)</i>		
	Use, carry, or threaten use of weapons	1y	<i>Controlled Drugs and Substances Act</i>	5(3)(a)(i)(C)	6-Nov-2012	<i>Safe Streets and Communities Act, SC 2012, c 1, s 39(1)</i>	Held to violate Charter by a provincial court; prosecutors instructed not to seek MMS for "carrying" a weapon	<ul style="list-style-type: none"> <li>• <i>R v Jackson-Bullshields</i>, 2015 BCPC 411 and 2015 BCPC 414</li> <li>• Public Prosecution Service of Canada, "Supplementary Guideline on Mandatory Minimum Penalties for Certain Drug Offences Under the Controlled Drugs and Substances Act," 24 June 2016</li> </ul>
	Accused convicted of a designated drug offence within the previous 10 years	1y	<i>Controlled Drugs and Substances Act</i>	5(3)(a)(i)(D)	6-Nov-2012	<i>Safe Streets and Communities Act, SC 2012, c 1, s 39(1)</i>	Struck down	• <i>R v Lloyd</i> , 2016 SCC 13
	In or near a school or an area frequented by children	2y	<i>Controlled Drugs and Substances Act</i>	5(3)(a)(ii)(A)	6-Nov-2012	<i>Safe Streets and Communities Act, SC 2012, c 1, s 39(1)</i>	Struck down	<ul style="list-style-type: none"> <li>• <i>R v Dickey</i>, 2016 BCCA 177</li> <li>• <i>R v Robinson</i>, 2016 ONSC 2819</li> </ul>
	In a prison	2y	<i>Controlled Drugs and Substances Act</i>	5(3)(a)(ii)(B)	6-Nov-2012	<i>Safe Streets and Communities Act, SC 2012, c 1, s 39(1)</i>	Upheld	<ul style="list-style-type: none"> <li>• <i>R v Carswell</i>, 2018 SKQB 53</li> <li>• <i>R v Butcher</i>, 2017 CanLII 38352 (Nfld SC)</li> </ul>
	Using or involving child	2y	<i>Controlled Drugs and Substances Act</i>	5(3)(a)(ii)(C)	6-Nov-2012	<i>Safe Streets and Communities Act, SC 2012, c 1, s 39(1)</i>	Struck down	• <i>R v Dickey</i> , 2016 BCCA 177
	For criminal organization	1y	<i>Controlled Drugs and Substances Act</i>	5(3)(a)(i)(A)	6-Nov-2012	<i>Safe Streets and Communities Act, SC 2012, c 1, s 39(1)</i>		
	Use or threaten violence	1y	<i>Controlled Drugs and Substances Act</i>	5(3)(a)(i)(B)	6-Nov-2012	<i>Safe Streets and Communities Act, SC 2012, c 1, s 39(1)</i>		



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<b>Trafficking and possession of more than 3kg for the purpose of trafficking — Schedule II drug (marijuana)</b>	Use, carry, or threaten use of weapons	1y	<i>Controlled Drugs and Substances Act</i>	5(3)(a)(i)(C)	6-Nov-2012	<i>Safe Streets and Communities Act, SC 2012, c 1, s 39(1)</i>		
	Accused convicted of a designated drug offence within the previous 10 years	1y	<i>Controlled Drugs and Substances Act</i>	5(3)(a)(i)(D)	6-Nov-2012	<i>Safe Streets and Communities Act, SC 2012, c 1, s 39(1)</i>	<b>Struck down</b>	• <i>R v Lloyd</i> , 2016 SCC 13
	In or near a school or an area frequented by children	2y	<i>Controlled Drugs and Substances Act</i>	5(3)(a)(ii)(A)	6-Nov-2012	<i>Safe Streets and Communities Act, SC 2012, c 1, s 39(1)</i>		
	In a prison	2y	<i>Controlled Drugs and Substances Act</i>	5(3)(a)(ii)(B)	6-Nov-2012	<i>Safe Streets and Communities Act, SC 2012, c 1, s 39(1)</i>		
	Using or involving child	2y	<i>Controlled Drugs and Substances Act</i>	5(3)(a)(ii)(C)	6-Nov-2012	<i>Safe Streets and Communities Act, SC 2012, c 1, s 39(1)</i>		
<b>Importing narcotics (repealed)</b>		7y	<i>Narcotic Control Act</i>	5(2)	Pre-2000		<b>Struck down</b>	• <i>R v Smith</i> , 1987 CanLII 64 (SCC)
<b>Importing and exporting — Schedule I drug</b>	Committed for the purpose of trafficking	1y	<i>Controlled Drugs and Substances Act</i>	6(3)(a)(i)	6-Nov-2012	<i>Safe Streets and Communities Act, SC 2012, c 1, s 40</i>	<b>Struck down</b>	• <i>R v Duffus</i> , 2017 ONSC 231
	Abuse of a position of trust or authority	1y	<i>Controlled Drugs and Substances Act</i>	6(3)(a)(ii)	6-Nov-2012	<i>Safe Streets and Communities Act, SC 2012, c 1, s 40</i>		
	Abuse of access to a restricted area	1y	<i>Controlled Drugs and Substances Act</i>	6(3)(a)(iii)	6-Nov-2012	<i>Safe Streets and Communities Act, SC 2012, c 1, s 40</i>		

<p style="text-align: center;"><b>Canadian Mandatory Minimum Sentences in the Criminal Code and Controlled Drugs and Substances Act</b></p>								
Current to July 2018 Not comprehensive						MMS.watch	A project of rangefindr.ca	
Offence	Additional elements	Mandatory minimum sentence	Act	Section	Came into force	Created by	Status	Case citation(s) (for Status)
	More than 1kg	2y	<i>Controlled Drugs and Substances Act</i>	6(3)(a.1)	6-Nov-2012	<i>Safe Streets and Communities Act</i> , SC 2012, c 1, s 40	<b>Struck down</b>	• <i>R v Sharma</i> , 2018 ONSC 1141
<b>Importing and exporting — Schedule II drug (marijuana)</b>	Committed for the purpose of trafficking	1y	<i>Controlled Drugs and Substances Act</i>	6(3)(a)(i)	6-Nov-2012	<i>Safe Streets and Communities Act</i> , SC 2012, c 1, s 40		
	Abuse of a position of trust or authority	1y	<i>Controlled Drugs and Substances Act</i>	6(3)(a)(ii)	6-Nov-2012	<i>Safe Streets and Communities Act</i> , SC 2012, c 1, s 40		
	Abuse of access to a restricted area	1y	<i>Controlled Drugs and Substances Act</i>	6(3)(a)(iii)	6-Nov-2012	<i>Safe Streets and Communities Act</i> , SC 2012, c 1, s 40		
<b>Production — Schedule I drug</b>		2y	<i>Controlled Drugs and Substances Act</i>	7(2)(a)	6-Nov-2012	<i>Safe Streets and Communities Act</i> , SC 2012, c 1, s 41(1)		
	Using real property belonging to third party	3y	<i>Controlled Drugs and Substances Act</i>	7(2)(a)	6-Nov-2012	<i>Safe Streets and Communities Act</i> , SC 2012, c 1, s 41(1)		
	Causing potential security, health, or safety hazard to children	3y	<i>Controlled Drugs and Substances Act</i>	7(2)(a)	6-Nov-2012	<i>Safe Streets and Communities Act</i> , SC 2012, c 1, s 41(1)		
	Causing potential public safety hazard in residential area	3y	<i>Controlled Drugs and Substances Act</i>	7(2)(a)	6-Nov-2012	<i>Safe Streets and Communities Act</i> , SC 2012, c 1, s 41(1)		
	Using traps	3y	<i>Controlled Drugs and Substances Act</i>	7(2)(a)	6-Nov-2012	<i>Safe Streets and Communities Act</i> , SC 2012, c 1, s 41(1)		

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<p><b>Current to July 2018 Not comprehensive</b></p>						<p><b>MMS.watch</b></p>	<p><b>A project of rangefindr.ca</b></p>	
Offence	Additional elements	Mandatory minimum sentence	Act	Section	Came into force	Created by	Status	Case citation(s) (for Status)
<b>Production — Schedule II drug (marijuana)</b>	6-200 plants, and purpose is for trafficking	6m	<i>Controlled Drugs and Substances Act</i>	7(2)(b)(i)	6-Nov-2012	<i>Safe Streets and Communities Act, SC 2012, c 1, s 41(1)</i>	<b>Struck down</b>	<ul style="list-style-type: none"> <li>• <i>R v Elliott</i>, 2017 BCCA 214</li> <li>• <i>R v Boulton</i>, 2016 ONSC 2979</li> <li>• <i>R v Vu</i>, 2015 ONSC 5834</li> <li>• <i>R v Boudreau</i>, 2018 NSPC 19</li> </ul>
	6-200 plants + purpose is for trafficking + health & safety factor	9m	<i>Controlled Drugs and Substances Act</i>	7(2)(b)(ii)	6-Nov-2012	<i>Safe Streets and Communities Act, SC 2012, c 1, s 41(1)</i>	<b>Struck down</b>	<ul style="list-style-type: none"> <li>• <i>R v Vu</i>, 2015 ONSC 5834</li> </ul>
	201-500 plants	1y	<i>Controlled Drugs and Substances Act</i>	7(2)(b)(iii)	6-Nov-2012	<i>Safe Streets and Communities Act, SC 2012, c 1, s 41(1)</i>	<b>Struck down</b>	<p><u>Struck down:</u></p> <ul style="list-style-type: none"> <li>• <i>R v Vu</i>, 2018 ONCA 436</li> <li>• <i>R v Serov</i>, 2017 BCCA 456</li> <li>• <i>R v Morrell</i>, 2017 ONSC 5606</li> <li>• <i>R v Landry</i>, 2016 QCCQ 16626, leave to appeal granted 2017 QCCA 65</li> <li>• <i>Directeur des poursuites criminelles et pénales c Martin</i>, 2016 QCCQ 5592</li> </ul> <p><u>Upheld:</u></p> <ul style="list-style-type: none"> <li>• <i>R v Yu</i>, 2017 BCSC 823</li> <li>• <i>R v Picard</i>, 2016 BCSC 2052</li> <li>• <i>R v Nguyen</i>, 2017 BCPC 263</li> </ul>
	201-500 plants + health & safety factor	1.5y	<i>Controlled Drugs and Substances Act</i>	7(2)(b)(iv)	6-Nov-2012	<i>Safe Streets and Communities Act, SC 2012, c 1, s 41(1)</i>	<b>Struck down</b>	<ul style="list-style-type: none"> <li>• <i>R v Serov</i>, 2017 BCCA 456</li> <li>• <i>R v Nguyen</i>, 2017 BCPC 261</li> </ul>
	More than 500 plants	2y	<i>Controlled Drugs and Substances Act</i>	7(2)(b)(v)	6-Nov-2012	<i>Safe Streets and Communities Act, SC 2012, c 1, s 41(1)</i>	<b>Struck down</b>	<ul style="list-style-type: none"> <li>• <i>R v Vu</i>, 2018 ONCA 436</li> <li>• <i>R v McGee</i>, 2017 BCCA 457</li> <li>• <i>R v Tran</i>, 2017 ONSC 651</li> <li>• <i>R v Ling</i>, 2017 ONSC 5627</li> </ul>
	More than 500 plants + health & safety factor	3y	<i>Controlled Drugs and Substances Act</i>	7(2)(b)(vi)	6-Nov-2012	<i>Safe Streets and Communities Act, SC 2012, c 1, s 41(1)</i>	<b>Struck down</b>	<ul style="list-style-type: none"> <li>• <i>R v Vu</i>, 2018 ONCA 436</li> <li>• <i>R v McGee</i>, 2017 BCCA 457</li> </ul>

<p align="center"><b>Canadian Mandatory Minimum Sentences in the Criminal Code and Controlled Drugs and Substances Act</b></p>								
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Offence	Additional elements	Mandatory minimum sentence	Act	Section	Came into force	Created by	Status	Case citation(s) (for Status)
<b>Use firearm or imitation firearm while committing an offence</b>	1st offence	1y	<i>Criminal Code</i>	85(3)(a)	Pre-2000	<i>Firearms Act</i> , SC 1995, c 39, s 139	<b>Upheld</b>	<ul style="list-style-type: none"> <li>• <i>R v Al-Isawi</i>, 2017 BCCA 163</li> <li>• <i>R v Cogo</i>, 2015 BCPC 453</li> <li>• <i>R v Meszaros</i>, 2013 ONCA 682</li> <li>• <i>R v Stewart</i>, 2010 BCCA 153</li> <li>• <i>R v McMahon</i>, [2003] OJ No 2967 (SCJ)</li> <li>• <i>R v Born With A Tooth</i>, 1994 CanLII 9151 (ABQB)</li> </ul>
	2nd offence	3y	<i>Criminal Code</i>	85(3)(b)	Pre-2000	<i>Firearms Act</i> , SC 1995, c 39, s 139		
			Sentence must be consecutive	<i>Criminal Code</i>	85(4)	Pre-2000	<i>Firearms Act</i> , SC 1995, c 39, s 139	<b>Struck down / Upheld</b>
<b>Possession of a firearm</b>	2nd offence	1y	<i>Criminal Code</i>	92(3)(b)	Pre-2000	<i>Firearms Act</i> , SC 1995, c 39, s 138		
	3rd offence	2y less 1d	<i>Criminal Code</i>	92(3)(c)	Pre-2000	<i>Firearms Act</i> , SC 1995, c 39, s 138		

Canadian Mandatory Minimum Sentences in the <i>Criminal Code and Controlled Drugs and Substances Act</i>								
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Offence	Additional elements	Mandatory minimum sentence	Act	Section	Came into force	Created by	Status	Case citation(s) (for Status)
Possession of restricted/prohibited firearm with ammo	1st offence	3y	<i>Criminal Code</i>	95(2)(a)(i)	1-May-2008	<i>Tackling Violent Crimes Act</i> , SC 2008, c 6, s 8(2)	Struck down	<ul style="list-style-type: none"> <li>• <i>R v Nur</i>, 2015 SCC 15</li> <li>• <i>R v Holt</i>, 2014 BCSC 2170 and 2015 BCSC 93</li> <li>• <i>R v MacDonald</i>, 2014 NSCA 102</li> <li>• <i>R v Adamo</i>, 2013 MBQB 225</li> <li>• <i>R v Vandyke</i>, 2013 ABPC 347</li> <li>• <i>R v Sheck</i>, 2013 BCPC 105</li> </ul>
	2nd offence	5y	<i>Criminal Code</i>	95(2)(a)(ii)	1-May-2008	<i>Tackling Violent Crimes Act</i> , SC 2008, c 6, s 8(2)	Struck down	<ul style="list-style-type: none"> <li>• <i>R v Nur</i>, 2015 SCC 15</li> </ul>
Possession of weapon obtained by crime		1y	<i>Criminal Code</i>	96(2)	Pre-2000	<i>Firearms Act</i> , SC 1995, c 39	Struck down / Upheld	<p><u>Struck down:</u></p> <ul style="list-style-type: none"> <li>• <i>R v Foster</i>, [2017] OJ No 471 (SCJ)</li> </ul> <p><u>Upheld:</u></p> <ul style="list-style-type: none"> <li>• <i>R v Robertson</i>, 2018 BCSC 521</li> <li>• <i>R v Chislett</i>, 2016 CanLII 85360 (Ont SCJ)</li> <li>• <i>R v Bressette</i>, 2010 ONSC 3831</li> <li>• <i>R v Carranza</i>, [2004] OJ No 6041 (SCJ)</li> </ul>
Weapons trafficking		1y	<i>Criminal Code</i>	99(3)	Pre-2000	<i>Firearms Act</i> , SC 1995, c 39, s 139		
	Firearm, 1st offence	3y	<i>Criminal Code</i>	99(2)(a)	1-May-2008	<i>Tackling Violent Crimes Act</i> , SC 2008, c 6, s 10	Struck down	<ul style="list-style-type: none"> <li>• <i>R v Sauve</i>, 2018 ONSC 7375</li> <li>• <i>R v Harriott</i>, 2017 ONSC 3393</li> <li>• <i>R v Trepanier</i>, 2016 NBPC 2</li> <li>• <i>R v Friesen</i>, 2015 ABQB 717</li> <li>• <i>R v Hussain</i>, 2015 ONSC 7115</li> <li>• <i>R v Shobway</i>, 2015 ONCJ 457</li> <li>• <i>R v Lewis</i>, 2012 ONCJ 413</li> </ul>
	Firearm, 2nd offence	5y	<i>Criminal Code</i>	99(2)(b)	1-May-2008	<i>Tackling Violent Crimes Act</i> , SC 2008, c 6, s 10		
Possession of		1y	<i>Criminal Code</i>	100(3)	Pre-2000			

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Offence	Additional elements	Mandatory minimum sentence	Act	Section	Came into force	Created by	Status	Case citation(s) (for Status)
weapon for the purpose of trafficking	Firearm, 1st offence	3y	<i>Criminal Code</i>	100(2)(a)	1-May-2008	<i>Tackling Violent Crimes Act</i> , SC 2008, c 6, s 11		
	Firearm, 2nd offence	5y	<i>Criminal Code</i>	100(2)(b)	1-May-2008	<i>Tackling Violent Crimes Act</i> , SC 2008, c 6, s 11		
Importing weapons		1y	<i>Criminal Code</i>	103(2.1)	Pre-2000	<i>Firearms Act</i> , SC 1995, c 39, s 139		
	Firearm, 1st offence	3y	<i>Criminal Code</i>	103(2)(a)	1-May-2008	<i>Tackling Violent Crimes Act</i> , SC 2008, c 6, s 12		
	Firearm, 2nd offence	5y	<i>Criminal Code</i>	103(2)(b)	1-May-2008	<i>Tackling Violent Crimes Act</i> , SC 2008, c 6, s 12		
Making automatic firearm		1y	<i>Criminal Code</i>	102(2)(a)	Pre-2000	<i>Firearms Act</i> , SC 1995, c 39, s 139	Upheld	• <i>R v Montague</i> , 2010 ONCA 141
Discharge firearm with intent to wound or endanger life		4y	<i>Criminal Code</i>	244(2)(b)	Pre-2000	<i>Firearms Act</i> , SC 1995, c 39, s 144	Upheld	• <i>R v Reis</i> , 2017 ONSC 1961 • <i>R v Sheppard</i> , 2011 CanLII 41607 (Nfld PC) • <i>R v MDR</i> , 1998 CanLII 12247 (NBCA)
	With restricted/prohibited firearm, or for crim org with any firearm, 1st offence	5y	<i>Criminal Code</i>	244(2)(a)(i)	1-May-2008	<i>Tackling Violent Crime Act</i> , SC 2008, c 6, s 17	Upheld	• <i>R v Dingwall</i> , 2018 BCSC 1041
	With restricted/prohibited firearm, or for crim org with any firearm, 2nd offence	7y	<i>Criminal Code</i>	244(2)(a)(ii)	1-May-2008	<i>Tackling Violent Crime Act</i> , SC 2008, c 6, s 17		

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Offence	Additional elements	Mandatory minimum sentence	Act	Section	Came into force	Created by	Status	Case citation(s) (for Status)
<b>Recklessly discharge firearm</b>		4y	<i>Criminal Code</i>	244.2(3)(b)	2-Oct-2009	<i>An Act to amend the Criminal Code (organized crime and protection of justice system participants), SC 2009, c 22, s 8</i>	<b>Struck down / Upheld</b>	<p><u>Struck down:</u></p> <ul style="list-style-type: none"> <li>• <i>R v Kakfwi</i>, 2018 NWTSC 13</li> <li>• <i>R c Vézina</i>, 2017 QCCQ 7785</li> <li>• <i>R c Gunner</i>, 2017 QCCQ 12563</li> <li>• <i>R v Ookowt</i>, 2017 NUCJ 22</li> </ul> <p><u>Upheld:</u></p> <ul style="list-style-type: none"> <li>• <i>R v Oud</i>, 2016 BCCA 332</li> <li>• <i>R v Crockwell</i>, 2013 NLTD(G) 23</li> </ul>
	With restricted/prohibited firearm, or for crim org with any firearm, 1st firearm offence	5y	<i>Criminal Code</i>	244.2(3)(a)(i)	2-Oct-2009	<i>An Act to amend the Criminal Code (organized crime and protection of justice system participants), SC 2009, c 22, s 8</i>		<b>Struck down / Upheld</b>
	With restricted/prohibited firearm, or for crim org with any firearm, 2nd firearm offence	7y	<i>Criminal Code</i>	244.2(3)(a)(ii)	2-Oct-2009	<i>An Act to amend the Criminal Code (organized crime and protection of justice system participants), SC 2009, c 22, s 8</i>	<b>Upheld</b> (by a provincial court)	

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Offence	Additional elements	Mandatory minimum sentence	Act	Section	Came into force	Created by	Status	Case citation(s) (for Status)
High treason		Life	<i>Criminal Code</i>	47	Pre-2000			
Selling unstamped tobacco	10,000 cigarettes / 10 kg, 2nd offence, indictable	90d	<i>Criminal Code</i>	121.1(4)(a)(i)	10-Apr-2015	<i>Tackling Contraband Tobacco Act</i> , SC 2014, c 23, s 3		
	10,000 cigarettes / 10 kg, 3rd offence, indictable	180d	<i>Criminal Code</i>	121.1(4)(a)(ii)	10-Apr-2015	<i>Tackling Contraband Tobacco Act</i> , SC 2014, c 23, s 3		
	10,000 cigarettes / 10 kg, 4th offence, indictable	2y less 1d	<i>Criminal Code</i>	121.1(4)(a)(iii)	10-Apr-2015	<i>Tackling Contraband Tobacco Act</i> , SC 2014, c 23, s 3		
Betting/ book-making	2nd offence	14d	<i>Criminal Code</i>	202(2)(b)	Pre-2000	<i>Criminal Law Amendment, 1975</i> , SC 1974-75-76, c 93, s 11		
	3rd offence	3m	<i>Criminal Code</i>	202(2)(c)	Pre-2000	<i>Criminal Law Amendment, 1975</i> , SC 1974-75-76, c 93, s 11		
Placing bets for others	2nd offence	14d	<i>Criminal Code</i>	203(e)	Pre-2000	<i>Criminal Law Amendment, 1975</i> , SC 1974-75-76, c 93, s 11		
	3rd offence	3m	<i>Criminal Code</i>	203(f)	Pre-2000	<i>Criminal Law Amendment, 1975</i> , SC 1974-75-76, c 93, s 11		
Cause death by criminal negligence with firearm		4y	<i>Criminal Code</i>	220(a)	Pre-2000	<i>Firearms Act</i> , SC 1995, c 39, s 141	Upheld	<ul style="list-style-type: none"> <li>• <i>R v Morrissey</i>, 2000 SCC 39</li> <li>• <i>R v Dockrill</i>, 2016 NSSC 56</li> </ul>
	1st degree	Life, min 25y	<i>Criminal Code</i>	235, 745(a)	Pre-2000		Upheld	<ul style="list-style-type: none"> <li>• <i>R v Luxton</i>, 1990 CanLII 83 (SCC)</li> <li>• <i>R c Lefebvre</i>, 1992 CanLII 3937 (Que CA)</li> <li>• <i>R v Bowen</i>, 1990 ABCA 317</li> <li>• <i>R v Cairns</i>, 1989 CarswellBC 1264 (CA)</li> <li>• <i>R v Elton</i>, 2014 BCSC 693</li> </ul>



<b>Canadian Mandatory Minimum Sentences in the Criminal Code and Controlled Drugs and Substances Act</b>								
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Offence	Additional elements	Mandatory minimum sentence	Act	Section	Came into force	Created by	Status	Case citation(s) (for Status)
<b>Murder</b>	2nd degree	Life, min 10y	<i>Criminal Code</i>	235, 745(c)	Pre-2000		<b>Upheld</b>	<ul style="list-style-type: none"> <li>• <i>R v Latimer</i>, 2001 SCC 1</li> <li>• <i>R v CAM</i>, 1987 CanLII 128 (NSCA)</li> <li>• <i>R v Laviolette</i>, 1985 CarswellPEI 31 (CA)</li> <li>• <i>R v Atsiqtaq</i>, [1988] NWTR 315 (SC)</li> <li>• <i>R v Newborn</i>, 2018 ABQB 47</li> </ul>
	2nd degree, with previous murder conviction	Life, min 25y	<i>Criminal Code</i>	237, 745(b)-(b.1)	Pre-2000		<b>Upheld</b>	<ul style="list-style-type: none"> <li>• <i>R v Falkner</i>, 2004 BCSC 986</li> </ul>
<b>Manslaughter</b>	With firearm	4y	<i>Criminal Code</i>	236(a)	Pre-2000	<i>Firearms Act</i> , SC 1995, c 39, s 142	<b>Upheld</b>	<ul style="list-style-type: none"> <li>• <i>R v Ferguson</i>, 2008 SCC 6</li> <li>• <i>R v Penner</i>, 2017 BCSC 1688</li> <li>• <i>R v McMath</i>, 2015 BCSC 440</li> <li>• <i>R v Birchall</i>, 2001 BCCA 356</li> <li>• <i>R v Hainnu</i>, [1998] NWTJ No 101 (SC)</li> </ul>
<b>Attempted murder</b>	With firearm	4y	<i>Criminal Code</i>	239(1)(a.1)	Pre-2000	<i>Firearms Act</i> , SC 1995, c 39, s 143	<b>Upheld</b>	<ul style="list-style-type: none"> <li>• <i>R v Ziegler</i>, 2017 ABQB 411</li> </ul>
	With restricted/prohibited firearm, or for crim org with any firearm, 1st offence	5y	<i>Criminal Code</i>	239(1)(a)(i)	1-May-2008	<i>Tackling Violent Crime Act</i> , SC 2008, c 6, s 16	<b>Upheld</b>	<ul style="list-style-type: none"> <li>• <i>R v Forcillo</i>, 2018 ONCA 402</li> </ul>
	With restricted/prohibited firearm, or for crim org with any firearm, 2nd offence	7y	<i>Criminal Code</i>	239(1)(a)(ii)	1-May-2008	<i>Tackling Violent Crime Act</i> , SC 2008, c 6, s 16		
<b>Driving impaired/over 80 (also, where accident caused bodily harm or death)</b>	1st offence	\$1,000 fine	<i>Criminal Code</i>	255(1)(a)(i)	2-Jul-2008	<i>Tackling Violent Crime Act</i> , SC 2008, c 6, s 21(1)	<b>Upheld</b> (by a provincial court)	<ul style="list-style-type: none"> <li>• <i>R v Dookie</i>, 2012 ONCJ 719</li> </ul>
	2nd offence	30d	<i>Criminal Code</i>	255(1)(a)(ii)	2-Jul-2008	<i>Tackling Violent Crime Act</i> , SC 2008, c 6, s 21(1)	<b>Supported in obiter dicta by provincial court</b>	<ul style="list-style-type: none"> <li>• <i>R v Jimmy</i>, 2010 BCPC 257</li> </ul>
	3rd offence	120d	<i>Criminal Code</i>	255(1)(a)(iii)	2-Jul-2008	<i>Tackling Violent Crime Act</i> , SC 2008, c 6, s 21(1)	<b>Supported in obiter dicta by provincial court</b>	<ul style="list-style-type: none"> <li>• <i>R v Jimmy</i>, 2010 BCPC 257</li> </ul>

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Offence	Additional elements	Mandatory minimum sentence	Act	Section	Came into force	Created by	Status	Case citation(s) (for Status)
<b>Refuse to provide blood/breath sample (also, where accident caused bodily harm or death)</b>	1st offence	\$1,000 fine	<i>Criminal Code</i>	255(1)(a)(i)	2-Jul-2008	<i>Tackling Violent Crime Act, SC 2008, c 6, s 21(1)</i>		
	2nd offence	30d	<i>Criminal Code</i>	255(1)(a)(ii)	2-Jul-2008	<i>Tackling Violent Crime Act, SC 2008, c 6, s 21(1)</i>		
	3rd offence	120d	<i>Criminal Code</i>	255(1)(a)(iii)	2-Jul-2008	<i>Tackling Violent Crime Act, SC 2008, c 6, s 21(1)</i>		
<b>Kidnapping</b>	With any firearm	4y	<i>Criminal Code</i>	279(1.1)(a.1)	Pre-2000	<i>Firearms Act, SC 1995, c 39, s 147</i>		
	Against child under 16 (non-parent)	5y	<i>Criminal Code</i>	279(1.1)(a.2)	26-Jun-2013	<i>An Act to amend the Criminal Code (kidnapping of young people), SC 2013, c 32, s 1(1)</i>		
	With restricted/prohibited firearm, or any firearm for crim org, 1st offence	5y	<i>Criminal Code</i>	279(1.1)(a)(i)	2-May-2008	<i>Tackling Violent Crime Act, SC 2008, c 6, s 30(1)</i>		
	With restricted/prohibited firearm, or any firearm for crim org, 2nd offence	7y	<i>Criminal Code</i>	279(1.1)(a)(ii)	2-May-2008	<i>Tackling Violent Crime Act, SC 2008, c 6, s 30(1)</i>		
<b>Hostage taking</b>	With firearm	4y	<i>Criminal Code</i>	279.1(2)(a.1)	Pre-2000	<i>Firearms Act, SC 1995, c 39, s 148</i>		
	With restricted/prohibited firearm, or any firearm for crim org, 1st offence	5y	<i>Criminal Code</i>	279.1(2)(a)(i)	2-May-2008	<i>Tackling Violent Crime Act, SC 2008, c 6, s 31(1)</i>		
	With restricted/prohibited firearm, or any firearm for crim org, 2nd offence	7y	<i>Criminal Code</i>	279.1(2)(a)(ii)	2-May-2008	<i>Tackling Violent Crime Act, SC 2008, c 6, s 31(1)</i>		
<b>Motor vehicle theft</b>	3rd offence	6m	<i>Criminal Code</i>	333.1(1)(a)	29-Apr-2011	<i>Tackling Auto Theft and Property Crime Act, SC 2010, c 14, s 3</i>		

<p style="text-align: center;"><b>Canadian Mandatory Minimum Sentences in the Criminal Code and Controlled Drugs and Substances Act</b></p>								
<p><b>Current to July 2018 Not comprehensive</b></p>						<p><b>MMS.watch</b></p>	<p><b>A project of rangefindr.ca</b></p>	
Offence	Additional elements	Mandatory minimum sentence	Act	Section	Came into force	Created by	Status	Case citation(s) (for Status)
<b>Robbery</b>	With firearm	4y	<i>Criminal Code</i>	344(1)(a.1)	Pre-2000	<i>Firearms Act</i> , SC 1995, c 39, s 149	<b>Upheld</b>	<ul style="list-style-type: none"> <li>• <i>R v McDonald</i>, 1998 CanLII 13327 (Ont CA)</li> <li>• <i>R v Wust</i>, 1998 CanLII 5492 (BCCA)</li> <li>• <i>R c Lapierre</i>, 1998 CanLII 13203 (Que CA)</li> <li>• <i>R v Hailemokolot</i>, 2013 MBQB 285</li> <li>• <i>HMTQ v Bernarde</i>, 2018 NWTSC 27</li> </ul>
	With restricted/ prohibited firearm, or any firearm for crim org, 1st offence	5y	<i>Criminal Code</i>	344(1)(a)(i)	1-May-2008	<i>Tackling Violent Crime Act</i> , SC 2008, c 6, s 32	<b>Struck down / Upheld</b>	<p><u>Struck down:</u></p> <ul style="list-style-type: none"> <li>• <i>R v Hilbach</i>, 2018 ABQB 526</li> </ul> <p><u>Upheld:</u></p> <ul style="list-style-type: none"> <li>• <i>R v Mclvor</i>, 2018 MBCA 29</li> <li>• <i>R v McIntyre</i>, 2017 ONSC 360</li> <li>• <i>R v Stocker</i>, 2017 BCSC 542</li> </ul>
	With restricted/ prohibited firearm, or any firearm for crim org, 2nd offence	7y	<i>Criminal Code</i>	344(1)(a)(ii)	1-May-2008	<i>Tackling Violent Crime Act</i> , SC 2008, c 6, s 32		
<b>Extortion</b>	With firearm	4y	<i>Criminal Code</i>	346(1.1)(a.1)	Pre-2000	<i>Firearms Act</i> , SC 1995, c 39, s 150		
	With restricted/ prohibited firearm, or any firearm for crim org, 1st offence	5y	<i>Criminal Code</i>	346(1.1)(a)(i)	1-May-2008	<i>Tackling Violent Crime Act</i> , SC 2008, c 6, s 33(1)		
	With restricted/ prohibited firearm, or any firearm for crim org, 2nd offence	7y	<i>Criminal Code</i>	346(1.1)(a)(ii)	1-May-2008	<i>Tackling Violent Crime Act</i> , SC 2008, c 6, s 33(1)		
<b>Fraud</b>	Over \$1 million	2y	<i>Criminal Code</i>	380(1.1)	1-Nov-2011	<i>Standing up for Victims of White Collar Crime Act</i> , 2011, c 6, s 2	<b>Struck down</b>	• <i>R v Plange</i> , 2018 ONSC 1657
	1st offence	\$1,000	<i>Criminal Code</i>	430(4.11)(a)(i)	19-Jun-2014	<i>An Act to amend the Criminal Code (mischief relating to war memorials)</i> , SC 2014, c 9, s 1		

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<p><b>Current to July 2018 Not comprehensive</b></p>							<p><b>MMS.watch</b></p>	<p><b>A project of rangefindr.ca</b></p>
Offence	Additional elements	Mandatory minimum sentence	Act	Section	Came into force	Created by	Status	Case citation(s) (for Status)
<b>Mischief to war memorial</b>	2nd offence	14d	<i>Criminal Code</i>	430(4.11)(a) (ii)	19-Jun-2014	<i>An Act to amend the Criminal Code (mischief relating to war memorials)</i> , SC 2014, c 9, s 1		
	3rd offence	30d	<i>Criminal Code</i>	430(4.11)(a) (iii)	19-Jun-2014	<i>An Act to amend the Criminal Code (mischief relating to war memorials)</i> , SC 2014, c 9, s 1		
<b>Killing law enforcement animal</b>	Indictable	6m	<i>Criminal Code</i>	445.01(2)(a)	23-Jun-2015	<i>Justice for Animals in Service Act (Quanto's Law)</i> , SC 2015, c 34, s 3		
<b>Recruiting young person to criminal organization</b>		6m	<i>Criminal Code</i>	467.111(a)	19-Jun-2014	<i>An Act to amend the Criminal Code and the National Defence Act (criminal organization recruitment)</i> , 2014, c 17, s 9		