



COURT OF APPEAL

**British Columbia Court of Appeal  
Practice Directive (Criminal)**

**Title: Forfeiture, Dangerous and Long Term Offender Appeals**

**Issued: 6 September 2013**

**Effective: Immediately**

**Cite as: *Forfeiture, Dangerous and Long Term Offender Appeals (Criminal Practice Directive, 6 September 2013)***

1. Because of the nature and complexity of appeals arising from: (a) forfeiture applications under s. 462.37 of the *Criminal Code* (Proceeds of Crime); (b) forfeiture applications under ss. 16 and 17 of the *Controlled Drugs and Substances Act* (Offence-Related Property); and (c) Dangerous and Long Term-Offender applications under Part XXIV of the *Criminal Code*, the Court has determined that all such matters be treated as full appeals requiring factums, even though some are technically sentence appeals. The schedule below is to be followed for these appeals.
2. Pursuant to the *British Columbia Court of Appeal Criminal Appeal Rules, 1986*, an appellant must file an original and four copies of a Notice of Appeal in Form 1 or 2 (where the appellant is unrepresented) within 30 days after the making of a forfeiture order or a dangerous or long term offender designation, or the dismissal of an application for such an order or designation. The registrar will forward a copy of Form 1 or 2 to the prosecutor.
3. Within 60 days of filing the Notice of Appeal, the appellant shall file six copies of an appeal book and transcript and deliver one filed copy to the respondent.
4. The appellant shall also file one electronic copy of the transcript.
5. At the time the appeal books and transcripts are filed, the appellant shall contact the Registrar and arrange for a hearing date for the appeal.
6. The represented appellant shall file six copies of a factum (limited to 30 pages) at least 60 days before the hearing of the appeal and deliver a copy to the respondent. The unrepresented appellant is encouraged to follow the same rule, but may instead file a short statement of the issues.

7. The represented appellant shall also file one electronic copy of its factum. An unrepresented appellant is not required to comply with this direction.
8. The respondent shall file six copies of a factum at least 30 days before the hearing of the appeal and deliver a copy to the appellant.
9. The respondent shall also file one electronic copy of its factum.
10. The parties shall file five copies of the authorities at least 30 days before the hearing of the appeal. These authorities shall also be delivered to the appellant/ respondent (as the case may be).
11. This practice directive does not apply to appeals filed on or before the date this practice directive is issued.

A handwritten signature in black ink, appearing to read 'A. Bauman. CJBC', is written over a horizontal line.

The Honourable Chief Justice Bauman  
for the Court of Appeal of British Columbia

History: This is a new practice directive.