

IN THE PROVINCIAL COURT FOR THE PROVINCE OF NOVA SCOTIA
[Cite as: R. v. Stephen Reginald Greener, 2003 NSPC 058]

BETWEEN:

Her Majesty the Queen

- and -

Stephen Reginald Greener

Judge D. William MacDonald Dartmouth, Nova Scotia

**Case Nos.: 1378524, 1379525
& 1378526**

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HEARD: November 27, 2003

DECISION DATE: November 27, 2003

SUBJECT: Criminal Law; Bail Variation

SUMMARY: Defendant applied to vary a bail order to which the defendant had consented, having the advice of duty counsel. The prosecutor did not consent to the application and submitted the Court lacked jurisdiction.

ISSUE(S): Is the defendant “being tried” in the Provincial Court within the meaning of Section 523 of the **Criminal Code**, after arraignment on a summary conviction offence?

RESULT: The Provincial Court has jurisdiction to vary bail conditions.

THIS INFORMATION SHEET DOES NOT FORM PART OF THE COURT'S DECISION. QUOTES MUST BE FROM THE DECISION, NOT FROM THIS COVER SHEET.