

426. Summary conviction penalty for certain stealing and like offences

- (1) Subsection (2) applies to the following indictable offences —
- (a) an offence under section 378, 382, 383 or 388 in respect of which the greatest term of imprisonment to which an offender convicted of the offence is liable does not exceed 7 years;
 - (b) an offence under section 378 to which Item (5)(a), (6), or (7) of that section applies;
 - [(c) deleted]*
 - (d) attempting to commit, or inciting another person to commit any of the offences mentioned in paragraph (a) or (b);
 - (e) receiving anything that has been obtained by means of an indictable offence of such a nature, or committed under such circumstances, that the offender who committed the indictable offence might be summarily convicted under this Code.
- (2) Summary conviction penalty: for an offence to which this subsection applies where the value of the property in question does not exceed \$10 000, unless subsection (4) applies — imprisonment for 2 years and a fine of \$24 000.
- (3) Summary conviction penalty: for an offence —
- (a) under section 378 or 414; or
 - (b) of attempting to commit, or inciting another person to commit, an offence under section 378 or 414,

where the property in question is a motor vehicle, unless subsection (4) applies — imprisonment for 2 years and a fine of \$24 000.

- (4) Summary conviction penalty: for an offence —
- (a) under section 378, 382, 383, 388 or 414; or
 - (b) of attempting to commit, or inciting another person to commit, an offence under section 378, 382, 383, 388 or 414,

where the value of the property in question does not exceed \$1 000 — a fine of \$6 000.

[Section 426 inserted by No. 106 of 1987 s. 19; amended by No. 101 of 1990 s. 29; No. 37 of 1991 s. 19; No. 36 of 1996 s. 24; No. 50 of 2003 s. 51(12); No. 4 of 2004 s. 33; No. 70 of 2004 s. 35(4).]