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**Mandatory Minimum Penalties in Force in Canada**

| <b>Offence</b>  | <b>Minimum</b>  | <b>Maximum</b>   |
|---|---|--|
| Driving while impaired  | 14 days*  | summary procedure 6 months<br>solemn procedure 5 years |
| Failure or refusal to provide a breath sample   | 14 days*  | summary procedure 6 months<br>solemn procedure 5 years |
| Betting, pool-selling, bookmaking   | 14 days*  | 2 years  |
| Placing bets on behalf of others  | 14 days*  | 2 years  |
| High Treason  | Life minimum<br>parole eligibility<br>set at 25 years | Life   |
| First degree murder   | Life minimum<br>parole eligibility<br>set at 25 years | Life   |
| Second degree murder  | Life minimum<br>parole eligibility<br>set at 10 years | Life   |
| Living off avails of child prostitution   | 5 years   | 14 years   |
| Using a firearm during commission of an offence   | 1 year^   | 14 years   |
| Using an imitation firearm during offence   | 1 year^   | 14 years   |
| Criminal negligence causing death – firearm   | 4 years   | Life   |
| Manslaughter – firearm  | 4 Years   | Life   |
| Attempted murder – firearm  | 4 Years   | Life   |
| Causing bodily harm with intent – firearm   | 4 years   | 14 years   |
| Sexual assault – firearm  | 4 years   | 14 years   |
| Aggravated sexual assault – firearm   | 4 years   | 14 years   |
| Kidnapping – firearm  | 4 years   | Life   |
| Hostage taking - firearm  | 4 years   | Life   |
| Robbery – firearm   | 4 years   | Life   |
| Extortion – firearm   | 4 years   | Life   |
| Possession of firearm knowing it is unauthorised  | 1 year◇   | 10 years   |
| Possession of weapon/device/ammunition knowing its possession is unauthorised                               | 1 year◇   | 10 years   |
| Possession of prohibited/restricted firearm with ammunition   | 1 year⊗   | 10 years   |
| Possession of firearm obtained by commission of an offence  | 1 year⊗   | 10 years   |
| Weapons trafficking   | 1 year  | 10 years   |
| Possession for purpose of weapons trafficking   | 1 year  | 10 years   |
| Making weapon into automatic fire   | 1 year⊗   | 10 years   |
| Importing/exporting firearm/ prohibited weapon/restricted weapon/prohibited device or prohibited ammunition | 1 year  | 10 years   |

\* These sentences are for second conviction of these offences. First convictions attract no minimum sentence, subsequent convictions attract mandatory minimum penalties of 90 days.

^ This sentence is for first conviction. Subsequent convictions attract a minimum sentence of 3 years. In addition the sentence for this offence must be served consecutively to any sentence imposed for conviction of any other offences arising from the same incident.

◇ This sentence is for first conviction. Subsequent convictions attract a mandatory minimum penalty of two years less a day.

⊗ Sentence restricted to offences tried on indictment.