(c) the Attorney General, after consulting with the responsible minister, is satisfied that the measures should be approved, having regard to the nature of the offence and the circumstances surrounding its commission and the following factors, namely,

(i) the protection of persons at risk,

(ii) the person's history of compliance with this Act,

(iii) whether the offence is a repeated offence,

(iv) any allegation that information is being or was concealed or other attempts to subvert the purposes and requirements of this Act are being or have been made, and

(v) whether any remedial or preventive action has been taken by or on behalf of the person in relation to the offence.

(d) the person fully and freely consents to participate in the alternative measures after having been informed of them.

(e) the person and the Attorney General have concluded an agreement respecting the alternative measures within 180 days after the person fully, freely and voluntarily responded to the offence.

(f) been served with a summons,

(g) been served an appearance notice, or

(h) been served with a promise to appear or a recognizance.

(2) Before consenting to participate in the alternative measures, the person has been advised of the right to be represented by counsel.

(3) the person accepts responsibility for the part in question that forms the basis of the offence.

(4) there is, in the opinion of the Attorney General, sufficient evidence to proceed with the prosecution of the offence; and

(5) the prosecution of the offence is not barred at law.

(2) Alternative measures must not be used to deal with a person who

(1) the person's history of compliance with this Act,

(2) whether the offence is a repeated offence,

(3) any allegation that information is being or was concealed or other attempts to subvert the purposes and requirements of this Act are being or have been made, and

(4) whether any remedial or preventive action has been taken by or on behalf of the person in relation to the offence.

(d) the person fully and freely consents to participate in the alternative measures after having been informed of them.

(e) the person and the Attorney General have concluded an agreement respecting the alternative measures within 180 days after the person fully, freely and voluntarily responded to the offence.

(f) been served with a summons,

(g) been served with an appearance notice, or

(h) been served with a promise to appear or a recognizance.

(2) Before consenting to participate in the alternative measures, the person has been advised of the right to be represented by counsel.

(3) the person accepts responsibility for the part in question that forms the basis of the offence.

(4) there is, in the opinion of the Attorney General, sufficient evidence to proceed with the prosecution of the offence; and

(5) the prosecution of the offence is not barred at law.

(2) Alternative measures must not be used to deal with a person who

(1) il ne peut y avoir de mesures de rechange lorsque le suspect

(2) la protection des personnes en péril,

(3) les antécédents de respect de la présente loi par le suspect,

(4) la question de savoir si l'infraction constitue une récidive,

(5) tous manquements — passés ou actuels — à l'égard de contrôles aux termes de la présente loi, mesures ou politiques de dissimulation, de non-signalement,

(6) le fait que des mesures préventives ou correctives ont été prises par le suspect — ou en son nom — à l'égard de l'infraction, ou leur absence totale.

d) le suspect informé des mesures de rechange, a librement manifesté et formulé volonté de participer à leur mise en oeuvre; 20

e) il a conclu avec le procureur général un accord sur les mesures de rechange dans les cent quatre-vingts jours suivant la signification d'une sommation en la détournance d'une citation à comparaître ou la remise 25 par lui d'une promesse de comparaître ou d'un engagement;

f) il a été informé de son droit d'être représenté par un avocat avant de consentir à participer à la mise en oeuvre des mesures 30 de rechange;

g) il se reconnaît responsable de l'acte en cause à l'origine de l'infraction;

h) le procureur général estime qu'il y a des preuves suffisantes justifiant des poursuites 35 relatives à l'infraction;

i) aucune règle de droit ne l'empêche à l'exercice des poursuites relatives à l'infraction.

(2) Il ne peut y avoir de mesures de rechange 40 lorsque le suspect