

- (d) counsels or procures any person to commit the offence.
- Common purpose to commit offence. (3) If several persons form a common purpose to contravene any of the provisions of this Act and to assist each other therein, each of them is a party to every offence under this Act committed by any one of them in the prosecution of such common purpose, the commission of which offence was, or ought to have been known to be a probable consequence of the prosecution of such common purpose. 5
- Counselling or procuring. (4) Every one who counsels or procures another person to be a party to an offence under this Act of which that person is afterwards guilty, is a party to that offence, although it may be committed in a way different from that which was counselled or suggested. 10
- Idem. (5) Every one who counsels or procures another to be a party to an offence under this Act is a party to every offence which that other commits in consequence of such counselling or procuring, and which the person counselling or procuring knew, or ought to have known, to be likely to be committed in consequence of such counselling or procuring. 20
- Officers of guilty corporation. (6) If a corporation is guilty of an offence under this Act, any officer or director of the corporation is a party to and guilty of the offence if it was committed with his knowledge unless he exercised all due diligence to prevent the commission of the offence; and in any proceeding against a person who was a director or officer of a corporation when the corporation committed an offence under this Act for being a party to and guilty of such offence, the burden of proving that he is not guilty of the offence shall be upon the accused. 25
- Burden of proof. (7) Every person who commits an offence under this Act for which no penalty is expressly provided by this Act is liable on summary conviction to a fine not exceeding five thousand dollars or to imprisonment for a term not exceeding two years or to both such fine and such imprisonment. 30
- Penalties. (8) Every person who commits an offence under this Act for which no penalty is expressly provided by this Act is liable on summary conviction to a fine not exceeding five thousand dollars or to imprisonment for a term not exceeding five years or to both such fine and such imprisonment. 35
- Prosecution upon indictment. (9) A person may be prosecuted upon indictment for any offence under this Act at the election of the Attorney General of Canada or of the province in which the offence is alleged to have been committed and upon conviction upon indictment for any such offence for which no penalty is expressly provided by this Act, such person is liable to a fine not exceeding five thousand dollars or to imprisonment for a term not exceeding five years or to both such fine and such imprisonment. 40
- Penalty. (10) A person may be prosecuted upon indictment for any offence under this Act at the election of the Attorney General of Canada or of the province in which the offence is alleged to have been committed and upon conviction upon indictment for any such offence for which no penalty is expressly provided by this Act, such person is liable to a fine not exceeding five thousand dollars or to imprisonment for a term not exceeding five years or to both such fine and such imprisonment. 45
- Prosecution under Part XV of Criminal Code. R.S., c. 36. (9) In any prosecution under Part XV of the *Criminal Code* for an offence under this Act, the complaint shall be made, or the information laid, within twelve months from the time when the matter of the complaint or information arose." 50