



**Manitoba
Department of Justice**

Guideline No. 4:FAL:1

Public Prosecutions

Policy Directive

**Subject: False Pretences
(Bad Cheques)**

Date: October 10, 1990

POLICY STATEMENT:

Generally, charges against an accused for false pretences relating to bad cheques should be laid and prosecuted where the amount of the cheque exceeds \$50.00.

Where the amount of the cheque is less than \$50.00, a prosecution should not, under normal circumstances, be started. This is, however, in the discretion of the Crown Attorney, and in appropriate circumstances, such as a series of bad cheques from the same individual, the Crown may proceed to prosecute false pretence charges relating to cheques under \$50.00.

Rationale:

There is a substantial cost to the public when criminal charges are laid and prosecuted. There should be an onus on individual shopkeepers to take steps to safeguard themselves against loss suffered due to bad cheques. The police and the criminal justice system should not be used as a collection agency for individual shopkeepers every time a cheque they have accepted has not cleared. The criminal justice system should not become involved in these kinds of cases unless the amount of the loss is somewhat substantial, or the act is being repeatedly committed by an individual.