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**Legal  
Brief\***

**Vol. 14**

**Number 3**

**March 2022**

## **BREAKING AND ENTERING**

Remy and his friends decide to meet in an old dilapidated building to party. They climb the fence, rip off the plywood covering the door and party into the wee hours of the morning.

The next day, Remy and his friends are awakened by the police who had been alerted by the neighbours about the presence of young people prowling around. It seems that after several drinks, Remy broke a window of the old building in order to impress his friends. However, Remy is much less proud of what he did once a police officer informs him that they will be charged with breaking and entering a place other than a dwelling house and committing an indictable offence therein (section 348(1)(b)(e) of the Criminal Code).

A building does not have to be occupied for it to be illegal to enter it.

Breaking and entering covers several locations specified in the Criminal Code, namely:

- (a) a dwelling-house;
- (b) a building or structure or any part thereof, other than a dwelling-house;
- (c) a railway vehicle, a vessel, an aircraft or a trailer; or
- (d) a pen or an enclosure in which fur-bearing animals are kept in captivity for breeding or commercial purposes.

Remy and his friends would have been better off partying at the house of someone they knew.

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Don't hesitate to have your eligibility for legal aid evaluated by making an appointment at a legal aid office near you.

To find the contact information for your legal aid office, please visit our website at [www.csj.qc.ca](http://www.csj.qc.ca).

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\* The information set out in this document is not a legal interpretation.

The masculine is used to designate persons solely in order to simplify the text.