

The *Criminal Code*, [R.S.C. 1985, c. C-46](#), states:

163. (1) Every one commits an offence who

(a) makes, prints, publishes, distributes, circulates, or has in his possession for the purpose of publication, distribution or circulation any obscene written matter, picture, model, phonograph record or other thing whatever; or

(b) makes, prints, publishes, distributes, sells or has in his possession for the purpose of publication, distribution or circulation a crime comic.

Accordingly, the depiction at right, appearing to show a comic character thief selling stolen watches, may be a crime! Thankfully, there is an exception which states:

(3) No person shall be convicted of an offence under this section if the public good was served by the acts that are alleged to constitute the offence and if the acts alleged did not extend beyond what served the public good.

As this webpage is intended to provide education and information of interest and benefit to the "public good" it is anticipated that law enforcement officials will be unlikely to attempt a prosecution.

Another curiously interesting section of the *Criminal Code* and relating to publications that may 'corrupt morals' is section 163(2)(d) which suggests that the advertisers of Viagra, a product advertised, "as a method for restoring sexual virility", are committing a crime.

Although the above examples appear absurd, and undoubtedly would avoid prosecution, section 163 of the *Criminal Code* remains in force an available law if a 'worthy of prosecution' violation did arise. For example, section 163 also addresses matters relating to child pornography, a concern that is most certainly worthy of prosecution.



