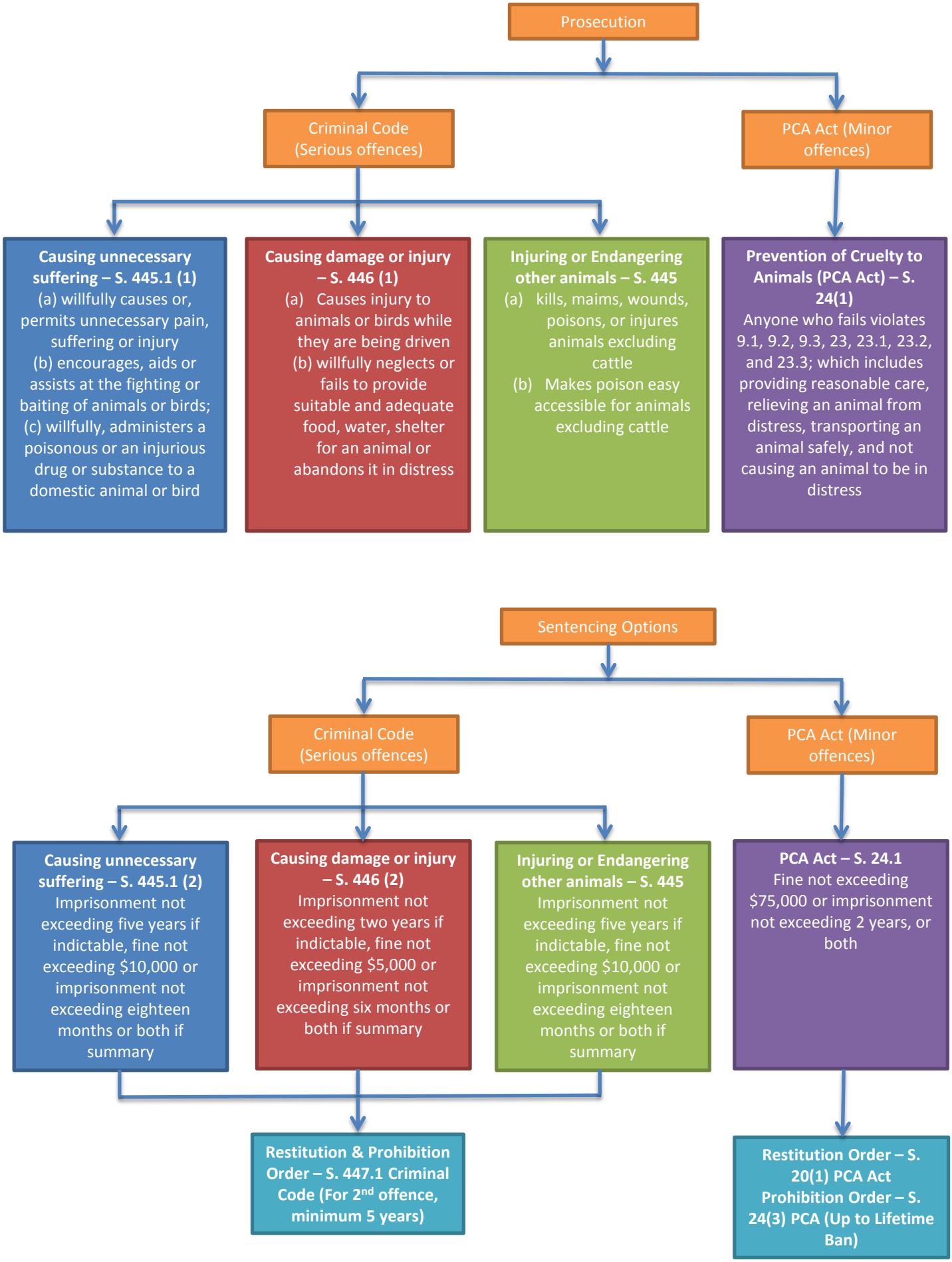
Prosecution
Criminal Code (Serious offences)
PCA Act (Minor offences)
Causing unnecessary suffering – S. 445.1 (1)
(a) willfully causes or, permits unnecessary pain, suffering or injury
(b) encourages, aids or assists at the fighting or baiting of animals or birds;
(c) willfully, administers a poisonous or an injurious drug or substance to a domestic animal or bird
Causing damage or injury – S. 446 (1)
(a) Causes injury to animals or birds while they are being driven
(b) willfully neglects or fails to provide suitable and adequate food, water, shelter for an animal or abandons it in distress
Injuring or Endangering other animals – S. 445
(a) kills, maims, wounds, poisons, or injures animals excluding cattle
(b) Makes poison easy accessible for animals excluding cattle
Prevention of Cruelty to Animals (PCA Act) – S. 24(1)
Anyone who fails violates 9.1, 9.2, 9.3, 23, 23.1, 23.2, and 23.3; which includes providing reasonable care, relieving an animal from distress, transporting an animal safely, and not causing an animal to be in distress
Sentencing Options
Criminal Code (Serious offences)
PCA Act (Minor offences)
Causing unnecessary suffering – S. 445.1 (2)
Imprisonment not exceeding five years if indictable, fine not exceeding $10,000 or imprisonment not exceeding eighteen months or both if summary
Causing damage or injury – S. 446 (2)
Imprisonment not exceeding two years if indictable, fine not exceeding $5,000 or imprisonment not exceeding six months or both if summary
Injuring or Endangering other animals – S. 445
Imprisonment not exceeding five years if indictable, fine not exceeding $10,000 or imprisonment not exceeding eighteen months or both if summary
PCA Act – S. 24.1
Fine not exceeding $75,000 or imprisonment not exceeding 2 years, or both
Restitution & Prohibition Order – S. 447.1 Criminal Code (For 2nd offence, minimum 5 years)
Restitution Order – S. 20(1) PCA Act
Prohibition Order – S. 24(3) PCA (Up to Lifetime Ban)