



Security from Trespass and Protecting Food Safety Act

April 2021



NO
TRESPASSING
KEEP OUT
PRIVATE
PROPERTY

Security from Trespass and Protecting Food Safety Act

- In December 2020 Bill 156 became law in Ontario
 - Existing trespass rules were not adequate to protect farm families and animals



Scope is limited to livestock

- Protects farm animals, the food supply, farmers and others in Ontario from risks that are created when:
 - Trespassers enter places where farm animals are kept; or
 - When persons engage in unsafe, unauthorized interactions with farm animals and transport vehicles

Limited to livestock farms and livestock transport



Livestock Transport

- Vehicles transporting livestock are protected under the Act from being stopped, hindered, obstructed or otherwise interfered with when transporting farm animals
- Interactions and interferences with farm animals on motor vehicles is also prohibited without prior consent of the driver



Prohibited interferences and interactions

- Any of the following carried out **without consent**
- Directly or indirectly having physical **contact** with a farm animal, whether the farm animal is dead or alive,
- Providing any **substance** to a farm animal, including spraying or throwing any substance on or at a farm animal,
- **Releasing** a farm animal from an animal protection zone or transport motor vehicle,
- Creating conditions in which a farm animal could **escape** from an animal protection zone or transport motor vehicle,
- Any activity that causes or is likely to **cause harm** to a farm animal or harm with respect to food safety.



Where it applies

- Farm, animal processing facility or prescribed premises
- A prescribed premises is:
 - Premises at which farm animals are ordinarily bought or sold with a licence
 - Premises at which farm animals are displayed for public viewing (ie. Fairs)
 - Premises at which farm animals lawfully compete against one another (ie. Racetracks)



Consent Under False Pretences

- If consent is given based on information that is false, the consent does not apply
- This can include employment qualifications
- Exceptions for whistle blowers and journalists provided they haven't harmed animals or food security

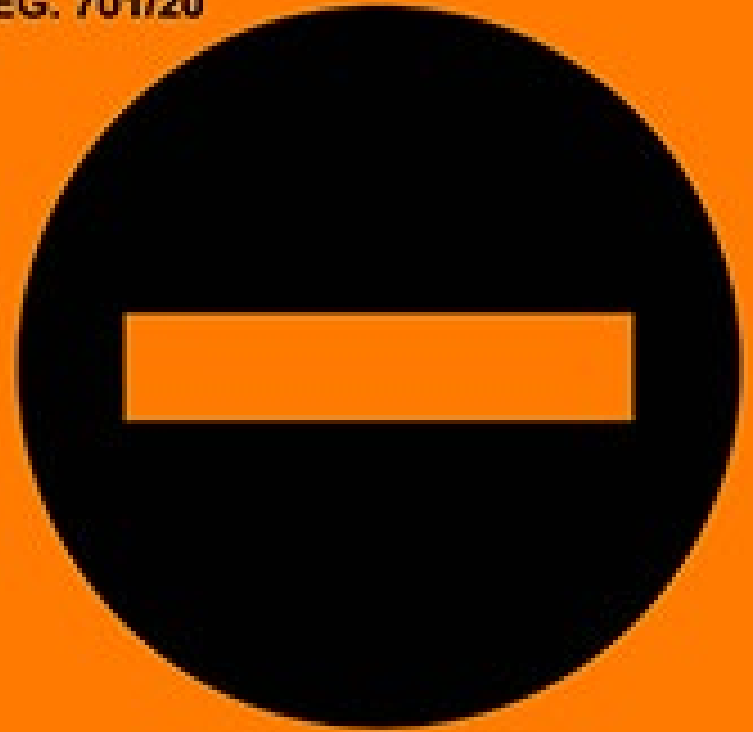


No implied consent

- The rules for consent applies even if the trespasser has not been told orally, or in writing, to keep out or if no signs have been posted which restrict or prohibit entry.

Signage

- Signage is only required for Category B animal protection zones
 - Community pastures with no enclosure for farm animals
 - Raceway
- There are specific guidelines for signage



**ANIMAL
PROTECTION
ZONE**

NO ENTRY



Designating a Category B Animal Protection Zone

- The area must meet the following requirements:
 - It does not include the entire property,
 - It can only include lands on which farm animals are reasonably likely to be kept or located,
 - It is located within the legal boundaries of the property, and
 - It does not impede access to the front door of any residence found on the property



Limitation period

- There is two-year limitation period for the commencement of proceeding
- The two-year period begins on the later of the day the offence was committed, or the day on which evidence of the offence first came to the attention of a police officer



Penalties

- Up to \$15,000 for the first offence, and up to \$25,000 for subsequent offences
- Restitution for losses and damages for breaching bio-security protocols
- Penalties can be increased for a person who is found guilty of committing an offence under circumstances listed in regulation
 - Animals harmed, bio-security breached



A first step

- Scope was limited to ensure success
- Recognized as a first step in enhancing protections for farm families

ABOUT
BILL 156

What Why FAQs Video

INFO FOR FARMERS

BILL 156

Security from Trespass and Protecting Food Safety Act

Click here

A good
resource

www.aboutbill156.com

WHAT IS BILL 156?