

## **Ontario SPCA Act**

### **Section 11.2**

#### **Training, permitting animals to fight**

(3) No person shall train an animal to fight with another animal or permit an animal that the person owns or has custody or care of to fight another animal. 2008, c. 16, s. 8.

#### **Owning animal fighting equipment, structures**

(4) No person shall own or have possession of equipment or structures that are used in animal fights or in training animals to fight. 2008, c. 16, s. 8.

#### **Offences**

18.1 (1) Every person is guilty of an offence who,  
(c) contravenes subsection 11.2 (1), (2), (3), (4) or (5);

#### **Penalty – individuals**

(3) Every individual who commits an offence under clause (1) (b), (c) or (c.1) is liable on conviction to a fine of not more than \$60,000 or to imprisonment for a term of not more than two years, or to both. 2008, c. 16, s. 16; 2015, c. 10, s. 6 (3).

#### **Prohibition order**

(6) If a person is convicted of an offence under clause (1) (b) or (c), the court making the conviction may, in addition to any other penalty, make an order prohibiting the convicted person and, if the convicted person is a corporation, the directors and officers of the corporation described in subsection (5), from owning, having custody or care of, or living with any animal, or any kind of animal specified in the order, for any period of time specified in the order, including, in the case of an individual, for the remainder of the person's life and, in the case of a corporation, forever. 2008, c. 16, s. 16.

#### **Restitution order**

(7) If a person is convicted of an offence under clause (1) (b) or (c), the court making the conviction may, in addition to any other penalty, make an order that the convicted person pay the whole or any part of the cost to the Society of providing food, care or treatment to an animal that was the victim of the offence of which the convicted person was convicted. 2008, c. 16, s. 16.

## **Criminal Code of Canada**

### **Causing unnecessary suffering**

**445.1** (1) Every one commits an offence who

(b) in any manner encourages, aids or assists at the fighting or baiting of animals or birds;

## Punishment

(2) Everyone who commits an offence under subsection (1) is guilty of

- (a) an indictable offence and liable to imprisonment for a term of not more than five years; or
- (b) an offence punishable on summary conviction and liable to a fine not exceeding ten thousand dollars or to imprisonment for a term of not more than eighteen months or to both.

## Order of prohibition or restitution

**447.1** (1) The court may, in addition to any other sentence that it may impose under subsection 444(2), 445(2), 445.1(2), 446(2) or 447(2),

- (a) make an order prohibiting the accused from owning, having the custody or control of or residing in the same premises as an animal or a bird during any period that the court considers appropriate but, in the case of a second or subsequent offence, for a minimum of five years; and
- (b) on application of the Attorney General or on its own motion, order that the accused pay to a person or an organization that has taken care of an animal or a bird as a result of the commission of the offence the reasonable costs that the person or organization incurred in respect of the animal or bird, if the costs are readily ascertainable.

## Breach of order

(2) Every one who contravenes an order made under paragraph (1)(a) is guilty of an offence punishable on summary conviction