

Provincial Animal Welfare Services Act, 2019

ONTARIO REGULATION 445/19 CODE OF CONDUCT

Consolidation Period: From January 1, 2020 to the [e-Laws currency date](#).

No amendments.

This is the English version of a bilingual regulation.

APPLICATION AND INTERPRETATION

Application

1. This Regulation sets out the code of conduct with which every animal welfare inspector must comply.

Interpretation

2. In this Regulation,

“confidential information” means,

- (a) information obtained in the performance or attempted performance of an animal welfare inspector’s functions that relates to a particular person, animal or place, or
- (b) other information identified by the Chief Animal Welfare Inspector as confidential; (“renseignements confidentiels”)

“related person” means any person who has one of the following relationships to the animal welfare inspector or to the spouse of the animal welfare inspector:

1. A child or the spouse of a child.
2. A grandchild or the spouse of a grandchild.
3. A parent or the spouse of a parent.
4. A grandparent or the spouse of a grandparent.
5. A sibling or the spouse of a sibling; (“personne physique liée”)

“spouse” means,

- (a) a spouse as defined in section 1 of the *Family Law Act*, or
- (b) either of two persons who live together in a conjugal relationship outside marriage. (“conjoint”)

No contravention if causation could not be reasonably known

3. (1) An act or omission of an animal welfare inspector does not contravene this code of conduct if the inspector could not reasonably have known that the act or omission would cause the contravention.

(2) Every animal welfare inspector is deemed to be aware of the contents of this code of conduct for the purposes of applying subsection (1).

GENERAL REQUIREMENTS

Act and regulations

4. An animal welfare inspector shall comply with the Act and the regulations made under the Act.

Conditions or limitations of appointment

5. An animal welfare inspector shall comply with any conditions or limitations that apply to the inspector’s appointment.

Directions

6. An animal welfare inspector shall comply with any direction from the Chief Animal Welfare Inspector.

Conflicts of interest and preferential treatment

7. (1) An animal welfare inspector shall not use or attempt to use his or her appointment as an inspector to directly or indirectly benefit himself, herself or a related person.

(2) An animal welfare inspector shall not, in the performance of the inspector's functions, give preferential treatment to any person or entity.

Confidentiality

8. An animal welfare inspector shall not disclose confidential information unless the inspector is authorized to do so by the Chief Animal Welfare Inspector or is required to do so by law.

Gifts

9. (1) An animal welfare inspector shall not accept a gift in relation to the performance of the inspector's functions.

(2) Subsection (1) does not apply if,

(a) the gift is of nominal value;

(b) the gift is given as an expression of courtesy or hospitality;

(c) accepting the gift is reasonable in the circumstances; and

(d) the animal welfare inspector promptly reports the gift to the Chief Animal Welfare Inspector.

No undermining of public confidence

10. An animal welfare inspector shall not act in a manner that undermines, or is likely to undermine, public confidence in the administration of the Act.

FUNCTIONS AS AN INSPECTOR

Distress

11. (1) An animal welfare inspector shall not cause or permit an animal in the inspector's care to be in distress in the course of performing the functions of an inspector.

(2) An animal welfare inspector shall not cause an animal in the inspector's care to be exposed to an undue risk of distress in the course of performing the functions of an inspector.

Rights and professionalism

12. (1) An animal welfare inspector shall not treat any person in a manner that would contravene the *Human Rights Code* in the course of performing the functions of an inspector.

(2) An animal welfare inspector shall not violate the rights of any person under the *Canadian Charter of Rights and Freedoms* in the course of performing the functions of an inspector.

(3) An animal welfare inspector shall not use insulting language with any person, or otherwise treat any person in a manner that is abusive or unprofessional, in the course of performing the functions of an inspector.

Identification

13. An animal welfare inspector who exercises a power under the Act shall, on request, identify himself or herself as an inspector, produce identification and explain the purpose of the exercise of the power.

Use of force

14. (1) An animal welfare inspector shall not use force in the performance of the inspector's functions except as authorized by law.

(2) An animal welfare inspector shall not use more force than is reasonably necessary in the performance of the inspector's functions.

Inspection or search

15. An animal welfare inspector shall not conduct an inspection or search except as authorized by law.

Impairment

16. An animal welfare inspector shall not perform or attempt to perform the inspector's functions while impaired, whether through the consumption of drugs or alcohol or otherwise.

17. OMITTED (PROVIDES FOR COMING INTO FORCE OF PROVISIONS OF THIS REGULATION).

Français

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