



Legislative Summary

BILL C-355: AN ACT TO PROHIBIT THE EXPORT BY AIR OF HORSES FOR SLAUGHTER AND TO MAKE RELATED AMENDMENTS TO CERTAIN ACTS

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For clarity of exposition, the legislative proposals set out in the bill described in this legislative summary are stated as if they had already been adopted or were in force. It is important to note, however, that bills may be amended during their consideration by the Senate and House of Commons and have no force or effect unless and until they are passed by both houses of Parliament, receive Royal Assent and come into force.

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LEGISLATIVE SUMMARY OF BILL C-355: AN ACT TO PROHIBIT THE EXPORT BY AIR OF HORSES FOR SLAUGHTER AND TO MAKE RELATED AMENDMENTS TO CERTAIN ACTS

1 INTRODUCTION

Bill C-355, An Act to prohibit the export by air of horses for slaughter and to make related amendments to certain Acts (short title: Prohibition of the Export of Horses by Air for Slaughter Act), was introduced in the House of Commons on 19 September 2023 by Tim Louis, Member of Parliament for Kitchener—Conestoga.¹

The bill passed second reading and was referred for study to the House of Commons Standing Committee on Agriculture and Agri-Food (AGRI) on 31 January 2024. Over five meetings, AGRI studied the bill and heard from 31 witnesses. AGRI reported the bill with amendments back to the House of Commons on 29 April 2024. The third reading was completed on 9 May 2024.

Bill C-355 was introduced in the Senate on 21 May 2024.

The aim of Bill C-355 is to prohibit the export of live horses by air from Canada to other countries where horses are slaughtered or fattened for slaughter, then used for human consumption. While the *Health of Animals Act*² provides the Governor in Council with the authority to make regulations for the humane treatment of animals, including transportation within, into or out of Canada, Bill C-355 creates stand-alone legislation specific to banning the practice of exporting horses for slaughter.

2 BACKGROUND

Since 2010, members of the New Democratic Party of Canada caucus have introduced three private members' bills to ban the export of horses for slaughter.³

In its September 2021 election campaign platform, the Liberal Party of Canada committed to banning the export of horses for slaughter. On 16 December 2021, in his mandate letter to the Minister of Agriculture and Agri-Food (the Minister), Prime Minister Justin Trudeau directed the Minister to deliver on the commitment to “[b]an the live export of horses for slaughter.”⁴

A petition to ban the export of horses for slaughter was presented in the House of Commons on 13 February 2023.⁵ In its response to the petition, the government stated:

[T]he Government is currently exploring the legal and policy framework for a ban on live horse exports for slaughter. This complex issue touches on a number of key considerations, including legal obligations, international trade commitments and relations, acts and regulations involving animals more broadly, and mechanisms for implementation and enforcement. The Government is performing its due diligence to minimize potential unintended consequences related to any changes in policies or laws, taking into account such issues as the risks to international trade commitments, impacts on producers' livelihoods, and interaction with any existing laws or regulations. This includes economic and legal analysis, as well as conducting an international scan and examining approaches in other jurisdictions.⁶

In September 2023, Bill C-355 was introduced in Parliament, then studied and amended by AGRI, and adopted on division in the House of Commons on 9 May 2024. This bill superseded a previous proposal, Bill S-270, An Act to amend the Health of Animals Act and the Agriculture and Agri-Food Administrative Monetary Penalties Regulations (live horses), introduced in the Senate by Senator Pierre Dalphond.⁷ Bill S-270 was dropped from the Senate *Order Paper* in March 2024.

3 DESCRIPTION AND ANALYSIS

Bill C-355 contains 10 clauses which are discussed below.

3.1 SHORT TITLE, INTERPRETATION AND HIS MAJESTY (CLAUSES 1 TO 3)

Clause 1 provides the short title, and clause 2 sets out the interpretative provisions. Clause 3 states that the Act is binding on the Crown.

3.2 PROHIBITIONS (CLAUSES 4 TO 7)

Clause 4 prohibits a person from exporting a horse by air from Canada, unless they have provided the Minister with a written declaration certifying that, to the best of their knowledge, the horse is not being exported for slaughter or fattened for the purpose of slaughter in another country.

Clause 5 prohibits a person from submitting a declaration under clause 4 that provides false or misleading information or that makes false or misleading statements about the declaration or any matter related to it.

Clause 6 indicates that

[a] person who contravenes any provision of this Act is guilty of an offence and liable

(a) on conviction on indictment, to a fine of not more than \$250,000 or to imprisonment for a term of not more than two years, or to both; or

(b) on summary conviction, to a fine of not more than \$50,000 or to imprisonment for a term of not more than six months, or to both.

Clause 7 stipulates that a person will not be found guilty of an offence under this Act if they can demonstrate that they exercised due diligence to prevent its occurrence.

3.3 RELATED AMENDMENTS (CLAUSES 8 AND 9)

Clause 8 of Bill C-355 amends section 11(1) of the *Canadian Food Inspection Agency Act*⁸ by adding the Prohibition of the Export of Horses by Air for Slaughter Act to the list of legislation that the Canadian Food Inspection Agency is responsible for administering and enforcing.

Clause 9 of this bill amends section 9(2)(b) of the *Canada Border Services Agency Act*⁹ by adding the Prohibition of the Export of Horses by Air for Slaughter Act to the list of other Acts, or instruments made under them, that are enforced by the Minister of Public Safety, the Canada Border Services Agency, its President or an employee of that agency.

3.4 COMING INTO FORCE (CLAUSE 10)

Under clause 10, Bill C-355 comes into force 18 months after it receives Royal Assent to help the horse industry transition adequately by not applying the new rules to horses that are currently being raised for export, slaughter and consumption.

NOTES

1. [Bill C-355, An Act to prohibit the export by air of horses for slaughter and to make related amendments to certain Acts](#), 44th Parliament, 1st Session.

2. [Health of Animals Act](#), S.C. 1990, c. 21.
3. The following bills were not referred to committee for study: [Bill C-544, An Act to amend the Health of Animals Act and the Meat Inspection Act \(slaughter of horses for human consumption\)](#), 40th Parliament, 3rd Session; [Bill C-322, An Act to amend the Health of Animals Act and the Meat Inspection Act \(slaughter of horses for human consumption\)](#), 41st Parliament, 1st Session; and [Bill C-571, An Act to amend the Meat Inspection Act and the Safe Food for Canadians Act \(slaughter of equines for human consumption\)](#), 41st Parliament, 2nd Session.
4. Prime Minister of Canada, Justin Trudeau, [Minister of Agriculture and Agri-Food Mandate Letter](#), 16 December 2021.
5. House of Commons, Petitions, "[Petition to the Minister of Agriculture and Agri-Food](#)," e-4190 (*Animals*), 9 November 2022, which was preceded by House of Commons, Petitions, "[Petition to the House of Commons in Parliament assembled](#)," e-2410 (*Animals*), 17 June 2020.
6. House of Commons, Petitions, "[Response by the Minister of Agriculture and Agri-Food](#)," e-4190 (*Animals*), 29 March 2023.
7. [Bill S-270, An Act to amend the Health of Animals Act and the Agriculture and Agri-Food Administrative Monetary Penalties Regulations \(live horses\)](#), 44th Parliament, 1st Session.
8. [Canadian Food Inspection Agency Act](#), S.C. 1997, c. 6, s. 11(1).
9. [Canada Border Services Agency Act](#), S.C. 2005, c. 38, s. 9(2)(b).