

Maximum OHS Penalties by Jurisdiction



While penalty amounts vary, most jurisdictions use the same basic structure:

- Initial penalty;
- Additional penalty for each day the offence continues; and
- In some jurisdictions, increased penalties for second and subsequent offences.

Penalty amounts may also be based on other factors, including:

- The type of offence committed; and/or
- Who committed it, e.g., a corporation vs. an individual.

In addition to these OHS penalties that are handed down by a court, many jurisdictions allow OHS officers to issue administrative monetary penalties (AMPs), i.e., smaller fines handed out by an OHS inspector that don't require a court action. Here's a visual summary of how this all works.

OHS Maximum Penalties by Jurisdiction

Jur.	First Offence	Second (& Subsequent) Offence	Other
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FED	Type of Offence	Indict. Conv. (1)	Summary Conv. (1)	Treated same as first offences (2)	NA
	general	\$1 million +/or 2 years	\$100K		
	death or injury	\$1 million +/or 2 years	\$1 million		
	willful knowing it will cause risk of death or injury	\$1 million +/or 2 years	\$1 million		

AB	Type of Offence	Max. Penalty	General offence: \$1 million + \$60K per day for as long as offence continues +/-or 12 months	*Creative sentencing *AMPs of up to \$10K per offence + \$10K per day for as long as offence continues
	general	\$500K + \$30K per day for as long as offence continues +/-or 6 months		
	Disobeying stop order	\$1 mil + \$60K per day for as long as offence continues +/-or 12 months		
	Knowingly making false statement to OHS officer	\$1K +/-or 6 months imprisonment		
BC	\$707,352.32 + \$35,367.65 per day for as long as offence continues +/-or 6 months imprisonment		\$1,414,704.73 + \$70,735.24 per day for as long as offence continues +/-or 12 months imprisonment	*Repayment of monetary benefits of offence *AMPs of up to \$1,039.72 per offence
MB	\$250K + \$25K per day for as long as offence continues +/-or 6 months imprisonment		\$500K + \$50K per day for as long as offence continues +/-or 6 months imprisonment	*Creative sentencing *AMPs of up to \$5K per offence

NB	\$250K +/- 6 months imprisonment		Treated same as first offences(2)	Court can treat each day offence continues as a <i>new offence</i>
NL	Type of Offender	Max. Penalty	Treated same as first offences(2)	*Corporate directors liable for offences of corporation *Creative sentencing
	Individual	\$500 to \$250K + \$25K per day for as long as offence continues +/- 12 months		
	Corporation	\$2K to \$250K + \$25K per day for as long as offence continues		

NS	Type of Offence	Max. Penalty	Type of Offence	Max. Penalty	*Repayment of monetary benefits of offence *AMPs of up to \$500 per offence, \$1K for second offence + \$2K for third or subsequent offences
	General	\$250K + \$25K per day for as long as offence continues +/- 2 years	General	\$500K + \$25K per day for as long as offence continues +/- 2 years	
	Fatality involved	\$500K + \$25K per day for as long as offence continues +/- 2 years	Fatality involved	\$500K + \$25K per day for as long as offence continues +/- 2 years	
ON	Type of Offender	Max. Penalty	Treated same as first offences(2)		
	Individual	\$100K +/- 12 months			
	Corporation	\$1.5 million			
PEI	\$250K + \$5K per day for as long as offence continues +/- 1 month imprisonment		Treated same as first offences(2)		Creative sentencing

QC			Type of Offender	Max. Penalty(3)	Creative sentencing
	Type of Offender	Max. Penalty(3)	Individual	*2d offence: \$3K to \$6K *3d + subs.: \$6K to \$12K	
	Individual	\$1.5K to \$3K			
	Corporation	\$15K to \$60K	Corporation	2d offence: \$30K to \$150K 3d + subs: \$60K to \$300K	
SK	Type of Offender	Max. Penalty(4)	Treated same as first offences(2)		Creative sentencing
	Individual	\$500K			
	Corporation	\$1.5 million			
NWT + NU	Type of Offender	Max. Penalty	Treated same as first offences(2)		
	Employer, Supervisor	\$500K +/or 1 year			
	Worker	\$50K +/or 6 months			
	Supplier	\$500K +/or 1 year			

YK	Type of Offence	Max. Penalty			
	General	\$150K + \$15K per day for as long as offence continues +/-or 12 months	Type of Offence	Max. Penalty	
	Disobey stop work order	\$250K + \$20K per day for as long as offence continues +/-or 24 months	General	\$300K + \$30K per day for as long as offence continues +/-or 24 months	
	Disobey other kind of order	\$200K + \$17.5K per day for as long as offence continues +/-or 18 months	Disobey stop work order	\$400K + \$30K per day for as long as offence continues +/-or 36 months	
	Knowingly make false statement to OHS officer	\$5K +/-or 12 months	Disobey other kind of order	\$350K + \$27.5K per day for as long as offence continues +/-or 30 months	

AMPs of up to \$5K per offence + \$500 per day for as long as AMP offence continues

Notes:

(1) Because summary convictions are considered less serious and don't require a court proceeding the way indictment offences do, they involve lower penalties

(2) Even though there's no separate maximum fine schedule for repeat offences, the fact that the defendant is a repeat offender is a factor typically resulting in a higher penalty

(3) In Qu'bec, there are slightly different fine ranges based on the seriousness of the offence—the listed data show the highest range

(4) Sask's fine rules are Canada's most complex—the listed data shows the highest fine range for both individuals and corporations