

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 +/or 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 +/- or 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 +/- or 2 years	General	\$500K + \$25K per day for as long as offence continues +/- or 2 years	
	Fatality involved	\$500K + \$25K per day for as long as offence continues +/- or 2 years	Fatality involved	\$500K + \$25K per day for as long as offence continues +/- or 2 years	
ON	Type of Offender	Max. Penalty	Treated same as first offences(2)		
	Individual	\$100K +/- or 12 months			
	Corporation	\$1.5 million			
PEI	\$250K + \$5K per day for as long as offence continues +/- or 1 month imprisonment		Treated same as first offences(2)	Creative sentencing	
QC	Type of Offender	Max. Penalty(3)	Type of Offender	Max. Penalty(3)	Creative sentencing
	Individual	\$1.5K to \$3K	Individual	*2d offence: \$3K to \$6K *3d + subs.: \$6K to \$12K	
	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	Type of Offence	Max. Penalty	AMPs of up to \$5K per offence + \$500 per day for as long as AMP offence continues
	General	\$150K + \$15K per day for as long as offence continues +/-or 12 months	General	\$300K + \$30K per day for as long as offence continues +/-or 24 months	
	Disobey stop work order	\$250K + \$20K per day for as long as offence continues +/-or 24 months	Disobey stop work order	\$400K + \$30K per day for as long as offence continues +/-or 36 months	
	Disobey other kind of order	\$200K + \$17.5K per day for as long as offence continues +/-or 18 months	Disobey other kind of order	\$350K + \$27.5K per day for as long as offence continues +/-or 30 months	
	Knowingly make false statement to OHS officer	\$5K +/-or 12 months			

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 Québec, 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