

**PROVINCE DISTRIBUTES NEW LEGISLATION THAT WOULD HELP PREVENT
TRESPASSING ON PRIVATE PROPERTY**

The Manitoba government has distributed legislation that would amend the Petty Trespasses Act, the Occupiers Liability Act and the Animal Diseases Act to help landowners respond to concerns about trespassing on private property, Agriculture and Resource Development Minister Blaine Pedersen and Justice Minister Cameron Friesen announced today.

“These amendments address concerns we have heard regarding rural crime including trespassing,” said Pedersen. “Farms are not only places of business; they are homes where children and families also reside. Trespassing can expose farms and food production facilities to biosecurity risks that could spread disease, and may cause injury and stress to farm animals.”

Farm trespassing and risks to biosecurity have been on the rise in Canada, causing Manitoba livestock farmers to be concerned about on farm safety for their families and livestock. When members of the public enter a biosecurity zone without permission, they can compromise the biosecurity of the livestock and consequently, the safety of food produced at the premises.

Amendments to the Animal Diseases Act would strengthen legislation to protect biosecurity standards in place on agricultural operations, and help to protect livestock from biosecurity breaches during transport and at food-processing facilities.

These amendments would establish proactive measures that recognize the importance of biosecurity practices, guided by national standards, and ensure that biosecurity zones are protected. Proposed changes to the act are also based on recommendations by Manitoba’s auditor general to strengthen legislation to support the province’s ability to respond to an animal disease emergency proactively.

The Manitoba government has also introduced proposed changes to the Petty Trespasses Act that would provide more clarity. The amended act would remove the need to confront trespassers where possible, by making entry onto certain specified premises without permission an offence, unless the person has a lawful reason for doing so. The proposed changes would align with legislation in other jurisdictions, and would discourage confrontations between

landowners and trespassers while making the law easier to enforce.

The province has also introduced proposed amendments to the Occupiers Liability Act that would ensure a landowner's legal responsibility for injury is fair and reasonable when someone is on their property without permission. Under current legislation, owners, occupiers or tenants of premises have the same level of legal responsibility for injury or harm to criminal and non-criminal trespassers as they do to people who have permission to be on the property. The proposed amendments would reduce the duty of care that is owed to criminal trespassers and certain non-criminal trespassers to not creating a danger with the deliberate intent of doing harm or damage to the person or their property, and to not acting with reckless disregard of the safety of the person or their property.

"This legislation addresses a long-standing lack of clarity about trespassing," said Friesen. "A significant public consultation process has led to these changes, which provide clarity to existing legislation, rebalance the understanding of liability rules, and reduce the risk of conflict between landowners and others."

Manitobans had the opportunity to provide feedback on the development of rural crime, and biosecurity through an online questionnaire last summer. A *What We Heard* document is available at https://manitoba.ca/asset_library/en/proactive/2020_2021/what-we-heard-development-rural-crime-bio-security-metal-theft-legislation.pdf.

- 30 -

For more information:

- Public information, contact Manitoba Government Inquiry: 1-866-626-4862 or 204-945-3744.
- Media requests for general information, contact Communications Services Manitoba: 204-945-3765.

Media requests for ministerial comment, contact Communications and Stakeholder Relations:
204-945-4916.