

# B.C. family pets no longer considered ‘property’ in separation or divorce proceedings

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Posted January 15, 2024 11:53 am | Updated January 15, 2024 7:16 pm

B.C. families going through separation or divorce will be able to take advantage of changes coming to family law in the province.

This includes how family pets are categorized under the law to help people determine ownership and possession of companion animals following a separation or divorce.

In the past, the factors that determined who kept a family pet were the same as those for dividing up any other kind of property.

These changes mean other determining factors will now be used, including each person’s ability and willingness to care for the animal, the relationship a child has with the animal and if there are any risks of family violence or threats of cruelty to an animal.

The government said spouses are still encouraged to make their own agreements when it comes to a family pet but if they cannot agree, they can ask the court to decide.

In this case, the court will rule that one person has possession and ownership of a family pet.

Companion animals do not refer to service or guide dogs or agricultural livestock.

“Going through separation or divorce is already difficult for couples and children—our justice system should be there to help, not make it harder,” Premier David Eby said in a statement. “These changes include putting the health, safety and wellbeing of kids at the centre of every decision and using the actual experiences of families in the system to improve it. The initial changes also recognize that pets are an important part of the family, and allow a child’s relationship with a pet to be considered and respected. By making these reforms with input from people in BC, we hope to make an already difficult time a bit less stressful for everyone involved.”

In addition to these changes, Phase 2 of public engagement begins Monday, which will allow people to share their experiences with family law that will then help to inform

future changes to ensure that the health, safety and well-being of children are at the heart of every decision.

Original article: <https://globalnews.ca/news/10226594/bc-family-law-bill-17/>