



PRINCE EDWARD ISLAND  
ÎLE-DU-PRINCE-ÉDOUARD

# **FISH AND GAME PROTECTION ACT KEEPING OF WILDLIFE IN CAPTIVITY REGULATIONS**

## PLEASE NOTE

This document, prepared by the *Legislative Counsel Office*, is an office consolidation of this regulation, current to February 1, 2004. It is intended for information and reference purposes only.

This document is *not* the official version of these regulations. The regulations and the amendments printed in the *Royal Gazette* should be consulted on the Prince Edward Island Government web site to determine the authoritative text of these regulations.

For more information concerning the history of these regulations, please see the *Table of Regulations* on the Prince Edward Island Government web site ([www.princeedwardisland.ca](http://www.princeedwardisland.ca)).

If you find any errors or omissions in this consolidation, please contact:

*Legislative Counsel Office*

*Tel: (902) 368-4292*

*Email: [legislation@gov.pe.ca](mailto:legislation@gov.pe.ca)*



**FISH AND GAME PROTECTION ACT**  
**Chapter F-12**

**KEEPING OF WILDLIFE IN CAPTIVITY REGULATIONS**

Pursuant to section 7 of the *Fish and Game Protection Act* R.S.P.E.I. 1988, Cap. F-12, Council made the following regulations:

**1. Application**

- (1) Subject to subsections (2) and (3), these regulations apply to the keeping in captivity of wildlife as designated in section 9 of the *Fish and Game Protection Act* General Regulations (EC818/66).

**Idem**

- (2) These regulations do not apply to the operation of a fur farm for the production of fox, chinchilla or mink.

**Idem**

- (3) These regulations do not apply to the keeping of a migratory bird under authority of a permit issued under the *Migratory Birds Convention Act* (Canada) R.S.C. 1985, Chap. M-7. (EC634/85)

**2. Requirement for license**

No person shall keep any wildlife in captivity unless he is the holder of a license issued under these regulations. (EC634/85)

**3. Issue of license**

The Minister may upon application issue a license authorizing the holder thereof to keep wildlife in captivity and may attach such conditions as he considers appropriate. (EC634/85)

**4. Classes of licenses**

Licenses shall be of the following classes:

Class 1 - authorizing the holder to keep wildlife in captivity for educational or scientific purposes;

Class 2 - authorizing the holder to keep wildlife in captivity in a wildlife park where a fee or charge is levied for admission of the public;

Class 3 - authorizing the holder to keep in captivity a hawk, falcon or other raptorial bird for the purpose of hunting or training to hunt;

Class 4 - authorizing the holder to keep wildlife in captivity in connection with the operation of a pet shop;

Class 5 - authorizing the holder to operate a fur farm for the production of fur bearing animals other than those referred to in section 1. (EC634/85)

**5. Application**

- (1) An application for any class of license shall provide such information as the Minister may require and shall indicate the species and number of wildlife to be kept in captivity.

**Additional requirements for Class 1 & 2**

- (2) An applicant for a Class 1 or Class 2 license shall show to the satisfaction of the Minister
  - (a) that he possesses a broad general knowledge of the natural sciences, particularly wildlife;
  - (b) that he has the necessary premises, enclosures and other resources to properly care for the wildlife in his possession;
  - (c) that the security measures relating to the premises are adequate to prevent the escape of wildlife;
  - (d) that appropriate measures will be taken to prevent wildlife diseases and to provide for veterinary services to wildlife;
  - (e) that all necessary precautions will be taken to ensure the safety of the public.

**Liability insurance**

- (3) An applicant for a Class 1, Class 2 or Class 5 license shall show to the satisfaction of the Minister that he has sufficient liability insurance to indemnify against any claim for loss of life, bodily injury or property damage caused to any person as a result of the keeping of wildlife. (EC634/85)

**6. Term**

- (1) A license of Class 1 or Class 2 shall expire five years from the date of issue.

**Idem**

- (2) A license of Class 3, Class 4 or Class 5 shall expire one year from the date of issue. (EC634/85)

**7. Fees**

The fees for the issue of a license are:

Class 1 .....	\$100
Class 2 .....	\$250
Class 3 .....	\$ 10
Class 4 .....	\$ 20
Class 5 .....	\$ 20

(EC634/85)



**8. Prohibition on release**

- (1) The holder of a license shall not release from captivity any wildlife kept under authority of a license without first obtaining the permission of the Minister.

**Exception**

- (2) Subsection (1) shall not be construed to preclude the ordinary practice of the art of falconry.

**Escape**

- (3) Where any wildlife held under authority of a license is by inadvertance or accident released to the wild, the holder of the license shall immediately advise the Minister giving full details of the escape. *(EC634/85)*

**9. Reports**

The holder of a Class 1 or Class 2 license shall make a report on or before the 31st. day of January in each year providing

- (a) a complete list of the number, species and sex of wildlife presently being held and where, from whom and when each was obtained;
- (b) a complete list of the number, species and sex of wildlife acquired, killed, sold or otherwise disposed of since the date of the last report and the name of the person to or from whom each was obtained or transferred. *(EC634/85)*

**10. Banding of raptorial birds**

- (1) The holder of a Class 3 license shall cause the raptorial birds in his possession to be banded and shall record the band numbers on his license.

**Idem**

- (2) No person, other than a game officer, shall remove or tamper with the band.

**Death of raptorial bird**

- (3) In the event of the death of a raptorial bird held under a Class 3 license, the holder shall immediately notify the Minister and arrange for the carcass to be delivered to a game officer for examination to determine the cause of death. *(EC634/85)*

**11. Importation of wildlife**

No person shall bring into the province any wildlife except under the authority of a permit issued by the Minister and in accordance with the conditions specified in the permit. *(EC634/85)*

**12. Inspection**

The Director or any officer of the Division may at all reasonable times, with a warrant in the case of a private dwelling and without a warrant in other cases, enter and search the premises of any license holder and inspect his records for the purpose of determining the number, species, sex and condition of wildlife on the premises and generally for the purposes of enforcement of the Act and these regulations. *(EC634/85)*

**13. Suspension**

- (1) Where the Minister has reasonable cause to believe that any wildlife kept in captivity under authority of a license are being kept in unsanitary conditions or without adequate food and water or otherwise in contravention of any condition of the license, he may suspend the license and issue directions respecting the care, maintenance and disposition of the wildlife.

**Costs**

- (2) Where the Minister assumes the care and maintenance of wildlife under subsection (1) any costs incurred shall be borne by the holder of the license.

**Offence**

- (3) Where a person whose license is suspended under subsection (1) fails to comply with directions issued by the Minister, he is guilty of an offence and liable on summary conviction to a fine not exceeding \$2000 and the Minister may by notice in writing cancel his license.  
(EC634/85)

**14. General offence**

Any person who contravenes these regulations or any condition attached to a license or permit is guilty of an offence and liable to the penalty specified in section 59 of the Act.  
(EC634/85)

