



PRINCE EDWARD ISLAND
ÎLE-DU-PRINCE-ÉDOUARD

FUR HARVESTING REGULATIONS

PLEASE NOTE

This document, prepared by the *Legislative Counsel Office*, is an office consolidation of this Act, current to September 15, 2018. It is intended for information and reference purposes only.

This document is *not* the official version of the Act. The Act and the amendments as printed under the authority of the Queen's Printer for the province should be consulted to determine the authoritative statement of the law.

For more information concerning the history of this Act, please see the *Table of Public Acts* on the Prince Edward Island Government web site (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



**WILDLIFE CONSERVATION ACT
CHAPTER W-4.1**

FUR HARVESTING REGULATIONS

Pursuant to section 28 of the *Wildlife Conservation Act* R.S.P.E.I. 1988, Cap. W-4.1, Council made the following regulations:

1. Definitions

(1) In these regulations

- (a) “**Act**” means the *Wildlife Conservation Act* R.S.P.E.I. 1988, Cap. W-4.1;
- (b) “**body-gripping trap**” means any device designed to catch and hold an animal by the body rather than by the foot, but does not include a snare;
- (c) “**box trap**” means any box-shaped trap designed to capture an animal alive by constraining the animal only by means of the walls of the trap, which may be made in any shape or size and of any material such as wood, metal, wire, netting or other material;
- (d) “**certificate**” means a trapper education certificate issued under subsection 3(4);
- (e) “**Department**” means the Department of Communities, Land and Environment;
- (e.1) “**foot-encapsulating trap**” means a foot-holding device specifically designed to catch a raccoon by the foot, by capturing one of the raccoon’s feet inside a shroud that prevents the raccoon from losing the captured foot through self-injury;
- (e.2) “**foot-hold trap**” means a device with steel jaws designed to capture and restrain an animal by the foot or leg;
- (f) “**former Act**” means the *Fish and Game Protection Act* R.S.P.E.I. 1988, Cap. F-12;
- (g) “**green hide**” means a raw or untanned hide or pelt of a fur-bearing animal;
- (h) “**running pole set**” means a pole that is secured to a tree at an incline and that has a trap attached to it;
- (i) “**spring pole set**” means a device intended to raise into the air an animal caught in a live-holding device;
- (j) “**submarine trap**” means a trap made of any material of box-like construction designed to be set underwater and capable of taking more than one fur-bearing animal at a time.

Fur-bearing animals

- (2) Animals listed in Schedule A are designated as fur-bearing animals for the purposes of the Act and these regulations. (EC663/04; 517/11; 539/15)

TRAPPING LICENSES

2. Trapping license

- (1) The Minister may issue a trapping license to an applicant who
- (a) either
 - (i) was the holder of a valid trapping license within the previous five years from the date of application, or
 - (ii) is at least 16 years of age and has successfully completed a trapper education program approved by the Minister;
 - (b) pays the prescribed fee set out in Schedule B; and
 - (c) is not precluded from making an application under subsection (3).

Junior trapping license

- (2) The Minister may issue a junior trapping license to an applicant who
- (a) is under 16 years of age;
 - (b) has successfully completed a trapper education program approved by the Minister; and
 - (c) pays the prescribed fee set out in Schedule B.

If license suspended

- (3) A person whose license was suspended under subsection 31(2) of the Act may not make an application for a trapping license unless
- (a) the suspension has expired; and
 - (b) the applicant holds a trapper education certificate issued after the applicant's license was suspended.

Previous holder of trapping license

- (3.1) Where an applicant for a trapping license was a previous holder of a valid trapping license but not within the five years preceding the date of application, the applicant shall
- (a) successfully complete a trapper education program approved by the Minister; and
 - (b) pay the prescribed fee set out in Schedule B,
- prior to being issued a trapping license by the Minister, unless the Minister exempts the applicant from this subsection.

Trapper registration number

- (4) The Department shall, in respect of each person who is issued a trapping license,
- (a) assign to the person a permanent trapper registration number, which shall be a letter and number combination or a combination of letters that is unique to each such person; and
 - (b) issue to the person metal dies containing the person's permanent trapper registration number for stamping traps or snares in accordance with subsection (5).

Tagged traps or snares

- (5) No person shall set a trap or a snare for a fur-bearing animal unless the trap or snare is clearly identified with the person's permanent trapper registration number using the metal dies issued to the person by the Department under subsection (4).



Exception

- (6) A trapping license issued under these regulations authorizes the holder, during the term of the license, to trap fur-bearing animals listed in Schedule A, subject to the Act and these regulations.

Idem

- (7) For greater certainty, a snowshoe hare is not a fur-bearing animal for the purposes of the Act and these regulations.

Term

- (8) A trapping license issued under these regulations expires on March 31st following the date of issue. (EC663/04; 570/07; 457/10)

TRAPPER EDUCATION PROGRAM

3. Trapper education program

- (1) A trapper education program, approved by the Minister, shall be offered by or on behalf of the Department at least once annually for the purpose of training people in internationally accepted standards for trapping fur-bearing animals.

Fee

- (2) A fee, approved by the Minister, may be charged for the program.

Application form

- (3) An application for the program shall be made on the form approved by the Minister.

Trapper education certificate

- (4) A trapper education certificate shall be issued by the Minister to persons who have successfully completed the program.

Under age 12

- (5) No person under the age of 12 years may take the program, unless permitted by the Minister to do so. (EC663/04)

SNARES

4. Wire gauge

- (1) No person shall place in wildlife habitat any snare constructed of wire having a gauge larger than single strand brass wire of 20 gauge except during the open season for snaring red fox or coyote.

Larger than 20 gauge

- (2) All snares constructed of wire having a gauge larger than single strand brass wire of 20 gauge shall be equipped with a self-locking device.

Exception

- (3) Subsection (1) does not apply to snares set under water during the open season for beaver.

Unmarked snares

- (4) No person, while in wildlife habitat, shall be in possession of snares that are not clearly marked with the person's permanent trapper registration number.

Bait

- (5) No person shall set a snare for coyote or red fox within 50 metres of a bait unless
- (a) the bait is camouflaged or concealed in a manner that renders the bait undetectable from the air; or
 - (b) the bait is placed in an open field.

Offence

- (6) No person shall set a snare designated to catch red fox or coyote within the right-of-way of a highway. (EC663/04; 570/07; 457/10)

BODY-GRIPPING TRAPS

5. "dog-proof enclosure", defined

- (1) For the purposes of this section, "**dog-proof enclosure**" means a special trap-holding device that is designed to keep a dog away from a trap by creating a barrier to the trap allowing entry only to fur-bearing animals through certain openings.

Body-gripping trap

- (2) No person shall set a body-gripping trap having a jaw spread greater than 16 cm (6.3 inches) but not greater than 19.6 cm (7.75 inches) except
- (a) in or over water;
 - (b) in a dog-proof enclosure that meets the requirements of subsections (3) and (4); or
 - (c) where the trap is set at least 1.5 m (5 feet) off the ground.

Large body-gripping trap

- (2.1) No person shall set a body-gripping trap having a jaw spread greater than 19.6 cm (7.75 inches) unless that trap is at least partially submerged in water or in a dog-proof enclosure that meets the requirements of subsections (3) and (4).

Standards for dog-proof enclosure

- (3) A dog-proof enclosure set using a body-gripping trap with a jaw spread 17.8 cm by 17.8 cm (7 inches by 7 inches) or larger shall have
- (a) an opening not greater than 17.8 cm by 17.8 cm (7 inches by 7 inches) with the trap trigger set back at least 17.8 cm (7 inches) from the opening; or
 - (b) an opening not greater than 20.3 cm (8 inches) in height and not greater than 25.4 cm (10 inches) in width with the trap trigger set back at least 25.4 cm (10 inches) from the opening.

Idem

- (4) A dog-proof enclosure with an opening larger than 20.3 cm (8 inches) in height and greater than 25.4 cm (10 inches) in width shall be placed so that no part of the opening is more than 17.8 cm (7 inches) off the ground.
- (5) Revoked by EC457/10.



Body-gripping trap

- (6) No person shall use a body-gripping trap to take a beaver, raccoon, muskrat or weasel on land unless the body-gripping trap is an approved body-gripping trap listed in Schedule C.

Idem

- (7) No person shall use a body-gripping trap to take a beaver or muskrat underwater unless
- (a) the body-gripping trap is an approved body-gripping trap listed in Schedule C; or
 - (b) the trap is set for muskrat and prevents the muskrat from resurfacing. (EC663/04; 570/07; 457/10; 539/15; 522/17)

FOOT-HOLD TRAPS**6. Foot-hold traps**

- (1) No person shall set a foot-hold trap
- (a) for beaver, mink or muskrat unless the trap is attached to a device that is designed to submerge the animal under water and prevent the animal from resurfacing;
 - (b) for mink or muskrat unless the trap is sufficiently heavy to submerge the animal under water and prevent the animal from resurfacing;
 - (c) revoked by 539/15;
 - (d) for raccoon unless the trap has jaws which are padded with a rubber compound specifically designed to minimize injury to the animal or is a foot-encapsulating trap; or
 - (e) for coyote or red fox unless the trap has
 - (i) laminated jaws,
 - (ii) off-set jaws,
 - (iii) padded jaws, or
 - (iv) other similarly effective means of improving the humaneness of the trap.

Offence

- (2) No person shall set a foot-hold trap for a fur-bearing animal not referred to in subsection (1).

No pole set with foot-hold trap

- (3) No person shall set
- (a) a running pole set; or
 - (b) a spring pole set,
- in combination with a foot-hold trap. (EC663/04; 517/11; 539/15)

GENERAL RESTRICTIONS AND DUTIES**7. Other traps**

No person shall set a toothed trap, a deadfall or a hook. (EC663/04)

8. Out of season traps

- (1) No person shall, with respect to a particular species of fur-bearing animal,
- (a) place a trap in wildlife habitat, either set or unset, before the first day of the open season for that species; or
 - (b) leave a trap in wildlife habitat, either set or unset, after the close of the trapping season for that species.

Permitted trapping devices

- (2) No person shall, while in wildlife habitat, possess or set a trapping device during open season for fur-bearing animals, unless the trapping device is
- (a) a box trap;
 - (b) a body-gripping trap that is designed to kill quickly;
 - (c) a submarine trap;
 - (d) a non-powered snare;
 - (e) a steel-jawed trap that has a jaw spread of less than 19 cm (7.5 inches); or
 - (f) a foot-encapsulating trap.

Exception

- (3) Subsection (2) does not apply to a person who possesses or sets a trap not listed in subsection (1) under the authority of a license or permit from the Minister. (EC663/04)

9. Prohibited activities

- (1) No person shall
- (a) cut, spear, break, destroy or otherwise interfere with the den or burrow of a red fox or coyote;
 - (b) cut, spear, break, destroy or interfere with any beaver house or dam, a mink den or a muskrat house or den;
 - (c) except during the open season for mink, set a trap for, or attempt to trap, raccoon within 3 metres of a watercourse, shallow marsh, deep marsh, or other open water wetland;
 - (d) revoked by EC522/17;
 - (e) revoked by EC522/17;
 - (f) take or attempt to take any beaver, mink, muskrat, skunk or weasel by any means other than trapping;
 - (g) set a trap within the highway right-of-way in any location other than in or over water;
 - (h) set a trapping device of any type without examining it at least once every 72 hours;
 - (i) notwithstanding clause (h),
 - (i) set a trap designed to hold an animal alive without examining each trap at least once a day,
 - (ii) set a snare designed to kill red fox or coyote without examining each snare at least once every 48 hours;
 - (j) break, interfere with, destroy, remove or otherwise disturb any trap not registered to that person;
 - (k) set a snare within 200 m (656 feet) of an occupied dwelling without the permission of the homeowner or occupier;



- (l) set a baited snare within 300 m (984 feet) of an occupied dwelling without the permission of the homeowner or occupier; or
- (m) set a snare for red fox or coyote unless the snare is constructed of wire having a minimum size of 1.98 mm (5/64 inches).

Exception

- (2) Subsection (1) does not apply to any person responsible for the enforcement of this Act while in the discharge of the person's duty. (EC663/04; 570/07; 527/09; 457/10; 539/15; 522/17)

POSSESSION, SALE AND EXPORT OF FURS

10. Green hides, etc.

- (1) No person shall, without a permit issued by the Minister under section 10 of the Act, be in possession of the green hide, carcass or any portion of a fur-bearing animal during the period between 5 days after the close of a season and the first day of the next open season for that fur-bearing animal.

Information, etc. to conservation officer

- (2) Every person in possession of a green hide, carcass or any portion of a fur-bearing animal shall, when required by a conservation officer,
 - (a) provide information on the trapping of the fur-bearing animal; and
 - (b) turn over to the conservation officer or other employee of the Department the green hide, carcass or any portion of the fur-bearing animal.

Sale only to dealer

- (3) No person shall buy, acquire or deal in the pelts or hides of any fur-bearing animal, skinned or unskinned, unless the person holds a valid fur dealer's license issued under these regulations. (EC663/04; 539/15)

11. Fur dealer's license

- (1) The Minister may, on application, issue a fur dealer's license to an applicant if the applicant files the following information with the Minister:
 - (a) the name and address of the applicant and, if applicable, the partners and the head office or chief place of business in the province;
 - (b) the names and addresses of all agents in the province employed in buying or selling furs;
 - (c) the location of the warehouses, shops or other buildings in which skins or furs will be stored;
 - (d) the location from which skins or furs will be shipped out of the province by the applicant.

Changes in information

- (2) Where a change occurs in the information provided under subsection (1), the holder of the fur dealer's license shall immediately file with the Minister the necessary changes to the information previously filed.

Cancel, suspend license

- (3) The Minister may, at any time, cancel or suspend a fur dealer's license where the Minister has reason to believe that
- (a) the information provided by the fur dealer is inaccurate or outdated; or
 - (b) the holder of the fur dealer's license has contravened the Act or these regulations.

Fur dealer's license

- (4) A fur dealer's license authorizes its holder to buy, sell, barter, or offer for sale or barter the skins and furs of any fur-bearing animal, and generally to carry on the business of a fur dealer in the province. (EC663/04)

12. Sale of furs, etc.

- (1) No person shall carry on the business of a fur dealer, or buy, sell, barter or offer for sale any fur-bearing animal, or the skin, fur, green hide or part of any fur-bearing animal, without a fur dealer's license issued under these regulations.

Sale to fur dealer

- (2) Notwithstanding subsection (1), a person holding a valid trapping license may sell the skin, fur, green hide or part of any fur-bearing animal to a licensed fur dealer.

Idem

- (3) Notwithstanding subsection (1), a person holding a valid fur-bearer hunting licence may sell the skin, fur, green hide, or part of a raccoon, coyote, red fox, or red squirrel to a licensed fur dealer. (EC663/04; 539/15)

13. Records

- (1) Every licensed fur dealer shall
- (a) keep a record of
 - (i) all skins, furs, green hides and parts of any fur-bearing animal bought or acquired,
 - (ii) the names and addresses of the persons from whom they were bought or acquired, and
 - (iii) the date of purchase or acquisition; and
 - (b) make records kept under this section available for inspection by a conservation officer or other employee of the Department at all reasonable times.

Reports

- (2) Subject to subsection (3), every licensed fur dealer shall, on or before the tenth day of each month during any open season and within 30 days following the closing of any season, make a report to the Director of Wildlife, stating
- (a) the number and species of furs bought by the licensed fur dealer during the preceding month;
 - (b) the names and addresses of the persons from whom they were bought and to whom sold; and
 - (c) the number and species of skins or furs taken by hunting or otherwise captured by such holder during the preceding month.



Idem

- (3) Where a licensed dealer has not bought or otherwise acquired skins or furs during the preceding month, the licensed dealer shall make a report to the Director of Wildlife stating that no skins or furs have been bought or acquired.

Idem

- (4) No licensed fur dealer shall make a false statement in a report, or refuse to produce records for inspection by a conservation officer or other employee of the Department. (EC663/04)

14. Offence and penalty

Every person who contravenes any provision of these regulations is guilty of an offence and is liable, on summary conviction, to a fine not less than \$200 and not more than \$10,000. (EC663/04)

15. The *Fish and Game Protection Act* General Regulations (EC818/66) are amended

(a) in section 9, by the revocation of Division 4; and

(b) by the revocation of

- (i) the heading preceding subsection 38(1),
- (ii) subsections 38(1), 39(1) and sections 40 to 46,
- (iii) sections 48 to 50, and
- (iv) sections 52 to 56.

16. The *Wildlife Conservation Act* Regulations (EC676/98) are amended by the revocation of sections 3 and 5. (EC663/04)

**SCHEDULE A
FUR-BEARING ANIMALS**

beaver
bobcat
coyote
eastern chipmunk
fisher
lynx
marten
mink
muskrat
northern flying squirrel
river otter
raccoon
red fox
red squirrel
striped skunk
weasel (ermine)
wolverine
(EC663/04)

SCHEDULE B

FEES

	(H.S.T. Not Included)
1 Trapping License (18 years of age and . older)	\$10.00
2 Junior Trapping License (12-17 years of . age)	5.00

(EC663/04; 305/13)



SCHEDULE C**List of Approved Body-Gripping Traps**

(Certified under the Canadian Trap Certification Program and approved for use as killing traps for beaver, muskrat, raccoon and weasel in Prince Edward Island)

Beaver	
Traps approved for use underwater and on land:	
B.M.I. BT 300 Bélisle Classic 330 Bélisle Super X 280 Bélisle Super X 330 B.M.I. 280 Body Gripper B.M.I. 330 Body Gripper Bridger 330 Duke 280 Duke 330 LDL C280 LDL C280 Magnum LDL C330	LDL C330 Magnum Rudy 280 Rudy 330 Sauvageau 1000-11F Sauvageau 2001-8 Sauvageau 2001-11 Sauvageau 2001-12 Species-Specific 330 Dislocator Half Magnum Species-Specific 440 Dislocator Half Magnum Woodstream Oneida Victor Conibear 280 Woodstream Oneida Victor Conibear 330
Raccoon	
Traps approved for use on land:	
Bélisle Classic 220 Bélisle Super X 160 Bélisle Super X 220 Bélisle Super X 280 B.M.I. 160 Body Gripper B.M.I. 220 Body Gripper B.M.I. 280 Body Gripper B.M.I 280 Magnum Body Gripper Bridger 160 Bridger 220 Bridger 280 Mag Bodygripper Duke 160 Duke 220 Koro #2 LDL C 160 Magnum LDL C 160	LDL C 220 LDL C 220 Magnum LDL C 280 Magnum Northwoods 155 Rudy 160 Rudy 160 Plus Rudy 220 Rudy 220 Plus Sauvageau 2001-6 Sauvageau 2001-7 Sauvageau 2001-8 Species-Specific 220 Dislocator Half Magnum Woodstream Oneida Victor Conibear 160 Woodstream Oneida Victor Conibear 220

Muskrat	
Traps approved for use on land:	
Bélisle Super X 110 Bélisle Super X 120 B.M.I. Body Gripper 120 B.M.I. Body Gripper 120 Magnum B.M.I. 126 Magnum Bridger 120 Bridger 120 Magnum Bodygripper Bridger 155 Magnum Bodygripper CONV 11 CAN (Holland) Duke 120 FMB 110 SS (Holland) FMB 150 SS (Holland) Koro Muskrat Koro Large Rodent Double Spring LDL B120 LDL B120 Magnum	Oneida Victor 120 Stainless Steel Oneida Victor Conibear 110-3 Stainless Steel Oneida Victor Conibear 110-3 Magnum Stainless Steel Ouell 4-11-180 Ouell RM Rudy 120 Rudy 110 Rudy 120 Magnum Sauvageau 2001-5 Sauvageau C120 Magnum Sauvageau C120 "Reverse Bend" Triple M WCS Tube Trap International Woodstream Oneida Victor Conibear 110 Woodstream Oneida Victor Conibear 120
Weasel	
Bélisle Super X 110 Bélisle Super X 120 B.M.I. #60 B.M.I. 120 Body Gripper Magnum B.M.I. 126 Body Gripper Magnum Bridger 120 Bridger 120 Magnum Bodygripper Bridger 155 Magnum Bodygripper Koro Muskrat Trap Koro Rodent Trap Koro Large Rodent Double Spring LDL B120 Magnum Ouell 411-180	Quell 3-10 Ouell RM Rudy 120 Magnum Sauvageau C120 Magnum Sauvageau C120 "Reverse Bend" Sauvageau 2001-5 Triple M Victor Rat Trap WCS Tube Trap Int'l Woodstream Oneida Victor Conibear 110 Woodstream Oneida Victor Conibear 120

(EC570/07; 602/08; 527/09; 457/10; 517/11; 563/13; 539/15; 591/16; 522/17; 570/18)

