



PRINCE EDWARD ISLAND
ÎLE-DU-PRINCE-ÉDOUARD

HUNTING REGULATIONS

PLEASE NOTE

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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).

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WILDLIFE CONSERVATION ACT

CHAPTER W-4.1

HUNTING 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

In these regulations,

- (a) “**Act**” means the *Wildlife Conservation Act* R.S.P.E.I. 1988, Cap. W-4.1;
- (b) “**firearm**” includes any device capable of launching a projectile which may injure or kill wildlife and includes but is not limited to shotguns, rifles, bows, pellet guns and BB guns;
- (c) “**firearm safety certificate**” means a firearm safety certificate issued under section 13 to a person who has successfully completed a course in firearm safety and hunter safety, or a certificate that is substantially equivalent to a firearm safety certificate that is issued by the appropriate authority in another province or country;
- (d) “**game**” means a species of wildlife designated as game in Schedule 1 to these regulations;
- (e) “**game habitat**” means a wildlife habitat where game may be found, and includes roads and highways;
- (f) “**harvestable wildlife**” means a species of wildlife listed in Schedule 2 to these regulations;
- (g) “**hunter safety training course**” means a training course in firearm safety and hunter safety provided by the Minister under subsection 7(1);
- (h) “**lead shot**” means shotgun pellets consisting of, by weight, more than one per cent lead;
- (i) “**non-toxic shot**” means non-toxic shot as defined in the *Migratory Birds Convention Act* S.C. 1994, c.22. (EC534/19)

Hunting Methods

2. Prohibition re game

- (1) No person shall
- (a) hunt game or discharge a firearm in a locality frequented by game or harvestable wildlife during the period from one-half hour after sunset in any day to one-half hour before the next sunrise; or
 - (b) use or employ a rifle or firearm loaded with a bullet or bullets when hunting for game other than red squirrel, snowshoe hare, raccoon, fox or coyote.

Exceptions

- (2) Despite clause (1)(a), a person may
- (a) hunt raccoon at night with a firearm if the person holds a permit issued by the Minister specifically authorizing the person to do so;
 - (b) discharge a .22 calibre rimfire cartridge from a firearm at night to humanely dispose of a furbearer that was legally harvested under the Fur Harvesting Regulations made under the Act.

Prohibition

- (3) No person shall hunt red squirrel, snowshoe hare, raccoon, fox or coyote by the use of
- (a) a shotgun loaded with a single bullet; or
 - (b) a rifle larger than .22 calibre.

Exception

- (4) Notwithstanding subsection (3), a person may use a muzzle-loading firearm loaded with balls or sabots greater than .22 calibre when hunting coyote.

Cartridge type

- (5) No person shall use rifle cartridges other than rimfire cartridges when hunting for red squirrel, snowshoe hare or raccoon.

Cartridge size

- (6) No person shall use rifle cartridges larger than .22 calibre rimfire cartridges or .17 calibre centre fire cartridges when hunting for fox.

Prohibition

- (7) No person shall hunt waterfowl, including all ducks and geese, from within the boundaries of the right-of-way of any highway.

Prohibitions re firearms

- (8) No person shall
- (a) hunt with a shotgun of any description capable of holding more than three shells unless the capacity of the gun has been reduced to three shells in the magazine and chamber combined, by means of the cutting off or the altering or plugging of the magazine with a one-piece metal, plastic or wood filler that cannot be removed unless the gun is disassembled; or
 - (b) while hunting game or harvestable wildlife, have more than one shotgun in the field, set, blind, or floating blind, unless each shotgun in excess of one is unloaded and disassembled or unloaded and cased.



Littering

- (9) No person shall litter while hunting. (EC534/19)

Wildlife Management Areas**3. Offence**

It is an offence for any person to hunt migratory waterfowl from a location within 100 metres of the centre line of any highway right-of-way constituting a boundary of any of the following wildlife management areas:

- (a) Indian River Wildlife Management Area;
- (b) Rollo Bay Wildlife Management Area;
- (c) New Glasgow Wildlife Management Area;
- (d) Pisquid River Wildlife Management Area. (EC534/19)

Ammunition**4. Ammunition requirements**

- (1) No person while hunting shall use or be in possession of
- (a) lead shot for species other than pheasant, ruffed grouse, hungarian partridge, woodcock, snowshoe hare, raccoon, coyote, fox or squirrel; or
 - (b) non-toxic shot of a size greater than "T".

Ammunition size

- (2) No person shall, while hunting game other than coyote, use or be in possession of any shot of a size larger than
- (a) "BB" in the case of lead shot; or
 - (b) size "T" in the case of non-toxic shot. (EC534/19; 580/20)

Rights and Obligations**5. Interfering with hunt**

- (1) A person has the right not to be intentionally or knowingly interfered with when hunting game in accordance with the law.

Applicable law

- (2) The reference to the law in subsection (1) includes the *Wildlife Conservation Act* R.S.P.E.I. 1988, Cap. W-4.1, the *Trespass to Property Act* R.S.P.E.I. 1988, Cap. T-6, the *Fisheries Act* R.S.C. 1985, Cap. F-14 (Canada), the *Migratory Birds Convention Act* S.C. 1994, Cap. 22 (Canada), and the regulations made under those Acts. (EC534/19)

6. Prohibition

- (1) No person shall intentionally or knowingly interfere with another person lawfully engaged in hunting.

Idem

- (2) No person shall intentionally or knowingly harass, drive, or disturb any game for the purpose of disrupting a person lawfully engaged in hunting.

Entry to land

- (3) No person shall enter or remain on public land, or enter or remain on private land without the landowner's or his agent's consent, if the person intends to disrupt another person lawfully engaged in hunting.

Exception

- (4) This section does not apply to a conservation officer or a natural resource inspector who has a responsibility under the Act to manage wildlife or land during the time that the conservation officer or natural resource inspector is in the actual discharge of official duties. *(EC534/19)*

Training Courses

7. Hunter safety training course

- (1) The Minister shall provide, or may designate a person, club or organization to provide on behalf of the Minister, a hunter safety training course for the purpose of training persons in the proper methods of hunter safety and the handling of firearms.

Course content

- (2) The hunter safety training course program and content shall include training in respect of
- hunter ethics and responsibilities;
 - hunting laws and regulations;
 - the safe use of firearms;
 - outdoor safety; and
 - any other content the Minister considers appropriate to ensure safe and lawful hunting and outdoor experiences.

Age limit

- (3) Except with the permission of the Minister, no person under the age of 11 years shall be permitted to take the course.

Application

- (4) Applications for the course shall be made on the form approved by the Minister. *(EC534/19)*

8. Instructor

- (1) No person shall act as a hunter safety course instructor unless authorized by the Minister to do so.

Application

- (2) A person may apply to the Minister in the form approved by the Minister for authorization as a hunter safety course instructor.



Criteria

- (3) The Minister shall, in evaluating an application submitted under subsection (2), consider
- (a) the years of experience the applicant has in outdoor activities and, in particular, in hunting and the safe use of firearms; and
 - (b) the applicant's level of knowledge of the various components of the hunter safety course. *(EC534/19)*

9. Fee

The Minister may determine the fee to be paid

- (a) by the Minister to any person, club or organization conducting the hunter safety training course on behalf of the Minister;
- (b) by any person registering in a hunter safety training course conducted by a person, club or organization referred to in clause (a). *(EC534/19)*

10. Refusal

The Minister may refuse any person who applies to take the hunter safety course or may cancel or refuse to issue a firearm safety certificate for any reason the Minister deems necessary for the protection of the public. *(EC534/19)*

11. Condition re license

The Minister may direct that any applicant for a hunting license, whether or not the applicant has previously been issued a firearm safety certificate or has previously taken the hunter safety training course, be required to complete the course before being issued a hunting license. *(EC534/19)*

12. Prohibition

- (1) No person shall be in possession of a firearm in a game habitat, or hunt harvestable wildlife with a firearm, unless the person has in his or her possession a valid firearm safety certificate issued to the person in accordance with these regulations.

Idem

- (2) No person shall fail or refuse to produce a firearm safety certificate for inspection on the demand of a conservation officer or natural resource inspector.

Exception

- (3) Subsection (1) does not apply to
- (a) a member of a police service, conservation officer or natural resource inspector while acting in the execution of that person's duties; or
 - (b) a person on the way to, from or while attending an archery range, archery field course or firearm range for the purpose of taking part in functions held on the range or course. *(EC534/19)*

13. Issuance of certificate

- (1) The Minister may issue a firearm safety certificate to a person if
- (a) the person has successfully completed a hunter safety training course conducted in accordance with these regulations; or

- (b) the person produces proof of having successfully completed a hunter safety training course in another province or country that is recognized by the Minister as equivalent to the hunter safety training course.

Register

- (2) The Minister shall maintain a register of the holders of firearm safety certificates issued under subsection (1).

Replacement certificate

- (3) The Minister shall issue a replacement firearm safety certificate on payment of the fee determined by the Minister. (EC534/19)

Private Shooting Preserve

14. Shooting preserve

- (1) No person shall operate a private shooting preserve for pheasants unless the person is the holder of a valid license issued under this section.

Issuance of license

- (2) The Minister may, upon application, issue a license authorizing the holder to operate a private shooting preserve for pheasants on privately owned or leased land.

Application

- (3) An applicant for a license under subsection (2) shall, on the application,
 - (a) indicate the place of origin of the game birds in the private shooting preserve;
 - (b) describe the security measures to be used to prevent the escape of undesirable game birds and the possible spread of game bird diseases;
 - (c) include a map or diagram that clearly shows the location and extent of the lands which the applicant proposes to use for the private shooting preserve, and a statement of the total acreage; and
 - (d) indicate the fees and charges to be imposed for hunting in the private shooting preserve.

License requirements

- (4) The holder of a license issued under this section shall
 - (a) maintain a daily register showing the name and address of each person authorized on that day to hunt in the private shooting preserve, and the species and number of game birds taken that day by each person;
 - (b) issue to each person referred to in clause (a) a certificate stating the species and number of game birds taken that day by the person;
 - (c) make available to a conservation officer or natural resource inspector, on request, all records and information relating to the operation of the private shooting preserve; and
 - (d) post and maintain signs in the form approved by the Minister, notifying the public that the private shooting preserve is not open for hunting by the public, at the approach to each normal point of access to the private shooting preserve.



Other game

- (5) Game other than pheasants on a private shooting preserve may be taken by persons hunting in the private shooting preserve, subject to these regulations and the *Migratory Birds Convention Act* (Canada).

Terms and conditions

- (6) In addition to the requirements of subsection (4), the Minister may attach any terms and conditions to a license issued under subsection (2) that the Minister considers appropriate.

Cancellation

- (7) The Minister may cancel or revoke a license issued under subsection (2) where the Minister believes it is in the public interest to do so.

Fee

- (8) The fee for a private shooting preserve license is \$25.

Expiry of license

- (9) A private shooting preserve license expires on March 31 next following the date of issue. (EC534/19)

Offence and Penalty

15. Offence and penalty

Any person who contravenes a provision of these regulations or a term or condition attached to a license issued under section 14 is guilty of an offence and liable to the penalty specified in the Act. (EC534/19)

Revocation

16. Revocation

The following regulations under the *Fish and Game Protection Act* are revoked:

- (a) Firearm Safety Training Regulations (EC718/83);
- (b) Private Shooting Preserves Regulations (EC534/86). (EC534/19)

SCHEDULE 1**GAME**

The following species are designated as game:

(a) Furbearer Game

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|--------------------|--------------------------------|
| (i) eastern coyote | <i>Canis latrans</i> |
| (ii) red fox | <i>Vulpes vulpes</i> |
| (iii) raccoon | <i>Procyon lotor</i> |
| (iv) red squirrel | <i>Tamiasciurus hudsonicus</i> |

(b) Upland Game

- | | |
|---------------------------|----------------------------|
| (i) snowshoe hare | <i>Lepus americanus</i> |
| (ii) gray partridge | <i>Perdix perdix</i> |
| (iii) ruffed grouse | <i>Bonasa umbellus</i> |
| (iv) ring-necked pheasant | <i>Phasianus colchicus</i> |

(c) Migratory Game Birds

All birds indigenous to the province and protected under the *Migratory Birds Convention Act* S.C. 1994, c.22.

(EC534/19)

SCHEDULE 2**Harvestable Wildlife**

- | | |
|-------------------|------------------------------|
| (i) American crow | <i>Corvus brachyrhynchos</i> |
|-------------------|------------------------------|

(EC534/19)