



PRINCE EDWARD ISLAND  
ÎLE-DU-PRINCE-ÉDOUARD

# **WILDLIFE CONSERVATION ACT GENERAL REGULATIONS**

## PLEASE NOTE

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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)).

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## WILDLIFE CONSERVATION ACT

### CHAPTER W-4.1

## GENERAL REGULATIONS

Pursuant to subsection 25(2) and 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) “**wild animal**” means wildlife, wild mammals, birds, reptiles, amphibians and fish and includes the carcass or any part of the carcass of a wild animal, including the skin of any wild animal, domestically raised fur-bearing animal, wild fowl or wild bird.

#### wildlife

- (2) In addition to the definition of wildlife stated in clause 1(1)(jj) of the Act, “wildlife” means the wild organisms listed by the Atlantic Canadian Conservation Data Centre for Prince Edward Island and also includes exotic wildlife. (EC533/19)

## Taking or Hunting Out of Season

### 2. Prohibition

- (1) No person shall take or hunt a wild animal at a time other than a prescribed open season for that wild animal.

#### Exceptions

- (2) Subsection (1) does not apply to a person who takes or hunts a wild animal at a time other than a prescribed open season for that wild animal if the person is authorized to do so by a permit issued to that person under the Act. (EC533/19)

## Vehicles

### 3. Prohibition

- (1) No person shall use any air, land or water vehicle to chase, pursue, worry, molest, take, hunt or kill any wildlife.

**Exception - permit under Act**

- (2) Subsection (1) does not apply to the chase, pursuit, taking, hunting or killing of any wildlife in respect of which the Minister has issued a permit authorizing the activity under section 10 of the Act. (EC533/19)

**Application for Permit****4. Application for permit**

- (1) An applicant for a permit under section 10 of the Act shall
- (a) provide the applicant's full name and home address;
  - (b) provide the civic address or property identification number of the location where the permitted activity will take place;
  - (c) specify the wild animal that is the subject of the permit;
  - (d) state the purpose for which the applicant intends to take or hunt the specified wild animal; and
  - (e) state the proposed method of taking or hunting the specified wild animal.

**Additional information**

- (2) An applicant for a permit referred to in subsection (3) shall also provide with the application
- (a) if the applicant proposes to hunt the wild animal, the applicant's hunter safety certificate number; or
  - (b) if the applicant proposes to trap the wild animal, the applicant's trapper registration number.

**License or permit not required**

- (3) A license or permit is not required to take or hunt any of the following at any time:
- (a) Norway rat;
  - (b) house mouse;
  - (c) meadow vole;
  - (d) red-backed vole;
  - (e) European starling;
  - (f) rock pigeon.

**No fee**

- (4) There is no application fee for a permit under section 10 of the Act. (EC533/19)

**Harmful Substances****5. Prohibition – depositing substance**

- (1) No person shall deposit a substance that is harmful to wildlife, or permit such a substance to be deposited, in an area frequented by wildlife or in a place from which the substance may enter an area frequented by wildlife.

**Substance in combination**

- (2) No person shall deposit a substance or permit a substance to be deposited in an area frequented by wildlife or in a place from which it may enter an area frequented by wildlife if



the substance, in combination with one or more substances, results in a substance that is harmful to wildlife.

**Exception**

- (3) Subsections (1) and (2) do not apply if
- (a) the deposit of the substance is authorized under the *Pesticides Control Act* R.S.P.E.I. 1988, Cap. P-4; or
  - (b) the substance is of a type and quantity, and the deposit is made under conditions, authorized under an Act other than the *Pesticides Control Act* or authorized by the Minister for scientific purposes. (EC533/19)

## Export and Import Permits

### 6. Application for permit

- (1) No person shall export from the province by any means
- (a) a wild animal or any part of a wild animal; or
  - (b) a package containing any wild animal,
- except under the authority of a valid and subsisting wildlife export permit issued by the Minister that is attached to or contained with the item or items being shipped or sent.

**Application export permit**

- (2) A person may apply to the Minister in the form approved by the Minister for an export permit in accordance with this section.

**Requirements for application**

- (3) An applicant for an export permit shall provide the following information:
- (a) the person's name, address and contact information;
  - (b) whether the wildlife that is the subject of the export permit was legally harvested, salvaged or obtained from a domestic fur farm;
  - (c) the reason for exporting the wildlife;
  - (d) the destination of the exported wildlife.

**Issuance of permit**

- (4) The Minister may, if the Minister is satisfied that the application meets the requirements of this section, issue to an applicant
- (a) a general wildlife export permit that authorizes the applicant to export any wild animal; or
  - (b) a ranched fur export permit that authorizes an applicant to export domestically raised fur-bearing animals only.

**Refusal**

- (5) If the Minister refuses to issue a permit to an applicant, the Minister shall provide written reasons for the refusal to the applicant.

**Exception**

- (6) Notwithstanding subsection (1), a copy of a hunting license attached to a wild animal or package containing a wild animal is deemed to be a wildlife export permit that authorizes the

hunter to export from the province a wild animal or any part of a wild animal lawfully taken by the license holder in the province.

**Conditions**

- (7) The Minister may attach any conditions to a wildlife export permit that the Minister considers appropriate.

**Subject to federal Act**

- (8) A wildlife export permit issued under this section is authority to remove wildlife from the province subject to the provisions of the *Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act* (Canada) S.C. 1992, c. 52.

**No fee**

- (9) There is no application fee for a wildlife export permit. (EC533/19)

**7. Prohibition**

- (1) No person shall import wildlife except under the authority of a valid and subsisting wildlife import permit.

**Wildlife import permit**

- (2) A person may apply to the Minister, in the form approved by the Minister, for a wildlife import permit that authorizes the person to import wildlife.

**Required information**

- (3) An applicant for a wildlife import permit shall provide the following information:
- (a) the person's name, address and contact information;
  - (b) whether the wildlife that is the subject of the import permit was legally harvested or captured, salvaged or obtained from another source;
  - (c) the destination of the imported wildlife.

**Additional information**

- (4) A person who applies for a wildlife import permit to import exotic wildlife shall indicate in the application, in addition to the information required under subsection (2),
- (a) the purpose for which the wildlife is to be imported;
  - (b) the species, number and sex of the wildlife to be imported; and
  - (c) the period for which the permit will be required.

**Refusal**

- (5) If the Minister refuses to issue a permit to an applicant, the Minister shall provide written reasons for the refusal to the applicant.

**Conditions**

- (6) The Minister may attach any conditions to a wildlife import permit that the Minister considers appropriate.

**Exemption**

- (7) A person is exempt from the requirements of this section if the wildlife being imported was lawfully hunted by the person under the laws of another jurisdiction.



**No fee**

- (8) There is no application fee for a wildlife import permit. (EC533/19)

**Wildlife Control Operators****8. Wildlife control operator's permit**

- (1) The Minister may issue a wildlife control operator's permit to an applicant if the Minister is satisfied that the applicant has
- (a) submitted an application on the form approved by the Minister that includes the information specified in subsection (2);
  - (b) provided proof that the person is 18 years of age or older;
  - (c) provided proof that the person possesses a valid and subsisting trapping license issued under the Act; and
  - (d) not been convicted of a contravention of the Act or the regulations under the Act, or an Act that is substantially similar to the Act anywhere in Canada, or had the person's trapping license revoked under the provisions of the Act, within the three-year period immediately prior to the date on which the application is submitted.

**Required information**

- (2) An applicant for a wildlife control operator's permit shall provide proof satisfactory to the Minister that the applicant
- (a) is knowledgeable in humane wildlife dispatch methods, wildlife handling, trapping standards and firearm safety;
  - (b) proposes to use humane dispatch methods that are acceptable to the Minister; and
  - (c) possesses all the required licenses, permits and certifications to employ the humane dispatch methods referred to in clause (b).

**Written reasons refusal**

- (3) Where the Minister refuses to issue a wildlife control operator's permit to an applicant, the Minister shall provide written reasons for the refusal to the applicant.

**Prohibition**

- (4) No person, unless otherwise authorized by the Minister, shall engage in the business of providing wildlife control services on the property of another person without first obtaining a wildlife control operator's permit.

**No fee**

- (5) There is no application fee for a wildlife control operator's permit. (EC533/19)

**9. Expiration date**

A wildlife control operator's permit expires on March 31 of the year following the date of issue unless otherwise authorized by the Minister. (EC533/19)

**10. Scope of permit**

- (1) A wildlife control operator's permit authorizes the permit holder to control, including by taking or hunting, only the following species or groups of species:
- (a) striped skunk;

- (b) raccoon;
- (c) red squirrel;
- (d) crows.

**Exception**

- (2) Notwithstanding subsection (1), the Minister may authorize the holder of a wildlife control operator's permit to control other species not listed in that subsection at specified times and under the conditions the Minister considers appropriate or necessary.

**Suspension**

- (3) The Minister may suspend the control of certain species or prohibit certain wildlife control activities when the Minister considers it necessary for the protection of human health or the health of wildlife or domestic animals.

**Notice**

- (4) The Minister shall notify any affected wildlife control operator of a suspension under subsection (3). *(EC533/19)*

**11. Requirements**

A wildlife control operator shall

- (a) immediately report a captured animal showing symptoms of disease to a conservation officer or natural resource inspector;
- (b) not release a diseased wild animal after capture without the expressed permission of a conservation officer or natural resource inspector;
- (c) not keep, tame, use for propagation purposes, sell, offer for sale, trade, or barter live wild animals taken under the provisions of a wildlife control operator's permit;
- (d) not capture, handle, or harass any provincially or federally listed endangered species; and
- (e) not hold a wild animal in captivity for purposes of release or disposal for more than 24 hours. *(EC533/19)*

**12. Annual report**

- (1) A wildlife control operator shall file an annual report with the Minister at the end of each calendar year listing
- (a) the species of wildlife controlled;
  - (b) the number of individual animals controlled;
  - (c) the disposition of wild animals; and
  - (d) any other information the Minister may require.

**Records**

- (2) A wildlife control operator shall establish and maintain records on a monthly basis respecting the matters listed in clauses (1)(a) to (c) and shall make the records available for inspection by a conservation officer or natural resource inspector at any reasonable time.

**Other legislation**

- (3) A wildlife control operator's permit does not exempt the holder from the obligation to comply with the provisions of any other applicable provincial or federal legislation or an applicable municipal bylaw. *(EC533/19)*





**13. Designated species**

- (1) The species listed in the Schedule to these regulations are designated for the purposes of clause 19(1)(a) of the Act.

**Schedule adopted**

- (2) The Schedule to these regulations is hereby adopted and forms part of these regulations. (EC533/19)

**14. Revocation**

*Wildlife Conservation Act* Regulations (EC676/98) and the *Fish and Game Protection Act* General Regulations (EC818/66) are revoked. (EC533/19)



**SCHEDULE  
Designated Species**

The following are designated species for the purposes of clause 19(1)(a) of the Act:

**Common Name**

1. Blue-spotted Salamander
2. Spotted Salamander
3. Eastern Red-backed Salamander
4. Red-spotted Newt (Eastern newt)
5. American Toad
6. Eastern American Toad
7. Spring Peeper
8. Green Frog
9. Pickerel Frog
10. Northern Leopard Frog
11. Wood Frog
12. Double-crested Cormorant
13. Great Cormorant
14. Turkey Vulture
15. Black Vulture
16. Cooper's Hawk
17. Northern Goshawk
18. Sharp-shinned Hawk
19. Golden Eagle
20. Red-tailed Hawk
21. Rough-legged Hawk
22. Red-shouldered Hawk
23. Broad-winged Hawk
24. Swainson's Hawk
25. Northern Harrier
26. Bald Eagle
27. Osprey
28. Merlin
29. Peregrine Falcon - anatum/tundrius
30. Gyrfalcon
31. American Kestrel
32. Wild turkey
33. Ruffed Grouse
34. Spruce Grouse
35. Gray Partridge
36. Ring-necked Pheasant
37. Sharp-Tailed Grouse
38. Rock Pigeon
39. Barn Owl (Eastern pop.)
40. Northern Saw-whet Owl
41. Boreal Owl
42. Short-eared Owl
43. Long-eared Owl

44. Snowy Owl
45. Great Horned Owl
46. Eastern Screech-Owl
47. Great Gray Owl
48. Barred Owl
49. Northern Hawk Owl
50. Belted Kingfisher
51. American Crow
52. Common Raven
53. Blue Jay
54. Gray Jay
55. European Starling
56. Red-winged Blackbird
57. Rusty Blackbird
58. Brewer's Blackbird
59. Common Grackle
60. Yellow-headed Blackbird
61. Rainbow Trout
62. Atlantic Salmon
63. Brown Trout
64. Arctic Char
65. Brook Trout
66. Northern Short-tailed Shrew
67. Cinereus Shrew
68. Smoky Shrew
69. American Pygmy Shrew
70. American Water Shrew
71. Big Brown Bat
72. Eastern Red Bat
73. Hoary Bat
74. Little Brown Myotis
75. Northern Long-eared Myotis
76. Silver-haired Bat
77. Snowshoe Hare
78. Northern Flying Squirrel
79. Eastern Chipmunk
80. Red Squirrel
81. American Beaver
82. Meadow Vole
83. House Mouse
84. Southern Red-backed Vole
85. Common Muskrat
86. North American Deermouse
87. Norway Rat
88. Woodland Jumping Mouse
89. Meadow Jumping Mouse
90. Eastern Coyote
91. Gray Wolf



92. Red Fox
93. American Black Bear
94. Northern Raccoon
95. North American River Otter
96. American Marten
97. Striped Skunk
98. Short-tailed Weasel
99. American Mink
100. Fisher
101. Canadian Lynx
102. Bobcat
103. Moose
104. White-tailed Deer
105. Caribou
106. Woodland Caribou (Atlantic-Gaspésie pop.)
107. Smooth Greensnake
108. Northern Redbelly Snake
109. Maritime Garter Snake

(EC533/19)