PLEASE NOTE

This document, prepared by the Legislative Counsel Office, is an office consolidation of this regulation, current to December 9, 2006. 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 to determine the authoritative text of these regulations.

For more information concerning the history of these regulations, please see the Table of Regulations.

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

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CHAPTER F-12
FISH AND GAME PROTECTION ACT
GENERAL REGULATIONS

Made by the Lieutenant Governor in Council under the Fish and Game Protection Act R.S.P.E.I. 1988, Cap. F-12

1. Revoked by EC180/02.

LICENSE VENDORS

2. Revoked by EC180/02.

LICENSE FEES

3. Revoked by EC180/02.
3.1 Revoked by EC211/99.

OPEN SEASONS


EXOTIC ANIMALS

5. No person shall import into the province any exotic animals without the written permission of the Minister. (EC818/66)

6. Any person applying for a permit to import exotic animals into the province, must indicate in his application, the purpose for which the animals are to be imported, the species, number and sex of the animals to be imported, and the period for which the permit will be required. (EC818/66)

7. Exotic animals imported into the province, under authority of a permit issued under section 5, are not disposable in any manner by the applicant without the written consent of the Minister. (EC818/66)

8. The possession of exotic animals in captivity, without a permit in writing from the Minister, is considered an offence under the Act and these regulations and subject to penalties prescribed in section 61 of the Act. (EC818/66)
WILDLIFE

9. Wildlife is hereby designated in these regulations as follows:

Division 1

Game

(a) Game Birds

ruffed grouse
spruce grouse
Hungarian partridge
Chuckar partridge
pheasant
ptarmigan
sharp-tailed grouse
prairie chicken
bob-white quail
wild turkey
migratory game birds
protected in Canada under the *Migratory Birds Convention Act*

(b) Game Mammals

moose black bear
deer snowshoe hare
caribou fox
bison raccoon
antelope coyote
polar bear

(c) Fish

trout
bass
salmon

Division 2

Non-game birds protected by *Fish and Game Protection Act* and regulations:
cormorants
turkey vulture
hawks
eagles
owls
osprey
sparrows (except English, or house sparrow)
buntings
longspurs
junco
falcons
kingfisher
horned larks
Canada jay
blue jay
finches
crossbills
migratory non-game birds protected
in Canada under the *Migratory Birds Convention Act*

Division 3

Exotic Animals

Division 4 Revoked by EC663/04.
(EC733/77; 467/87; 484/91; 663/04)

9.1 (1) Where any person is in possession in captivity of any exotic animal or other wildlife that is not native to the province, that person shall not release the animal or other non-native wildlife except with the permission of the Minister.

(2) If any animal or wildlife referred to in subsection (1) is released or escapes, the person appearing to the Minister to have been in possession thereof is responsible for the recapture of the animal or wildlife, and, in the event that resources of the Department are used for the purpose of recapture, that person shall pay all the costs incurred by the Department in securing the recapture. (EC225/94)

9.2 Any person who contravenes section 5, 7, 8 or 9.1 of these regulations, clause 43(b) of the Act or an order under section 8.1 of these regulations is guilty of an offence and liable on summary conviction to a fine not exceeding $10,000. (EC225/94)

WILDLIFE IN CAPTIVITY

Sections 10 to 21 - Revoked by EC634/85

PRIVATE SHOOTING PRESERVES

Sections 22 to 36 - Revoked by EC534/86
37. For the purposes of the Act sunrise and sunset times shall be as follows:

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<th>Sunrise (AST) (A.M.)</th>
<th>Sunset (AST) (P.M.)</th>
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<td>Feb. 10-19</td>
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(38. (1) Revoked by EC663/04.
   (2) Revoked by EC510/82.

39. (1) Revoked by EC663/04.
   (2) Revoked by EC510/82.

40. Sections 40 to 46 revoked by EC663/04. (EC818/66; 946/73; 1005/73; 696/79; 626/95; 663/04)

47. Revoked by EC531/99.
48. Sections 48 to 50 revoked by EC663/04. (EC14/73; 1005/73; 696/79; 665/88; 616/89; 663/04)

51. Revoked by EC510/82.

52. Sections 52 to 56 revoked by EC663/04. (EC14/73; 663/04)

57. Revoked by EC710/88.

**EXPORT PERMITS**

57.1 (1) The Minister may issue to any person a game export permit authorizing that person to remove game from the province.

(2) A game export permit shall be of one of the following classes:

(a) a general export permit authorizing the export of any game;

(b) a ranched fur export permit authorizing the export of domestically raised fur-bearing animals only;

(c) a non-resident hunter’s export permit authorizing a non-resident hunter to export from the province any game bird or snowshoe hare legally taken in the province under a non-resident hunting license.

(3) A game export permit may be issued by any person authorized by the Minister whether or not that person is an employee of the department.

(4) The Minister may attach such conditions to a game export permit as he considers appropriate.

(5) A game export permit issued under this section is authority to remove game from the province subject to the provisions of the *Game Export Act* (Canada) R.S.C. 1985, Chap. G-1.

(6) In this section “game” means the carcass or any part of the carcass, including the skin of any wild animal, domestically raised fur-bearing animal, wild fowl or wild bird. (EC710/88)

**MIGRATORY WATERFOWL**

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

(a) Indian River Wildlife Management Area;

(b) Revoked by EC684/95;

(c) Rollo Bay Wildlife Management Area;

(d) New Glasgow Wildlife Management Area (EC570/89);
(e) Pisquid River Wildlife Management Area (EC627/95). (EC628/86; 684/95)

FISH-WAYS

Offences in relation to fish-ways 59. Revoked by EC180/02.

SHOT SIZE - HUNTING GAME BIRDS

60. While hunting game birds, cormorants, crows or ravens, no person shall use or have in his or her possession any shot of a size larger than “BB” in the case of lead shot or size “T” in the case of steel shot. (EC428/92)

LEAD SHOT PROHIBITED AREA

61. Revoked by EC330/99

CONTINUING OFFENCES

62. Where a contravention of any provision of the Act or these regulations or any conditions of an order thereunder continues for more than one day, the offender is guilty of a separate offence for each day that the contravention continues and is liable on summary conviction to a fine not exceeding $200. (EC225/94)

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

(2) Subsection (1) does not apply to wildlife in respect of which the Minister has issued a permit pursuant to clause 7(3)(a) of the Act.

(3) A person guilty of an offence under subsection (1) is liable on summary conviction to a fine of not less than $500. (EC508/95)
SCHEDULE I revoked by EC180/02.

SCHEDULES II and III revoked by EC330/99.

SCHEDULE IV revoked by EC684/06.

SCHEDULE V revoked by EC330/99.