MEMORANDUM D19-13-1

Ottawa, June 15, 2001

In Brief

SUBJECT

SPECIES DESIGNATED AS HARMFUL TO CANADIAN ECOSYSTEM – EXPORTATION OF WILD ANIMALS AND PLANTS SUBJECT TO PROVINCIAL OR TERRITORIAL CONTROLS

- 1. This Memorandum has been totally revised to reflect changes due to the *Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act* (WAPPRIITA). WAPPRIITA replaces the *Game Export Act* which is now repealed.
- 2. Revised versions of Appendices A through M (Provincial wildlife information) are now published.

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SPECIES DESIGNATED AS HARMFUL TO CANADIAN ECOSYSTEMS – EXPORTATION OF WILD ANIMALS AND PLANTS SUBJECT TO PROVINCIAL OR TERRITORIAL CONTROLS

The Canada Customs and Revenue Agency assists the Canadian Wildlife Service of Environment Canada with the administration of the *Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act (WAPPRIITA)*. WAPPRIITA gives Environment Canada the federal authority to enforce provincial wildlife legislation as it relates to interprovincial trade and export. This Memorandum outlines the import permits requirement for species designated as harmful to Canadian ecosystems and the exportation requirements concerning the wild animals and plants subject to provincial or territorial controls.

TABLE OF CONTENTS

	Page
Legislation	2
Guidelines and General Information	6
Definitions	6
Species Designated as Harmful to Canadian Ecosystems	7
Export Controls	7
Permits	8
Detention	8
Penalty Information	8
Additional Requirements	9
Additional Information	9
Appendix A – British Columbia	
Appendix B - Alberta	
Appendix C – Saskatchewan	
Appendix D - Manitoba	
Appendix E – Ontario	
Appendix F - Quebec	
Appendix G - New Brunswick	
Appendix H - Nova Scotia	

Appendix I - Prince Edward Island

Appendix J - Newfoundland

Appendix K - Yukon Territory

Appendix L - Northwest Territories

Appendix M - Nunavut

Appendix N - Schedule II of the *Wild Animal and Plant Trade Regulations* (Other Species Requiring an Import Permit)

Appendix O – Environment Canada Regional Offices and Headquarters

Legislation

- 1. The purpose of WAPPRIITA is:
- (a) to enable Canada to do its part to prevent the illegal international trade of wild specimens;
- (b) to protect Canadian ecosystems from the introduction of listed harmful wild species;
- (c) to conserve Canadian wild animals and plants by preventing their illegal trade.
- 2. With these objectives in mind, the law sets controls over three distinct categories of wild animal and plant species. The law applies to:
 - (a) Wild animal and plant species taken illegally from the wild in other countries or specified in the control list made under the *Convention on International Trade in Endangered Species of Wild Fauna and Flora* (CITES). These species are either regulated under foreign laws or are listed in Schedule I of the Regulations. For more information, see Memorandum D19-7-1, *Convention on Inte national Trade in Endangered Species of Wild Fauna and Flora (CITES)*.
 - (b) Wild species whose introduction into Canadian ecosystems would be harmful to indigenous species. These species are listed in Schedule II of the Regulations, which at this time names only a few harmful wild animal species.
 - (c) Wild animal and plant species whose transport into or out of a province or territory is controlled by provincial or territorial laws. The province and territories have their own wild animal and plant conservation laws which can be enforced anywhere in the country when a specimen leaves the province or territory illegally.
- 3. WAPPRIITA replaces the *Game Export Act*, certain prohibited codes that were found in Schedule VII of the *Customs Tariff* and certain provisions of the *Export and Import Permits Act*. WAPPRIITA is also the enabling legislation for CITES.

Prohibitions Under WAPPRIITA

6.(2) Subject to the regulations, no person shall, except under and in accordance with a permit issued pursuant to subsection 10(1), import into Canada or export from Canada any animal or plant, or any part or derivative of an animal or plant.

Under this subsection, WAPPRIITA and its Regulations establish Environment Canada's own permit system for animals and plants protected by CITES, by provincial and territorial laws as well as for species designated as harmful to Canadian ecosystems.

The Regulations specify the species of animal or plant protected by the Act and any exemptions to the permit requirements.

An animal or plant species that is controlled at the provincial or territorial level is also controlled for export purposes.

7.(1) Where the transportation out of a province of an animal or plant, or any part or derivative of an animal or plant, is permitted by the province only if the person who transports it holds a permit issued by a competent authority in that province, no person shall, except under and in accordance with such a permit, transport any animal, plant or part or derivative of an animal or plant from that province to another province.

This subsection makes it a federal offence to move a protected animal or plant out of a province or territory into another without having the necessary permits from the province or territory from which the shipment originated.

7.(2) No person shall transport from a province to another province any animal or plant, or any part or derivative of an animal or plant, where the animal or plant was taken, or the animal, plant, part or derivative was possessed, distributed or transported, in contravention of any provincial Act or regulation.

Under this subsection, it is an offence to transport from one province to another an animal or plant, if the animal or plant was taken, possessed, distributed, or transported in violation of a provincial or territorial law. This subsection ensures that people who have violated a provincial or territorial law cannot escape prosecution once they have made their way out of the province or territory. As well, unlike the repealed *Game Export Act*, this subsection applies to all protected animals and plants regulated by the provinces, not solely dead game and fur pelts.

13. Any thing that has been imported into or is about to be exported from Canada, or has been transported, or is about to be transported, from a province to another province, may be detained by an officer until the officer is satisfied that the thing has been dealt with in accordance with this Act and the regulations.

This section gives the Environment Canada officer the power to detain "any thing" in order to verify its compliance with this Act.

Customs Act

Examination of Goods

- 99. (1) An officer may
- (c) at any time up to the time of exportation, examine any goods that have been reported under section 95 and open or cause to be opened any package or container of such goods and take samples of such goods in reasonable amounts;
- (e) where the officer suspects on reasonable grounds that this Act or the regulations or any other Act of Parliament administered or enforced by him or any regulations thereunder have been or might be contravened in respect of any goods, examine the goods and open or cause to be opened any package or container thereof:

A customs officer can examine any goods, open any package or container, and search any conveyance where he has reasonable grounds to suspect that any Acts or regulations administered or enforced by him have been or might be contravened.

Detention of Controlled Goods

101. Goods that have been imported or are about to be exported may be detained by an officer until he is satisfied that the goods have been dealt with in accordance with this Act, and any other Act of Parliament that prohibits, controls or regulates the importation or exportation of goods, and any regulations made thereunder.

A customs officer is authorized by this section to detain goods imported or for export until they are dealt with under the provisions of this Act and any other Act that prohibits, controls, or regulates their importation or exportation, as well as the regulations made pursuant to any Act.

GUIDELINES AND GENERAL INFORMATION

Definitions

- 1. These definitions are taken from the *Wild Animal and Plant Trade Regulations* pertaining to WAPPRIITA.
 - 7. For the purposes of subsection 6(2) of the Act and in respect of exportation,
 - (a) "animal" means any specimen, whether living or dead,
 - (i) of any species of animal listed as "fauna" in an appendix to the Convention, and includes any egg, sperm, tissue culture or embryo of any such animal, and
 - (ii) of any wild species of the animal kingdom (kingdom *Animalia*), or any egg, sperm, tissue culture or embryo of any such animal, the transportation of which out of a province is regulated or prohibited by the province; and
 - (b) "plant" means any specimen, whether living or dead,
 - (i) of any species of plant listed as "flora" in an appendix to the Convention, and includes any seed, spore, pollen or tissue culture of any such plant, and
 - (ii) of any wild species of the plant kingdom (kingdom *Plantae*), or any seed, spore, pollen or tissue culture of any such plant, the transportation of which out of a province is regulated or prohibited by the province.

Species Designated as Harmful to Canadian Ecosystems

2. WAPPRIITA protects Canadian and foreign species from poaching and illegal trade. It also protects Canadian ecosystems from the introduction of wild species which would be harmful to indigenous species. These species are listed in Schedule II of the Regulations and none of them may be imported without the proper import permit issued by Environment Canada. See Appendix N for the list of species.

Export Controls

3. Subsection 7.(1) of WAPPRIITA prohibits a person from transporting a wild animal, wild plant, part or derivative out of a province or territory without a permit when the province or territory requires one.

- 4. The provinces and territories have their own wild animal and plant conservation laws. These laws can be enforced anywhere in the country when a specimen leaves the province or territory illegally. Provincial or territorial requirements must therefore be satisfied before a regulated wildlife species is exported. The species of wild animals and wild plants controlled under WAPPRIITA varies depending upon the province or territory of export.
- 5. To export a wildlife species covered by provincial or territorial laws, the necessary provincial or territorial permits must be presented before the item is taken out of the country. If the species is also listed in a CITES appendix, an export document from the Canadian CITES authority must also be presented. For more information on the exportation conditions for species listed in a CITES appendix, refer to Memorandum D19-7-1.
- 6. Appendices A through M summarize the various provincial and territorial legislation pertaining to wildlife. These appendices should be referred to in order to determine the particular species of wildlife controlled in the province or territory of export.

Permits

7. It is the responsibility of the exporter to ensure that any required export permits are presented to customs for verification at the time of export. Customs will not retain the permit, but will note on its face that it was presented to customs and then return it to the exporter.

Detention

8. Goods presented for export without proper certification may be detained by customs pending receipt of authorization to export from the applicable authority. Form K26, *Notice of Detention*, is to be completed. In the case of shipments by commercial carrier, a "detention sticker" should also be affixed to the shipment. The exporter/owner/carrier should be advised to contact Environment Canada at the address in paragraph 12 or contact the regional offices listed in Appendix O or the appropriate provincial/territorial wildlife authority (see Appendices A through M) for information concerning the requirements they must meet to obtain release of the goods.

Penalty Information

- 9. Every person who contravenes a provision of WAPPRIITA or the regulations:
 - (a) is guilty of an offence punishable on summary conviction and is liable
 - (1) in the case of a person that is a corporation, to a fine not exceeding fifty thousand dollars, and
 - (2) in the case of a person other than a person referred to in subparagraph (1), to a fine not exceeding twenty-five thousand dollars or to imprisonment for a term not exceeding six months, or to both; or
 - (b) is guilty of an indictable offence and is liable
 - (1) in the case of a person that is a corporation, to a fine not exceeding three hundred thousand dollars, and
 - (2) in the case of a person other than a person referred to in subparagraph (1), to a fine not exceeding one hundred and fifty thousand dollars or to imprisonment for a term not exceeding five years, or to both.
- 10. Environment Canada enforcement officers are responsible for penalty procedures under WAPPRIITA.

Additional Requirements

11. The exportation or importation of animals and plants may also be subject to the *Animal Disease and Protection Act* and Regulations, the *Meat Inspection Act* and Regulations, the *Plant Protection Act* and Regulations, and the *Convention on International Trade in Endangered Species of Wild Fauna and Flora* (CITES).

Additional Information

12. Questions concerning the provisions of WAPPRIITA, clarification of animal and plant species, or permit requirements should be directed to:

Deputy Administrator, CITES Species at Risk Branch Canadian Wildlife Service Environment Canada Ottawa ON K1A 0H3

Telephone: (819) 997-1840 Facsimile: (819) 953-6283

13. Questions concerning wildlife enforcement should be directed to:

Chief Wildlife Division Office of Enforcement Environment Canada Ottawa ON K1A 0H3

Telephone: (819) 953-1424 Facsimile: (819) 953-3459

Or to the Environment Canada regional offices listed in Appendix O.

14. Questions concerning customs administration of the requirements and procedures outlined in this Memorandum should be directed to:

Interdepartmental Programs
Admissibility Programs Division
Trade Policy and Interpretation Directorate
Canada Customs and Revenue Agency
Ottawa ON K1A 0L5

Telephone: (613) 946-0240 Facsimile: (613) 946-1520

15. Questions concerning the requirements of provincial or territorial wildlife legislation may also be directed to the authorities listed in Appendices A through M.

APPENDIX A

BRITISH COLUMBIA

- 1. Export of wildlife from the Province of British Columbia is controlled by the *British Columbia Wildlife Act*.
- 2. Paragraph 21(1)(b) of the *Wildlife Act* reads, in part "Except as authorized by permit . . . no persons shall . . . export out of British Columbia any wildlife or parts of them or the egg of a wildlife species.
- 3. The Wildlife Act Permit Regulations; B.C. Reg 337/82, states:

Paragraph 1(k) authorizes a regional manager (or delegate) to issue a permit allowing a person to export from British Columbia wildlife or wildlife parts.

- 4. An export permit issued under WAPRIITA satisfies the *British Columbia Wildlife Act* permit requirement.
- 5. "Wildlife" means raptors, threatened species, endangered species, game, and other vertebrates prescribed as wildlife.
- 6. Any questions concerning export permits should be directed to:

Wildlife Branch Ministry of Environment, Lands and Parks P.O. Box 9374, Station Provincial Government Victoria BC V8W 9M4

Telephone: (250) 387-9739

APPENDIX B

ALBERTA

Export Requirements

- 1. With some exceptions (see next paragraphs), Alberta requires an export permit, issued by Alberta Environment, to authorize the export from Alberta of wildlife or wildlife parts (*Wildlife Act*, subsection 59(1)). Wildlife is defined in the Act and listed in Parts 1 to 6 of Schedule 4 of the *Wildlife Regulations*, *AR 143/97*. Wildlife does not include naturally shed parts of wildlife, such as shed antlers (see the exemption for exuviated parts in subsection 1(5) of the Act). Endangered animals, listed in Part 1 of Schedule 6 of the *Wildlife Regulations*, are treated equally to wildlife and all species of (and parts of) endangered animals require export permits (the connection between endangered animals and wildlife is found in section 7 of the *Wildlife Regulations*).
- 2. The *Wildlife Act* and *Wildlife Regulations* may be viewed on the Internet at **www.gov.ab.ca/qp/indiv.html**.
- 3. Some wildlife is exempt and does not require an export permit. These exemptions to the requirement for an export permit under subsection 59(1) of the *Wildlife Act* are found in Schedule 1 of the *Wildlife Regulations* (sections 17, 18, 19, 21, and 22 of Schedule 1). Note that when these provisions refer to section number as a "second exemption" it is referring to a section within schedule 1 of the Regulations.
- 4. As per sections 17, 18, 19, 21, and 22 of Schedule 1 of *Wildlife Regulations*, the following wildlife **is exempt** from requiring an Alberta provincial export permit:
 - (a) Captive commercial upland game birds (ring-necked pheasants, Merriam's turkey and Hungarian (gray) partridge) that are lawfully possessed and have not been taken from the wild;
 - (b) packages of processed antler product (the manner of processing is described in the Regulations), from big game animals held in captivity on game animal production farms, if the product is in approve packaging (the manner of approving packaging is described in the Regulations), the package is not over 500g, and the package has not been opened or tampered with;
 - (c) tanned or permanently preserved upland games birds;
 - (d) feathers and flesh of upland game birds lawfully raised on a game bird shooting ground;
 - (e) wildlife that has been registered for sale that bears an unaltered tag placed on it at the time of registration by the department (certain other conditions also apply);
 - (f) tanned or otherwise permanently preserved (but not dried, salted, or frozen) skins of fur-bearing animals (these species are listed in Part 3 of Schedule 4 of the *Wildlife Regulations*) lawfully hunted under the authority of the *Wildlife Act* in Alberta, raised on a fur farm, or taken under licence in another jurisdiction;
 - (g) tanned or otherwise permanently preserved (but not dried, salted, or frozen) skins* of bighorn sheep or mountain goat taken under a recreational licence in Alberta;
 - (h) skins* of moose, elk, or deer lawfully possessed in Alberta;
- * The skins of the above animals do not include any horns, antlers, hooves, or any part of a horn, antler, or hoof.
 - (i) the skinned carcasses of beaver lawfully hunted under the authority of the Wildlife Act;
 - (j) claws, skulls, and teeth of fur-bearing animals lawfully hunted under the authority of the *Wildlife Act*;
 - (k) game birds, deer, moose, antelope (and certain black bear parts—see next section) taken under a hunting licence may be exported without an export permit if:

- (1) the export occurs within 30 days of the date the animals/birds were killed or within 5 days of the close of the open season, whichever occurs first;
- (2) the shipment is accompanied by the hunter who killed the animals/birds; and
- (3) the appropriate licence is carried by the hunter who killed the animals/birds; and
- (1) non-licence animals (these species are listed in Part 6 of Schedule 4 of the Wildlife Regulations), except three species of garter snake and the bull snake.

Species Other Than Wildlife or Endangered Animals Which Do Not Require an Export Permit

5. Alberta regulates the (live) possession and import of some other species (see below), such as the Controlled Animals listed in Schedule 5 of the *Wildlife Regulations*, but does not require an export permit for the export of those species.

Parts Not Prohibited From Export

- 6. The only parts of dead black bear or dead grizzly bear that **may be** exported are:
 - (a) the red meat, other than the gall bladder or paws;
 - (b) the head of skull;
 - (c) the complete skin, including the claws; and
 - (d) a part of the skin that is processed (tanned or otherwise permanently preserved, but not dried, salted, or frozen).
- 7. Questions concerning the *Wildlife Act* and the *Wildlife Regulations* or export or requirements should be directed to:

Enforcement Field Services Division Natural Resources Service Alberta Environment Main Floor, Petroleum Plaza, South Tower 9915-108th Street Edmonton AB T5K 2G8

Telephone: (780) 427-4943 Facsimile: (780) 422-9560

APPENDIX C

SASKATCHEWAN

- 1. Section 31 of the *Wildlife Act 1998*, prohibits export or import of any wildlife to or from the province, except under the authority of a licence for this purpose. A separate licence is required for each shipment.
- 2. "Wildlife" means a vertebrate animal or bird of any species excluding fish that is wild by nature in the province, or any exotic wildlife that has been introduced into the province, and includes any part of any such animal or bird.
- 3. Section 31, subsection (2) of the Act prohibits exporting furs without paying the prescribed royalties. The royalties are set out in Table 4 of the *Wildlife Regulations*. A fur export permit and royalty receipt and a declaration are required for each shipment of fur.
- 4. The big game licence seal or the game bird licence constitutes the authority to export legal limits of the game taken under that licence, if the game accompanies the licensee. A game export licence is required for any shipment of game not accompanying the licensee.
- 5. A game licence from another province or country constitutes the authority to a Saskatchewan resident to import legal limits of game killed under that licence.
- 6. No agent, transportation company or other common carrier, or any person shall receive for shipment or transport or deliver any wildlife or parts of wildlife unless the shipment is tagged or marked with the name and address of the owner, the licence number under which the wildlife was taken, and the contents.
- 7. The exportation from Canada of game and fur as defined above, originating in the Province of Saskatchewan, unless accompanied by proper shipping tags is prohibited. A notation of the number and kind of permit should be made on the export entry and the shipment then be allowed to proceed. The tag should be port stamped, but not detached from the shipment.
- 8. Any questions concerning export permits should be directed to:

Fish and Wildlife Branch Saskatchewan Environment and Resource Management Government of Saskatchewan Room 436 3211 Alberta Street Regina SK S4S 5W6

Telephone: (306) 787-2309 Facsimile: (306) 787-9544

APPENDIX D

MANITOBA

GENERAL PROHIBITION

1. It is an offence for any person to kill, capture, take, possess, import, export, sell, buy, trade, or barter a live or dead wild animal or part thereof without first being in possession of a licence or permit issued under authority of the *Wildlife Act* or unless otherwise permitted by the Act or the Regulations.

DEFINITIONS

- 2. A "wild animal" is defined in the *Wildlife Act* as being an animal or bird of a species listed in Schedule A to the Act or declared by regulation under the Act to be a wild animal (attached). This includes any animal of such a species regardless of whether it was born and raised in captivity or captured from the wild in Manitoba or in some other jurisdiction, and includes a hybrid of that species, or any part of such an animal, e.g., shed or cast antler.
- 3. A "game production animal" means an animal defined as such under the *Livestock Industry Diversification Act*. To date, elk are the only species so designated.

EXEMPTION FOR PROCESSED PELT, SKIN, OR HIDE

- 4. A person may possess, sell, buy, trade, barter, import, or export a processed pelt, skin, or hide, or part thereof, of a big game animal, fur bearing animal, game bird, amphibian, or reptile without having obtained a licence or permit under the Act for that purpose.
- 5. This does not apply to a pelt, skin, or hide, or part thereof, that forms part of a full or partial body mount, a shoulder or head mount or a full, half head, or partial head rug.

EXEMPTION FOR RANCH RAISED FOX AND MINK

6. A person may possess, sell, buy, trade, barter, import, or export a privately owned fox or mink that has been raised in captivity, or a pelt, skin, or hide, or part thereof, of such a fox or mink, without having obtained a permit or licence under the Act for that purpose.

EXEMPTION FOR GAME PRODUCTION ANIMALS

7. A person who is in compliance with the *Livestock Industry Diversification Act* may possess, slaughter, sell, buy, trade, barter, import, or export a game production animal, or possess, process, sell, buy, trade, barter, import, or export a game production animal product as defined under that Act, without having obtained a permit or licence under the *Wildlife Act* for that purpose.

EXEMPTION FOR CERTAIN WILD ANIMAL PARTS

8. A person may sell, buy, trade, barter, or import a part of a wild animal that has been made into a finished artifact, article of trade, or art, e.g., items such as jewellery made from antler or bone slices, teeth incorporated in an item of apparel or jewellery, carved antler, and skulls or antlers with artwork painted in permanent colours. By practice, this also has been applied to export of such products except where the part is from a species listed under a CITES appendix.

POSSESSION AND TRANSPORTATION

General

9. Anything containing a wild animal or part thereof that is being shipped by common carrier or mail, or being delivered to another person for shipment by common carrier or mailing, must have a complete description of the contents plainly marked on the outside.

Big Game

- 10. Big game taken by one person cannot be possessed or transported by another person unless the declaration on the document called *Game Tag and Export Permit* has been completed and signed by the licence holder who killed the animal.
- 11. When transporting portions (meat, head, or hide) of a big game animal separately, the meat, head, and hide tags must be attached to the appropriate portions of the big game animal. If a tag is not available, a possession permit must be obtained from an officer.

Upland Game Birds

12. An upland game bird taken by one person cannot be possessed or transported by another person unless it is accompanied by a statement signed by the person who killed it showing that person's name, address, licence number, and the date that the statement was signed.

EXPORT WILD ANIMAL

CITES Export Permit Valid to Export Wild Animal

13. A person who holds a CITES export permit issued by, or with the approval of, an employee of Manitoba Conservation may export a wild animal or part thereof without having obtained an export permit under the *Wildlife Act*.

Residents

14. A resident must first obtain an export permit before transporting or shipping a game bird or big game animal out of Manitoba.

Non-Residents

- 15. A non-resident hunting licence is valid to export game taken under it, subject to the requirements noted under **Possession and Transportation** and the following conditions:
 - (a) **Game Birds** Up to a possession limit of game birds may be exported under a game bird hunting licence by the licence holder while the birds are in the personal possession of the licence holder. If a person other than the licence holder wishes to export game birds, an export permit must first be obtained.
 - (b) **Big Game** A document called *Game Tag and Export Permit* is valid for the licence holder to export the animal taken thereunder during the 30-day period immediately after the date of the kill. Export may be made only while the animal is in the personal possession of the licence holder or a person has complied with the conditions noted under **Possession and Transportation**.
 - (c) If export is made later than 30 days after the date of the kill, or if a person other than the licence holder or the person named on the back of the *Game Tag and Export Permit* wishes to export the animal, an export permit must be obtained.
 - (d) If a person wishes to export a part of an animal in a shipment separate and apart from a shipment covered by a *Game Tag and Export Permit* and a meat, head, or hide tag authorizing export is not attached to the appropriate portions, an export permit must be obtained.

Export Fur

- 16. A person must obtain an export permit before transporting or shipping a raw pelt, skin, or hide of a fur bearing animal out of Manitoba.
- 17. An applicant for an export permit must hold a trapper's licence, fur dealer's licence, tanner's licence, taxidermist's licence, or produce other documentation showing lawful origin that is satisfactory to the issuing authority, e.g., a receipt or invoice. Royalties must be paid or proof of payment submitted before an export permit may be issued.

Right of Passage

- 18. A wild animal consigned to another jurisdiction and accompanied by an export permit from the originating jurisdiction and an import permit from the receiving jurisdiction may enter Manitoba for the purpose of travelling to the consigned destination without having obtained a Manitoba import permit and provided that, while in Manitoba,
 - (a) the shortest, most direct main travel route is used;
 - (b) no stops are made along the route other than for vehicle service, driver comfort, or veterinarian services for the animal:
 - (c) no feed, bedding, water, or animal wastes are deposited or disposed of in Manitoba;
 - (d) the animal is not allowed out of the shipping container unless it is mandatory for veterinarian care; and
 - (e) if an animal escapes from the shipping container or other holding facility, the owner or person in custody must immediately notify the Director of Wildlife and the local Natural Resource Officer.

Bear Gall Bladders and Bile Prohibited

19. No person shall possess gall bladder removed from the carcass of a bear or the bile taken from a gall bladder removed from the carcass of a bear.

Export Permit Eligibility/Availability

- 20. An export permit for a dead wild animal or part thereof may be applied for at any Manitoba Conservation district office.
- 21. An application for an export permit for a live wild animal must be sent to the Director of Wildlife.
- 22. An export permit may be issued only to a person who lawfully possesses a wild animal or part thereof.

23. Contacts for Manitoba Wildlife Enforcement or Legislation:

Enforcement Coordinator Operations Division Manitoba Conservation P.O. Box 44, 200 Saulteaux Crescent Winnipeg MB R3J 3W3

Telephone: (204) 945-7462 Facsimile: (204) 945-7782

Legislation Specialist Wildlife Branch Manitoba Conservation P.O. Box 24, 200 Saulteaux Crescent Winnipeg MB R3J 3W3

Telephone: (204) 945-7749 Facsimile: (204) 945-3077

SCHEDULE A WILD ANIMALS

Division 1 – Big Game

Moose Alces alces l'orignal Elk Cervus elaphus le wapiti

Barren-ground Caribou Rangifer tarandus groenlandicus le caribou de la toundra Woodland Caribou Rangifer tarandus caribou le caribou des bois White-tailed Deer Odocoileus virginianus le cerf de Virginie

Mule DeerOdocoileus hemionusle cerf muletBlack BearUrsus americanusl'ours noirGray (Timber) WolfCanis lupusle loup gris

Division 2 – Fur Bearing Animals

Beaver Castor canadensis le castor Short-tailed Weasel Mustela erminea l'hermine

Long-tailed Weasel Mustela frenata la belette à longue queue

Coyote Canis latrans le coyote Fisher Martes pennanti le pékan

Artic Fox Canis lagopus le renard arctique
Red Fox Canis vulpes le renard roux
River Otter Lutra canadensis la loutre de rivière

BadgerTaxidea taxusle blaireauBobcatFelis rufuslelynx rouxMartenMartes americanala martreMinkMustela visionle vison

MuskratOndatra zibethicale rat musquéRed SquirrelTamiasciurus hudsonicusl'écureuil rouxWolverineGulo gulole carcajouRaccoonProcyon lotorle raton laveurLynxFelis canadensisle loup-cervier

Divison 3 – Game Birds

la gélinotte huppée Ruffed Grouse Bonasa umbellus Gray (Hungarian) Partridge Perdix perdix la perdrix européenne (Wild) Turkey Meleagris gallopavo le dindon sauvage Rock Ptarmigan Lagopus mutusle lagopède des rochers Willow Ptarmigan Lagopus lagopus le lagopède des saules Spruce Grouse Canachites canadensis et étras des savanes Pedioecetes phasianellus la gélinotte à queue fine Sharp-tailed Grouse

Ring-necked Pheasant Phasianus colchicus le faisan à collier

Plus Migratory Game Birds protected in Canada under the Migratory Birds Convention Act.

Division 4 – Small Game Animals

N/A

$Division \ 5-Amphibians \ and \ Reptiles$

Northern Leopard Frog (includes tadpoles)	Rana pipiens	la grenouille-léopard (comprend les têtards)
Tiger Salamander	Ambystoma tigrinum	la salamandre tigrée
Red-sided Garter Snake	Thamnophis sirtalis	le serpent-jarretière
Western Plains Garter Snake	Thamnophis radix	la couleuvre des plaines
Snapping Turtle	Chelydra serpentina	la tortue serpentine
Painted Turtle	Chrysemys picta	la tortue peinte

Division 6 – Protected Species

Pronghorn (Antelope)	Antilocapra americana	l'antilope d'Amérique
Cougar	Felis concolor	le cougar
White Pelican	Pelecanus erythrorhynchos	le pélican blanc
Double-crested Cormorant	Phalacrocorax auritus	le cormoran à aigrettes
Greater Prairie Chicken	Tympanuchus cupido	la poule des prairies
All vultures, eagles, hawks, osprey, and falcons	Falconiformestous	les vautours, les aigles, les buses, les éperviers et les faucons

Division 6 - Protected Species - cont.

All owls Strigiformes tous les hiboux

Kingfisher Megacery le alcyonle martin-pêcheur

Blue Jay *Cyanocitta cristata* le geai bleu

Gray (Canada) Jay Perisoreus canadensis le geai gris (Geai du Canada)

Common Raven Corvus corax le grand corbeau

Western Hognose Snake Heterodon nasicus la couleuvre à nez retroussé

Northern Prairie Skink Eumeces septentrionalis le scinque des prairies
Plains Spadefoot Toad Scaphiopus bombifrons le crapaud fouisseur

Polar Bear Ursus maritimus l'ours polaire

Wood Bison (except Wood Bison Bison bison athabascae le bison des bois (sauf le bison des bois gardé en captivité owned) le bison des bois gardé en captivité appartenant à un particulier)

Plus Migratory Non-Game Birds and Migratory Insectivorous Birds protected in Canada under the *Migratory Birds Convention Act*.

Excerpts from the Designation of Wild Animals Regulations

Amphibians and reptiles

The following species have been designated as amphibians and reptiles and are declared to be wild animals:

Cope's (Diploid) Gray Treefrog Hyla chrysoscelis la rainette criarde la rainette versicolore Gray (Tetraploid) Treefrog Hyla versicolor Spring Peeper Pseudacris crucifer la rainette crucifère Striped Chorus Frog Pseudacris triseriata la rainette faux-grillon Green Frog Rana clamitans la grenouille verte la grenouille du Nord Mink Frog Rana septentrionalis Wood Frog la grenouille des bois Rana sylvatica Mudpuppy Necturus maculosus le necture tacheté

Blue-spotted Salamander Ambystoma laterale la salamandre à points bleus

Redbelly Snake Storeria occipitomaculata la couleuvre à ventre rouge

Smooth Green Snake Opheodrys vernalis la couleuvre verte

American Toad Bufo americanus le crapaud d'Amérique Canadian Toad Bufo hemiophrys le crapaud du Dakota Great Plains Toad Bufo cognatus le crapaud des steppes

Division 6 – Protected Species – cont.

Protected Species

The following species have been designed as protected species and are declared to be wild animals:

Big Brown Bat Eptesicus fuscus la grande chauve-souris brune

Eastern Red Bat

Lasiurus borealis

la chauve-souris rousse

Hoary Bat

Lasiurus cinereus

la chauve-souris cendrée

Keen's Myotis

Myotis keenii

la chauve-souris de Keen

Little Brown Bat

Myotis lucifugus

la chauve-souris brune

Silver-haired Bat

Lasionycteris noctivagan

la chauve-souris argentée

APPENDIX E

ONTARIO

- 1. Subsection 7(1) of the *Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act* prohibits the transportation out of a province of an animal, plant, or any part of derivative thereof, for which a permit is required, unless the person transporting the item has the required permit and adheres to any conditions requirements with the permit.
- 2. In Ontario, the *Fish and Wildlife Conservation Act*, 1997 is in force, having been proclaimed on January 1, 1999. Part IV of the Act contains sections dealing with transport of species the Act designates as "game wildlife" and "specially protected wildlife" into and out of Ontario. Subsection 55(1) of the Act requires that a person shall not transport out of Ontario "game wildlife" or "specially protected wildlife" for which a licence or permit is required by the regulations without first obtaining the licence or permit.
- 3. In Ontario, O. Reg 666/99 (Possession, Buying and Selling of Wildlife) came into effect on January 2, 1999. Part X of the Regulations deals with Transportation. Subsection 30(1) of the Regulations requires that a person shall not transport out of Ontario, without an export permit
 - (a) black bear, white-tailed deer, or moose killed in Ontario;
 - (b) a fur bearing mammal, its pelt or the pelt of a farmed animal that is a fur bearing mammal; or
 - (c) hides and cast antlers exported by the holder of a hides and cast antlers dealer's licence.
- 4. Subsection 30(2) provides that a resident (of Ontario) may temporarily transport any of the wildlife referred to in the clause 1(a) out of Ontario without an export permit if the resident is on the way to a location in Ontario and does not leave any of the wildlife outside of Ontario.

Note: The *Fish and Wildlife Conservation Act* defines "game wildlife" and "specifically protected wildlife," "fur bearing mammal" and sets out their common and scientific names in several schedules at the back of the Act. Most species of wildlife native to Ontario are listed in these schedules. Under the Act, a reference to a species (e.g., deer, moose, bear) includes the whole animal or any part thereof.

5. Any questions concerning Ontario export permits should be directed to:

Wildlife Section Ministry of Natioal Resources Government of Ontario 300 Water Street P.O. Box 7000 Peterborough ON K9J 8M5

Attention: John Brisbane Project Management

Policy and Operations Specialist

Telephone: (705) 755-3180 Facsimile: (705) 755-1900

APPENDIX F

QUEBEC

- 1. The regulations were adopted under the *Act Respecting the Conservation and Development of Wildlife* (R.S.Q., c. C-61.1).
- 2. Fur-bearing animals are defined in section 2 and Schedule I of the *Regulation respecting trapping activities and the fur trade* (O.C. 1027-99, September 8, 1999). They include: long-tailed weasel, least weasel, wolverine, beaver, coyote, red squirrel, grey squirrel, ermine, wolf, river otter, Canadian lynx, bobcat, American marten, striped skunk, polar bear, black bear, fisher, muskrat, raccoon, red fox (silver, crossbred or red), Arctic fox (white or blue), grey fox, and American mink.
- 3. Section 37 of the *Regulation Respecting Trapping Activities and the Fur Trade* states that to export undressed pelts from an animal that was hunted or trapped, a person, other than a non-resident with respect to the product of his own hunting, shall hold one of the licences provided for in section 18 of the *Regulation Respecting Trapping Activities and the Fur Trade* (A.M. 99026, August 31, 1999):
 - (a) a trader's or intermediary's licence to sell or trade undressed pelts for residents or non-residents;
 - (b) a licence to dress raw pelts for taxidermy purposes;
 - (c) a licence to dress raw pelts;
 - (d) a public auction licence to sell raw pelts; or

and obtain and complete the export form issued by the Minister.

- 4. Section 38 of the *Regulation Respecting Trapping Activities and the Fur Trade* states that to export outside Quebec an undressed polar bear pelt from Quebec, a person shall have the tag provided by the Minister attached to the pelt by a wildlife conservation officer or any other person appointed for that purpose at a control station.
- 5. The standards for transporting and registering a black bear are set out in different regulations, depending on whether the bear was trapped or hunted.
- 6. For bears that are trapped, section 19 of the *Regulation Respecting Trapping Activities and the Fur Trade* states that the holder of a trapping licence who captures a black bear shall, before moving the bear, attach to it the transportation coupon attached to the trapping licence. Also, section 22 of this Regulation states that the holder of a trapping licence who captures a black bear shall, within 48 hours of leaving the trapping ground, show his licence and the bear's carcass or pelt, register the catch with a wildlife conservation officer or any person appointed for that purpose at a control station and have the transportation coupon punched.
- 7. For bears that are hunted, section 19 of the Regulation Respecting Hunting Activities (O.C. 858-99, July 28, 1999) states that a hunter who kills a black bear shall, as soon as the animal is dead, detach the transportation coupon from his hunting licence and attach it to the animal. Also, section 21 of this Regulation states that a hunter who kills a black bear shall, within 48 hours after leaving the hunting site, present his hunting licence whose coupon was attached to the animal, have the animal registered by a conservation officer, a person appointed for that purpose or a person authorized by the Minister under section 56.1 of the *Act Respecting the Conservation and Development of Wildlife* and have the transportation coupon punched.
- 8. A hunter or trapper of a black bear must also pay the registration fees provided for under the *Development of Wildlife-Scale of Fees and Duties* (O.C. 1291-91, September 18, 1991). A non-resident hunter who has killed a black bear must have it registered before leaving Quebec.

9. Any questions concerning export permits should be directed to:

Société de la faune et des parcs du Québec Vice-présidence de l'Aménagement et du développement de la faune Direction du développement de la faune Édifice Marie-Guyart 675, boulevard René-Lévesque Est, 11^eétage C.P. 92 Québec QC G1R 5V7

APPENDIX G

NEW BRUNSWICK

- 1. Section 44 of the New Brunswick Fish and Wildlife Act states:
- 44 (1) Every person commits an offence who exports or attempts to export out of the Province any live wildlife, or the green hide or pelt, or carcass or any part thereof, of wildlife, except where he is a holder of an export permit issued under paragraph 90(i)(c) or subsection 91(1).
- (2) Notwithstanding subsection (1), the holder of a valid non-resident licence issued under this *Act* and regulations may export from the Province any wildlife lawfully taken by him.
- 2. Paragraph 90(1)(c) of the Act allows the Minister of Natural Resources to issue a permit to allow a person to export live animals out of the Province as long as that person already had a permit to hold the animals in captivity.
- 3. Paragraph 91(1)(a) of the Act allows the Minister to issue an export permit to a resident authorizing the export of a maximum of ten (10) kilos of moose or deer meat or two game birds.
- 4. In the Fish and Wildlife Act of New Brunswick, "wildlife" means:
 - (a) any vertebrate animal or bird, excluding fish, amphibians and reptiles, that is wild by nature in the Province; and
 - (b) any exotic wildlife that has been introduced into the wild in the Province,

and includes any part of such animal or bird.

5. Any questions concerning export permits should be directed to:

Fish and Wildlife Branch Department of Natural Resources and Energy Government of New Brunswick P.O. Box 6000 Fredericton NB E3B 5H1

Telephone: (506) 453-2433 Facsimile: (506) 453-2390

APPENDIX H

NOVA SCOTIA

- 1. Under section 63 of the Nova Scotia *Wildlife Act*, the exportation of any live wildlife or the green hide or pelt of carcass or any part thereof is prohibited except where the exporter is the holder of an export permit issued pursuant to the *Wildlife Act* or the regulations.
- 2. The holder of a valid non-resident licence issued pursuant to the *Wildlife Act* or the regulations may export from the province any wildlife lawfully taken.
- 3. Pelts of ranched fur bearing animals may be exported under the authority of an export permit issued pursuant to Part XX of the *Agriculture and Marketing Act*.
- 4. Any questions concerning export permits should be directed to:

Barry Sabean Director of Wildlife Department of Natural Resources 136 Exhibition Street Kentville NS B4N 4E5

Telephone: (902) 679-6139 Facsimile: (902) 679-6176

Email: sabeanbc

APPENDIX I

PRINCE EDWARD ISLAND

- 1. Prince Edward Island has signed a memorandum of understanding for the cooperative management and administration of the *Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act* with Environment Canada.
- 2. The Wildlife Conservation Act requires a permit for:
 - (a) the import or export of exotic animals; and
 - (b) the export of "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).
- 3. Any questions concerning export or import permits should be directed to:

Fish and Wildlife Division
Department of Fisheries, Aquaculture, and Environment
P.O. Box 2000
Charlottetown PE C1A 7N8

Telephone: (902) 368-5000 Facsimile: (902) 368-5830

APPENDIX J

NEWFOUNDLAND

- 1. Section 85 of the *Wildlife Regulations* pursuant to section 7(1-R) to the *Wildlife Act* of the Province of Newfoundland prohibits the exportation from that Province of any wildlife or parts thereof except by virtue of a permit issued by the Minister of Forest Resources and Agri-Foods.
- 2. "Big game" includes bear, moose, caribou, and all members of the deer family.
- 3. "Fur-bearing animal" means beaver, fisher, fox, lynx, marten, mink, muskrat, otter, squirrel, weasel, wolf, and wolverine.
- 4. "Game" includes big game, small game, fur bearing animals, and porcupines.
- 5. "Small game" includes ptarmigan (partridge), ruffed grouse, spruce grouse, wild duck, wild geese, snipe, rabbits (varying hares) and arctic hares.
- 6. "Wild bird" means any bird other than a domestic bird.
- 7. "Wildlife" means any wild animal or bird to which the provisions of the Act or Regulations apply, and includes the furs, skins and other parts of them and the eggs of such birds.
- 8. The provisions of paragraph 1 of this appendix will apply to the exportation of big game, fur-bearing animals, game, small game, and wild birds and parts thereof.
- 9. Any questions concerning export permits should be referred to:

Inland Fish and Wildlife Division
Department of Forest Resources and Agri-Foods
Government of Newfoundland
Building 810, Pleasantville
St. John's NF A1B 4J6

Telephone: (709) 729-2817

APPENDIX K

YUKON TERRITORY

- 1. Wildlife export provisions are contained in the *Wildlife Act* (RSY1982C178). Section 30 states that "no person shall ship or remove any wildlife or any part of the carcass of wildlife from the Yukon." (unless under the authorization of a Yukon permit).
- 2. "Wildlife" means a vertebrate animal of any species or type that is wild by nature in the territory, but does not include fish.
- 3. Section 21 of the *Wildlife Regulations* (OLC 1982/1989) states that no person shall export any wildlife or any part of the carcass of wildlife unless he has complied with all necessary submissions, paid the necessary export fees, where required and completed all required forms (i.e., Export permits).
- 4. Any mountain sheep horns must contain a metal plug insert prior to any export (section 38 of the *Wildlife Regulations*).
- 5. No person shall export any live bird or prey unless there is a band affixed to it (section 21(2) of the *Wildlife Regulations*).
- 6. Any questions concerning export permits should be directed to:

Field Services Branch Department of Renewable Resources (R-7) P.O. Box 2703 Whitehorse YT Y1A 2C6

Telephone: (867) 667-5221 Facsimile: (867) 393-6206

APPENDIX L

NORTHWEST TERRITORIES

- 1. Subsection 59(1) of the *Wildlife Act* of the Northwest Territories states, in part, that "No person shall export . . . to a place outside the territories unless the shipment has attached thereto an export permit issued under this ordinance" Subsection 61(1) states that an export permit for the exportation of the meat of game authorizes only the exportation of the prescribed quantities of meat and authorizes only the person who has lawfully killed that game to export it.
- 2. Under the *Wildlife Act*:
 - (a) "game" means big game, fur-bearing animals and small game, but does not include skin...
 - (b) "wildlife" means a vertebrate or any part thereof, except a fish, that in its natural range is found wild in nature and is naturally occurring in the territories.
- 3. Any questions concerning export permits should be directed to:

Enforcement and Legislative Service
Department of Resources, Wildlife and Economic Development
Government of the Northwest Territories
P.O. Box 1320
Yellowknife NT X1A 2L9

Telephone: (403) 873-7905 Facsimile: (403) 873-0157

APPENDIX M

NUNAVUT

Legislative Provisions

1. Wildlife Act, Section 59(1): No person shall export or receive for export any wildlife other than a manufactured product to a place outside the territories unless the shipment has attached to it an export permit issued under this Act that contains a true statement of the species and quantities being exported.

Definitions

- 2. Wildlife is defined as . . . a vertebrate, except fish as defined in the *Fisheries Act* (Canada) that in its natural range is found wild in nature and is naturally occurring in the territories, and any part of that vertebrate and includes an egg of that vertebrate.
- 3. Manufactured product is defined as . . . wildlife prepared for use as or in an article to be sold or a garment; or preserved or prepared by a tanning or taxidermy process.

Summary

4. All wildlife and wildlife parts being exported out of Nunavut require a Nunavut Wildlife Export Permit. The only exceptions are for manufactured products, which include clothing, processed products, or tanned products. These permits are available free of charge from the Wildlife Officer in most Nunavut communities.

Additional Information

5. All inquiries regarding wildlife export requirements should be directed to:

Legislation and Enforcement Section Wildlife Division Department of Sustainable Development Government of Nunavut P.O. Box 1870 Iqaluit NU XOA 0H0

Telephone: (867) 975-5950 Facsimile: (867) 975-5990

APPENDIX N

SCHEDULE II OF THE WILD ANIMAL AND PLANT TRADE REGULATIONS (OTHER SPECIES REQUIRING AN IMPORT PERMIT)

Fauna

	Column I	Column II	Column III
Item	Regulated Taxa	English Common Name	French Common Name
1.0.0	MAMMALIA		
1.1.0	CARNIVORA		
1.2.0	CANIDAE		
	(1) Nyctereutes procyonoides	Racoon dog	Chien viverrin
1.2.1	HERPESTIDAE	Mongooses	Mangoustes
	(1) Atilax spp. (2) Bdeogale (=Galeriscus) spp. (3) Crossarchus spp. (4) Cynictis spp. (5) Dologale spp. (6) Galerella spp. (7) Galidia spp. (8) Galidictis spp. (9) Helogale spp. (10) Herpestes (=Xenogaie, Galerella) spp. (11) Ichneumia spp. (12) Liberiictis spp. (13) Mungos spp. (14) Mungotictis spp. (15) Paracynictis spp. (16) Rhynchogale spp. (17) Salanoia spp. (18) Suricata spp.,		
2.0.0	AVES		
2.1.0	PASSERIFORMES		
	 (1) Sturnidae spp. (except Gracula religiosa and Sturnus vulgaris) / (1) Sturnidae spp. (sauf Gracula religiosa et Sturnus vulgaris) 	Starlings, mynas and oxpeckers	Étourneaux, mainates et pique-boeufs

APPENDIX O

ENVIRONMENT CANADA REGIONAL OFFICES AND HEADQUARTERS

Atlantic Region

New Brunswick, Prince Edward Island

Wildlife Enforcement Division Environment Canada Environmental Science Centre P.O. Box 23005 Moncton NB E1A 6S8

Telephone: (506) 851-2900 Facsimile: (506) 851-6608

Nova Scotia, Newfoundland and Labrador

Wildlife Enforcement Division Environment Canada 45 Alderney Drive Dartmouth NS B2Y 2N6

Telephone: (902) 426-8606 Facsimile: (902) 426-4457

Quebec Region

East of Trois-Rivières

Wildlife Enforcement Division Environment Canada 1141 route de l'Église Sainte-Foy QC G1V 4H5

Telephone: (418) 649-6124 Facsimile: (418) 649-6475

Montréal (West of Trois-Rivières)

Wildlife Enforcement Division Environment Canada 105 McGill Street Montréal QC H2Y 2E7

Telephone: (514) 283-4126 Facsimile: (514) 283-4113

Ontario Region

Wildlife Enforcement Division Environment Canada 867 Lakeshore Road Burlington ON L7R 4A6

Telephone: (905) 336-6410 Facsimile: (905) 336-4633

Prairie and Northern Region

Manitoba, Saskatchewan, Alberta, and Northwest Territories

Wildlife Enforcement Division Environment Canada 115 Perimeter Road Saskatoon SK S7N 0X4

Telephone: (306) 975-4799 Facsimile: (306) 975-6061

Pacific and Yukon Region

British Columbia and Yukon

Wildlife Enforcement Division Environment Canada 224 West Esplanade North Vancouver BC V7M 3H7

Telephone: (604) 666-5892 Facsimile: (604) 666-0048

Headquarters

Office of the CITES Administrator Canadian Wildlife Service Environment Canada 351 St-Joseph Boulevard Hull QC K1A 0H3

Telephone: (819) 997-1840 -

for public enquiries

Facsimile: (819) 953-6283

Office of Enforcement Environmental Protection Wildlife Division Environment Canada 351 St-Joseph Boulevard Hull QC K1A 0H3

Telephone: (819) 953-1424 Facsimile: (819) 953-3459

Note: For **emergencies** that occur after hours and weekends, if you are unable to contact an Environment Canada Wildlife inspector, you can call the National Environmental Emergency Centre at (819) 997-3742.

REFERENCES

ISSUING OFFICE -

Admissibility Programs Division Trade Policy and Interpretation Directorate

LEGISLATIVE REFERENCES -

Wild Animals and Plant Protection and Regulation of International and Interprovincial Trade Act

HEADQUARTERS FILE –

7614-7, 7626-2

SUPERSEDED MEMORANDA "D" -

D19-13-1, July 17, 1998

OTHER REFERENCES -

D19-1-1, D19-7-1

Services provided by the Canada Customs and Revenue Agency are available in both official languages.

This Memorandum is issued under the authority of the Commissioner of Customs and Revenue.