The Captive Wildlife Regulations

being

Chapter W-13.1 Reg 13 (effective August 27, 1982)
as amended by Saskatchewan Regulations
85/83, 90/85, 84/87, 53/1999 and 35/2008.

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER W-13.1 REG 13

The Wildlife Act

Title

1 These regulations may be cited as *The Captive Wildlife Regulations*.

Interpretation

2 In these regulations:

(a) **"adult"**, with respect to wildlife, means wildlife one year of age or older;

(b) **"band"** means a leg marker issued by the department bearing identifying marks specific to that band;

(c) **"commercial wildlife farm"** means a location where native wildlife is held for commercial purposes;

(d) **"enclosure"** means a place where wildlife is confined and constructed so that the confined wildlife has no means of escape, and includes pens, fences, shelters and buildings;

(e) **"falconry"** means the sport of training or using a raptor for the purpose of hunting;

(f) **"game bird farm"** means a location where native upland game birds are held for non-commercial purposes;

(g) **"native"** means a wildlife species common to Saskatchewan and living in established wild populations;

(h) **"raptor"** means a bird of prey and includes the birds of all species of the following families:

(i) *Accipitridae*, including *Accipitrinae* the Bird Hawks;

(ii) *Buteoninae* the Broad-winged Hawks and Eagles;

(iii) *Circinae* the Harriers;

(iv) *Pandionidae* the Osprey;

(v) *Falconidae* the Falcons; and

(vi) *Tytonidae* and *Strigidae* the Owls;

(i) **"resource officer"** means an officer of the department designated as a resource officer;

(j) **"shelter"** means a building, den, denning box or house that protects wildlife from weather and constructed so that it is waterproof and windproof on at least three sides and the roof;

(k) **"upland game bird"** includes the following birds and the birds of all species of the following families:

(i) *tetraonidae*, commonly known as grouse, including ruffed grouse, spruce grouse, prairie chickens, sharp-tailed grouse, sage grouse and ptarmigans; and

(ii) *phasianidae*, commonly known as pheasants and partridges, including ring-necked pheasants and European grey or Hungarian partridges;

(l) **"veterinarian"** means a Doctor of Veterinary Medicine;

(m) **"zoo"** means a location where captive wildlife is held primarily for public display purposes.

3 Sep 82 cW-13.1 Reg 13 s2; 30 Jne 83 SR 85/83 s3.

Licence not required

3 A person may hold in captivity, without a licence:

(a) the following native wildlife species:

(i) Reptilia (snakes) other than rattlesnakes, eastern yellow-bellied racers, northern red-bellied snakes, eastern short-horned lizards or turtles that have not been reared in captivity;

(ii) Amphibia (frogs, toads and salamanders);

(iii) Lagomorpha (rabbits and hares);

(iv) Insectivora (shrews and moles);

(v) Rodentia (rodents) other than ord's kangaroo rat, red squirrels, muskrats, beaver or black-tailed prairie dogs;

(vi) raccoons;

(vii) crows, magpies, cowbirds, blackbirds, grackles, starlings, English sparrows and common pigeons; and

(viii) bison that have been reared in captivity; and

(b) the following exotic wildlife species:

(i) finches, macaws, budgies, parrots, cockatiels, parakeets, lovebirds, peacocks, guinea fowl, turkeys, chukar partridges, bobwhite quail and pheasants other than ring-necked pheasants;

(ii) guinea pigs, rats, mice, gerbils, hamsters and ferrets;

(iii) lizards, crocodilians and snakes other than poisonous snakes or snakes of the family Boidae (constrictors); and

(iv) frogs, toads, newts and salamanders; but is otherwise subject to these regulations.

3 Sep 82 cW-13.1 Reg 13 s3; 23 Aug 85 SR 90/85 s3.

Exemption

3.1 A person who holds a valid and subsisting licence issued pursuant to *The Game Farming and Game Products Merchandising Regulations*, being chapter A-20.2 Reg 2 of *The Revised Regulations of Saskatchewan*:

(a) may hold in captivity the game animals, as described in those regulations, that are covered under his licence;

(b) is exempt from sections 4 to 6, subsection 7(2), sections 8 to 11, 14 to 17, subsection 18(1) and sections 21 to 24 of these regulations; and

(c) may traffic in the game animals, as described in those regulations, that are covered under his licence but only to the extent permitted by those regulations and his licence.

7 Aug 87 SR 84/87 s3.

Licence required

4(1) No person shall hold in captivity any wildlife other than those species exempted pursuant to section 3 unless he or she holds:

(a) where he or she is operating a zoo or a commercial wildlife farm or is raising raptors for falconry purposes, a captive wildlife licence; or

(b) where he or she is holding native upland game birds only, a captive game bird farm licence.

(2) Subject to any terms and conditions that the director considers appropriate, the director may issue a captive wildlife licence to or renew a captive wildlife licence of any person who makes an application for the licence.

(3) A resource officer may issue a captive game bird farm licence to or renew a captive game bird farm licence of any person who makes an application for the licence.

(4) A licence issued or renewed pursuant to this section is valid:

(a) for the period specified on the licence; and

(b) for the location specified on the licence.

(5) A licence issued or renewed pursuant to this section may be issued or renewed for any period not exceeding one year.

30 May 2008 SR 35/2008 s3.

Licence renewal

5(1) A holder of a captive wildlife licence shall within 15 days of the expiry of his licence provide to the director:

(a) a complete list of the disposition of and the number of each species of wildlife held during the past year that are no longer in his possession and when each was disposed of;

(b) a complete list of the number and species of wildlife presently being held and where, from whom and when each was obtained; and

(c) an application for renewal of the licence or a report of his intention not to renew the licence.

(2) A holder of a captive game bird farm licence shall within 15 days of the expiry of his licence provide to a resource officer:

(a) a complete list of the disposition of any native upland game birds held during the past year;

(b) a complete list of the native upland game birds presently being held and where, from whom and when each was obtained; and

(c) an application for renewal of the licence or a report of his intention not to renew the licence.

3 Sep 82 cW-13.1 Reg 13 s5.

Written confirmation

6 No person shall apply for a licence to hold captive wildlife unless he provides written confirmation that the council of the municipality in which he lives is not opposed to his holding captive wildlife.

3 Sep 82 cW-13.1 Reg 13 s6; 30 Jne 83 SR 85/83 s4.

Liability and insurance

7(1) The department is not responsible for any damage or injury to persons or property with respect to any wildlife held in captivity.

(2) A person holding captive wildlife shall have sufficient liability insurance to indemnify against any claim for loss of life, bodily injury or property damage caused to any person as a result of the captive wildlife.

3 Sep 82 cW-13.1 Reg 13 s7.

Commercial wildlife farms

8(1) No person shall hold wildlife other than native wildlife when operating a commercial wildlife farm.

(2) A person operating a commercial wildlife farm is subject to any terms and conditions attached to his captive wildlife licence.

(3) No person shall sell any wildlife from a commercial wildlife farm except under a licence issued by the director.

(4) Notwithstanding subsection (3), a holder of a captive wildlife licence operating a commercial wildlife farm may, without a licence, sell live wildlife to any other holder of a captive wildlife licence operating a commercial wildlife farm.

3 Sep 82 cW-13.1 Reg 13 s8; 23 Aug 85 SR 90/85 s4.

Acquisition of wildlife

9(1) No person shall obtain wildlife to be held in captivity except from a person who holds that wildlife under a valid licence or unless authorized by the director.

(2) A person who obtains wildlife to be held in captivity shall immediately upon obtaining the wildlife report its acquisition to a resource officer.

3 Sep 82 cW-13.1 Reg 13 s9.

Records and inspection

10(1) A person holding captive wildlife shall keep records of where and when each particular wildlife item was obtained, the veterinarian's name and the date the wildlife was tested for disease.

(2) A person holding captive wildlife shall upon the request of a resource officer permit that resource officer to inspect the wildlife, enclosures and records.

3 Sep 82 cW-13.1 Reg 13 s10.

Escape from captivity

11(1) No person holding captive wildlife shall allow the wildlife to roam free, escape or be released to the wild unless authorized by the director.

(2) A person whose wildlife escapes from captivity shall immediately make all reasonable efforts to restore the escaped wildlife to captivity and report the full details of the escape to a resource officer.

3 Sep 82 cW-13.1 Reg 13 s11.

Raptors

12(1) A person holding raptors under a captive wildlife licence shall make the birds available for banding and shall record the band numbers on his captive wildlife licence.

(2) No person shall remove or tamper with a band from a raptor unless authorized by the director.

(3) Within 15 days of the death of a raptor held under a captive wildlife licence, the licensee shall remove the band and return it to the director accompanied by a written statement indicating the cause of death.

3 Sep 82 cW-13.1 Reg 13 s12.

Import and export

13(1) Any person importing or exporting wildlife or parts of wildlife shall obtain an import or export licence, as the case requires, pursuant to section 30 of the Act.

(2) Notwithstanding subsection (1) but subject to subsection (3), a person who holds a valid licence pursuant to *The Domestic Game Farm Animal Regulations* may export domestic game farm animals without an export licence.

(3) A person who holds a valid and subsisting licence described in subsection (2) who imports or exports wildlife for a purpose other than that mentioned in subsection (2) shall comply with subsection (1).

3 Sep 82 cW-13.1 Reg 13 s13; 7 Aug 87 SR 84/87 s4; 9 Jly 99 SR 53/1999 s2.

Diseased wildlife

14(1) No person shall, without the authorization of the director, keep in captivity any wildlife known or believed to be diseased or allow that wildlife to be transferred to another person.

(2) No person shall accept or obtain wildlife known or believed to be diseased.

(3) The director may:

(a) order any captive wildlife be destroyed that he believes to be diseased; or

(b) order the wildlife farm be quarantined when disease is found until he is satisfied that the disease is under control.

3 Sep 82 cW-13.1 Reg 13 s14.

Quarantine

15(1) No person shall import any wildlife into Saskatchewan unless a veterinarian examines the wildlife and determines it to be free from those diseases described in subsection (3).

(2) A person who imports any wildlife into Saskatchewan shall:

(a) hold the wildlife in quarantine for a period of not less than 14 days to ensure that no disease is present; and

(b) have any wildlife that shows signs of disease during the quarantine period examined by a veterinarian.

(3) A veterinarian who examines wildlife as required pursuant to subsection (1) or clause (2)(b) shall test:

(a) ungulates for brucellosis, bluetongue, tuberculosis and any other diseases designated by the director; and

(b) any species specified by the director for any diseases that the director may designate.

(4) A person who imports wildlife into Saskatchewan shall provide a copy of the veterinarian's report as a result of his examination of the wildlife as required pursuant to subsection (1) and clause (2)(b) to the resource officer to whom he reported the acquisition.

23 Aug 85 SR 90/85 s5.

Reports re diseased wildlife

16(1) A person who imports any wildlife that dies within 30 days of its acquisition shall report the death immediately to a resource officer.

(2) A person holding captive wildlife shall immediately report any incidence of disease to the director.

(3) A person who holds captive wildlife shall immediately upon finding any dead captive wildlife, where disease may possibly be the cause, have the dead wildlife examined by a veterinarian and report the findings to the director.

3 Sep 82 cW-13.1 Reg 13 s16.

Enclosures generally

17(1) No person shall hold captive wildlife unless the wildlife is retained in a suitable enclosure as specified in these regulations or, in cases not specified in these regulations, that meets the approval of the director.

(2) No person shall tether wildlife in any manner.

(3) No person shall hold captive wildlife unless the enclosure consists of an outside run and a shelter.

3 Sep 82 cW-13.1 Reg 13 s17.

Enclosures for captive animals

18(1) Ungulates are to be kept in a vertical enclosure not less than 2.1 metres high consisting of an area of not less than 1,000 square metres for up to five adult animals and an additional area of 50 square metres for each additional adult animal and containing a shelter sufficient to house the number of ungulates held.

(2) Large carnivores are to be kept in an enclosure with a top or constructed in any other manner necessary to prevent escape over the fence and consisting of:

(a) in the case of wolves, wolverine, bears and coyotes, an area of not less than 200 square metres for up to two adult animals and an additional area of 20 square metres for each additional adult animal; or

(b) in the case of cougar and foxes, an area of not less than 150 square metres for up to two adult animals and an additional area of 10 square metres for each additional adult animal.

(3) Small animals are to be kept in an enclosure:

(a) in the case of badgers, otter, beaver, porcupines, rabbits, hares, prairie dogs, woodchucks, bobcats and lynx, consisting of an area of not less than 40 square metres for up to two adult animals and an additional area of four square metres for each additional adult animal, and, in the case of bobcats and lynx, with a top;

(b) in the case of fisher, marten, raccoons and skunks, with a top and consisting of an area of not less than 20 square metres for up to two adult animals and an additional area of two square metres for each additional adult animal; or

(c) in the case of mink, weasel, squirrels, ground squirrels and chipmunks, with a top and consisting of an area of not less than 10 square metres for up to two adult animals and an additional area of two square metres for each additional adult animals.

(4) In addition to the enclosures required in subsections (2) and (3), a person shall provide shelters adequate for the protection and comfort of the animals.

(5) A person holding beaver or otter in captivity shall provide a six square metre bathing pool.

3 Sep 82 cW-13.1 Reg 13 s18.

Licensed fur farms

18.1(1) Notwithstanding clause 18(2)(b), a person who raises foxes commercially on a licensed fur farm may use, for each fox, enclosures of not less than 90 cm in height, 90 cm in width and 150 cm in length.

(2) Notwithstanding clause 18(3)(c), a person who raises mink commercially on a licenced fur farm may use, for each mink, pens of not less than 45 cm in height, 30 cm in width and 60 cm in length.

(3) Notwithstanding clause 18(2)(a), a person who raises coyotes commercially on a licensed fur farm may use, for each coyote, an enclosure of not less than 120 centimetres in height, 120 centimetres in width and 200 centimetres in length.

30 Jne 83 SR 85/83 s6; 23 Aug 85 SR 90/85 s6.

Enclosures for captive birds

19(1) Upland game birds over 10 weeks of age are to be kept in an enclosure with a top, not less than 2.5 metres high and consisting of an area of not less than four square metres per bird and containing a completely enclosed shelter sufficient to house the number of birds held.

(2) Raptors are to be kept in an enclosure with a top, not less than three metres high and consisting of an area of not less than 25 square metres per adult bird and containing a shelter sufficient to house the number of raptors held.

(3) Notwithstanding section 17, raptors held for falconry purposes may be tethered or held in an enclosure suitable to provide limited unobstructed movement but are to be provided with a shelter adequate for the protection and comfort of the birds.

3 Sep 82 cW-13.1 Reg 13 s19.

Dangerous wildlife

20(1) No person shall hold captive wildlife which is dangerous by nature or known to be dangerous except in an enclosure which is surrounded by a secondary fence constructed so that the public cannot enter within one metre of the enclosure.

(2) A person holding dangerous wildlife shall post signs in conspicuous places warning the public that the wildlife is dangerous.

3 Sep 82 cW-13.1 Reg 13 s20.

Enclosures to be locked

21 No person shall hold captive wildlife unless the enclosure is securely locked so as to prevent public access to the enclosure or the escape of the wildlife.

3 Sep 82 cW-13.1 Reg 13 s21.

Use of natural barriers

22 Notwithstanding any other provision of these regulations, the director may, in his discretion, authorize a zoo operator to use natural barriers to contain wildlife in lieu of enclosures.

3 Sep 82 cW-13.1 Reg 13 s22.

Maintenance of captive wildlife

23 A person holding captive wildlife shall, in the discretion of the director:

(a) keep a fresh and adequate water supply available at all times;

(b) provide a fresh, nutritive, uncontaminated and adequate food supply at least once daily;

(c) keep the enclosure sanitary and in an attractive and presentable condition;

(d) clean the enclosure regularly as required;

(e) clean the bathing pool and change or filter the water in the bathing pool regularly as required; and

(f) keep the wildlife in a humane manner.

3 Sep 82 cW-13.1 Reg 13 s23.

Destruction of wildlife

24 The destruction of any wildlife shall be accomplished in as painless and humane a manner as possible.

3 Sep 82 cW-13.1 Reg 13 s24.

Falconry

25(1) In this section,**"licensed falconer"** means a person who holds a captive wildlife licence for falconry purposes.

(2) No person is eligible to be issued a captive wildlife licence for falconry purposes to hold raptors unless he or she:

(a) has previously held a captive wildlife licence for falconry purposes;

(b) has been apprenticed to a licensed falconer for one year and is sponsored by that licensed falconer;

(c) provides documentation satisfactory to the director that he or she is a qualified falconer from another jurisdiction; or

(d) is sponsored by a Saskatchewan falconry association that is recognized by the director.

(3) No person to whom a captive wildlife licence for falconry purposes has been issued shall have more than two raptors taken from the wild in his or her possession for falconry purposes.

(4) Without restricting the meaning of wildlife, for the purposes of this section, **"raptor"** includes:

(a) a raptor taken from the wild; and

(b) a raptor born and raised in captivity.

30 May 2008 SR 35/2008 s4.

Repeal

26 Saskatchewan Regulations 53/69 are repealed.

3 Sep 82 cW-13.1 Reg 13 s26.

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