



Wildlife Act

WILDLIFE ACT GENERAL REGULATION

B.C. Reg. 340/82

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Consolidated Regulations of British Columbia

This is an unofficial consolidation.

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This consolidation includes any amendments deposited and in force as of the currency date at the bottom of each page. See the end of this regulation for any amendments deposited but not in force as of the currency date. Any amendments deposited after the currency date are listed in the B.C. Regulations Bulletins. All amendments to this regulation are listed in the *Index of B.C. Regulations*. Regulations Bulletins and the Index are available online at www.bclaws.ca.

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Wildlife Act

WILDLIFE ACT GENERAL REGULATION

B.C. Reg. 340/82

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B.C. Reg. 340/82

1 Repealed. [B.C. Reg. 166/2001, s. 6.]

Definitions

1.001 In this regulation:

“**Act**” means the *Wildlife Act*;

“**FWID number**”, in relation to a person, means a unique number assigned to the person by the director as that person’s fish and wildlife identification number.

[en. B.C. Reg. 127/2017, App. 8, s. 1.]

DIVISION 1 – RELEASE OF ANIMALS

Falconry exemption

1.01 Where a person is legally in possession of a raptor and the person uses the bird for the purposes of falconry, the person is for those purposes exempted from section 77 (2) of the Act.

[am. B.C. Reg. 74/2017, App. 6, s. 1.]

Native non-wildlife exemption

1.02 Where a person keeps an animal that

(a) is not designated as wildlife, and

(b) is native to the Province or occurs naturally in the wild in the Province

and releases the animal in an area of the Province where it naturally occurs, the person is for that purpose exempted from section 77 (2) of the Act.

[am. B.C. Reg. 74/2017, App. 6, s. 1.]

1.03 Repealed. [B.C. Reg. 220/2000, s. 1.]

Captive game bird exemption – private land

1.04 A person who releases on private land a pheasant, quail, partridge or wild turkey which is hatched and raised in captivity is for that purpose exempt from section 77 of the Act.

[en. B.C. Reg. 151/83, s. (a).]

DIVISION 2

2.01 and **2.02** Repealed. [B.C. Reg. 168/90, s. 2.]

DIVISION 3 – INFORMATION FOR SEARCH WARRANT**Form of information**

- 3.01** An information for the purposes of section 92 of the Act may be in the form provided as Form 1 in the Schedule to the *Offence Act*.

[am. B.C. Reg. 138/2013, s. (b).]

DIVISION 4 – TRANSPORTING WILDLIFE OR FISH**Definitions**

- 4.001** In this Division:

“**authorization**” means a licence, permit or limited entry hunting authorization;

“**licence year**” has the same meaning as in the Hunting Licensing Regulation, B.C. Reg. 8/99, or the Angling and Scientific Collection Regulation, B.C. Reg. 125/90, as applicable.

[en. B.C. Reg. 1/2019, Sch. 6, s. 1.]

Demonstrating that authorizations were held

- 4.002** For the purposes of sections 4.01 and 4.07, a person may demonstrate that the person held an authorization by

- (a) producing the authorization, or
- (b) except with respect to an authorization described in section 20.05 (2),
 - (i) producing a legible copy of the authorization, or
 - (ii) stating the person’s FWID number, if the authorization is one of the following:
 - (A) a hunting licence issued with respect to a licence year that began on or after April 1, 2017;
 - (B) a special area licence required by Part 2 or 3 of the Hunting Licensing Regulation issued with respect to a licence year that began on or after April 1, 2017;
 - (C) an upland game bird licence issued with respect to a licence year that began on or after April 1, 2018;
 - (D) a limited entry hunting authorization issued with respect to an open season that began on or after April 1, 2017.

[en. B.C. Reg. 1/2019, Sch. 6, s. 1.]

Transport by person who killed or took wildlife or fish

- 4.01** (1) For the purposes of section 37 of the Act, a person may ship or transport wildlife or fish or parts of them where the person
- (a) has killed or taken them,
 - (b) personally accompanies them, and

WILDLIFE ACT GENERAL REGULATIONDivision 4 – Transporting Wildlife or Fish

- (c) is able to demonstrate, while shipping or transporting the wildlife, fish or parts, that the person held all authorizations that that person was required under the Act to hold in order to kill or take the wildlife or fish lawfully.
- (2) In addition to the requirement under subsection (1) (c), a person must carry, while shipping or transporting wildlife or parts, all species licences for the species of wildlife or parts being shipped or transported, whether cancelled or not, issued to the person for the current licence year if
 - (a) the person is required to hold a species licence for that species, and
 - (b) the wildlife was killed or taken in the current licence year.

[am. B.C. Regs. 74/2017, App. 6, s. 2; 1/2019, Sch. 6, s. 2.]

Transport for another person

- 4.02** For the purposes of section 37 of the Act, a person may offer to ship or transport, or engage another person to ship or transport, wildlife or fish or parts of them where they are lawfully in his or her possession or in the possession of the person on whose behalf he or she offers to ship or transport or engages another person to ship or transport them.

[am. B.C. Reg. 74/2017, App. 6, s. 3.]

Transport with record of receipt

- 4.03** For the purposes of section 37 of the Act, a person may ship or transport wildlife or fish killed or taken by another person or parts of them where he or she has in his or her immediate possession a record of receipt of the wildlife or fish or parts of them showing
- (a) the date and place of receipt,
 - (b) the name, address and, if one has been issued to the person, FWID number of the person who killed or took the wildlife or fish or from whom the wildlife or fish or parts of them were acquired,
 - (c) the type and number of each authorization that the person who killed or took the wildlife or fish was required under the Act to hold in order for the wildlife or fish to be killed or taken lawfully,
 - (d) the name and address of the person to whom the wildlife or fish or parts are to be delivered, and
 - (e) the species and sex of the animal if it is a big game animal.

[am. B.C. Regs. 239/84, s. 1; 74/2017, App. 6, s. 4; 1/2019, Sch. 6, s. 3.]

Transport by trapper, trader, taxidermist or tanner

- 4.04** For the purposes of section 37 of the Act,
- (a) a person who holds a trapping licence or fur traders licence,
 - (b) a taxidermist, or
 - (c) a tanner

may ship or transport wildlife or fish or parts of them lawfully in his or her possession where

- (d) he or she personally accompanies them, or
- (e) he or she identifies each package with his or her name and address and completes a written declaration that accompanies the shipment stating
 - (i) the contents of the shipment,
 - (ii) the number of packages in the shipment,
 - (iii) the name and address of the consignee, and
 - (iv) the royalty fur export permit number or game export permit number as appropriate.

[am. B.C. Reg. 74/2017, App. 6, s. 5.]

Other transport

4.05 For the purposes of section 37 of the Act, a person, other than

- (a) a fur trader,
- (b) a taxidermist, or
- (c) a tanner

engaged in his or her calling, may ship or transport, or offer to ship or transport, dead wildlife or fish or parts of them

- (d) that have been tanned or processed into manufactured items, or
- (e) obtained from a licenced commercial outlet.

[am. B.C. Reg. 74/2017, App. 6, s. 6.]

4.06 Repealed. [B.C. Reg. 91/96, s. 1.]

Transport by supervising hunter

4.07 (1) For the purposes of section 37 of the Act, a supervising hunter may ship or transport wildlife if

- (a) the wildlife was killed or taken by the person he or she accompanied for the purposes of the Act,
- (b) he or she personally accompanies the wildlife, and
- (c) he or she is able to demonstrate, while shipping or transporting the wildlife, that he or she held all authorizations that he or she was required under the Act to hold in order for the wildlife to be killed or taken lawfully.

(1.1) In addition to the requirement under subsection (1) (c), the supervising hunter must carry, while shipping or transporting wildlife or its parts, all species licences for the species of wildlife being shipped or transported, whether cancelled or not, issued to the supervising hunter for the current licence year, if

- (a) the supervising hunter is required to hold a species licence for that species, and
- (b) the wildlife was killed or taken in the current licence year.

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- (2) In this section “**supervising hunter**” has the same meaning as in the Hunting Licensing Regulation.

[en. B.C. Reg. 38/2013, App. 6, s. 1; am. B.C. Reg. 1/2019, Sch. 6, s. 4.]

DIVISION 5

5.01 Repealed. [B.C. Reg. 168/90, s. 2.]

DIVISION 6 – COMMERCIAL VENDORS**Commercial vendor commission**

- 6.01** A commercial vendor of licences issued under the Act may retain a commission of \$1.50 per licence issued by him or her.

[en. B.C. Reg. 85/2003.]

DIVISION 7 – LICENCE CANCELLATION AND INELIGIBILITY**Definition**

- 7.01** In this Division, “**conviction**” includes the granting of an absolute or conditional discharge.

[en. B.C. Reg. 426/98.]

Prescribed offences

- 7.02** (1) It is a second or subsequent offence for the purpose of section 24 (8) (e) of the Act to commit an offence under the regulations made under the Act, or under the Act and not listed in section 24 (8) (a) to (d) of the Act, within 2 years from conviction for an offence under the *Firearm Act*, the Act or the regulations made under the Act.
- (2) Repealed. [B.C. Reg. 340/2005, s. 13.]
- (3) It is a second or subsequent offence for the purpose of section 24 (10) (c) of the Act to commit an offence under the regulations made under the Act, or under the Act and not listed in section 24 (10) (a) to (b) of the Act, within 2 years from conviction for an offence under the *Firearm Act*, the Act or the regulations made under the Act.

[en. B.C. Reg. 426/98; am. B.C. Reg. 340/2005, s. 13.]

Calculation of a period of ineligibility

- 7.03** (1) For the purposes of section 7.04, a period of ineligibility is calculated from
- (a) the date of conviction, or
 - (b) the date a court makes a disposition under the *Young Offenders (British Columbia) Act*.

- (2) Despite subsection (1), if a person is convicted of offences that result in more than one period of ineligibility under this Division, those periods run consecutively.
- (3) Despite subsection (1), if a person is ineligible to hold a licence on the date referred to in subsection (1) (a) or (b), the period of ineligibility described in section 7.04 runs consecutively with the person's current period of ineligibility.
[en. B.C. Reg. 426/98.]

Periods of ineligibility for a licence

- 7.04**
- (1) A person convicted of an offence listed in Column 1 of the Table in this section is ineligible to obtain a hunting licence for the period for that offence indicated in Column 3 of the Table.
 - (2) A person convicted of an offence listed in Column 2 of the Table in this section is ineligible to obtain an angling licence for the period for that offence indicated in Column 3 of the Table.
 - (3) Repealed. [B.C. Reg. 340/2005, s. 14 (a).]
 - (4) Despite subsection (1), a person is ineligible to obtain a hunting licence for one year, if
 - (a) the person is convicted of an offence under the *Firearm Act*, under the Act, or under regulations made under the Act, not relating to angling or an angling licence, and
 - (b) the person has within the 2 years prior to the conviction been convicted of an offence under the *Firearm Act*, under the Act, or under regulations made under the Act.
 - (5) Despite subsection (2), a person is ineligible to obtain an angling licence for one year, if
 - (a) the person is convicted of an offence under the Act, or under regulations made under the Act, relating to angling or an angling licence, and
 - (b) the person has within the 2 years prior to the conviction been convicted of an offence under the *Firearm Act*, under the Act, or under regulations made under the Act.
 - (6) Despite subsections (1) to (5), if a person is convicted of
 - (a) an offence listed in Column 1 of the Table in this section and the person has within 2 years prior to the conviction been convicted of an offence under the *Firearm Act*, under the Act, or under regulations made under the Act, not relating to angling or an angling licence, the person is ineligible to obtain a hunting licence for 3 years,
 - (b) an offence listed in Column 2 of the Table in this section and the person has within 2 years prior to the conviction been convicted of an offence under the Act, or under regulations made under the Act, relating to angling or an

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Division 7 – Licence Cancellation and Ineligibility

angling licence, the person is ineligible to obtain an angling licence for 3 years, and

(c) Repealed. [B.C. Reg. 340/2005, s. 14 (a).]

(7) Despite subsections (1) to (6), if a person is convicted of an offence under section 26 (1) (a), (e) or (g) of the Act and the person has within 2 years prior to the conviction been convicted under the *Firearm Act*, under the Act, or under regulations made under the Act, not relating to angling or an angling licence, the person is ineligible to obtain a hunting licence for 5 years.

(8) In this section, “**licence year**” has the same meaning as in the Hunting Licensing Regulation, B.C. Reg. 8/99, or the Angling and Scientific Collection Regulation, B.C. Reg. 125/90, as applicable.

TABLE

Item	Column 1 Hunting	Column 2 Angling	Column 3 Period
1	<i>Firearm Act</i> – section 3		3 years
2	<i>Wildlife Act</i> – section 22		2 years
3	<i>Wildlife Act</i> – section 24 (6) (a) or (b)	<i>Wildlife Act</i> – section 24 (6) (a) or (d)	2 years
4	<i>Wildlife Act</i> – section 24 (7) (a) or (b)	<i>Wildlife Act</i> – section 24 (7) (a) or (c)	3 years
5	<i>Wildlife Act</i> – section 24 (14) (a) or (b) (i)	<i>Wildlife Act</i> – section 24 (14) (a) or (b) (iii)	3 years
6	<i>Wildlife Act</i> – section 26 (1) (a), (e) or (g)		5 years
7	<i>Wildlife Act</i> – section 26 (1) (f)		3 years
8	<i>Wildlife Act</i> – section 28		3 years
9	<i>Wildlife Act</i> – section 81 with reference to a hunting licence	<i>Wildlife Act</i> – section 81 with reference to an angling licence	1 year
10	<i>Wildlife Act</i> – section 82 (1) (a) or (5) with reference to a hunting licence	<i>Wildlife Act</i> – section 82 (1) (a) or (5) with reference to an angling licence	The remainder of the licence year in which the person is convicted of an offence under section 82 (1) (a) or (5)
11	<i>Wildlife Act</i> – section 82 (1) (b), (c) or (d), (3) or (4) with reference to a hunting licence	<i>Wildlife Act</i> – section 82 (1) (b), (c) or (d), (3) or (4) with reference to an angling licence	2 years

[en. B.C. Reg. 426/98; am. B.C. Regs. 220/2000, s. 2; 340/2005, s. 14; 68/2016, s. (d); 79/2018, App. 4, s. 1.]

Prescribed limits under section 24 (5) and (12) of Act

7.05 The prescribed limit for purposes of section 24 (5) and (12) of the Act is 30 years.

[en. B.C. Reg. 426/98; am. B.C. Reg. 368/99, s. 1.]

7.06 Repealed. [B.C. Reg. 74/2017, App. 6, s. 7.]

DIVISION 8

8.01 Repealed. [B.C. Reg. 157/92, s. 1 (a).]

8.02 Repealed. [B.C. Reg. 17/89, App. 1, s. 1.]

DIVISION 9 – LICENCE YEAR**Definition**

9.01 For section 9.02, “**licence year**” means the period ending on the expiry date indicated on the licence and commencing on April 1 of the previous calendar year.

Licence year

9.02 Except as otherwise provided in the Act and regulations, a licence is valid from and including the later of

- (a) April 1 of the licence year for which it is issued, or
- (b) the date of issue

to March 31 of the licence year.

9.03 Spent.

DIVISION 10 – CAPTIVE WILDLIFE IMPORT AND TRANSPORT EXEMPTIONS**Licence under Fur Farm Regulation exemption**

10.01 (1) A person who possesses or transports fur bearing animals under a licence issued under the Fur Farm Regulation, B.C. Reg. 8/2015, is exempt from sections 33 (1) and 37 of the Act.

(2) A person who holds a licence for a particular species of fur bearing animal under the Fur Farm Regulation and who imports or exports live fur bearing animals of that species from or to another province, is exempt from section 21 (1) of the Act.

[en. B.C. Reg. 220/2000, s. 3; am. B.C. Reg. 8/2015, s. (f).]

Circus exemption

10.02 (1) A person who imports wildlife from, and exports that same wildlife to, another province, as part of a circus whose main place of business is outside British Columbia, is exempt from section 21 (1) of the Act.

WILDLIFE ACT GENERAL REGULATIONDivision 11 – Residency Exemptions

- (2) A person who imports wildlife in the circumstances described in subsection (1) is exempt from sections 33 (1) and 37 of the Act.

[en. B.C. Reg. 220/2000, s. 4.]

10.03 Repealed. [B.C. Reg. 220/2000, s. 5.]

DIVISION 11 – RESIDENCY EXEMPTIONS**Residency exemptions**

11.01 A person who

- (a) is a member of the armed services of Her Majesty raised by Canada and enrolled in continuing full time military service who has made his or her permanent residence in British Columbia for 30 consecutive days immediately before making an application under the Act or doing another thing relevant to the operation of the Act,
- (b) is a Canadian citizen or permanent resident of Canada, who leaves British Columbia to attend a recognized educational institution, and who returns to British Columbia on completion of studies at the institution concerned, or
- (c) is under 18 years of age, has resided with a parent or guardian in another province and returns to British Columbia to reside with another parent or guardian who is a resident,

is, for the purpose of qualifying as a resident, exempt from the requirements set out in paragraph (a) of the definition of “resident” in section 1 of the Act.

[en. B.C. Reg. 340/2005, s. 15; am. B.C. Regs. 159/2008, s. 3; 138/2013, s. (b).]

DIVISION 12 – RETRIEVAL OF WILDLIFE KILLED**Definition**

12.01 In this Division, “**main portion**” means,

- (a) in relation to big game, the edible meat of the four quarters, loins, neck and ribs, and
- (b) in relation to a game bird, the edible meat of both breasts.

[en. B.C. Reg. 52/2018, Sch. 5, s. 1.]

Exemption – small game

12.02 A person who hunts and kills small game, other than a game bird or a fur bearing animal, is exempt from section 35 (2) (b) of the Act in relation to the game killed.

[en. B.C. Reg. 52/2018, Sch. 5, s. 1.]

Exemption – game taken for hide

12.03 A person who hunts and kills game that is a fur bearing animal other than a black bear and removes the hide to any of the following is exempt from section 35 (2) (b) of the Act in relation to the game killed:

- (a) a dwelling place of the person;
- (b) a taxidermist, tanner, fur trader or the owner or operator of a cold storage plant.

[en. B.C. Reg. 52/2018, Sch. 5, s. 1.]

Exemption – game taken for food

12.04 A person who hunts and kills a game bird or big game and makes every reasonable effort to remove the main portions to any of the following is exempt from section 35 (2) (b) of the Act in relation to the game killed:

- (a) the person's normal dwelling place;
- (b) a meatcutter or the owner or operator of a cold storage plant.

[en. B.C. Reg. 52/2018, Sch. 5, s. 1.]

Exemption – transfers of game

12.05 A person who hunts and kills game and transfers the game killed to another person is exempt from section 35 (2) (b) of the Act in relation to the game killed if

- (a) the game is a fur bearing animal other than a black bear and the other person removes the hide to a dwelling place of the other person or to a person described in section 12.03 (b) of this regulation, or
- (b) the other person makes every reasonable effort to remove the edible portions or, in the case of a game bird or big game, the main portions to the other person's normal dwelling place or to a person described in section 12.04 (b) of this regulation.

[en. B.C. Reg. 52/2018, Sch. 5, s. 1.]

DIVISION 13

13.01 and **13.02** Repealed. [B.C. Reg. 168/90, s. 2.]

DIVISION 14

14.01 to **14.03** Repealed. [B.C. Reg. 168/90, s. 2.]

DIVISION 15 – MINIMUM HUNTING AGE**Minimum hunting age**

15.01 (1) A person under the age of 10 years may not hunt wildlife.

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Division 16 – Licence Conditions

- (2) A person who causes or allows a person under the age of 10 years to hunt wildlife commits an offence.

[en. B.C. Reg. 198/99, s. 3.]

DIVISION 16 – LICENCE CONDITIONS**Conditions must be complied with**

- 16.01** A person commits an offence where the person fails to comply with a condition of or an instruction in

- (a) a hunting licence,
- (b) a species licence,
- (c) a special area licence,
- (d) a limited entry hunting authorization,
- (e) an angling licence,
- (f) a non-tidal classified waters angling licence,
- (g) Repealed. [B.C. Reg. 125/89, s. 2.]
- (h) Repealed. [B.C. Reg. 78/2016, s. (c).]
- (i) a guide outfitter licence,
- (j) Repealed. [B.C. Reg. 18/2015, Sch. 3.]
- (k) a fur trader's licence,
- (l) a trapping licence, or
- (m) a transporter licence.

[en. B.C. Reg. 151/83, s. (c); am. B.C. Regs. 97/87, s. (a); 158/88; 17/89, s. 6; 125/89, s. 2; 157/92, s. 1; 220/2000, s. 7; 25/2005, s. 8; 18/2015, Sch. 3; 78/2016, s. (c); 74/2017, App. 6, s. 1.]

Exception – exceeding quota assigned to guide outfitter licence

- 16.011** Despite section 16.01 (i), and without limiting section 60 (2) of the Act, a guide outfitter does not commit an offence if the guide outfitter has a quota assigned as a condition of his or her guide outfitter licence and allows his or her clients to kill game to the extent that the number killed exceeds the quota assigned to the guide outfitter.

[en. B.C. Reg. 138/2013, s. (d).]

Adult chinook defined

- 16.02** For the purpose of the recording instructions set out on the back of an angling licence, an adult chinook is defined as

- (a) measuring over 62 cm from the tip of the nose to the fork of the tail in the non-tidal waters of the
 - (i) Fraser River from the CPR bridge at Mission upstream to the powerline crossing situated about 1 km upstream from the Agassiz-Rosedale bridge, from September 5 to December 31,

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Division 17 – Exemptions (General)

- (ii) Harrison River downstream from white fishing boundary signs situated near the mouth of Harrison River, from September 5 to December 31,
- (iii) Chilliwack/Vedder River downstream from Slesse Creek, from July 1 to December 31, and
- (iv) Sumas River downstream from the Barrowtown pumping station, from July 1 to December 31,
- (b) measuring over 65 cm from the tip of the nose to the fork of the tail in the non-tidal waters of the
 - (i) Bella Coola and Atnarko Rivers and tributaries, all year
 - (ii) Iknouk River and tributaries, all year
 - (iii) Kemano River and tributaries, all year
 - (iv) Khutzymateen River and tributaries, all year
 - (v) Kildala River and tributaries, all year
 - (vi) Kincolith River and tributaries, all year
 - (vii) Kitimat River and tributaries, all year
 - (viii) Kitlope River and tributaries, all year
 - (ix) Kwinimass River and tributaries, all year,
 - (x) Nass River and tributaries, all year, and
 - (xi) Skeena River and tributaries, all year, and
- (c) measuring over 50 cm from the tip of the nose to the fork of the tail in all other non-tidal waters.

[en. B.C. Reg. 88/94, App. I.]

Chinook caught in Kispiox river

- 16.03** For the purpose of the recording instructions on the back of an angling licence, an adult chinook caught and retained from the waters within three white fishing boundary signs located at the confluence of the Skeena and Kispiox Rivers shall be recorded as caught from the Kispiox River.

[en. B.C. Reg. 88/94, App. I.]

DIVISION 17 – EXEMPTIONS (GENERAL)**Sale of birds held under permit**

- 17.01** A person who holds a permit under section 2 (j) of the Permit Regulation, B.C. Reg. 253/2000, to possess live upland game birds in captivity is exempt from

- (a) section 22 of the Act, and
- (b) section 37 of the Act

for the purpose of selling birds the person holds under permit.

[en. B.C. Reg. 239/84, s. 5; am. B.C. Regs. 253/2000, App. 3, s. 1; 74/2017, App. 6, s. 1.]

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Captive bird or animal exemptions

17.02 A person who possesses a quail, pheasant, partridge, wild turkey or European rabbit that was hatched or born, and raised, in captivity is exempt from

- (a) section 22 of the Act,
- (b) section 33 of the Act,
- (c) section 37 of the Act, and
- (d) section 21 of the Act but only if the import or export is from or to another province in Canada.

[en. B.C. Reg. 253/2000, App. 3, s. 2.]

Sale of wildlife meat under permit

17.03 (1) A person who holds a permit under section 2 (f) (i) of the Permit Regulation, B.C. Reg. 253/2000, is exempt from section 21 of the Act for the purpose of exporting meat sold under the authority of the permit.

(2) A person buying wildlife meat from or selling wildlife meat to a person who holds a permit under section 2 (f) of the Permit Regulation, B.C. Reg. 253/2000, is exempt from

- (a) section 22 of the Act,
- (b) section 37 of the Act, and
- (c) section 21 of the Act,

for that purpose.

[en. B.C. Reg. 239/84, s. 5; am. B.C. Regs. 91/96, s. 3; 253/2000, App. 3, s. 3.]

Captive turtle exemptions

17.04 A person who possesses a *Trachemys scripta*, a slider turtle, that is kept in captivity is exempt from section 33 (1) of the Act.

[en. B.C. Reg. 253/2000, App. 3, s. 4.]

DIVISION 18

18.01 and 18.02 Repealed. [B.C. Reg. 1/2019, Sch. 5, s. 1.]

DIVISION 19

19.01 Repealed. [B.C. Reg. 137/2002.]

DIVISION 20 – REPORTS, ROYALTIES AND FINES**Failure to submit reports**

20.01 (1) Subject to section 20.03, if a person fails to make a report as required under a provision listed in subsection (2) of this section, the person is not eligible to apply

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for or obtain a licence, permit or limited entry hunting authorization under the Act until the report is made.

- (2) Subsection (1) applies to reports required under the following provisions:
- (a) section 13 (1) (b) of the Angling and Scientific Collection Regulation and, if applicable, section 13 (3) (c) of that regulation;
 - (b) section 16 (6) of the Permit Regulation.

[en. B.C. Reg. 1/2019, Sch. 5, s. 2.]

Failure to pay royalties

- 20.02** (1) Subject to section 20.03, if a person fails to pay a royalty as required under a provision listed in subsection (2) of this section, the person is not eligible to apply for or obtain a licence, permit or limited entry hunting authorization under the Act until the royalty is paid.

- (2) Subsection (1) applies to royalties required under the following provisions:

- (a) section 69 of the Act;
- (b) section 16 (8) of the Permit Regulation.

[en. B.C. Reg. 159/2018, Sch. 3, s. 1.]

Exemptions in relation to hunting licences for persons under 18 years of age

- 20.03** (1) A person who applies for a hunting licence in accordance with section 17.1 of the Act on behalf of a person who is under 18 years of age is exempt, in respect of that hunting licence, from

- (a) section 20.01 (1) of this regulation,
- (b) section 20.02 (1) of this regulation, and
- (c) section 85 (2) (a) and (c) (i) of the Act.

- (2) A person to whom a hunting licence is issued in accordance with section 17.1 of the Act on behalf of a person who is under 18 years of age is exempt, in respect of that hunting licence, from section 85 (2) (b) of the Act.

[en. B.C. Reg. 127/2017, App. 8, s. 2; am. B.C. Regs. 159/2018, Sch. 3, s. 2; 1/2019, Sch. 5, s. 3.]

DIVISION 21 – PROOF OF IDENTITY AND AUTHORIZATION**Proof of identity**

- 21.01** (1) For the purposes of section 97 (2) (b) and (4) (b) of the Act, the following photo identification is prescribed:

- (a) in the case of a person who is a resident or a non-resident, valid photo identification issued to the person by any of the following:
 - (i) the government of Canada;

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- (ii) the government of a province or territory, or an agent of the government of a province or territory, in which the person has a current address;
 - (iii) the Nisga'a Nation, if the person is a Nisga'a citizen;
 - (iv) a treaty first nation, if the person is a treaty first nation member of the treaty first nation;
 - (b) in the case of a person who is a non-resident alien,
 - (i) valid photo identification in the form of
 - (A) a passport, or
 - (B) a driver's licence issued to the person by a foreign jurisdiction in which the person has a current address, or
 - (ii) a copy of a photo identification referred to in subparagraph (i) that has been certified as a true copy by
 - (A) a lawyer, or
 - (B) a notary who is a member in good standing under the *Notaries Act*;
 - (c) in any case, a valid NEXUS card.
- (2) For the purposes of section 97 (5) of the Act, persons under 16 years of age are prescribed as exempt from the requirement to produce photo identification.

[en. B.C. Reg. 127/2017, App. 8, s. 2; am. B.C. Regs. 79/2018, App. 4, s. 2; 85/2019, Sch. 2, s. 1; 230/2019, Sch. 4; 42/2020.]

Proof of authorization

- 21.02** (1) For the purposes of section 97 (3) (b) (ii) of the Act, a person who holds any of the following authorizations may demonstrate that the person holds the authorization by stating the person's FWID number:
- (a) a hunting licence;
 - (b) a special area licence required by Part 2 or 3 of the Hunting Licensing Regulation, B.C. Reg. 8/99;
 - (c) a limited entry hunting authorization;
 - (d) a guide outfitter licence;
 - (e) an upland game bird licence;
 - (f) a permit issued under section 70 (1) (a) of the Act.
- (2) For the purposes of section 97 (3) (b) of the Act, a person who is required to produce a species licence must produce an original species licence.

[en. B.C. Reg. 127/2017, App. 8, s. 2; am. B.C. Regs. 127/2017, App. 12; 55/2018; 85/2019, Sch. 2, s. 1.]

Proof of identity and authorization by persons under 18 years of age

- 21.03** (1) A person described in section 11 (1.1) of the Act who hunts must, on the request of an officer,

- (a) state the person's name and address,
 - (b) produce photo identification referred to in section 21.01 (1) of this regulation, and
 - (c) demonstrate that a hunting licence is held on the person's behalf by
 - (i) producing the hunting licence or a legible copy of the hunting licence, or
 - (ii) stating the person's FWID number.
- (2) Subsection (1) (b) does not apply to a person under 16 years of age.
[en. B.C. Reg. 127/2017, App. 8, s. 2; am. B.C. Reg. 85/2019, Sch. 2, ss. 1 and 2.]

DIVISION 22 – NOTICE

Application

- 22.01** (1) This Division applies in relation to notice under the following provisions of the Act:
- (a) section 61 (2) [*action if conditions of licence, certificate or registration not fulfilled*];
 - (b) section 85 (1) (b) [*failure to pay fine*];
 - (c) section 97.4 (2) [*detention of seized wildlife*];
 - (d) section 97.6 (1) [*disposition of wildlife seized and detained as evidence*];
 - (e) section 97.71 (1) [*disposition of seized controlled alien species*];
 - (f) section 97.73 (1) (b) [*costs and proceeds of disposition of controlled alien species*];
 - (g) section 98 [*disposition of other property seized*];
 - (h) section 101 (2) [*reasons for and notice of decisions*].
- (2) This Division applies in relation to notice under the following provisions of the Angling and Scientific Collection Regulation:
- (a) section 11.3 (2) [*hearing*];
 - (b) section 13.1 [*requirement to report*].
- (3) This Division applies in relation to notice under the following provisions of the Guiding Territory Certificate Regulation:
- (a) section 8 (1) (a) or (3) (b) [*actions of regional manager if notice of change to control*];
 - (b) section 9 (1) (a) [*actions of regional manager if belief of change to control*].
- [en. B.C. Reg. 85/2019, Sch. 2, s. 3.]

How to give notice

- 22.02** A notice to which this Division applies must be given to a person in one of the following methods:

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- (a) by leaving a copy with the person;
- (b) by sending a copy by ordinary mail or registered mail to the last known address of the person or, if the person carries on a business, to the address at which the person carries on business;
- (c) by leaving a copy in a mailbox or mail slot for the last known address of the person or, if the person carries on a business, for the address at which the person carries on business;
- (d) by attaching a copy to a door or other conspicuous place at the last known address of the person or, if the person carries on a business, at the address at which the person carries on business;
- (e) by fax to a number, or by email to an email address, provided by the person;
- (f) by sending a copy to an online account held by the person on a website that
 - (i) is maintained by or on behalf of the minister, and
 - (ii) immediately sends an email notification to an email address provided by that person.

[en. B.C. Reg. 85/2019, Sch. 2, s. 3.]

When notice must be considered received

22.03 A notice given in accordance with section 22.02 is deemed to be received as follows:

- (a) if given by sending a copy by ordinary mail or registered mail, the 14th day after it is mailed;
- (b) if given by leaving a copy in a mailbox or mail slot, the 3rd day after it is left;
- (c) if given by attaching a copy to a door or other conspicuous place, the 3rd day after it is attached;
- (d) if faxed or emailed, the 3rd day after it is sent;
- (e) if given by sending a copy to an online account on a website that also sends an email notification, the 3rd day after it is sent to the account.

[en. B.C. Reg. 85/2019, Sch. 2, s. 3.]

DIVISION 23 – BAITING AND FEEDING**Definitions for this Division**

23.01 In this Division:

“**bait**” means anything, including meat, cereal, cultivated crops, a restrained animal or any manufactured product or material, that may attract wildlife, but does not include a decoy;

“**management unit**” or “**M.U.**” means an area designated as a management unit by the Management Unit Regulation, B.C. Reg. 64/96;

“**Region 4**” means the area within M.U.s 4-1 to 4-9 and 4-14 to 4-40.

[en. B.C. Reg. 169/2020, App. 7.]

No baiting or feeding

23.02 A person who, in Region 4, intentionally baits or feeds a turkey or an ungulate commits an offence.

[en. B.C. Reg. 169/2020, App. 7.]