



chapter C-61.1, r. 5

Regulation respecting animals in captivity

An Act respecting the conservation and development of wildlife
(chapter C-61.1, ss. 55, 97 and 162)

DIVISION I SCOPE AND INTERPRETATION

1. This Regulation applies to the keeping of animals in captivity, the capture of animals for the purpose of keeping them in captivity and, where applicable, the disposal of animals.

O.C. 1238-2002, s. 1.

2. In this Regulation, area numbers refer to the areas established by the Regulation respecting fishing and hunting areas (chapter C-61.1, r. 34).

O.C. 1238-2002, s. 2.

2.1. (Revoked).

O.C. 802-2010, s. 1; O.C. 1173-2013, s. 1.

DIVISION II GENERAL OBLIGATIONS

3. Any person who keeps an animal in captivity, except an amphibian listed in Schedule I, kept in the fishing area and for fishing purposes, shall

(1) provide it with drinking water and food in sufficient quantity and of sufficient quality to meet its physiological needs;

(2) keep it in a clean place suitable for the needs of its species;

(3) ensure that it has access at all times to a shelter suitable for the needs of its species; and

(4) ensure that it receives the care required by its health condition.

O.C. 1238-2002, s. 3; O.C. 802-2010, s. 2.

4. Any person who kills an animal kept in captivity shall do so using a method that causes instantaneous death or that does not cause the animal unnecessary suffering.

O.C. 1238-2002, s. 4.

DIVISION III KEEPING OF ANIMALS IN CAPTIVITY WITHOUT A LICENCE AND DISPOSAL

5. No licence is required to keep in captivity for personal purposes, to capture for the purpose of such keeping in captivity and, where applicable, to dispose of, eggs or tadpoles of the amphibians listed in Schedule I, or no more

than 10 animals of the native species listed in Schedule I, including no more than 2 bullfrogs.

O.C. 1238-2002, s. 5.

6. Anyone who captures an animal of a native species listed in Schedule I without a licence for the purpose of keeping it in captivity shall use a method, other than fire, that does not injure the animal.

Captures may be made at any time of the year, except for bullfrogs and northern leopard frogs, which may be captured during the period extending from 15 July to 15 November.

Amphibians listed in Schedule I may be caught in all fishing and hunting areas except areas 17, 19 northern part, 22, 23 and 24.

O.C. 1238-2002, s. 6.

7. Anyone who keeps animals, eggs or tadpoles of a native species listed in Schedule I in captivity without a licence may dispose of them otherwise than by selling them or killing them.

O.C. 1238-2002, s. 7.

8. No licence is required to keep an animal of a species listed in Schedule II in captivity for personal, breeding or commercial purposes or, where applicable, to dispose of it.

O.C. 1238-2002, s. 8; O.C. 802-2010, s. 3.

9. Anyone who keeps cervidae listed in Schedule II in captivity without a licence shall erect and maintain an enclosure surrounded by a game fence at least 2.4 m high, having square meshes not larger than 15 cm between the vertical strands and at least 20 horizontal strands; the outside and inside lateral clearance of that perimeter fence must be at least 3 m from any obstacle that could reduce the minimum height of 2.4 m and the fence must be stretched tight near the ground so that no cervidae may pass under it; the distance between the posts of the fence may not exceed 8 m.

Furthermore, the perimeter fence of the enclosure must have no trap or barrier to capture animals outside the enclosure; in addition, the gates of the perimeter fence must remain closed, even in the absence of animals.

O.C. 1238-2002, s. 9; O.C. 802-2010, s. 4.

10. Anyone who keeps peccaries or boars in captivity without a licence shall erect and maintain an enclosure surrounded by a fence at least 1.8 m above ground level made of

(1) steel chain links of minimum 13 gauge, 1.24 m high including 30 cm in the ground; the 86 additional centimetres may be made of game fence; or

(2) steel chain links of minimum 13 gauge, from 92 cm to 1.24 m high and the 88 or 56 additional centimetres may be made of game fence; that enclosure must be fitted on the inside with an electric wire running between 15 and 45 cm above ground level situated 30 cm from the fence, and the minimum voltage in the wire must be 10 joules.

Furthermore, the perimeter fence of the enclosure must have no trap or barrier to capture animals outside the enclosure; in addition, the gates of the perimeter fence must remain closed, even in the absence of animals.

O.C. 1238-2002, s. 10; O.C. 802-2010, s. 5.

11. Anyone who keeps boars, peccaries, buffalo or cervidae listed in Schedule II in captivity without a licence shall notify without delay a wildlife protection officer upon discovering that an animal has escaped from the enclosure.

O.C. 1238-2002, s. 11.

12. Anyone who keeps an animal of a species listed in Schedule II in captivity without a licence may dispose of it by selling it, giving it away, or killing it.

A quail, northern bobwhite, pheasant, francolin, rock partridge or chukar, red-legged partridge, guinea fowl or rock dove may be disposed of by setting it free in the wild. A wild turkey may be disposed of by setting it free in the wild, except in fishing and hunting areas 4, 5, 6, 7, 8, 9 and 10.

Where an animal of a species listed in Schedule II is sold by a retail merchant, excluding bovidae, camelidae, cervidae, boar, or ratitae, the merchant must provide the purchaser with an information sheet on which appear the name of the species, its normal adult size and the conditions essential to its well-being.

O.C. 1238-2002, s. 12; O.C. 802-2010, s. 6.

13. No licence is required to keep an animal of a species listed in Schedule III in captivity for breeding purposes for fur trade or, where applicable, to dispose of it, provided that at least 10 adult females of the same species are kept.

The keeper referred to in the first paragraph must allow a wildlife protection officer or a person accompanying the officer to take samples from the animals kept in captivity or from the premises where they are kept.

O.C. 1238-2002, s. 13; O.C. 802-2010, s. 7.

14. Anyone who keeps an animal of a species listed in Schedule III in captivity without a licence may dispose of it by selling it, giving it away, or killing it.

O.C. 1238-2002, s. 14.

15. No licence is required by a training institute or a person under contract to such institute to keep a monkey in captivity where such monkey is trained for the purpose of compensating for a person's physical disability.

No licence is required to keep a trained monkey in captivity if the monkey is required to compensate for a person's physical disability.

O.C. 1238-2002, s. 15.

16. No licence is required by a teaching or research institution or agency to keep in captivity and, where applicable, dispose of, exotic species listed in Schedule II or native amphibians, other than threatened or vulnerable species designated in the Act respecting threatened or vulnerable species (chapter E-12.01).

O.C. 1238-2002, s. 16; O.C. 802-2010, s. 8.

17. No licence is required by the holder of a permit issued under the Migratory Birds Regulations (C.R.C., c. 1035) to keep in captivity, capture for the purpose of keeping in captivity and, where applicable, dispose of, a migratory bird or its eggs.

O.C. 1238-2002, s. 17; O.C. 802-2010, s. 9.

18. No licence is required by a veterinary surgeon or by the holder of a zoological garden licence or of a wildlife observation centre licence to keep injured or orphaned animals of native species in captivity for rehabilitation purposes, provided that the captivity does not exceed 1 year; the veterinary surgeon or licence holder must take all necessary means to avoid the domestication of the animals.

Once an animal is rehabilitated, the veterinary surgeon or the licence holder shall set it free in the wild if it is fit to survive there. If not, he or she may kill it or give it to a wildlife protection officer; the wildlife protection officer may kill the animal or entrust it to any person entitled to keep it.

O.C. 1238-2002, s. 18; O.C. 802-2010, s. 10.

19. A licence holder or a veterinary surgeon who keeps an animal in captivity without a licence for rehabilitation purposes shall

(1) in the case of a licence holder or veterinary surgeon, permit a wildlife protection officer or a person accompanying the officer to take samples from the animals kept in captivity or from the premises on which they are kept;

(2) in the case of a licence holder, submit to Minister of Natural Resources and Wildlife, on or before 31 January of each year, a report indicating

(a) the number of animals of each species kept in captivity;

(b) the origin of the animals received during the year and the date of their receipt; and

(c) the number of animals of each species that died, that were killed or that were disposed of during the year; and

(3) in the case of a veterinary surgeon, maintain a register and enter therein, for each animal received, its species, origin, the date of receipt, the date on which it was set free and the location, or the date on which it was put to death; the veterinary surgeon must also show that register upon request from a wildlife protection officer.

O.C. 1238-2002, s. 19; O.C. 802-2010, s. 11.

DIVISION IV ZOOLOGICAL GARDENS

20. (Revoked).

O.C. 1238-2002, s. 20; O.C. 1173-2013, s. 2.

21. (Revoked).

O.C. 1238-2002, s. 21; O.C. 1173-2013, s. 2.

22. (Revoked).

O.C. 1238-2002, s. 22; O.C. 1173-2013, s. 2.

23. (Revoked).

O.C. 1238-2002, s. 23; O.C. 802-2010, s. 12; O.C. 1173-2013, s. 2.

24. (Revoked).

O.C. 1238-2002, s. 24; O.C. 1173-2013, s. 2.

25. The holder of a zoological garden licence may dispose of an animal, including an animal listed in Schedule I, kept in captivity by the holder, by selling or giving it to another person entitled to keep it, or by killing it.

In the case of an animal listed in Schedule I, the holder may also dispose of it by setting it free in the wild or, in the case of an animal referred to in the second paragraph of section 12, by setting it free in the wild in accordance with that section.

O.C. 1238-2002, s. 25; O.C. 1173-2013, s. 3.

DIVISION V WILDLIFE OBSERVATION CENTRES

26. (Revoked).

O.C. 1238-2002, s. 26; O.C. 1173-2013, s. 4.

27. (Revoked).

O.C. 1238-2002, s. 27; O.C. 1173-2013, s. 4.

28. (Revoked).

O.C. 1238-2002, s. 28; O.C. 1173-2013, s. 4.

29. (Revoked).

O.C. 1238-2002, s. 29; O.C. 802-2010, s. 13; O.C. 1173-2013, s. 4.

30. The holder of a wildlife observation centre licence may not acquire an animal of a species whose keeping requires a licence under this Regulation unless the holder acquires the animal from a person entitled to keep an animal of that species.

O.C. 1238-2002, s. 30.

31. The holder of a wildlife observation centre licence may dispose of an animal kept in captivity by the holder, including an animal listed in Schedule I, by selling or giving it to another person entitled to keep it, or by killing it.

In the case of an animal listed in Schedule I, the holder may also dispose of it by setting it free in the wild or, in the case of an animal referred to in the second paragraph of section 12, by setting it free in the wild in accordance with that section.

O.C. 1238-2002, s. 31; O.C. 1173-2013, s. 5.

DIVISION VI WILDLIFE REHABILITATION CENTRES

32. (Revoked).

O.C. 1238-2002, s. 32; O.C. 1173-2013, s. 6.

33. (Revoked).

O.C. 1238-2002, s. 33; O.C. 1173-2013, s. 6.

34. (Revoked).

O.C. 1238-2002, s. 34; O.C. 1173-2013, s. 6.

35. (Revoked).

O.C. 1238-2002, s. 35; O.C. 1173-2013, s. 6.

36. An animal may be kept in captivity for rehabilitation purposes for no more than 1 year; all necessary means must be taken to avoid the domestication of the animal.

Once an animal is rehabilitated, it must be set free in the wild if it is fit to survive there. If not, the animal may be killed or given to a wildlife protection officer; the wildlife protection officer may kill the animal or entrust it to any person entitled to keep it.

O.C. 1238-2002, s. 36; O.C. 802-2010, s. 14; O.C. 1173-2013, s. 7.

DIVISION VII KEEPING OF AMPHIBIANS

37. (Revoked).

O.C. 1238-2002, s. 37; O.C. 1173-2013, s. 8.

38. (Revoked).

O.C. 1238-2002, s. 38; O.C. 1173-2013, s. 8.

39. The family members of the holder of a licence to keep amphibians, where they have the same domicile as the licence holder, as well as the shareholders and employees of a legal person, the partners and employees of a partnership and the employees of a person doing business under another name and holding a licence to keep amphibians, may capture amphibians under the same licence.

O.C. 1238-2002, s. 39.

40. (Revoked).

O.C. 1238-2002, s. 40; O.C. 1173-2013, s. 9.

41. (Revoked).

O.C. 1238-2002, s. 41; O.C. 1173-2013, s. 9.

42. The holder of a licence to keep amphibians and the persons referred to in section 39 may capture the amphibians listed in Schedule I to the Regulation respecting licences to keep animals in captivity (chapter C-61.1, r. 10) at any time of the year, except bullfrogs, northern leopard frogs and green frogs, which may be captured during the period extending from 15 July to 15 November.

Those amphibians may be captured in all fishing and hunting areas except areas 17, 19 northern part, 22, 23 and 24.

O.C. 1238-2002, s. 42; O.C. 1173-2013, s. 10.

43. The holder of a licence to keep amphibians and the persons referred to in section 39 who capture an amphibian listed in Schedule I to the Regulation respecting licences to keep animals in captivity (chapter C-61.1, r. 10) shall use a method, other than fire, that does not injure the animal.

O.C. 1238-2002, s. 43; O.C. 1173-2013, s. 11.

44. The holder of a licence to keep amphibians and the persons referred to in section 39 may dispose of the amphibians they keep in captivity, excluding their eggs or tadpoles, by giving, selling or killing them, or by setting them free in the wild.

O.C. 1238-2002, s. 44.

DIVISION VIII KEEPING OF WHITE-TAILED DEER

45. (Revoked).

O.C. 1238-2002, s. 45; O.C. 1173-2013, s. 12.

46. (Revoked).

O.C. 1238-2002, s. 46; O.C. 802-2010, s. 15; O.C. 1173-2013, s. 12.

47. Enclosures where white-tailed deer are kept must comply with the following requirements:

- (1) existing enclosures must be surrounded by a fence at least 2.4 m high and the deer must have access to shade and shelter at all times; the fence must be stretched tight near the ground so that no cervidae may pass under it;
- (2) new enclosures must be surrounded by a game fence at least 2.4 m high that has square meshes not larger than 15 cm between the vertical strands and at least 20 horizontal strands; the outside and inside lateral clearance of that perimeter fence must be at least 3 m from any obstacle that could reduce the minimum height of 2.4 m and the fence must be stretched tight near the ground so that no cervidae may pass under it; the distance between the posts of the fence may not exceed 8 m;
- (3) the perimeter fence of any enclosure must have no trap or barrier to capture animals outside the enclosure; and
- (4) the gates of the perimeter fence must be kept closed, even in the absence of deer.

O.C. 1238-2002, s. 47; O.C. 802-2010, s. 16; O.C. 1173-2013, s. 13.

48. The holder of a licence to keep white-tailed deer may keep in captivity, on 1 April of each year, at least 1 and no more than 5 white-tailed deer which must be marked by means of a tag, visible to the naked eye at a distance of at least 10 m from the animal.

Despite the foregoing, the licence holder may, until 31 March of each year, keep more than 5 white-tailed deer provided that the additional deer are the newborn of the deer referred to in the first paragraph; in that case, the licence holder is not required to mark them.

O.C. 1238-2002, s. 48; O.C. 1173-2013, s. 14.

49. The holder of a licence to keep white-tailed deer may dispose of a deer the holder keeps in captivity by killing it or by authorizing any person to hunt it in accordance with the law.

O.C. 1238-2002, s. 49; O.C. 802-2010, s. 17.

DIVISION IX GAME RANCHES

§1. Game ranches for various species

O.C. 1238-2002, Div. IX, Sd. 1; O.C. 802-2010, s. 18.

50. (Revoked).

O.C. 1238-2002, s. 50; O.C. 802-2010, s. 19; O.C. 1173-2013, s. 15.

51. (Revoked).

O.C. 1238-2002, s. 51; O.C. 802-2010, ss. 20 and 21; O.C. 1173-2013, s. 15.

52. (Revoked).

O.C. 1238-2002, s. 52; O.C. 802-2010, s. 20; O.C. 1173-2013, s. 15.

53. Enclosures where the various species are kept must have an area of 10 ha each and be surrounded by a fence that complies with the following requirements:

- (1) in the case of cervidae and buffalo, the enclosure must be surrounded by a game fence at least 2.4 m high that

has square meshes not larger than 15 cm between the vertical strands and at least 20 horizontal strands; the outside and inside lateral clearance of that perimeter fence must be at least 3 m from any obstacle that could reduce the minimum height of 2.4 m and the fence must be stretched tight near the ground so that no cervidae or buffalo may pass under it; the distance between the posts of the fence may not exceed 8 m;

(2) in the case of peccaries and boars, an enclosure must be surrounded by a fence at least 1.8 m above ground level that is made of

(a) steel chain links of minimum 13 gauge, 1.24 m high including 30 cm in the ground; the 86 additional centimetres may be made of game fence; or

(b) steel chain links of minimum 13 gauge, from 92 cm to 1.24 m high; the 88 or 56 additional centimetres may be made of game fence; that enclosure must be fitted on the inside with an electric wire running between 15 and 45 cm above ground level situated 30 cm from the fence, and the minimum voltage in the wire must be 10 joules;

(3) the perimeter fence of the enclosures referred to in paragraphs 1 and 2 must have no trap or barrier to capture animals outside the enclosure; and

(4) the gates of the perimeter fence must be kept closed, even in the absence of animals.

O.C. 1238-2002, s. 53; O.C. 802-2010, ss. 20 and 22; O.C. 1173-2013, s. 16.

53.1. The holder of a game ranch licence for various species may dispose of an animal kept in captivity by the holder by selling or giving it to a person entitled to keep it, or by killing it.

O.C. 1173-2013, s. 17.

54. Any person may kill a buffalo, a cervidae listed in Schedule II, a peccary, a boar or a bird listed in Schedule II to the Regulation respecting licences to keep animals in captivity (chapter C-61.1, r. 10) kept in captivity by the holder of a game ranch licence for various species, provided that the animal is killed using a method that causes instantaneous death or that does not cause the animal unnecessary suffering.

To that end, the holder of a game ranch licence for various species shall keep the animals to be killed in an enclosure having at least 10 ha and no more than 200 ha in area and at least 100 m in width; at least 80% of the area of the enclosure must be wooded land and be surrounded by a fence complying with the relevant provisions of paragraph 1 or 2 of section 53.

O.C. 1238-2002, s. 54; O.C. 802-2010, ss. 20 and 23; O.C. 1173-2013, s. 18.

§2. Breeding and game ranches for white-tailed deer

55. (Revoked).

O.C. 1238-2002, s. 55; O.C. 1173-2013, s. 19.

56. The holder of a breeding and game ranch licence for white-tailed deer may keep in captivity at least 25 white-tailed deer that must be identified while they are alive. In the case of newborn deer, it must be identified before being moved to other premises, not later than 31 December following the date of birth.

Identification consists of

(1) a tag complying with the provisions of the Regulation respecting the identification and traceability of certain animals (chapter P-42, r. 7);

(2) a tattoo indicating the letters identifying the breeder, a unique sequential number and the letter corresponding to the year, provided by the Minister of Agriculture, Fisheries and Food or, as the case may be, the identification tattoo affixed to a white-tailed deer from outside Québec and approved by the body having jurisdiction in the deer's

place of origin.

O.C. 1238-2002, s. 56; O.C. 802-2010, s. 24; O.C. 1173-2013, s. 20.

57. Enclosures where white-tailed deer are kept must have an area of 10 ha each and be surrounded by a fence that complies with the following requirements:

- (1) the enclosure must be surrounded by a game fence at least 2.4 m high that has square meshes not larger than 15 cm between the vertical strands and at least 20 horizontal strands; the outside and inside lateral clearance of that perimeter fence must be at least 3 m from any obstacle that could reduce the minimum height of 2.4 m and the fence must be stretched tight near the ground so that no cervidae may pass under it; the distance between the posts of the fence may not exceed 8 m;
- (2) the perimeter fence of the enclosures must have no trap or barrier to capture animals outside the enclosure; and
- (3) the gates of the perimeter fence must be kept closed, even in the absence of animals.

O.C. 1238-2002, s. 57; O.C. 802-2010, s. 25; O.C. 1173-2013, s. 21.

58. The holder of a breeding and game ranch licence for white-tailed deer may dispose of a live or dead deer or any of its parts otherwise than by setting it free in the wild; to that end, the licence holder may sell or give away a live deer to a person entitled to keep it, or kill it.

O.C. 1238-2002, s. 58; O.C. 802-2010, s. 26.

59. The holder of a breeding and game ranch licence for white-tailed deer may have a deer killed by a slaughterhouse provided that its operator

- (1) holds the permit referred to in subparagraph a of the first paragraph of section 9 of the Food Products Act (chapter P-29) authorizing the operator to kill cervidae; or
- (2) is exempt from the obligation to hold a permit referred to in paragraph 1 under the second paragraph of section 9 of the Act because the operator is operating a plant registered under the Meat Inspection Act (R.S.C. 1985, c. 25 (1st Suppl.)).

O.C. 1238-2002, s. 59.

60. Any person may kill a white-tailed deer kept in captivity by the holder of a breeding and game ranch licence for white-tailed deer on the following conditions:

- (1) the animal must be killed using a method that causes instantaneous death or that does not cause the animal unnecessary suffering; and
- (2) the identification tag must remain on the animal until it is stored or dressed.

To that end, the holder of a breeding and game ranch licence for white-tailed deer shall keep the animals to be killed in an enclosure having at least 10 ha and no more than 200 ha in area and at least 100 m in width; at least 80% of the area of the enclosure must be wooded land and be surrounded by a fence complying with the relevant provisions of paragraph 1 or 2 of section 53.

O.C. 1238-2002, s. 60.

61. The holder of a breeding and game ranch licence for white-tailed deer shall remit to the person who kills a white-tailed deer in accordance with section 60 a proof of purchase of the killed animal or proof that the animal was a gift.

O.C. 1238-2002, s. 61.

62. Any person who carries a white-tailed deer killed under section 59 or 60 must be in possession of a proof of purchase of the animal or proof that the animal was a gift.

O.C. 1238-2002, s. 62.

DIVISION X

KEEPING OF ANIMALS IN CAPTIVITY FOR COMMERCIAL PURPOSES

O.C. 1238-2002, Div. X; O.C. 802-2010, s. 27.

63. (Revoked).

O.C. 1238-2002, s. 63; O.C. 802-2010, s. 28; O.C. 1173-2013, s. 22.

64. (Revoked).

O.C. 1238-2002, s. 64; O.C. 802-2010, s. 29; O.C. 1173-2013, s. 22.

65. (Revoked).

O.C. 1238-2002, s. 65; O.C. 802-2010, s. 30; S.Q. 2012, c. 11, s. 33; O.C. 1173-2013, s. 22.

66. (Revoked).

O.C. 1238-2002, s. 66; O.C. 802-2010, s. 31; O.C. 1173-2013, s. 22.

67. (Revoked).

O.C. 1238-2002, s. 67; O.C. 802-2010, s. 32; O.C. 1173-2013, s. 22.

68. The holder of an animal broker's licence, an animal trainer's licence or a by-product collector's licence may transfer an animal of any species to a person entitled to keep an animal of that species in captivity, or kill the animal.

O.C. 1238-2002, s. 68; O.C. 802-2010, s. 33; O.C. 1173-2013, s. 23.

DIVISION XI

KEEPING ANIMALS IN CAPTIVITY FOR EXHIBITION PURPOSES

69. (Revoked).

O.C. 1238-2002, s. 69; O.C. 802-2010, s. 34; O.C. 1173-2013, s. 24.

70. (Revoked).

O.C. 1238-2002, s. 70; O.C. 802-2010, s. 35.

71. (Revoked).

O.C. 1238-2002, s. 71; O.C. 802-2010, s. 36; O.C. 1173-2013, s. 24.

72. (Revoked).

O.C. 1238-2002, s. 72; O.C. 802-2010, s. 37.

73. (Revoked).

O.C. 1238-2002, s. 73; O.C. 802-2010, s. 38; O.C. 1173-2013, s. 24.

74. (Revoked).

O.C. 1238-2002, s. 74; O.C. 802-2010, s. 39; O.C. 1173-2013, s. 24.

74.0.1. The holder of a licence to keep animals for exhibition purposes may dispose of an animal kept in captivity by the holder in accordance with the first paragraph of section 12, section 75.1, section 85.1 or section 87 of this Regulation.

O.C. 1173-2013, s. 25.

74.0.2. Animals must be kept in buildings, cages, enclosures and shelters designed or built so as to prevent any animal attack and any transmission of fatal infectious diseases.

O.C. 1173-2013, s. 25.

DIVISION XI CIRCUS

O.C. 802-2010, s. 40.

74.1. (Revoked).

O.C. 802-2010, s. 40; O.C. 1173-2013, s. 26.

74.2. (Revoked).

O.C. 802-2010, s. 40; O.C. 1173-2013, s. 26.

74.3. (Revoked).

O.C. 802-2010, s. 40; O.C. 1173-2013, s. 26.

74.4. (Revoked).

O.C. 802-2010, s. 40; O.C. 1173-2013, s. 26.

74.5. Animals must be kept in buildings, cages, enclosures and shelters designed or built so as to prevent any animal attack and any transmission of fatal infectious diseases.

O.C. 1173-2013, s. 27.

DIVISION XII FALCONRY

§1. Apprentice hawkers

75. (Revoked).

O.C. 1238-2002, s. 75; O.C. 802-2010, s. 41; O.C. 1173-2013, s. 28.

75.1. The holder of an apprentice hawker's licence may transfer the bird of prey he or she keeps in captivity to a person entitled to keep it, or kill it.

O.C. 802-2010, s. 42.

76. (Revoked).

O.C. 1238-2002, s. 76; O.C. 802-2010, s. 43; O.C. 1173-2013, s. 28.

77. (Revoked).

O.C. 1238-2002, s. 77; O.C. 802-2010, s. 44; O.C. 1173-2013, s. 28.

78. (Revoked).

O.C. 1238-2002, s. 78; O.C. 1173-2013, s. 28.

79. (Revoked).

O.C. 1238-2002, s. 79; O.C. 1173-2013, s. 28.

§2. Hawkers

80. (Revoked).

O.C. 1238-2002, s. 80; O.C. 802-2010, s. 45; O.C. 1173-2013, s. 28.

81. (Revoked).

O.C. 1238-2002, s. 81; O.C. 802-2010, s. 46; O.C. 1173-2013, s. 28.

82. (Revoked).

O.C. 1238-2002, s. 82; O.C. 802-2010, s. 47.

83. (Revoked).

O.C. 1238-2002, s. 83; O.C. 1173-2013, s. 28.

84. (Revoked).

O.C. 1238-2002, s. 84; O.C. 802-2010, s. 48; O.C. 1173-2013, s. 28.

85. (Revoked).

O.C. 1238-2002, s. 85; O.C. 802-2010, s. 49; O.C. 1173-2013, s. 28.

85.1. The holder of a hawkers licence may transfer a bird of prey he or she keeps in captivity to a person entitled to keep it, or kill it.

O.C. 802-2010, s. 50.

DIVISION XIII PENAL

86. Every person who contravenes any provision of sections 3 to 19, 25, 30, 31, 36, 42 to 44, 47 to 49, 53, 54, 56, 57, 60 to 62, 74.0.1 and 74.5 commits an offence.

O.C. 1238-2002, s. 86; O.C. 802-2010, s. 51; O.C. 1173-2013, s. 29.

DIVISION XIV TRANSITIONAL AND FINAL

87. The holder of a licence for provisional custody issued under section 74 of the Regulation respecting animals in captivity (O.C. 1029-92, 92-07-08), may not transfer the animal indicated on the licence to any person other than a person entitled to keep it in captivity.

If the animal is transferred to a person residing outside Québec, the licence holder must so inform the Minister in writing within 15 days of such transfer.

O.C. 1238-2002, s. 87; O.C. 1173-2013, s. 30.

88. This Regulation replaces the Regulation respecting animals in captivity (O.C. 1029-92, 92-07-08).

O.C. 1238-2002, s. 88.

89. (Omitted).

O.C. 1238-2002, s. 89.

SCHEDULE I

(ss. 5, 6, 7, 20, 25, 26 and 31)

NATIVE SPECIES THAT MAY BE KEPT IN CAPTIVITY WITHOUT A LICENCE

Amphibians Class

American toad (*Bufo americanus*)

Wood frog (*Rana sylvatica*)

Mink frog (*Rana septentrionalis*)

Northern leopard frog (*Rana pipiens*)

Green frog (*Rana clamitans*)

Mudpuppy (*Necturus maculosus*)

Bullfrog (*Rana catesbeiana*)

Eastern newt (*Notophthalmus viridescens*)

Reptiles Class

Common garter snake (*Thamnophis sirtalis*)

Mammals Class

Grey squirrel (*Sciurus carolinensis*)

American red squirrel (*Tamiasciurus hudsonicus*)

Eastern chipmunk (*Tamias striatus*)

O.C. 1238-2002, Sch. I.

SCHEDULE II

(ss. 8, 9, 11, 12, 26, 54 and 69)

SPECIES THAT MAY BE KEPT IN CAPTIVITY WITHOUT A LICENCE

A- Exotic Species

Reptiles Class

All species except:

Crocodiles

Poisonous lizards

Poisonous snakes

Sea turtles

Turtles (family Tryonychidae)

Amphibians Class

All species

Birds Class

Anatidae

Capitonidea

Colombidae

Emberizidae

Estrildidae

Fringillidae

Irenidae

Javan Hill mynah (Sturnidae)

Meleagrididae

Musophagidae

Osteropidae

Phasianidae

Ploceidae

Psittacidae

Pycnonotidae

Ramphastidae

- Ratitae
 - Timaliidae
 - Turdidae
 - Zosteropidae
 - Mammals Class
 - Bovidae
 - Camelidae
 - Cervidae, except the mule deer and the black-tailed deer
 - Chinchillas (family Chinchillidae)
 - Guinea pigs (family Caviidae)
 - Degus (family Octodontidae)
 - Gerbils (family Cricetidae)
 - Jerboas (family Dipodidae)
 - Hamsters (family Muridae)
 - Hedgehogs, except Erinaceus hedgehogs
 - Peccaries (family Tyassuidae)
 - Flying squirrels (Petaurus breviceps)
 - Kangaroo rat (family Heteromyidae)
 - Boars (family Suidae)
 - B- Native Species
 - Birds Class
 - Wild turkey (Meleagris gallopardo)
 - Rock dove (Columba livia)
- The taxonomical classification is that of Grizmek's Animal Life Encyclopedia, 1984.
- O.C. 1238-2002, Sch. II.
- SCHEDULE III
- (ss. 13 and 14)
- NATIVE SPECIES THAT MAY BE KEPT FOR BREEDING PURPOSES WITHOUT A LICENCE
- Mammals Class

Fox (*Vulpes vulpes*)

Mink (*Mustela vison*)

O.C. 1238-2002, Sch. III.

SCHEDULE IV

(Revoked)

O.C. 1238-2002, Sch. IV; O.C. 1173-2013, s. 31.

SCHEDULE V

(Revoked)

O.C. 1238-2002, Sch. V; O.C. 802-2010, s. 53; O.C. 1173-2013, s. 31.

SCHEDULE VI

(Revoked)

O.C. 1238-2002, Sch. VI; O.C. 1173-2013, s. 31.

TRANSITIONAL PROVISIONS

2010

(O.C. 802-2010) SECTION 54. Every holder of a game ranch licence for exotic species becomes, as of 21 October 2010, a holder of a game ranch licence for various species.

SECTION 55. Every holder of a resident or non-resident hawker's licence becomes, as of 21 October 2010, a holder of a hawker's licence.

SECTION 56. Every holder of a non-resident's licence to keep animals for exhibition purposes becomes, as of 21 October 2010, the holder of a non-resident's circus licence for the term indicated on the non-resident's licence to keep animals for exhibition purposes.

REFERENCES

O.C. 1238-2002, 2002 G.O. 2, 5623
O.C. 802-2010, 2010 G.O. 2, 2767
S.Q. 2012, c. 11, s. 33
O.C. 1173-2013, 2013 G.O. 2, 3288