

Fish and Wildlife Conservation Act, 1997
Loi de 1997 sur la protection du poisson et de la faune

Ontario REGULATION 668/98

Amended to O. Reg. 264/05

WILDLIFE IN CAPTIVITY

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PART I

ZOOS

1. In this Part,

“zoo” means a place where game wildlife or specially protected wildlife is kept in captivity for display to the public and for conservation, educational or scientific purposes. O. Reg. 668/98, s. 1.

2. (1) Despite subsection 40 (1) or 48 (1) of the Act, a person who owns or operates a zoo on the day this Regulation comes into force may, without any licence, keep, or buy or sell, game wildlife and specially protected wildlife for a period of 90 days after that day. O. Reg. 668/98, s. 2 (1).

(2) A person who owns or operates a zoo on the day this Regulation comes into force shall apply to the Minister for a licence under subsection 40 (1) of the Act within 90 days after that day. O. Reg. 668/98, s. 2 (2).

(3) In the application the applicant shall set out the number, by species, of game wildlife and specially protected wildlife kept in the zoo as well as information with respect to their care and keeping in the zoo. O. Reg. 668/98, s. 2 (3).

(4) An application that has been approved in writing by the Minister shall be deemed to be a temporary licence,

(a) under subsection 40 (1) of the Act, to keep the game wildlife and specially protected wildlife in the zoo in accordance with the terms of the approval;

(b) under subsection 45 (1) of the Act, to propagate the game wildlife and specially protected wildlife in the zoo in accordance with the terms of the approval; and

(c) under subsection 48 (1) of the Act, to buy or sell the game wildlife or specially protected wildlife in the zoo in accordance with the terms of the approval. O. Reg. 668/98, s. 2 (4).

(5) The temporary licence expires on the earlier of the day that is two years after the day this Regulation comes into force and the day on which the Minister issues a licence under section 3 to the owner or operator of the zoo. O. Reg. 668/98, s. 2 (5).

3. (1) A person who owns or operates a zoo may, in accordance with a licence issued under the Act,

(a) keep or propagate game wildlife and specially protected wildlife; and

(b) buy or sell game wildlife and specially protected wildlife. O. Reg. 264/05, s. 1.

(2) The person shall not,

(a) buy game wildlife or specially protected wildlife, except from a person who may sell it lawfully; or

(b) sell it, except to a person who may buy it lawfully. O. Reg. 264/05, s. 1.

4. A person who owns or operates a zoo and who holds a licence under this Part in respect of a game reptile, specially protected reptile, game amphibian, specially protected amphibian or a specially protected raptor is exempted from the requirement for a licence under Parts II and III. O. Reg. 668/98, s. 4.

5. (1) A person who owns or operates a zoo shall keep a log book that contains information respecting the buying, selling, acquisition, disposition, birth and death of the specimens of game wildlife or specially protected wildlife kept in the zoo. O. Reg. 668/98, s. 5 (1).

(2) The log book shall be in the form established by the Minister. O. Reg. 668/98, s. 5 (2).

(3) Copies of the log book shall be kept for five years after the date of expiry of the licence that was valid at the time it was kept. O. Reg. 668/98, s. 5 (3).

(4) The person shall not make a false entry in the log book. O. Reg. 668/98, s. 5 (4).

PART II AMPHIBIANS AND REPTILES

6. (1) A person who keeps a game reptile, a specially protected reptile, a game amphibian or a specially protected amphibian on the day this Regulation comes into force may, without any licence, keep it in captivity for a period of 90 days after that day. O. Reg. 668/98, s. 6 (1).

(2) A person who keeps a game reptile, a specially protected reptile, a game amphibian or a specially protected amphibian in captivity on the day this Regulation comes into force shall apply for a licence under subsection 40 (1) of the Act within 90 days after that day. O. Reg. 668/98, s. 6 (2).

(3) The applicant shall set out in the application,

(a) the number, by species, of game reptiles, specially protected reptiles, game amphibians and specially protected amphibians kept by the person and the reasons for keeping them; and

(b) provide information with respect to their care and keeping. O. Reg. 668/98, s. 6 (3).

(4) An application that has been approved in writing by the Minister shall be deemed to be a temporary licence under subsection 40 (1) of the Act to keep the reptiles and amphibians in captivity in accordance with the terms of the approval. O. Reg. 668/98, s. 6 (4).

(5) The temporary licence expires on the earlier of the day that is one year after the day this Regulation comes into force and the day on which the Minister issues a licence under subsection 40 (1) of the Act. O. Reg. 668/98, s. 6 (5).

7. (1) A person may,

(a) keep a game reptile, a specially protected reptile, a game amphibian or a specially protected amphibian in captivity under a licence issued under subsection 40 (1) of the Act;

(b) propagate it under a licence issued under subsection 45 (1) of the Act; and

(c) buy or sell it under a licence issued under subsection 48 (1) of the Act. O. Reg. 264/05, s. 2.

(2) The person shall not,

(a) buy a game reptile, a specially protected reptile, a game amphibian or a specially protected amphibian, except from a person who may sell it lawfully; or

(b) sell it, except to a person who may buy it lawfully. O. Reg. 264/05, s. 2.

8. (1) A person who keeps a game reptile, a specially protected reptile, a game amphibian or a specially protected amphibian in captivity shall keep a log book that contains information respecting the buying, selling, acquisition, disposition, birth and death of the specimens kept. O. Reg. 668/98, s. 8 (1).

(2) The log book shall be in a format established by the Minister. O. Reg. 668/98, s. 8 (2).

(3) Copies of the log book shall be kept for five years after the date of the expiry of the licence that was valid at the time it was kept. O. Reg. 668/98, s. 8 (3).

(4) The person shall not make a false entry in the log book. O. Reg. 668/98, s. 8 (4).

9. This Part does not apply to a person to whom subsection 40 (1) of the Act does not apply under clause 40 (2) (a) or (b) of the Act. O. Reg. 668/98, s. 9.

PART III

SPECIALLY PROTECTED RAPTORS AND OTHER BIRDS OF PREY

10. In this Part,

“falconry birds” means Peregrine Falcon, Northern Goshawk, Gyrfalcon, Cooper’s Hawk, Red-tailed Hawk, Sharp-shinned Hawk, Merlin, American Kestrel, Bald Eagle, Great Horned Owl, Northern Hawk Owl, Golden Eagle, Broad-winged Hawk, Red-shouldered Hawk, Snowy Owl and Northern Harrier;

“non-indigenous falconry birds” means Prairie Falcon, Saker Falcon, Lanner Falcon, Lagger Falcon, Harris’ Hawk, Ferruginous Hawk, Swainson’s Hawk, Bonelli’s Eagle, European Kestrel, European Sparrow-hawk, Tawny Eagle and Steppe Eagle. O. Reg. 668/98, s. 10.

11. A person may keep falconry birds in captivity under a general falconry licence, a commercial falconry licence or an apprentice falconry licence issued under subsection 40 (1) of the Act. O. Reg. 668/98, s. 11.

12. (1) A person may be issued a general falconry licence if, during the year following the day this Regulation comes into force, the person provides proof of having possessed a specially protected raptor or other bird of prey continuously for two years during the five-year period prior to the date of applying for the licence. O. Reg. 668/98, s. 12 (1).

(2) The following persons may be issued a general falconry licence more than one year after the day this Regulation comes into force:

1. A person who provides proof that he or she possessed, in a jurisdiction other than Ontario, a specially protected raptor or other bird of prey continuously for two years during the five-year period prior to the date of applying for a general falconry licence.

2. A person who has successfully completed an apprenticeship described in section 14 as certified by the person’s sponsor.

3. A person who has held a general falconry licence or a commercial falconry licence issued under this Regulation at any time in the five-year period prior to the date of applying for the licence. O. Reg. 668/98, s. 12 (2).

(3) The holder of a general falconry licence may keep up to three falconry birds in captivity and may, in addition, keep any number of falconry birds for a person who holds any licence under this Part for a period of up to three months for each falconry bird. O. Reg. 668/98, s. 12 (3).

13. (1) The following persons may be issued a commercial falconry licence:

1. A person who propagated specially protected raptors or other birds of prey continuously for two years during the five-year period prior to applying for the licence.

2. A person who has held a general falconry licence issued under this Regulation for a period of at least five years.

3. A person who provides proof that he or she has kept specially protected raptors or other birds of prey in captivity for at least five years prior to applying for the licence.

4. A person who has held a commercial falconry licence issued under this Regulation at any time in the five years prior to the date of applying for the licence. O. Reg. 668/98, s. 13 (1).

(2) The holder of a commercial falconry licence may keep any number of falconry birds at any one time. O. Reg. 668/98, s. 13 (2).

14. (1) A person who receives instruction in the care and handling of falconry birds from a sponsor may be issued an apprentice falconry licence to keep a single falconry bird in captivity during the period of the sponsorship for the purpose of receiving that instruction. O. Reg. 668/98, s. 14 (1).

(2) An apprentice falconry licence may only be issued to a person who has the facilities and equipment necessary for the proper care and handling of falconry birds as certified by his or her sponsor. O. Reg. 668/98, s. 14 (2).

15. (1) For the purposes of section 14, the holder of a general falconry licence or a commercial falconry licence who has at least five years experience as a trainer, hunter, keeper and handler of specially protected raptors or other birds of prey may sponsor an apprentice falconer. O. Reg. 668/98, s. 15 (1).

(2) The sponsor shall, over a period of at least 15 months that includes at least two months of October,

(a) instruct the apprentice falconer in the proper training, hunting, care and handling of falconry birds; and

(b) provide a minimum of 30 hours of field instruction. O. Reg. 668/98, s. 15 (2).

16. (1) Despite section 11, a person who keeps falconry birds in captivity on the day this Regulation comes into force may keep the birds in captivity without a licence for 90 days after that day but shall apply for a general falconry licence, a commercial falconry licence or an apprentice falconry licence within the 90-day period. O. Reg. 668/98, s. 16 (1).

(2) An application that has been approved in writing by the Minister shall be deemed to be a temporary licence of the type applied for, for a period of 90 days from the date of the approval, in accordance with the terms of the approval. O. Reg. 668/98, s. 16 (2).

17. A person who keeps a specially protected raptor that is not a falconry bird in captivity on the day this Regulation comes into force may, without a licence,

(a) continue to do so for 90 days after that day; and

(b) keep that raptor for its lifetime if the Minister so authorizes under clause 40 (2) (c) of the Act. O. Reg. 668/98, s. 17.

18. A person who holds a general falconry licence, a commercial falconry licence or an apprentice falconry licence shall hold a current small game hunting licence issued under Ontario Regulation 665/98 (Hunting). O. Reg. 668/98, s. 18.

19. (1) Despite subsection 27 (1) of the Act,

(a) the holder of a general falconry licence, a commercial falconry licence or an apprentice falconry licence may, for the purposes of subsection 27 (2) of the Act, hunt with falconry birds or non-indigenous falconry birds in accordance with Ontario Regulation 665/98 (Hunting);

(b) any person may hunt with a non-indigenous falconry bird under a current small game hunting licence issued under Ontario Regulation 665/98 (Hunting) and in accordance with that Regulation. O. Reg. 668/98, s. 19 (1).

(2) Wildlife Management Units 1 to 95 referred to in Regulation 530 of the Revised Regulations of Ontario, 1990 are areas designated as areas in which a person may hunt with a falconry bird or a non-indigenous falconry bird. O. Reg. 668/98, s. 19 (2).

20. A person who keeps a specially protected raptor or any other bird of prey may exercise the bird in an area usually inhabited by wildlife during the closed season for the wildlife if the person exercises all due diligence to prevent the bird from killing the wildlife. O. Reg. 668/98, s. 20.

21. A person who is hunting with a falconry bird shall carry on his or her person the licence or authorization pursuant to which the bird is kept in captivity. O. Reg. 668/98, s. 21.

22. (1) A person shall not keep a specially protected raptor or a non-indigenous falconry bird in captivity unless it is marked with a clearly and uniquely numbered band of the type approved by the Minister. O. Reg. 668/98, s. 22 (1).

(2) The band shall be affixed to the leg of the bird in a manner that prevents the band from being removed without destroying it. O. Reg. 668/98, s. 22 (2).

(3) A person shall mark a specially protected raptor or other bird of prey kept by the person within three weeks of it being hatched. O. Reg. 668/98, s. 22 (3).

(4) If the band is lost or accidentally removed, the loss or removal and its date shall immediately be noted in the log book referred to in subsection 27 (1). O. Reg. 668/98, s. 22 (4).

(5) The person who keeps a bird whose band has been lost, accidentally removed or destroyed shall immediately affix a new band of the proper type in the proper manner. O. Reg. 668/98, s. 22 (5).

(6) The Minister shall be notified in writing within five working days of the loss or removal of a band and of the number of a new band affixed under subsection (5). O. Reg. 668/98, s. 22 (6).

23. (1) A non-resident hunter who wishes to keep falconry birds in captivity in Ontario for the purpose of hunting shall submit a letter of application to the Minister. O. Reg. 668/98, s. 23 (1).

(2) The applicant shall identify the birds to be brought into Ontario, by species and band number, and shall set out the period of time that the birds will be in Ontario and the Wildlife Management Unit in which the birds will be used for hunting. O. Reg. 668/98, s. 23 (2).

(3) An application that has been approved in writing by the Minister shall be deemed to be a licence,

(a) to keep, in accordance with the terms of the approval, the birds specified in the application in captivity in Ontario for the specified period; and

(b) despite subsection 27 (1) of the Act, to hunt in accordance with Ontario Regulation 665/98 (Hunting). O. Reg. 668/98, s. 23 (3).

(4) A non-resident shall not bring a bird into Ontario for the purpose of hunting unless the bird is marked with a uniquely numbered non-removable band. O. Reg. 668/98, s. 23 (4).

24. (1) A general falconry licence, a commercial falconry licence and an apprentice falconry licence shall be deemed to be a licence to buy or sell falconry birds under subsection 48 (1) of the Act. O. Reg. 668/98, s. 24 (1).

(2) A person who holds a general falconry licence shall not, during the period the licence is valid,

(a) buy or otherwise obtain more than three falconry birds; or

(b) sell more than three falconry birds. O. Reg. 668/98, s. 24 (2).

(3) A person who holds an apprentice falconry licence shall not, during the period the licence is valid,

- (a) buy or otherwise obtain more than a single falconry bird and a single replacement for it; or
- (b) sell more than a single falconry bird. O. Reg. 668/98, s. 24 (3).

(4) The person shall not,

- (a) buy a falconry bird, except from a person who may sell it lawfully; or
- (b) sell a falconry bird, except to a person who may buy it lawfully. O. Reg. 264/05, s. 3.

25. A person shall not buy or sell, or transfer to another person, a specially protected raptor that has been taken from the wild. O. Reg. 668/98, s. 25.

26. A commercial falconry licence shall be deemed to be a licence to propagate falconry birds for the purposes of subsection 45 (1) of the Act. O. Reg. 668/98, s. 26.

27. (1) A person who keeps specially protected raptors or other birds of prey in captivity shall keep a log book that contains information respecting the birds, including,

- (a) the name and licence number of the person keeping the bird;
- (b) the date of the event being recorded;
- (c) the species and band number of the bird;
- (d) the description of the event or the business transaction involving the bird;
- (e) the name and address of the persons engaged in the business transaction or event, if any, and the numbers of their general falconry or commercial falconry licences; and
- (f) details of any final disposition of the bird. O. Reg. 668/98, s. 27 (1).

(2) The person shall submit an annual return to the Minister in a format established by the Minister for any specially protected raptor the person keeps. O. Reg. 668/98, s. 27 (2).

(3) Copies of the log book and annual return shall be kept for five years from the date of expiry of the licence that was valid at the time they were kept. O. Reg. 668/98, s. 27 (3).

(4) The person shall not make a false entry in the log book. O. Reg. 668/98, s. 27 (4).

PART IV DOG TRAIN AND TRIAL AREAS

28. In this Part,

“train and trial area” means an area in which wildlife is enclosed for the purpose of teaching dogs hunting skills or testing their hunting skills;

“trial” means a competition in a train and trial area that tests the skills of dogs to hunt wildlife by scent. O. Reg. 668/98, s. 28.

29. Subsection 35 (1) of the Act does not apply to a person who, on June 9, 1997, owned and operated a train and trial area if the person holds a licence to own and operate a train and trial area. O. Reg. 668/98, s. 29.

30. The holder of a licence that so specifies may keep coyote, red fox, varying hare and cottontail in the train and trial area for the purpose of teaching dogs hunting skills and testing those skills. O. Reg. 668/98, s. 30.

31. (1) A licence to own and operate a train and trial area shall be deemed to be a licence,

(a) to keep the wildlife specified in the licence in captivity in the area for the purpose of subsection 40 (1) of the Act;

(b) to propagate in the area the wildlife specified in the licence for the purpose of subsection 45 (1) of the Act; and

(c) to buy the wildlife specified in the licence to be kept in the area and to sell the wildlife specified in the licence that was kept in the area, for the purpose of subsection 48 (1) of the Act. O. Reg. 668/98, s. 31 (1).

(2) The holder of a licence shall not sell wildlife apart from the wildlife kept in the area under the licence and shall only sell such wildlife to another licensed owner or operator of a train and trial area. O. Reg. 668/98, s. 31 (2).

32. (1) A person described in section 29 is not required to hold a licence to own or operate a train and trial area for 90 days after the day this Regulation comes into force but shall apply for a licence within the 90-day period. O. Reg. 668/98, s. 32 (1).

(2) An application that has been approved in writing by the Minister shall be deemed to be a temporary licence for a period of 90 days from the date of approval in accordance with the terms of the approval. O. Reg. 668/98, s. 32 (2).

33. (1) Subsection 41 (1) of the Act does not apply to the following persons who conduct activities under this Part:

1. The holder of a licence under this Part who permits dogs to be on the trail of wildlife kept in the train and trial area under the licence.

2. A person whose dogs are on the trail of wildlife kept in the train and trial area owned and operated by a person who holds a licence under this Part. O. Reg. 668/98, s. 33 (1).

(2) A person whose dogs are on the trail of the wildlife that is kept in a train and trial area under a licence is not required to hold a hunting licence under section 6 of the Act and an outdoors card under Ontario Regulation 665/98 (Hunting). O. Reg. 668/98, s. 33 (2).

(3) Section 26 of the Act does not apply to a person who is teaching dogs hunting skills or testing such skills by putting them on the trail of wildlife that is kept under a licence in a train and trial area. O. Reg. 668/98, s. 33 (3).

(4) Despite clause 20 (1) (a) of the Act, a person may allow dogs to be on the trail of the wildlife that is kept in a train and trial area under a licence during the period from half an hour after sunset to half an hour before sunrise. O. Reg. 668/98, s. 33 (4).

34. In addition to the Minister's power to refuse to issue a licence under sections 71 and 72 of the Act, the Minister may refuse to issue a licence to the owner and operator of a train and trial area if, in his or her opinion, the owner or operator of the train and trial area has not provided adequate escape

cover and adequate protection from the elements for the wildlife kept in the area under the licence. O. Reg. 668/98, s. 34.

35. (1) The licensee shall ensure that wildlife kept in the train and trial area under the licence is provided with,

- (a) adequate food and clean water;
- (b) sufficient vegetation cover to prevent dogs from chasing wildlife by sight alone; and
- (c) adequate escape cover and protection from the elements for the wildlife kept in the area as specified in the licence. O. Reg. 668/98, s. 35 (1).

(2) The licensee shall ensure that the train and trial area is fenced in a manner that prevents the species of wildlife kept in the train and trial area under the licence from entering the area or escaping from it. O. Reg. 668/98, s. 35 (2).

(3) The licensee shall not entice nor in any way assist wildlife to enter the train and trial area. O. Reg. 668/98, s. 35 (3).

(4) The licensee shall not alter, or permit the alteration of, the tails of coyotes or red foxes that are kept in the train and trial area. O. Reg. 668/98, s. 35 (4).

(5) A licensee shall ensure that game wildlife injured in the train and trial area is,

- (a) treated and released in the area;
- (b) taken to a veterinarian's facility for treatment and then released in the area; or
- (c) euthanized in a humane manner. O. Reg. 668/98, s. 35 (5).

36. (1) The licensee shall not keep wildlife that is licensed to be kept in the train and trial area in a separate enclosure. O. Reg. 668/98, s. 36 (1).

(2) Despite subsection (1), an animal that requires acclimatization or rehabilitation may be kept in a separate enclosure of at least 30 square metres within the train and trial area. O. Reg. 668/98, s. 36 (2).

(3) A person shall not release dogs into the separate enclosure. O. Reg. 668/98, s. 36 (3).

37. (1) A licensee shall not buy or otherwise obtain the species of wildlife that may be kept in the train and trial area under the licence, except from the following persons:

1. A person authorized by the Minister to trap the species of wildlife under subsection 40 (4) of the Act.

2. A person authorized to sell the species of furbearing mammals under subsection 48 (4) of the Act.

3. A person who possesses a licence to sell game wildlife under subsection 48 (1) of the Act.

4. A person who keeps farmed animals, with respect to red foxes kept by the person.

5. Another licensed owner and operator of a train and trial area. O. Reg. 668/98, s. 37 (1).

(2) Despite subsection (1), a licensee shall not buy or otherwise obtain coyote or red fox that have been transported into Ontario. O. Reg. 668/98, s. 37 (2).

38. (1) A person shall not carry or use a firearm in a train and trial area. O. Reg. 668/98, s. 38 (1).

(2) Subsection (1) does not apply to a licensee or agent of the licensee who carries or uses a firearm for the purpose of humane euthanasia of sick or injured wildlife specified in the licence or under section 31 of the Act. O. Reg. 668/98, s. 38 (2).

(3) A person shall not discharge a firearm into a train and trial area from a point outside the area, except a licensee or an agent of a licensee using it for the purpose of humane euthanasia of sick or injured wildlife specified in the licence. O. Reg. 668/98, s. 38 (3).

39. A person shall only put dogs of the following breeds on the trail of wildlife in the train and trial area or permit that they be put on their trail:

1. Basset hound.
2. Beagle.
3. Bloodhound.
4. Coonhound.
5. Dachshund.
6. American foxhound.
7. English foxhound.
8. Harrier. O. Reg. 668/98, s. 39.

40. (1) A licensee shall not teach dogs hunting skills, or permit dogs to be taught hunting skills, in a train and trial area where there are coyotes unless the area is at least 80 hectares. O. Reg. 668/98, s. 40 (1).

(2) A licensee shall not teach dogs hunting skills, or permit dogs to be taught hunting skills, in a train and trial area where there are red fox unless the area is at least 32 hectares or, if the area is smaller than 32 hectares, unless the licence authorizes such teaching even though the area is smaller. O. Reg. 668/98, s. 40 (2).

(3) A licensee shall not teach dogs hunting skills, or permit dogs to be taught hunting skills, in a train and trial area where there are varying hare or cottontail unless the area is at least 4 hectares. O. Reg. 668/98, s. 40 (3).

(4) A licence authorizing the use of an area that is smaller than 32 hectares under subsection (2) may be issued if the Minister is of the opinion that the use of fewer dogs and the area's vegetation and escape cover compensate for its smaller size. O. Reg. 668/98, s. 40 (4).

41. (1) A licensee shall not permit trials to be conducted in a train and trial area where basset hounds, beagles or dachshunds are on the trail of varying hare or cottontail unless it is at least 6 hectares. O. Reg. 668/98, s. 41 (1).

(2) A licensee shall not permit trials to be conducted in a train and trial area where basset hounds, beagles or dachshunds are on the trail of red fox unless it is at least 40 hectares. O. Reg. 668/98, s. 41 (2).

(3) A licensee shall not permit trials to be conducted in a train and trial area where English foxhounds, American foxhounds, coonhounds, bloodhounds or harriers are on the trail of coyote or red fox unless it is at least 160 hectares. O. Reg. 668/98, s. 41 (3).

42. (1) A licensee shall not, at any time, permit in a train and trial area where basset hounds, beagles or dachshunds are on the trail of varying hare, cottontails or red fox more than one dog for every 0.4 hectares, to a maximum of 50 dogs. O. Reg. 668/98, s. 42 (1).

(2) A licensee shall not, at any time, permit in a train and trial area where English foxhounds, American foxhounds, coonhounds, bloodhounds or harriers are on the trail of coyotes or red fox more than one dog for every 1.2 hectares. O. Reg. 668/98, s. 42 (2).

(3) A licensee shall not permit dogs to be on the trail of wildlife in a train and trial area during the seven-day period following the release of new wildlife into the area. O. Reg. 668/98, s. 42 (3).

(4) A licensee shall not permit dogs to be on the trail of wildlife in a train and trial area for at least six periods of 12 hours in the course of a seven-day period running from Monday to Sunday. O. Reg. 668/98, s. 42 (4).

(5) Despite subsection (4), a licensee shall not permit dogs in the train and trial area for a period before and after a trial that is equivalent in length to the trial. O. Reg. 668/98, s. 42 (5).

(6) Despite subsection (4) or (5), a licensee shall not permit three-day trials to be less than 10 days apart. O. Reg. 668/98, s. 42 (6).

(7) A licensee shall not permit more than 8 three-day trials to be conducted in the train and trial area during a calendar year. O. Reg. 668/98, s. 42 (7).

43. (1) A licensee shall keep a register in the form of a bound book that contains information about the use of the train and trial area, including,

(a) the name, address and telephone number of each person who uses the train and trial area or, if a club or association uses it for a trial, its name, address and telephone number and that of its representative who maintains a list of persons using the area during the trial;

(b) the date that the area is used by each person, club or association and the time at which each person or club or association member came and left the area; and

(c) the number of dogs used by each person, club or association. O. Reg. 668/98, s. 43 (1).

(2) A licensee shall keep a log book in the form of a bound book that contains information about the wildlife kept in the train and trial area, including,

(a) the number of wildlife, by species, released into the train and trial area and the date of their release;

(b) the name of the person from whom the wildlife was bought or otherwise obtained and the description of the person's licence or its number, if one exists;

(c) medical treatment provided to wildlife licensed to be kept in the train and trial area; and

(d) the date of the discharge of any firearm in the train and trial area and the reasons for discharging the firearm. O. Reg. 668/98, s. 43 (2).

(3) A licensee shall not make any false entry in the register or log book. O. Reg. 668/98, s. 43 (3).

(4) A person wishing to use a train and trial area shall ensure that his or her name and the other information required under this section is entered in the register before he or she releases a dog in the train and trial area or in any way uses the area. O. Reg. 668/98, s. 43 (4).

(5) The licensee shall keep the register and log book for at least two years from the date of expiry of the licence that was valid at the time they were kept. O. Reg. 668/98, s. 43 (5).

(6) The person shall submit an annual return to the Minister, in a format established by the Minister, with respect to the operation of the train and trial area. O. Reg. 668/98, s. 43 (6).

PART V MISCELLANEOUS

44. Subsection 40 (1) of the Act does not apply to a person who keeps injured, sick or immature wildlife in captivity for the purpose of,

(a) transferring the wildlife to a veterinarian for treatment or to a wildlife custodian for the purpose of rehabilitation or care, if the person keeps it for less than 24 hours; or

(b) treatment by a veterinarian. O. Reg. 668/98, s. 44.

45. The following provisions do not apply to a person who kept game wildlife or specially protected wildlife in captivity and who is required to capture or kill it following its escape or release from captivity under clause 46 (3) (b) of the Act:

1. Parts I to XV of Ontario Regulation 665/98 (Hunting), except sections 75, 82 and 83.

2. Ontario Regulation 667/98 (Trapping), except sections 17 to 26. O. Reg. 668/98, s. 45.

46. Omitted (revokes other Regulations). O. Reg. 668/98, s. 46.

47. Omitted (provides for coming into force of provisions of this Regulation). O. Reg. 668/98, s. 47.