

From: Stewart, Jamie (MNRF) <jamie.stewart@ontario.ca>
Subject: RE: Humane Society authority on wildlife

Date: 17 April, 2020 4:57:42 PM EDT**To:** Alexander Donald
<sandy@ontariowildliferescue.ca> **Cc:** Curley, Christie (MNRF)
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Q: “A) how much if any authority does the Humane Society have with wild animals that are native to Ontario.

A: There is no specific authority under the *Fish and Wildlife Conservation Act* (FWCA) provided to humane societies. The FWCA and its regulations apply to humane society employees as it generally would to any person.

Q: “B) Does the Human Society have any authority over Authorized Wildlife Custodians (wildlife rehabbers) in Ontario ?”

A: The FWCA does not convey humane societies any legal authority over authorized wildlife custodians. Humane society employees have the same ability as any person under section 44 of Ontario Regulation [668/98](#) which allows a person to keep sick, injured or orphaned wildlife without an authorization for the purpose of transporting it to an authorized wildlife custodian or to a licensed veterinarian.

A licensed veterinarian may keep sick, injured or orphaned wildlife for medical treatment (which includes euthanasia). Some humane societies employ licensed veterinarians on staff. An authorized wildlife custodian may keep sick, injured or orphaned wildlife for care and rehabilitation (which includes euthanasia under the supervision of a licensed veterinarian).

Q: “C) Can the Human Society enforce the Fish and Wildlife Act and the rules and regulations for Wildlife Rehabbers in Ontario?”

A: No, a humane society does not have enforcement powers under the FWCA. People are encouraged to call the province’s toll-free number at: 1-833-9-ANIMAL (264625) to report concerns about animal distress or abuse.

” We connected with the Ministry of the Solicitor General, who administer the *Provincial Animal Welfare Services Act* to get some more information pertaining to your questions.”

Jamie Stewart

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“Reg. 668/98: WILDLIFE IN CAPTIVITY under Fish and Wildlife Conservation Act, 1997, S.O. 1997, c. 41 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.”