

# PROCEDURE MANUAL

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## This Procedure Replaces

None

## Staff, Organizations Directly Affected:

General Public

Director

Permit & Authorization Service Bureau

Conservation Officer Service

## Policy Cross-Reference:

Ministry Policy Manual, Volume 4, Section 7

Subsection:

— 12.06 Controlled Alien Species

## Other Cross-References

Ministry Policy Manual, Volume 4, Section 7

Subsection:

— 02.02 Use of *Permit and Licence Issuance Manual* Guidelines for Issuing Permits under the *Wildlife Act*

## Purpose:

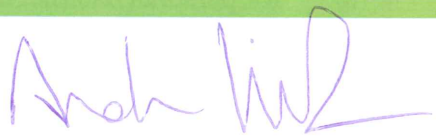
The purpose of this procedure is to establish a consistent approach for permitting possession, shipping, transportation, breeding, and public display of prohibited species individuals.

## Definitions:

“**accredited zoo**” – means a place or enclosure where animals are kept in captivity for public viewing or public display that has been accredited by the Canadian Association of Zoos and Aquariums (CAZA).

“**certified educational institution**” – means an educational body, such as a designated BC college or university, that

- (i) holds a valid Certificate of GAP – Good Animal Practice® from the Canadian Council on Animal Care, and
- (ii) facilitates learning toward identified goals to the extent that it provides predictable and organized learning opportunities.

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**“certified research institution”** – means an institution that

- (i) uses prohibited species individuals for research purposes;
- (ii) when conducting research or animal testing meets or exceeds the standards for animal care and use outlined in the Canadian Council on Animal Care’s Guide to the Care and Use of Experimental Animals;
- (iii) holds a valid Certificate of GAP - Good Animal Practice® from the Canadian Council on Animal Care; and
- (iv) when appropriate, disseminates its results in peer reviewed scientific journals.

**“commercial filming”** – means capturing images on film, videotape, disk, or by other means undertaken with the intent of monetary return or for use as public educational, entertainment, promotional, or advertising material.

**“controlled alien species” (CAS)** – means controlled alien species as defined in the *Wildlife Act*, RSBC 1996 c.488.

**“controlled alien species permit advisory committee” (CAS PAC)** – means a committee appointed by the Director comprised of professionals from the Canadian Association of Zoos and Aquariums, the Pet Industry Joint Advisory Council, the BC Society for the Prevention of Cruelty to Animals, and Ministry specialists, who review and advise the Director on permit applications concerning prohibited species individuals.

**“prohibited species individual”** – means prohibited species individual as defined in the Controlled Alien Species Regulation (BC Reg. 94/2009).

**“rescue centre permit”** – has the meaning given in 1.1 (f) of this procedure.

## Procedure:

### 1 Possession criteria for CAS in BC on March 16, 2009

- 1.1 A permit to possess a prohibited species individual that was in BC on March 16, 2009 should be issued only for the following purposes, to the following persons, and subject to the following conditions, as applicable:
  - a. for personal use (i.e. as a pet),
  - b. to operate an accredited zoo,

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- c. to a certified education institution, on condition that it has a minimum of \$2 million in public liability and property damage insurance,
- d. to a certified research institution, on condition that it has a minimum of \$2 million in public liability and property damage insurance,
- e. for commercial filming, on condition that the permit holder has a minimum of \$2 million in public liability and property damage insurance,
- f. to take in and find homes for unwanted prohibited species individuals, but only for a period of no longer than 9 months (a “rescue centre permit”), or
- g. any other purpose if the Director is satisfied that the circumstances are exceptional.

1.2 The Director should be more inclined to issue a permit to possess a prohibited species individual that was in BC on March 16, 2009 in the following circumstances:

- a. a holder of a prohibited species individual possession permit dies or no longer wants to possess the prohibited species individual and a person has applied to possess that prohibited species individual,
- b. a person wants to obtain a prohibited species individual from a person who holds a rescue centre permit, or
- c. after 9 months, a holder of a rescue centre permit has not been able to find a new home (either in or out of the province) for the prohibited species individual despite diligently trying and requests an extension past the 9 month restriction.

1.3 The Director should be less inclined to issue a permit to possess a prohibited species individual that was in BC on March 16, 2009 to a holder of a permit to possess a prohibited species individual who wishes to increase the number of prohibited species individual(s) in their possession (i.e. stockpile).

## 2 Possession criteria for CAS not in BC on March 16, 2009

2.1 The Director has no authority to issue a permit to possess a prohibited species individual that was not in BC on March 16, 2009, to anyone other than a person who operates a zoo or is an educational or research institution, or unless satisfied that special circumstances exist. The following should be considered special circumstances:

- a. the prohibited species individual will leave BC after a specified short period of time, but only if the permit is issued on condition that the prohibited species individual remain in BC for no longer than that specified time (a “transitory permit”),

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- b. the holder of a permit for the purpose of commercial filming wants to replace a prohibited species individual that has died (i.e. so they can continue their business),
- c. the applicant has a rescue centre permit, or
- d. a person wants to obtain a prohibited species individual from a person who holds a rescue centre permit.

2.2 The Director should be more inclined to issue a permit to possess a prohibited species individual that was not in BC on March 16, 2009 to an accredited zoo or a certified educational institution or certified research institution.

## 3 Shipping or transportation criteria

3.1 If a permit to possess a prohibited species individual for commercial filming or personal use is issued and the applicant requests a permit condition to ship or transport the prohibited species individual out of BC and back in again, a permit condition to do so should be included only on provision that the permit holder prove that each prohibited species individual is uniquely identifiable (i.e. microchip, pit tag, tattoo, etc.) and obtain, for each prohibited species individual that returns to BC, a health certificate that

- a. is signed by a person legally authorized to practice veterinary medicine in the jurisdiction from which the prohibited species individual returns,
- b. is dated no earlier than 30 days before the prohibited species individual returns to BC, and
- c. certifies that the prohibited species individual is free of disease.

3.2 If a permit to possess a prohibited species individual is issued for an accredited zoo or to a certified educational institution or certified research institution, a condition should be included allowing the permit holder to transport into BC a prohibited species individual if they obtain, for that prohibited species individual, a health certificate that

- a. is signed by a person legally authorized to practice veterinary medicine in the jurisdiction from which the prohibited species individual is brought,
- b. is dated no earlier than 30 days before the prohibited species individual is brought into BC, and
- c. certifies that the prohibited species individual is free of disease.

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## 4 Breeding

- 4.1 An applicant should be considered for a permit under section 4 (g) of the *Wildlife Act* Permit Regulation if the applicant operates an accredited zoo or is a certified educational institution or certified research institution.

## 5 Public display of prohibited species individuals

- 5.1 The Director should include on every permit to possess a prohibited species individual a condition that prohibits its display unless 5.2 or 5.3 applies.
- 5.2 A condition barring public display should not be included on a permit issued to a certified research institution, a certified educational institution, or an organization that operates an accredited zoo. This is because of their rigorous safety procedures, professionalism, and institutional standing. Displaying prohibited species individuals at these institutions is less likely to motivate a member of the general public to acquire one of these dangerous animals.
- 5.3 The Director should consider allowing display to the public of a prohibited species individual if the applicant intends to become CAZA accredited and
- maintains \$2 million in public liability and property damage insurance,
  - has a business licence from the local government (if required by the local government) to run a commercial operation for the display of CAS,
  - will not be displaying the prohibited species individual as part of a show that travels and uses it for public entertainment or public display,
  - runs a business that has possessed and displayed CAS for a minimum of seven years prior to March 16, 2009, and
  - provides documentation showing that they are working with the Canadian Association of Zoos and Aquariums toward accreditation (i.e. a business plan).

## 6 Potential mitigating factors

- 6.1 When considering whether to issue a permit concerning a prohibited species individual, the Director should take into consideration
- the risk that a prohibited species individual will pose to the public's health or safety or to property, wildlife, or wildlife habitat,

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- b. comments and recommendations from CAS PAC and ministry employees working in the relevant region (including Victoria),
- c. whether the applicant is in compliance with all applicable laws, including by considering evidence that the applicant is in non-compliance of a law related to CAS (e.g. from an investigative report from the Conservation Officer Service), and
- d. any conviction under the *Wildlife Act* or the *Prevention of Cruelty to Animals Act* that is relevant to the permit being applied for.

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