

2025 Bill 41

First Session, 31st Legislature, 3 Charles III

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 41

WILDLIFE AMENDMENT ACT, 2025

THE MINISTER OF FORESTRY AND PARKS

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

BILL 41

2025

WILDLIFE AMENDMENT ACT, 2025

(Assented to _____, 2025)

HIS MAJESTY, by and with the advice and consent of the
Legislative Assembly of Alberta, enacts as follows:

Amends RSA 2000 cW-10

1 The *Wildlife Act* is amended by this Act.

2 Section 1(1) is amended

(a) by repealing clause (bb) and substituting the following:

(bb) “resident” means a person

(i) whose primary residence has been in Alberta for at least a 6-month period immediately preceding the relevant date and who

(A) is a Canadian citizen or permanent resident of Canada, or

(B) has lived in Canada for the 12-month period immediately preceding the relevant date,

or

(ii) who is on full-time service with the Canadian Armed Forces and would, if an election were held under the *Canada Elections Act* (Canada), be eligible to vote in Alberta under that Act;

(b) by repealing clause (ee) and substituting the following:

Explanatory Notes

1 Amends chapter W-10 of the Revised Statutes of Alberta 2000.

2 Section 1(1) presently reads in part:

1(1) In this Act,

(bb) “resident” means a person who

(i) has his or her only or primary residence in Alberta and

(A) is a Canadian citizen or admitted to permanent residence in Canada, or

(B) has lived in Canada for the 12-month period immediately preceding the relevant date, or

(ii) is on full-time service with the Armed Forces of Canada and would, if an election were held under the Canada Elections Act (Canada), be eligible to vote in Alberta under that Act;

(ee) “tag”,

(i) used as a noun, means a tag issued under section 14, and

(ii) used as a verb, means affix a tag pursuant to section 37;

(hh) “trap”,

(ee) “tag” means a tag, including an electronic tag, issued under section 14 and with which wildlife is tagged under section 37;

(c) by repealing clause (hh) and substituting the following:

(hh) “trap”,

(i) used as a noun, means a device, other than a weapon, designed and commonly used to enclose, capture, hold, ensnare or otherwise restrain or kill an animal, and

(ii) used as a verb, means to use a trap to take, capture or kill or attempt to take, capture or kill an animal;

(d) in clause (jj) by striking out “aircraft or boat” and substituting “aircraft, a boat or a non-motorized mobility aid”.

3 Section 7(4)(b) is amended by striking out “that Act” and substituting “the *Livestock Industry Diversification Act*”.

4 Section 8(1)(b) is repealed and the following is substituted:

(b) where required by section 37, the wildlife has been tagged in accordance with that section,

5 Section 11.1(1) and (2) are amended by striking out “or the regulations”.

- (i) *used as a noun, means a device, other than a weapon, designed and commonly used to capture, injure or kill animals of any kind, and*
- (ii) *used as a verb, means capture, injure or kill animals of any kind, or attempt to do so, by means of the use of a trap;*
- (jj) *“vehicle” means a device, other than an aircraft or boat, in, on or by which a person or thing may be transported;*

3 Section 7(4)(b) presently reads:

(4) Notwithstanding subsection (2), the property in the following animals is vested in the Crown:

- (b) strays that have become wildlife under regulations made under section 33(2)(c) of that Act,*

4 Section 8(1)(b) presently reads:

8(1) After the death in Alberta of wildlife belonging to the Crown, the property in it remains in the Crown unless the Minister transfers it to another person under section 9 or unless

- (b) where required by section 37, a tag or tags have been affixed to it in accordance with that section,*

5 Section 11.1 presently reads:

11.1(1) A licence or permit issued under this Act or the regulations does not authorize an activity that is prohibited by or under an ALSA regional plan.

(2) In the event of a conflict between the terms and conditions of a licence or permit issued under this Act or the regulations and an

6 Section 14 is repealed and the following is substituted:

Tags

14(1) The Minister may issue, with and as part of a licence, one or more tags for each wildlife animal that may be killed under the licence.

(2) If a person tags diseased wildlife or wildlife materially infested by parasites and surrenders the wildlife to a wildlife officer, the Minister may issue a replacement tag to that person on payment of the prescribed fee.

7 Section 31 is repealed and the following is substituted:

Minors using firearms, prescribed weapons

31(1) A minor shall not hunt with a firearm unless the minor is

- (a) under the direct and immediate supervision of the minor's parent or legal guardian,
- (b) under the direct and immediate supervision of an adult who is authorized in writing by the minor's parent or legal guardian to accompany the minor, or
- (c) authorized to possess a firearm under the authority of a licence issued under the *Firearms Act* (Canada) and the firearm is used in accordance with any conditions attached to the licence.

(2) A minor shall not hunt with a prescribed weapon unless the minor is under the direct and immediate supervision of

- (a) the minor's parent or legal guardian, or
- (b) an adult who is authorized in writing by the minor's parent or legal guardian to accompany the minor.

ALSA regional plan, the ALSA regional plan prevails to the extent of the conflict.

6 Section 14 presently reads:

14(1) The Minister may issue with and as part of a licence a tag or tags for each wildlife animal that may be killed under the licence.

(2) If a tag is affixed to diseased wildlife or wildlife materially infested by parasites and the wildlife is surrendered to a wildlife officer, the Minister may issue a replacement tag on payment of the prescribed fee.

7 Section 31 presently reads:

31 A person who is under 18 years of age shall not hunt with a firearm or another prescribed weapon unless under the direct and immediate supervision of

(a) the minor's parent or legal guardian, or

(b) an adult who is authorized in writing by the minor's parent or legal guardian to accompany the minor.

8 Section 33 is amended

(a) by repealing subsection (1)(c) and (d) and substituting the following:

- (c) discharge a weapon from a vehicle, aircraft or moving boat if the boat is equipped with a sail or a motor, or
- (d) have a loaded firearm on or in a vehicle, aircraft or moving boat if the boat is equipped with a sail or a motor.

(b) by adding the following after subsection (1):

(1.1) For the purposes of subsection (1)(c) and (d), a boat is considered to be moving if it continues to move because of motion that was imparted by its sail or its motor.

9 Section 34 is repealed.

10 Sections 37 and 38 are repealed and the following is substituted:

Tagging wildlife

37 When a holder of a licence, as a part of which one or more tags have been issued, has killed wildlife under the authority of the licence, the licence holder shall immediately tag the wildlife in the prescribed manner.

Hunting and trespass

38 A person shall not hunt wildlife or discharge a firearm on or over land to which entry is prohibited under the *Petty Trespass Act* or enter onto that land for the purpose of doing so unless that person has

- (a) permission of the owner or occupier of the land to enter the land in accordance with section 2 of the *Petty Trespass Act*, and

8 Section 33(1) presently reads in part:

33(1) A person shall not

- (c) discharge a weapon from a vehicle, aircraft or boat, other than a boat that is propelled by muscular power or anchored, or*
- (d) have a loaded firearm on or in a vehicle, aircraft or boat, other than a boat so propelled or anchored.*

9 Section 34 presently reads:

34 A person shall not hunt wildlife in a prescribed area during an open season for big game in that area unless the person is clothed in the prescribed manner.

10 Sections 37 and 38 presently read:

37(1) The holder of a licence as a part of which a tag or tags have been issued shall, immediately after killing wildlife under the authority of that licence, affix that tag or those tags to the wildlife.

(2) The licence holder shall affix the tag or tags to the prescribed part or parts of the wildlife in the prescribed manner.

38(1) In this section, "occupied land" means

- (a) privately owned land under cultivation or enclosed by a fence of any kind and not exceeding one section in area on which the owner or occupant actually resides, and*
- (b) any other privately owned land that is within one mile of the section referred to in clause (a) and that is owned or leased by the same owner or occupant.*

- (b) express consent of the owner or occupier of the land to hunt or discharge any firearm on or over that land.

11 Section 41 is repealed and the following is substituted:

Prohibition against spoilage, etc., of skin and edible flesh

41(1) In this section, “edible portion” means,

- (a) in relation to big game, the meat of the 4 quarters, loins and neck that is fit for human consumption, and
- (b) in relation to game birds, the meat of both breasts that is fit for human consumption.

(2) A person who has killed or is in possession of a dead game bird or big game animal, other than a cougar or bear, shall not waste, destroy, abandon or allow to become unfit for human consumption any of the edible portion of the game bird or big game animal.

(3) A person who has killed or is in possession of the skin of a fur-bearing animal, except for a fur-bearing animal that has been killed in accordance with the *Agricultural Pests Act*, shall not waste, destroy or abandon the animal’s skin or allow the animal’s skin to spoil.

(4) A person who has killed or is in possession of a dead bear or cougar shall not both

- (a) waste, destroy or abandon the animal’s skin or allow the animal’s skin to spoil, and
- (b) waste, destroy, abandon or allow to become unfit for human consumption any of the edible portion of the animal.

(5) For greater certainty, a person may do the things described in subsection (4)(a) or the things described in subsection (4)(b), but not both.

(6) This section does not apply, unless the licence states that this section is to apply, to wildlife killed under a licence authorizing

(2) No person shall hunt any wildlife or discharge any firearm on or over occupied land or enter on occupied land for the purpose of doing so, without the consent of the owner or occupant of it.

11 Section 41 presently reads:

41(1) A person who has killed or is in possession of a game bird or big game animal, other than a mountain lion or bear, shall not

- (a) abandon any of its flesh that is fit for human consumption,*
- (b) destroy any such flesh, or*
- (c) allow any such flesh to become unfit for human consumption.*

(2) A person who has killed or is in possession of the skin of a fur-bearing animal, bear or mountain lion shall not allow the skin to be wasted, destroyed, spoiled or abandoned.

(3) This section does not apply to

- (a) wildlife killed under*
 - (i) a licence authorizing the collection of wildlife, or*
 - (ii) a licence authorizing the control of wildlife depredation, unless the licence states that this section is to apply.*

(4) Subsection (2) does not apply to the skin of a fur-bearing animal that has been killed in accordance with the Agricultural Pests Act.

- (a) the collection of wildlife, or
- (b) the control of wildlife depredation.

12 Section 45(2) is amended by striking out “or” at the end of clause (a), by adding “or” at the end of clause (b) and by adding the following after clause (b):

- (c) during an open season when a dog is used to track and recover a big game animal that is presumed wounded or dead after being shot at by a licence holder, if the dog is leashed and under the physical control of a person at all times while in an area where wildlife may be lawfully hunted.

13 The following is added after section 45:

No hunting with sheep or goats

45.1 A person shall not be accompanied by domestic sheep or goats while hunting in an area prescribed in the regulations as an area where doing so is prohibited.

14 Section 55(2) is amended by adding “or” at the end of clause (c) and adding the following after clause (c):

- (d) if the wildlife, except prescribed wildlife, is being transported directly to a
 - (i) wildlife rehabilitation facility operating under a valid permit, or
 - (ii) veterinary facility.

15 Section 57 is repealed and the following is substituted:

Transportation of wildlife

57 A person shall not transport wildlife in a vehicle, aircraft or boat unless

12 Section 45(2) presently reads:

- (2) Subsection (1) does not apply*
 - (a) to an activity that is specifically authorized by or under a licence authorizing the control of wildlife depredation or the collection of wildlife, or*
 - (b) during an open season in which hunting with dogs is specifically authorized for the kind of big game being hunted.*

13 No hunting with sheep or goats.

14 Section 55(2) presently reads in part:

- (2) Subject to this Act, a person may have a wildlife or controlled animal in the person's possession*
 - (c) in the case of dead wildlife, if*
 - (i) the Minister has transferred it to the person under section 9, or*
 - (ii) the wildlife has been hunted in accordance with this Act and the requirements of section 8(1)(b), (c) and (d) have been or are being met in relation to it.*

15 Section 57 presently reads:

57(1) A person shall not transport wildlife in a vehicle, aircraft or boat unless the person is carrying the prescribed documents.

- (a) the person is carrying the prescribed documents, or
- (b) the wildlife, except prescribed wildlife, is being transported directly to a
 - (i) wildlife rehabilitation facility operating under a valid permit, or
 - (ii) veterinary facility.

16 Section 68(4) is repealed and the following is substituted:

- (4) When an officer or guardian requires a person to produce anything under this section, that person shall forthwith produce it to the officer or guardian in the form it was issued under this Act.
- (5) If any thing that is required to be produced under this section was only issued under this Act in an electronic form, a person must produce it in that electronic form.

17 The following is added after section 74:

Retention or forfeiture of subject animal

74.1(1) If a wildlife officer or wildlife guardian has seized a subject animal under section 74, the wildlife officer or wildlife guardian may permit the person from whom the subject animal was seized to

- (a) acknowledge the Crown's ownership of the subject animal and consent to the retention of the subject animal by the Crown, if the subject animal belongs to the Crown, or
- (b) forfeit the subject animal to the Crown, if the subject animal does not belong to the Crown.

(2) Sections 77 and 78 apply to a subject animal forfeited to the Crown under subsection (1)(b).

18 Section 75 is amended

16 Section 68(4) presently reads:

(4) When an officer or guardian requires a person to produce anything under this section, that person shall forthwith produce it to the officer or guardian.

17 Retention or forfeiture of subject animal.

18 Section 75 presently reads in part:

- (a) in subsection (1) by repealing the portion preceding clause (a) and substituting the following:

Initial disposition of seized things

75(1) Following a seizure of anything under section 74, except a subject animal retained or forfeited under section 74.1, the wildlife officer or wildlife guardian shall, subject to this section,

- (b) in subsection (2)(b) and (c) by striking out “wildlife or controlled animal” and substituting “subject animal”;
- (c) in subsection (3) by striking out “an organism” and substituting “a subject animal or an endangered organism”.

19 Section 77 is amended by striking out “section 76” and substituting “section 74.1 or 76”.

20 Section 78(1) is repealed and the following is substituted:

Application by person claiming interest

78(1) Subject to subsection (1.1), when anything is forfeited to the Crown under section 74.1(1)(b) or 76(1)(a), any person who claims an interest in it as owner, mortgagee, lienholder or holder of any similar interest may, within 30 days after the forfeiture or any longer time that the judge may allow, apply to a judge of the Court of King’s Bench for an order under subsection (4).

- (1.1) Subsection (1) does not apply to the person who
- (a) forfeited the thing under section 74.1(1)(b), or
 - (b) was convicted of the offence that resulted in the forfeiture of the thing under section 76(1)(a).

75(1) Following a seizure of anything under section 74, the wildlife officer or wildlife guardian shall, subject to this section,

(2) The officer or guardian may

(b) in the case of a dead wildlife or controlled animal or an endangered organism, dispose of any part of it that is not required as evidence in accordance with a direction of the Minister, or

(c) in the case of a live wildlife or controlled animal or an endangered organism,

(3) Where, in accordance with subsection (2)(c)(i), an officer or guardian delivers an organism to another person to have it kept alive, the Minister may assess the cost of keeping it alive to its owner or the person in whose possession it was when it was seized, or both, and that cost shall be paid on demand by the person assessed and is recoverable by the Minister as a debt due to the Crown.

19 Section 77 presently reads:

77 Where anything is forfeited in accordance with section 76, the Minister shall

(a) sell or otherwise dispose of it, or

(b) retain it for the use of the Crown.

20 Section 78(1) presently reads:

78(1) Where anything is forfeited to the Crown under section 76(1)(a), any person, other than a person convicted of the offence that resulted in the forfeiture, who claims an interest in it as owner, mortgagee, lienholder or holder of any similar interest may, within 30 days after the forfeiture or any longer time that the judge may allow, apply to a judge of the Court of King's Bench for an order under subsection (4).

21 Section 82.1 is amended by striking out “487.01, 487.092, 487.1” and substituting “487.01, 487.012 to 487.018, 487.092, 487.1, 488.01”.

22 Section 101 is amended

(a) in subsection (1) in the Table in item 1 by striking out “38(2)” and substituting “38”;

(b) in subsection (2)

(i) by striking out “37(1) or (2)” and substituting “37”;

(ii) by striking out “41(1), 45(1)(b) or” and substituting “41(2) or (4), 45(1)(b), 45.1 or”.

23 Section 103(1) is amended by adding the following after clause (z):

(z.1) respecting feeding and attracting wildlife, including prohibitions;

21 Section 82.1 presently reads:

82.1 Without limiting section 3 of the Provincial Offences Procedure Act, sections 184.2, 487.01, 487.092, 487.1, 492.1 and 492.2 of the Criminal Code (Canada) and all the other provisions of that Code that pertain to those sections except for any such provisions that restrict the kind of offences to which the provisions relate, apply in respect of offences against, and related proceedings under, this Act.

22 Section 101 presently reads in part:

101(1) Where a person is convicted of an offence against this Act in relation to a provision specified in Column 2 of the following Table, all of that person's recreational licences are automatically cancelled, and that person's right to obtain or hold any such licence is suspended for the period specified in Column 3 of the Table:

Table

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Item No.</i>	<i>Provisions</i>	<i>Period of suspension</i>
<i>1.</i>	<i>section 21(1), 28, 29, 33(1)(a) or (b), 38(2), 52(1) or 53</i>	<i>1 year</i>

(2) Where a person is convicted by a court of an offence against this Act in relation to section 19(3), 22, 24(1), 33(1)(c), 37(1) or (2), 39, 40(1), (2) or (7), 41(1), 45(1)(b) or 51(1) or, if the offence is in respect of wildlife that is not a bird of prey or an endangered animal, section 55(1), a justice may cancel all that person's recreational licences and suspend that person's right to obtain or hold any such licence for a period of one year, 2 years, 3 years, 4 years or 5 years.

23 Adds regulation-making authority.

24 The Schedule is amended

- (a) **in Item 1 by repealing sub-item 5 and substituting the following:**

5 A light, except a laser aiming device that does not illuminate the target.

- (b) **in Item 2**

- (i) **by repealing sub-item 1 and substituting the following:**

1 Centrefire ammunition of less than .22 calibre.

1.1 Rimfire ammunition.

- (ii) **in sub-item 7(b)(ii) by striking out “40 pounds” and substituting “35 pounds”;**

- (c) **in Item 5 in sub-item 2 by striking out “9 inches or more” and substituting “more than 9 inches”.**

25 This Act comes into force on Proclamation.

24 The Schedule presently reads in part:

Item 1

Items prohibited for hunting all wildlife

5 *A light.*

Item 2

Items prohibited for hunting big game

1 *Ammunition of less than .23 calibre.*

7 *Any bow other than*

(b) a bow that

(ii) requires a pull of at least 40 pounds to draw an arrow 28 inches in length to its head.

Item 5

*Items prohibited for hunting
fur-bearing animals*

2 *A leg-hold or foot-hold trap with a jawspread of 9 inches or more or with toothed jaws.*

25 Coming into force.

RECORD OF DEBATE

Stage	Date	Member	From	To
		Interventions	From	To
Stage	Date	Member	From	To
		Interventions	From	To
Stage	Date	Member	From	To
		Interventions	From	To
Stage	Date	Member	From	To
		Interventions	From	To
Stage	Date	Member	From	To
		Interventions	From	To