

1970

## c 500 Wolf and Bear Bounty Act

Ontario

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CHAPTER 500

The Wolf and Bear Bounty Act

1. In this Act,

Interpre-  
tation

- (a) "county" includes a regional municipality;
- (b) "Minister" means the Minister of Lands and Forests;
- (c) "provisional judicial district" includes the provisional county of Haliburton;
- (d) "regulations" means the regulations made under this Act. R.S.O. 1960, c. 434, s. 1; 1968-69, c. 139, s. 1.

WOLF BOUNTIES

2. Where in any county a person has killed a timber or brush wolf and within a period of six months after the killing produces the whole skin before the treasurer of the county, a provincial judge or one of the persons designated by the Minister as wolf bounty officers, together with an affidavit in the prescribed form stating the place where and the date when the wolf was killed and that the wolf was not kept in captivity while it was under the age of three months, the treasurer, provincial judge or person aforesaid shall give to the person producing the skin a certificate in the prescribed form. R.S.O. 1960, c. 434, s. 2, *amended*.

Proof of  
killing by  
applicant

3. Upon the delivery of a certificate issued under section 2 by the person named therein to the treasurer of the county, together with the whole skin of the wolf, within a period of one month from the date of the certificate, the treasurer shall pay or cause to be paid to such person the sum of \$25 as a bounty on either a timber or a brush wolf that is three months of age or over, and \$15 as a bounty on either a timber or a brush wolf under the age of three months. R.S.O. 1960, c. 434, s. 3.

Bounties  
payable  
by county

4. Upon the delivery to the Minister by the treasurer of a county of a certificate issued under section 2 completed to the satisfaction of the Minister, together with the whole skin of the wolf, the corporation of the county is entitled to receive out of such moneys as may be appropriated by the Legislature for the payment of wolf bounty 40 per cent of the sum so paid. R.S.O. 1960, c. 434, s. 4.

Repayment  
to county  
by Province  
of Ontario

Proof of  
killing in  
provisional  
judicial  
district

**5.**—(1) Where a timber or brush wolf has been killed in a provisional judicial district, the skin may be produced before a provincial judge, the clerk of the district court or one of the persons designated by the Minister as wolf bounty officers. R.S.O. 1960, c. 434, s. 5 (1), *amended*.

Certificate

(2) Upon the like proof as required in section 2, the person before whom the skin is produced may give the certificate mentioned in section 2, provided such skin is produced within a period of ten months after the killing, and upon the delivery of the certificate duly completed to the Minister, together with the whole skin, the person named in the certificate is entitled to receive out of such moneys as may be appropriated by the Legislature for the payment of wolf bounty the sum prescribed in section 3. R.S.O. 1960, c. 434, s. 5 (2).

Proof of  
killing

**6.** Where a timber or brush wolf has been killed in a provisional judicial district, except the Provisional Judicial District of Manitoulin, the unskinned head of the wolf may be produced instead of the whole skin of the wolf, in which case the unskinned head shall be deemed to be the whole skin for all purposes of this Act and the regulations. R.S.O. 1960, c. 434, s. 6.

Provincial  
parks

**7.** Where a claim is made for the payment of bounty for any wolf killed in a provincial park, the affidavit may be taken and the certificate may be given by the superintendent of such park or before any of the persons named in subsection 1 of section 5. R.S.O. 1960, c. 434, s. 7.

Disposal  
of skin

**8.**—(1) Before payment of the bounty to the corporation of the county or directly to the person killing the wolf, the whole skin shall be delivered to the Minister or to such person or persons as the Minister may designate for the purpose, and it becomes the property of the Crown and may be disposed of in such manner as may be prescribed by the regulations.

Mistaken  
presentation

(2) If it is determined by the person to whom a skin is delivered under subsection 1 that it is not the skin of a wolf, it thereupon becomes the property of the Crown in right of Ontario and may be disposed of in such manner as the Minister may direct. R.S.O. 1960, c. 434, s. 8.

Offence

**9.**—(1) Every person who presents or sends to the Minister for bounty, or who is a party to presenting or sending to the Minister for bounty, any wolf skin upon which the bounty has been paid, or the skin of any wolf taken or killed outside Ontario, is guilty of an offence and on summary conviction is liable to a fine of not less than \$50 and not more than \$200 in respect of every wolf skin so presented or sent, and in default of payment thereof shall be imprisoned for a term of not more than six months unless the fine is sooner paid.

(2) Upon conviction for an offence under subsection 1, every wolf skin in respect of which the offence was committed shall be forfeited to and becomes the property of the Crown in right of Ontario and may be disposed of in such manner as the Minister may direct. R.S.O. 1960, c. 434, s. 9.

Forfeiture of skin

BEAR BOUNTIES

**10.**—(1) Sections 10 to 13 apply only to such geographical areas of Ontario as are prescribed by the regulations.

Application

(2) No bounty shall be paid on bears killed in areas other than those prescribed in accordance with subsection 1 nor on bears killed in provincial parks, Indian reserves or Crown game preserves. R.S.O. 1960, c. 434, s. 10.

Where no bounty

**11.**—(1) Subject to fulfilling the conditions prescribed in sections 10 to 13, where a person has killed a bear in any township of which not less than 25 per cent of the total area is devoted to agriculture, such person is entitled to a bear bounty.

Must be agricultural area

(2) Where in any such township a person kills a bear and,

Proof required

- (a) within a period of three weeks after the killing produces the whole skin thereof before a provincial judge, justice of the peace, conservation officer or one of the persons designated by the Minister as bear bounty officers;
- (b) produces to the officer an affidavit in the prescribed form stating,
  - (i) the place where the bear was killed,
  - (ii) the date when the bear was killed, and
  - (iii) that the bear was not kept in captivity previous to the date on which it was killed;
- (c) proves to the satisfaction of the officer that the bear was killed between April 15th and November 30th in defence or preservation of live stock or property; and
- (d) proves to the satisfaction of the officer that he was at the time of the killing a *bona fide* resident of the township in which the bear was killed, and that he was not at such time a tourist-outfitter or licensed guide, rendering service in such capacity to non-residents of the township,

the officer before whom the skin is produced shall give to the person producing it, a certificate in the prescribed form.

(3) Upon the issue of the certificate, the officer before whom the whole skin is produced shall stamp or mark the skin in the manner prescribed by the regulations and shall then return the skin to the person who killed the bear and it becomes his property. R.S.O. 1960, c. 434, s. 11, *amended*.

Marking of skin

Amount of  
bounty

**12.** Upon the delivery to the Minister of an affidavit and certificate mentioned in section 11 completed to the satisfaction of the Minister, the person named is entitled to receive out of such moneys as may be appropriated therefor by the Legislature the sum of \$10 as a bounty on a bear that is twelve months of age or over, and \$5 as a bounty on a bear under the age of twelve months. R.S.O. 1960, c. 434, s. 12.

Offence

**13.**—(1) Every person who presents for bounty, or who is a party to presenting for bounty, any bear skin upon which the bounty has been paid, or the skin of any bear taken or killed outside the area to which sections 10 to 13 apply, is guilty of an offence and on summary conviction is liable to a fine of not less than \$50 and not more than \$200 in respect of every bear skin so presented, and in default of payment thereof shall be imprisoned for a term of not more than six months unless the fine is sooner paid.

Forfeiture  
of skin

(2) Upon conviction for an offence under subsection 1, every bear skin in respect of which the offence was committed shall be forfeited to and becomes the property of the Crown in right of Ontario and may be sold by the Minister. R.S.O. 1960, c. 434, s. 13.

#### GENERAL PROVISIONS

Payment  
of claims

**14.** Where the Minister is satisfied that the person who killed any wolf or bear or that the corporation of the county that has paid a wolf bounty is justly entitled to receive the bounty or to be reimbursed as provided in section 4, the Minister may make a requisition on the Treasurer of Ontario accordingly and a cheque shall be issued in payment thereof notwithstanding any defect in the affidavit or certificate or any doubt as to the authority of the officer taking such affidavit or giving such certificate, and in such case the Provincial Auditor shall forthwith, without further audit or examination, countersign the cheque. R.S.O. 1960, c. 434, s. 14.

Entitlement  
determined  
by Minister

**15.** The decision of the Minister on all questions of the entitlement to payment of a bounty and as to the age and classification of animals is final. R.S.O. 1960, c. 434, s. 15.

Taking  
affidavits

**16.** Any person authorized to give a certificate under this Act may take any affidavit required to be taken by any applicant for the purpose of obtaining such certificate. R.S.O. 1960, c. 434, s. 16.

Wolves and  
bears kept  
in captivity

**17.**—(1) Every person in possession or control of any live wolf or bear shall within ten days after coming into such possession or

control apply in writing to the Minister for a permit to keep it in captivity.

(2) The Minister may issue permits under this section in such form and subject to such terms and conditions as he may in his discretion consider proper. Issuance of permits

(3) The Minister may refuse to issue a permit under this section and may cancel any such permit at any time when it is shown to his satisfaction that the person to whom the permit was issued has failed to comply with the terms and conditions thereof. Refusal and cancellation of permits

(4) Where a permit has been issued under subsection 2, the holder thereof shall not release the wolf or bear from captivity until he has obtained the approval in writing of the Minister. Release from captivity

(5) Every person who contravenes subsection 1 or who keeps any live wolf or bear in captivity after a permit therefor has been refused or cancelled is guilty of an offence and on summary conviction is liable to a fine of not less than \$10 and not more than \$100, and in default of payment of the fine shall be imprisoned for a term of not more than three months unless the fine is sooner paid. Offences

(6) Any live wolf or bear kept in captivity contrary to this section and any cage, pen, crate, shelter or other enclosure used in connection therewith may be seized and upon conviction of the person in possession or control thereof is forfeited to and becomes the property of the Crown in right of Ontario and may be disposed of in such manner as the Minister may direct. Seizure of animals, cages, etc.

(7) This section does not apply where any live wolf or bear is kept in captivity in any public zoo or for scientific or educational purposes in any public institution. R.S.O. 1960, c. 434, s. 17, *amended*. Application of section

**18.** Where in any action prosecution or other proceeding under this Act, a person claims that bounty is payable in respect of a wolf or bear skin and that such bounty has not been previously paid, the burden of proof is upon such person. R.S.O. 1960, c. 434, s. 18. Burden of proof

**19.** The Lieutenant Governor in Council may make regulations, Regulations

- (a) prescribing the form and contents of certificates and affidavits required for the purposes of this Act;
- (b) prescribing the fees payable for any permit issued under this Act;
- (c) prescribing the manner of marking or stamping any skin on which a bounty is paid;

- (d) defining the geographical areas to which sections 10 to 13 shall apply;
- (e) providing for the disposal of wolf skins on which bounty has been paid and wolf and bear skins forfeited to the Crown;
- (f) respecting any matter necessary or advisable to carry out effectively the intent and purpose of this Act. R.S.O. 1960, c. 434, s. 19.