

SECTION: Wildlife in Captivity

SUBSECTION: Wildlife rehabilitation

SUBJECT: Wildlife Rehabilitation

POLICY: WilPo.2.2.1 Wildlife Rehabilitation Policy

ISSUE DATE: **January 1, 2006**
Replaces WilPo.2.2.1 issued June 27, 2000

EDITORIAL UPDATE: November, 2010

RATIONALE

Goals of this Policy

- To ensure that wildlife *rehabilitation* is a socially acceptable and responsible activity.
- To ensure measures are in place to protect public and wildlife health.
- To ensure acceptable, measurable standards of wildlife *rehabilitation* are established and maintained and to incorporate, where appropriate, *rehabilitation* standards established by national and international organizations.
- To strive for continual improvement and effectiveness of wildlife *rehabilitation* standards.
- To establish and maintain acceptable proficiency requirements for *wildlife custodians*.
- To provide special consideration for wildlife on the *Species at Risk in Ontario (SARO)* list.
- To provide special consideration for raccoons, foxes, skunks and bats – *Rabies Vector Species (RVS)*.
- To implement a process to identify the effectiveness of this policy and to implement continuous improvement.

Scope of this Policy

This policy is for:

- Persons who want to conduct rehabilitation of native wildlife species in Ontario.
- Persons who issue Wildlife Custodian Authorizations.
- Persons who monitor, inspect and enforce Wildlife Custodian Authorization conditions.
- Anyone who wants to learn about Ontario's wildlife rehabilitation program.

Wildlife *rehabilitation* is the process of providing temporary care to wildlife that is injured, sick or immature, in most cases, to facilitate their successful return to the wild. The majority of authorized wildlife custodians are volunteers. A significant number of the wildlife undergoing rehabilitation are being treated in larger rehabilitation centres. In Ontario, *wildlife custodians* treat and release thousands of animals back to the wild each year.

Wildlife *rehabilitation* is a long-practiced activity, and until 1999 was an unregulated activity in Ontario.

In the late 1990s, the Ontario government recognized the benefits afforded to the public and to custodians by establishing standards of care for *rehabilitation* of native wildlife. Under the *Act* the keeping of *game wildlife* or *specially protected wildlife* in captivity is generally prohibited; however, section 44 of the *Act* recognizes wildlife *rehabilitation* as an authorized activity.

PROGRAM DIRECTION

Scope of a Wildlife Custodian Authorization

Wildlife Custodian Authorizations are issued to *wildlife custodians* for the purpose of the *rehabilitation and care* of *game wildlife* or *specially protected wildlife*. The *Act* gives *wildlife custodians* powers (with conditions) to:

- assess the capability of *game wildlife* or *specially protected wildlife* to be successfully rehabilitated,
- keep *game wildlife* or *specially protected wildlife* in temporary captivity,
- assess the releasability of rehabilitated *game wildlife* or *specially protected wildlife*,
- euthanize unreleasable *game wildlife* or *specially protected wildlife*, and
- release rehabilitated *game wildlife* or *specially protected wildlife*.

A Wildlife Custodian Authorization allows for the temporary possession and release of *game wildlife* or *specially protected wildlife*. It does not allow the propagation, *buying or selling* of *game wildlife* or *specially protected wildlife*. If a *wildlife custodian* determines that any *game wildlife* or *specially protected wildlife* is not releasable, and that permanent captivity is a valid option, the ministry is responsible for approving its disposition.

The *Act's* wildlife *rehabilitation* provisions apply only to wildlife species listed in the schedules under the *Act*.

Rehabilitation of migratory birds protected under the Migratory Birds Convention Act requires a federal permit from the Canadian Wildlife Service.

Proficiency Requirements

Wildlife custodians must have and maintain a standard of knowledge and skill in wildlife *rehabilitation*.

To ensure *wildlife custodians* have a minimum level of knowledge and skill, all applicants must prove proof of a minimum proficiency in wildlife *rehabilitation* prior to obtaining a Wildlife Custodian Authorization. The ministry will also recognize other related training courses as long as they meet or exceed the ministry's proficiency level.

To obtain:	The applicant must successfully complete:
Wildlife Custodian Authorization excluding Rabies Vector Species (RVS)	Ontario Wildlife Rehabilitation Exam
Wildlife Custodian Authorization including RVS	Ontario Wildlife Rehabilitation Exam Ontario Rabies Vector Species Course (<i>RVS Course</i>) Ontario Rabies Vector Species Exam (<i>RVS Exam</i>)

Ontario Wildlife Rehabilitation Exam (OWRE)

Individuals interested in conducting wildlife *rehabilitation* may include veterinarians, wildlife rehabilitators from other jurisdictions or an individual with no previous experience. Potential applicants are provided with home study materials that provide an overview of the pertinent information covered in the exam. The exam establishes the minimum proficiency level (basic skills) that an applicant for a Wildlife Custodian Authorization must have to become a *wildlife custodian*.

The *OWRE* tests knowledge in areas such as:

- Provincial Regulations
- Species at Risk in Ontario
- Habituation and imprinting
- Release of rehabilitated wildlife
- Veterinary care and role of veterinarians
- Recognition and treatment of common diseases, parasites, and medical conditions
- Zoonotic Diseases
- Housing and Nutrition

Knowledge of wildlife *rehabilitation* practices is evolving. *Wildlife custodians* are expected to continually expand their knowledge and expertise in order to provide the best wildlife *rehabilitation and care* possible.

Ontario Rabies Vector Species Course (RVS Course) and Ontario Rabies Vector Species Exam (RVS Exam)

Rehabilitation of RVS is a higher risk activity than *rehabilitation* of non-RVS. The rabies virus is fatal to both humans and wildlife. The *RVS Course* provides *wildlife custodians* with basic information about rabies, and is intended to minimize the risk of rabies exposure to *wildlife custodians*, the public, domestic animals, and other wildlife.

Both the *RVS Course* and *RVS Exam* are mandatory and must be successfully completed to *rehabilitate and care* for RVS.

The course and exam cover knowledge in areas such as:

- What is rabies?
- Rabies exposure and progression in humans, domestic animals and wildlife
- *Rehabilitation* practices for RVS that minimize risk of exposure and spread of rabies
- Limitations of vaccination
- Provincial efforts to control rabies
- Provincial law and policy regarding rabies
- Role of other agencies

Veterinarians

Veterinarians are exempt from the prohibition against keeping wildlife in captivity if they are providing *medical treatment* (subsection 44(b) of Ontario Regulation (O. Reg.) 668/98 (Wildlife in Captivity)). *Medical treatment* is only one aspect of wildlife *rehabilitation*. Veterinarians must be issued a Wildlife Custodian Authorization to practice wildlife *rehabilitation*. They will be provided with the *OWRE* study materials upon authorization as an information resource, and are exempt from the requirement to complete the *RVS Course* and pass the *OWRE* and *RVS Exam*.

The ministry works with the Ontario Veterinary Medical Association to ensure that veterinarians are provided with up to date wildlife *rehabilitation* information.

Foster Caregivers

A *wildlife custodian* may designate an agent under their Wildlife Custodian Authorization to provide supplementary *rehabilitation or care* to *game wildlife or specially protected wildlife*. This agent is called a *foster care giver* and provides *rehabilitation or care* in their own *facility*.

The *wildlife custodian* is responsible for the actions of the *foster caregivers*, and for providing the necessary training and resources. The *wildlife custodian* is responsible for having the *foster caregiver* complete an agreement form that designates the *foster caregiver* as an agent and outlines their operating conditions.

The *wildlife custodian* has primary responsibility for the *rehabilitation or care* of the *game wildlife or specially protected wildlife*. The *foster caregiver* is a secondary caregiver working under the supervision of the *wildlife custodian*. *Game wildlife or specially protected wildlife* being cared for by a *foster caregiver* is assessed by the *wildlife custodian* when it is received for rehabilitation and care and prior to release. The *wildlife custodian* is responsible for assessing whether *game wildlife or specially protected wildlife* is releasable and for ensuring proper release practices are followed.

Rehabilitation in a Rabies High Risk Area (HRA)

A *wildlife custodian* who has successfully completed the *RVS Course* and passed the *RVS Exam* may *rehabilitate* RVS in a rabies HRA. This reflects the important role that *wildlife custodians* play as partners in rabies control.

Wildlife Custodian Authorization Conditions

The standard Wildlife Custodian Authorization conditions assist in ensuring acceptable wildlife *rehabilitation* practices and promote a consistent approach across the province.

Additional authorization conditions as determined by the area supervisor may be warranted under certain circumstances and as deemed necessary to ensure public, wildlife custodian and wildlife health and safety.

Wildlife That May Be Kept by a Custodian

Wildlife custodians are authorized to *rehabilitate game wildlife or specially protected wildlife*. The species category(ies) (i.e., the *authorized wildlife*) that may be kept by the *wildlife custodian* are identified on their Wildlife Custodian Authorization.

With prior approval of the area supervisor, a *wildlife custodian* may provide *rehabilitation or care* for a species of *game wildlife or specially protected wildlife* that is not part of their Wildlife Custodian Authorization. This approval is provided in writing. This approval is given where extenuating circumstances (e.g., injured endangered species) warrant a *wildlife custodian* keeping *game wildlife or specially protected wildlife* where the *wildlife custodian* can demonstrate that they have the knowledge and adequate facilities to provide appropriate care.

Wildlife custodians may provide rehabilitation or care to *game wildlife or specially protected wildlife* species that are on the *SARO list*. To ensure the ministry is aware of activities involving species at risk, *wildlife custodians* are required to notify the MNR district office when they are providing *rehabilitation or care* for such species.

A key goal of wildlife *rehabilitation* is the return of *game wildlife or specially protected wildlife* back to the wild. The *Act* allows *wildlife custodians* to humanely *euthanize game wildlife or specially protected wildlife* that the custodians determine is unreleasable. With the prior approval of the area supervisor, *game wildlife or specially protected wildlife* may be retained in or moved to permanent captivity if the intended use provides a benefit to wildlife management and society as a whole (as per WilPo.5.3.8 Disposition of Live Wildlife).

With the exception of RVS, *wildlife custodians* may accept *game wildlife or specially protected wildlife* from outside Ontario for *rehabilitation and care* with prior written approval of the area supervisor, provided that the exporting jurisdiction has agreed in writing to accept the *game wildlife or specially protected wildlife* back for release.

General Conditions of Operation

Game wildlife or specially protected wildlife undergoing *rehabilitation and care* requires minimal exposure to humans, domestic pets and predators. Direct contact with humans should be limited to what is essential for *rehabilitation and care*. This standard prevents habituation, assists in ensuring a low stress environment for the wildlife and helps to maintain an animal's wildness when released. *Wildlife custodians* may only display *game wildlife or specially protected wildlife* to persons other than those essential for their care with written approval of the area supervisor. *Wildlife custodians* must provide written rationale for their educational program and outline the measures that will be in place to reduce stress on the animal (e.g., animal has no direct visual and auditory contact with the person's viewing them).

All *game wildlife or specially protected wildlife* undergoing *rehabilitation* must be kept in a *wildlife custodian's facility* or at a *foster caregiver's facility*.

With written approval of the area supervisor, *wildlife custodians* may hold *game wildlife or specially protected wildlife* longer than 12 months. The *wildlife custodian* must demonstrate that more than 12 months of *rehabilitation or care* is required to ensure a successful release.

Medical Treatment and Disease Prevention

Wildlife custodians must have available the services of a veterinarian to conduct or assist in providing medical treatment when required.

The *wildlife custodian* may *euthanize* species at risk without prior approval of the MNR district to prevent suffering. With prior approval of the area supervisor, a species at risk that is unreleasable but not suffering may be *euthanized*.

It is standard rehabilitation practice to house some *game wildlife or specially protected wildlife* together to ensure proper socialization (e.g., immature raccoons). To prevent the spread of disease and parasites, only *game wildlife or specially protected wildlife* captured within the allowable release distance from each other may be housed together (e.g., 1km for all adults, 15 kilometer (km) for all immature *authorized wildlife* except in rabies HRA, where the standard is 1 km for immature raccoons, skunks and foxes).

Nutrition and Housing Requirements

Wildlife custodians must be familiar with the most recent edition of the Minimum Standards for Wildlife Rehabilitation, a joint publication of the National Wildlife Rehabilitators Association (NWRA) and the International Wildlife Rehabilitation Council (IWRC). This document contains basic standards established by the international wildlife *rehabilitation* profession for the *rehabilitation* of wildlife. This document is a resource for custodians and ministry staff to implement and enforce authorization conditions relating to nutrition and housing requirements.

Game wildlife or specially protected wildlife may be kept in the *facility* portion of a building also being used as a human *dwelling*. If a property contains both human *dwelling* areas and areas used

as a *rehabilitation facility*, the *wildlife custodian* must provide a legible map to the MNR district office delineating both types of areas. Once an area is designated as a *rehabilitation facility*, it is no longer considered a *dwelling*. This allows the areas of a house (e.g., basement, garage) being used as a *rehabilitation facility* to be accessed for inspection purposes.

Handling of Diseased Wildlife

The *wildlife custodian* must contact the MNR district office if a specimen of *game wildlife* or *specially protected wildlife* displays a potentially contagious disease or pathogen that the *wildlife custodian* believes is of concern. This ensures the ministry is informed of potential disease threats. Districts work with the *wildlife custodian* to ensure further testing where required.

Record Keeping

A *wildlife custodian* or *foster caregiver* is required to maintain records that track all specimens of *game wildlife* or *specially protected wildlife* received into their facility. The ministry uses these records to track the origin and disposition of each specimen of *game wildlife* or *specially protected wildlife* undergoing *rehabilitation and care*. The record must be kept in an acceptable, legible format.

Annual reports for the previous calendar year must be submitted to the appropriate district office by January 31st of each year.

Release

Wildlife custodians are generally required to release *rehabilitated game wildlife* or *specially protected wildlife* within a specified distance from the original point of capture to:

- prevent the spread of diseases and parasites, which can be transmitted by a translocated animal;
- give the animal its best chance of survival by ensuring it is released within or close to its original home range;
- reduce the potential for nuisance activity;
- prevent the exchange of genetic material among different populations of wildlife; and
- ensure the carrying capacity of a release area is not surpassed.

There is flexibility to extend the release distance for some *game wildlife* or *specially protected wildlife*, for example animals that present a danger to public safety (e.g., bears, wolves) or are migratory (e.g., some raptors). Release sites for these animals will be determined in consultation with the area supervisor.

Inspections and Enforcement

Wildlife custodians must comply with the conditions on their Wildlife Custodian Authorization. Facility inspections will be undertaken and documented to ensure compliance.

The results of a facility inspection will be reviewed with the *wildlife custodian*. The ministry will work with *wildlife custodians* to set reasonable goals and timelines to address any necessary improvements and to ensure compliance.

Policy monitoring and review

Wildlife Policy Section works in cooperation with wildlife custodians to continually monitor and review the Wildlife Rehabilitation Program. Consultation with wildlife custodians and other stakeholders, combined with inspections and enforcement action, provide the information required to ensure continuous improvement.

Environmental Assessment Act considerations

Wildlife Custodian Authorizations are covered under the Wildlife Management Exemption Order MNR-42. Procedure No. EA 4.02.20 WM provides guidance on interpreting this exemption order. The procedure explains a method for screening proposed projects for potential significant environmental effects and the appropriate public consultation measures to be followed.

DEFINITIONS

In this policy,

- “*Act*” means the Fish and Wildlife Conservation Act, 1997
- “*authorized wildlife*” means the *game wildlife or specially protected wildlife* listed in a Wildlife Custodian Authorization.
- “*buy or sell*” has the same meaning as in the *Act* and includes barter or trade for consideration, offer to buy, sell, barter or trade for consideration, or possess for the purpose of buying, selling, bartering or trading for consideration, and “*buying or selling*” or “*bought or sold*” has a corresponding meaning.
- “*dwelling*” means a building or part of a building or property which is primarily used as a living space for people.
- “*euthanasia*” means to take away life for a humane purpose, and is the induction of death with minimal pain, stress or anxiety, and “*euthanize*” has a corresponding meaning.
- “*existing wildlife custodian*” means a person (includes corporation) who possessed a Wildlife Custodian Authorization in any of the years.
- “*facility*” means a building or part of a building or property which is used for wildlife *rehabilitation or care*.
- “*foster caregiver*” means a person who acts as an agent of the wildlife custodian by providing rehabilitation or care of wildlife at the foster caregiver’s own facility.

- “*game wildlife*” as defined in the *Act* means, furbearing mammals (schedule 1), game amphibians (schedule 5), game birds (schedule 3), game mammals (schedule 2), or game reptiles (schedule 4).
- “*medical treatment*” means any diagnostic or prognostic procedure, administration of or prescription for medication and any anesthesia of or surgery on wildlife.
- “*OWRE*” means the Ontario Wildlife Rehabilitation Exam.
- “*Rabies High Risk Area*” means an area delineated by the ministry where actions are undertaken to minimize the risk of wildlife transmitting the rabies virus to humans, domestic animals and other wildlife.
- “*RVS*” means the following rabies vector species: *raccoons, skunks, foxes and bats*.
- “*RVS Course*” means the Ontario Rabies Vector Species Course
- “*RVS Exam*” means the Ontario Rabies Vector Species Exam
- “*rehabilitation or care*” with respect to wildlife means the keeping of injured, sick or immature wildlife in captivity on a temporary basis to restore or effectively condition the wildlife so it may be successfully returned to the wild; this may include *medical treatment*.
- “*specially protected wildlife*” as defined in the *Act* means specially protected amphibians (schedule 10), specially protected birds (raptors) (schedule 7), specially protected birds (other than raptors) (schedule 8), specially protected invertebrates (schedule 11), specially protected mammals (schedule 6) or specially protected reptiles (schedule 9).
- “*SARO*” means wildlife that is listed on the Species at Risk in Ontario list issued by the Species at Risk Section, Ministry of Natural Resources.
- “*wildlife assistant*” means any person, including an agent, employee or volunteer, who assists a Wildlife Custodian in the *rehabilitation or care* of wildlife or in the management of the authorized rehabilitation *facility*, but does not include a licensed veterinarian.
- “*wildlife custodian*” has the same meaning as in the *Act* and is defined as a person who is authorized by the Minister to keep injured, sick or immature *game wildlife* or *specially protected wildlife* in captivity for the purpose of rehabilitating or caring for them.

REFERENCES

Legal References

- [Fish and Wildlife Conservation Act, 1997](#)
 - Subsection 44(1) - definition of wildlife custodian
 - Subsection 44(2) - rehabilitation or care of wildlife
 - Subsection 44(3) - wildlife custodian not entitled to remuneration
 - Subsection 44(4) - wildlife custodian authorized to euthanize non-releasable wildlife
 - Subsection 44(5) - wildlife may be surrendered to the Minister, whether alive or dead
 - Subsection 44(6) - the Crown is not liable for any acts or omissions on the part of the wildlife custodian
 - Subsection 46(4) - exception for wildlife custodians regarding obligation to notify the Minister of release of wildlife or the return or killing of released wildlife
- [Ontario Regulation 668/98 \(Wildlife in Captivity\)](#)

Section 44 – keeping wildlife in captivity for less than 24 hours for transport to wildlife custodian or veterinarian

- [Ontario Regulation 665/98 \(Hunting\)](#)
 Clause 133 (1)(b) – wildlife captured under the protection of property provisions of the Act that is not killed or released must be delivered to a wildlife custodian
- [Migratory Birds Convention Act \(MBCA\)](#)
- [Wild Animal and Plant Protection and Regulation of International and Inter-provincial Trade Act \(WAPPRIITA\)](#)

Related References

- Policies and Procedures
 - [FWBu.1.1.2](#) Delegation of Authority Overview
 - [FWBu.1.1.3](#) Environmental Assessment Overview
 - [WilPo.2.1.5](#) Banding falconry birds and other specially protected raptors and non-indigenous falconry birds
 - [WilPr.2.2.2](#) Wildlife Rehabilitation Procedure
 - [WilPo.2.7.1](#) Applicability of the FWCA and Regulations to facilities operated by and activities of the Ontario Government relating to wildlife in captivity.
 - [WilPo.5.3.8](#) Disposition of Live Wildlife
- Internet
 - Species at Risk in Ontario list is available at
<http://www.mnr.gov.on.ca/en/Business/Species/>
 - Delegation of Authority Manual
http://documents.mnr.gov.on.ca/Document/View.asp?Document_ID=67&Attachment_ID=8114

CONTACT

Questions about this policy should be directed to the Wildlife in Captivity Specialist, Wildlife Policy Section, Biodiversity Branch.