



Province of Alberta

FISHERIES (ALBERTA) ACT

FISHERIES (MINISTERIAL) REGULATION

Alberta Regulation 220/1997

With amendments up to and including Alberta Regulation 182/2017

Office Consolidation

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(Consolidated up to 182/2017)

ALBERTA REGULATION 220/97

Fisheries (Alberta) Act

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Schedules

Interpretation for Regulation purposes

1(1) In this Regulation, “Department” means the Minister’s department.

- (a) repealed AR 45/2016 s2;
- (b) repealed AR 45/2016 s15;
- (c) repealed AR 45/2016 s2.

(2) Definitions and other general interpretation provisions in the *General Fisheries (Alberta) Regulation (AR 203/97)* apply with respect to the interpretation of this Regulation.

AR 220/97 s1;185/2006;45/2016

Interpretation for statute purposes

2(1) For the purposes of the Act,

- (a) “bait” means organisms, alive or dead, intended for use as a fish attractant when attached to a hook or line used for angling, except that “bait fish” means the species of fish set out in Schedule 3;
- (a.01) “bait fish” means the species of fish set out in Schedule 3;
- (a.1) “competitive fishing” means the fishing activities involved in a competitive fishing event;
- (a.2) “competitive fishing event” means an organized fishing with hook and line gear competition that
 - (i) is scheduled to run for a day or a portion of a day or 2 or more consecutive days at one single specified body of water, and
 - (ii) has 26 or more competitive fishing event participants with prizes being awarded;
- (a.3) “competitive fishing event participant” means an individual who is lawfully entitled to fish under the applicable conditions and who is lawfully recorded as a participant in a competition referred to in clause (a.2) by the holder of the relevant competitive fishing event licence;
- (b) “contained waters” means water held
 - (i) in a man-made aquarium or other impervious container of a type that is normally housed within a building, or
 - (ii) in a man-made reservoir that
 - (A) effectively isolates the water in it from direct flow into other water sources,
 - (B) is completely lined with an impervious material, and
 - (C) is no larger than 600 square feet in surface area unless, in the case of water forming part of a commercial fish culture facility, a larger area is approved by the Director;
- (c) “cultured fish” means the kinds of fish set out in Schedule 2;
- (c.05) “fish handling facilities” means, in relation to a competitive fishing event, the places other than in a boat where fish kept for the purposes of the event are or will be

temporarily held or handled and any gloves, nets, chutes, surfaces or equipment used in handling or conveying the fish;

- (c.1) “game fish” means fish of a species set out in Part 1 of Schedule 1 to the *Alberta Fishery Regulations, 1998* under the *Fisheries Act* (Canada);
- (d) repealed AR 45/2016 s3;
- (e) repealed AR 70/2007 s2;
- (f) “restricted waters” means those waters on or occurring within that portion of Alberta described as the Restricted Area Waters that is on file in the records of the Department in Edmonton, Alberta and published on the Department’s website for inspection by the public;
- (g) “specific source waters” means water bodies (including contained waters) each of which
 - (i) has as its source of water a municipal water supply, a well, surface runoff or a source approved in writing by the Director or an accredited official on behalf of an irrigation district, and
 - (ii) is completely surrounded by
 - (A) privately owned land,
 - (B) land within a Metis settlement, or
 - (C) other land that is not public land under the *Public Lands Act* but that is under the administration of the Minister responsible for that Act.

(2) For the purposes of the Act, the following are excluded from the definition of fish:

- (a) *Gammarus sp.*;
- (b) all marine mammals;
- (c) fish lawfully caught pursuant to a commercial fishing licence if the fish have undergone taxidermy.

(3) Repealed AR 45/2016 s13.

AR 220/97 s2;206/2001;185/2006;70/2007;170/2012;68/2014;
45/2016

**Importation, sale and possession of
Amphibia as bait**

2.1 A person shall not

- (a) import into Alberta,
- (b) sell, or
- (c) possess

any organisms of the class Amphibia for use as bait.

AR 45/2016 s5

Disposal of unused bait

2.2 A person shall not dispose of unused bait

- (a) in a body of water, or
- (b) on land that lies within 50 metres of any body of water except in a waste disposal receptacle that is regularly serviced.

AR 45/2016 s5

Subject water entry into water body

2.3 A person shall not allow subject water to enter a body of water unless

- (a) the subject water derives from premises covered by a fish culture or a research licence that has conditions attached that specifically address the disposal of the subject water from those premises and the disposal occurs in accordance with those conditions, or
- (b) the subject water derives from a conveyance or non-licensed premises where the water has first been treated in a manner approved by the Director.

AR 45/2016 s5

Release of non-invasive species fish

2.4 A person who catches a fish that is not an invasive species fish may release the fish back into the waters from which it was taken.

AR 45/2016 s5

Fees

3(1) The fee for a licence is the amount set out in Schedule 1.

(2) Where a person enters into an agreement with the Minister to sell licences or other things, that person may charge their purchasers, in addition to any licence or other kind of fee that is

otherwise legally payable, fees not exceeding those set out in that agreement.

AR 220/97 s3;77/98

Invoice and annual report by commercial fish culture licence holder

4(1) The holder of a commercial fish culture licence shall issue an invoice for fish being removed from the waters specified in the licence and supply a copy of the invoice to the person removing the fish, even if the person who removes the fish has not purchased the fish.

(2) A copy of the invoice completed under subsection (1) shall be retained by the holder of the commercial fish culture licence for a period of 12 months following the expiry of the licence.

(3) The holder of a commercial fish culture licence shall, after March 1 and before March 31 in each year, complete and submit an annual report to the Director on a form supplied by the Director.

5 Repealed AR 45/2016 s6.

Identification for officials

6(1) The identification for a fishery officer or fishery guardian appointed by the Minister as an individual under section 19 or 20 respectively of the Act is an identification card provided by the Minister that identifies that individual as such.

(1.1) The identification for a watercraft inspector appointed by the Minister as an individual under section 20.1(1) of the Act is a copy of that appointment.

(2) The identification for a fishery officer described in section 19.1 of the Act is the badge or identification card provided by the employer of the fishery officer that identifies the employee as holding a position described in section 19.1 of the Act.

(3) The identification for a fishery officer, fishery guardian or watercraft inspector appointed as part of a class of individuals by the Minister under section 19, 20 or 20.1(1) respectively of the Act is

- (a) a copy of the appointment, or
- (b) an identification card provided by the employer of that official that identifies the official as holding a position that is part of that appointed class.

AR 220/97 s6;25/2000;45/2016

Transportation of watercraft

6.1 A person shall not transport an item of watercraft on a highway by means of a conveyance if the watercraft has a drainage hole in the lower hull or bilge that is blocked with a plug.

AR 45/2016 s8

Reporting of aquatic invasive organisms

6.2(1) Subject to subsection (2), a person who finds an organism living in a wild state that is an invasive organism shall report that finding to the Department within 14 days after the finding in accordance with this section.

(2) Subsection (1) does not apply where

- (a) the Department has issued a statement on its internet website that specific invasive organisms have been identified and recorded in its records as existing at a specified location or at specified locations, and
- (b) the finder establishes to the satisfaction of the Director that the invasive organism referred to in subsection (1) is exactly of a kind that is included in that statement and was found at that location or at any of those specified locations.

(3) A report under subsection (1) is made either

- (a) by calling telephone number 1-855-336-2628 and providing details of the finding, or
- (b) by attending an office of the Department that is responsible for issuing licences and providing details of that finding.

AR 45/2016 s8

Expiry

7 For the purpose of ensuring that this Regulation is reviewed for ongoing relevancy and necessity, with the option that it may be re-passed in its present or an amended form following a review, this Regulation expires on October 31, 2026.

AR 220/97 s7;186/2012;185/2014;157/2015;45/2016

8 Repealed AR 45/2016 s10.

Schedule 1

NOTE: The fees prescribed in this Schedule are only those payable to the Government of Alberta. They are exclusive of (a) any applicable taxes, and (b) further

amounts, if any, charged under section 3(2) of this Regulation or Schedule 2 to the *Wildlife Regulation* (AR 143/97).

Licence Fees

Item No.	Column 1 Licence	Column 2 Fee
1	Sportfishing Licences	
(a)	individual resident of Alberta (referred to in section 1(1)(m)(i) of <i>General Fisheries(Alberta) Regulation</i> (AR 203/97))	\$1.50
(a.1)	non-resident Canadian (annual)	1.50
(a.2)	non-resident Canadian (7 days)	1.50
(a.3)	non-resident Canadian (1 day)	1.50
(b)	non-resident of Canada (annual)	9.50
(c)	non-resident of Canada (7 days)	5.85
(c.1)	non-resident of Canada (1 day)	2.85
(d)	special sportfishing	FREE
(e)	special fish harvest licence	2.50
(f)	replacement licence	2.00
1.1	Sturgeon fishing licence	\$1.50
2	Commercial fishing licences	
(a)	commercial fishing licence	\$500
(b)	commercial fishing lake licence	\$1 for each gill net authorized by the licence
(c)	Metis commercial fishing licence	25
(d)	commercial bait fishing licence	25
(e)	repealed AR 224/2002 s4	

3	Fish culture licences	
	(a) recreational fish culture licence	
	(i) issued for a term expiring on the following March 31	\$10
	(ii) issued for a term expiring on March 31 in the 5th year following the year of its issue	50
	(b) class A commercial fish culture licence	100
	(c) class B commercial fish culture licence	100
	(c.1) class C commercial fish culture licence	100
	(d) repealed AR 45/2016 s11	
4	Repealed AR 45/2016 s11	
5	Research	\$0
6	Fish stocking licence	\$0
6.1	Aquatic species import licence	\$0
7	Salvage fishing licence	
	(a) issued to a person less than 65 years of age	\$5
	(b) issued to a person 65 years of age or older	0
8	Domestic fishing licences	
	(a) domestic fishing licence	\$0
	(b) Metis domestic fishing licence	0
9	Competitive fishing event licence	\$25
10	Invasive species possession licence	\$0
	AR 220/97 Sched.1;77/98;136/2000;224/2002;155/2006;185/2006;233/2007;69/2008;68/2014;45/2016	

Schedule 2

Cultured Fish

1 For the purposes of the Act, the following 2 categories of fish, including freshwater-dwelling invertebrates, and fish that are included within sections 2, 2.1 and 3, are defined as cultured fish:

Category 1

Common Name	Scientific Name
(a) Brook trout	<i>Salvelinus fontinalis</i>
(b) Brown trout	<i>Salmo trutta</i>
(c) Rainbow trout	<i>Oncorhynchus mykiss</i>
(d) Grass carp (triploid fish only)	<i>Ctenopharyngodon idella</i>
(e) Tilapia	Genus <i>Tilapia</i>

Category 2

Common Name	Scientific Name
(a) Arctic char	<i>Salvelinus alpinus</i>
(b) Coho salmon	<i>Oncorhynchus kisutch</i>
(c) Freshwater prawn	<i>Macrobrachium sp.</i>
(d) Goldfish	<i>Carassius auratus</i>
(e) Koi	<i>Cyprinus carpio</i>
(f) Repealed AR 45/2016 s12	
(g) Bigmouth buffalo fish	<i>Ictiobus cyprinellus</i>
(h) American eel	<i>Anguilla rostrata</i>
(i) Repealed AR 45/2016 s12	
(j) Barramundi	<i>Lates calcarifer</i>

2 For the purposes of the Act, all freshwater-dwelling fish in addition to those included in section 1 are cultured fish if the fish are held alive and are to be offered for sale for human consumption.

2.1 For the purposes of the Act, Category 2 fish include the following saltwater-dwelling fish, unless they are kept as pets or for sale as pets or kept in contained waters at premises whose owner holds a permit under the *Food Regulation* (AR 31/2006):

Common Name	Scientific Name
Pacific White Shrimp	<i>Litopenaeus vannamei</i>

3(1) Koi and goldfish are cultured fish only if they are possessed at a location that is not within a person's principal residence and the fish are being kept for the purpose of selling wholesale.

(2) Tilapia are cultured fish only if they are held for the purpose of wholesale or retail sale as human food.

(2.1) Tilapia may be possessed as cultured fish only in contained waters.

(3) Repealed AR 224/2002 s5.

AR 220/97 Sched.2;115/99;226/99;224/2002;70/2007;68/2014;
45/2016;182/2017

Schedule 3

Bait Fish

Common Name	Scientific Name
1 Iowa darter	<i>Etheostoma exile</i>
2 Minnows, except carp, goldfish and the Western Silvery Minnow	Family <i>Cyprinidae</i>
3 Sticklebacks	Family <i>Gasterosteidae</i>
4 Suckers	Family <i>Catostomidae</i>
5 Trout perch	<i>Percopsis omiscomayus</i>

Schedule 4 Repealed AR 25/2000 s3.



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