

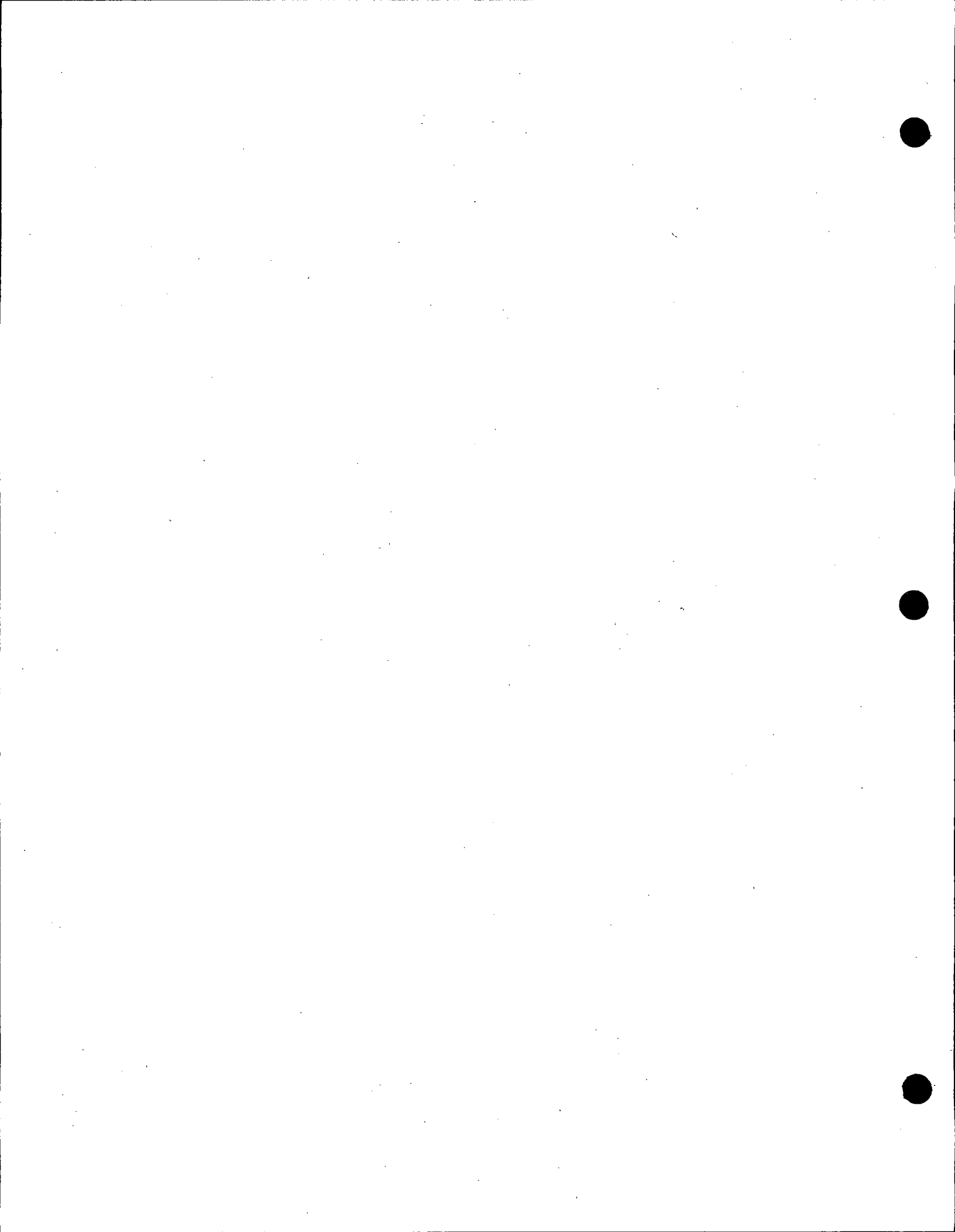
Canada
Department of Northern Affairs and
National Resources

NATIONAL PARKS BRANCH
CANADIAN WILDLIFE SERVICE

BIRDS
PROTECTED IN CANADA
UNDER THE
MIGRATORY BIRDS CONVENTION ACT

Occasional Papers Number 1

OTTAWA, 1957



Birds Protected in Canada
under the
Migratory Birds Convention Act

Generally speaking, each Province has legislative jurisdiction in respect to wildlife found within its boundaries. There are, of course, some exceptions such as wildlife found in National Parks and in Bird sanctuaries established by Regulations pursuant to the Migratory Birds Convention Act. Under the British North America Act, however, the Parliament and Government of Canada have all powers necessary or proper for performing the obligations of Canada or any Province of Canada towards foreign countries arising under treaties. The Migratory Birds Convention between Canada and the United States is such a treaty; and the Migratory Birds Convention Act, originally passed by the Canadian Parliament in 1917 to put the Convention into effect, empowers the Governor in Council to make such Regulations as are deemed expedient to protect the migratory game, migratory insectivorous and migratory non-game birds which inhabit Canada during the whole or any part of the year, subject to the provisions of the said Convention.

Not all birds that are migratory are included in the list, which reads as follows, both in the Treaty and in the Migratory Birds Convention Act:

"Migratory game birds" means

- (i) Anatidae or waterfowl, including brant, wild ducks, geese and swans,
- (ii) Gruidae or cranes, including little brown, sandhill and whooping cranes,
- (iii) Rallidae or rails, including coots, gallinules and sora and other rails,
- (iv) Limicolae or shorebirds, including avocets, curlew, dowitchers, godwits, knots, oyster catchers, phalaropes, plovers, sandpipers, snipe, stilts, surf birds, turnstones, willet, woodcock, and yellowlegs, and
- (v) Columbidae or pigeons, including doves and wild pigeons;

"Migratory insectivorous birds" means bobolinks, catbirds, chickadees, cuckoos, flickers, flycatchers, grosbeaks, humming birds, kinglets, martins, meadowlarks, nighthawks or bull bats, nuthatches, orioles, robins, shrikes, swallows, swifts, tanagers, titmice, thrushes, vireos, warblers, waxwings, whippoorwills, woodpeckers, and wrens, and all other perching birds which feed entirely or chiefly on insects;

"Migratory non-game birds" means auks, auklets, bitterns, fulmars, gannets, grebes, guillemots, gulls, herons, jaegers, loons, murre, petrels, puffins, shearwaters, and terns.

There has occasionally been some uncertainty among administrators and enforcement officers, as well as the general public, regarding the precise limits of the groups of birds (especially "migratory insectivorous birds") protected by the Government of Canada in accordance with the Migratory Birds Treaty. This bulletin has been prepared by federal authorities, after consultation with provincial authorities, to provide a standard list of federally-protected species.

The order in which birds are listed, their names, and the numbers preceding the names are in accordance with the Check-list of the American Ornithologists' Union. Some of those birds are rarely seen in Canada, but when they do occur in this country they are subject to the provisions of the Migratory Birds Convention Act and Regulations.

The fact that a certain species of migratory bird is not included in the list means only that it is not federally protected in Canada. It may be protected by provincial law in the province in which it occurs. Information on the status under provincial law of any bird not included in the list may be obtained from the game authorities of the province concerned: a list of such authorities is given on page 16 of the booklet.

Ottawa,
January 2, 1957.

W. Winston Mair,
Chief,
Canadian Wildlife Service.

LIST OF BIRDS PROTECTED IN CANADA
UNDER MIGRATORY BIRDS TREATY

<u>A.O.U. No.</u>	<u>Common Name</u>
<u>Loons</u>	
7	Common Loon
8	Yellow-billed Loon
10	Arctic Loon (Pacific)
11	Red-throated Loon
<u>Grebes</u>	
2	Red-necked Grebe (Holboell's)
3	Horned Grebe
4	Eared Grebe
1	Western Grebe
6	Pied-billed Grebe
<u>Petrels and Shearwaters</u>	
96	Slender-billed Shearwater
95	Sooty Shearwater
93	Black-vented Shearwater
95.1	Pale-footed Shearwater
91	Pink-footed Shearwater
89	Greater Shearwater
88	Cinereous Shearwater (Cory's)
96.2	New Zealand Shearwater
99	Scaled Petrel
98.3	Gook's Petrel
86	Fulmar (Atlantic and Pacific)
105	Fork-tailed Petrel
106	Leach's Petrel
109	Wilson's Petrel
<u>Gannets</u>	
117	Gannet
<u>Hérons</u>	
194	Great Blue Heron
196	Egret (American)
197	Snowy Egret
200	Little Blue Heron

A.O.U. No.Common NameHérons (continued)

201	Green Heron
202	Black-crowned Night Heron
190	American Bittern
191	Least Bittern

Geese and Swans

180	Whistling Swan
181	Trumpeter Swan
172	Canada Goose
173-4	Brant (American and Black)
175	Barnacle Goose
176	Emperor Goose
171	White-fronted Goose
169	Snow Goose
169.1	Blue Goose
170	Ross's Goose

Ducks

177	Black-bellied Tree Duck
178	Fulvous Tree Duck
132	Mallard
133.1	Mexican Duck (New Mexican)
133	Black Duck
134	Mottled Duck (Florida and Louisiana)
135	Gadwall
143	Pintail
138	European Teal
139	Green-winged Teal
140	Blue-winged Teal
141	Cinnamon Teal
136	European Widgeon
137	American Widgeon
142	Shoveler
144	Wood Duck
146	Redhead
150	Ring-necked Duck
147	Canvasback
148	Greater Scaup
149	Lesser Scaup
151	American Goldeneye
152	Barrow's Goldeneye
153	Bufflehead
154	Old-squaw
155	Harlequin Duck

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A.O.U. No.Common NameDucks (continued)

157	Steller's Eider
159	Common Eider (Northern, American, etc.)
162	King Eider
158	Spectacled Eider
165	White-winged Scoter
166	Surf Scoter
163	Common Scoter
167	Ruddy Duck
168	Masked Duck
131	Hooded Merganser
129	American Merganser
130	Red-breasted Merganser

Cranes

204	Whooping Crane
205	Sandhill Crane (Little Brown and Florida)

Rails and Gallinules

208	King Rail
210	Clapper Rail
212	Virginia Rail
214	Sora
215	Yellow Rail
216	Black Rail
218	Purple Gallinule
219	Florida Gallinule
221	American Coot

Shorebirds

286	American Oystercatcher
287	Black Oystercatcher
274	Ringed Plover (Semipalmated)
277	Piping Plover
278	Snowy Plover
280	Thick-billed Plover (Wilson's)
273	Killdeer
281	Mountain Plover
272	American Golden Plover (Atlantic and Pacific)
270	Black-bellied Plover
282	Surfbird
283	Turnstone (Ruddy)
284	Black Turnstone

A.O.U. No.Common NameShorebirds (continued)

228	American Woodcock
230	Common Snipe (Wilson's)
264	Long-billed Curlew
265	Whimbrel (Hudsonian Curlew)
268	Bristle-thighed Curlew
266	Eskimo Curlew
261	Upland Plover
263	Spotted Sandpiper
256	Solitary Sandpiper
259	Wandering Tattler
258	Willet
254	Greater Yellowlegs
255	Lesser Yellowlegs
234	American Knot
235	Purple Sandpiper
235a-d	Rock Sandpiper (Aleutian)
238	Sharp-tailed Sandpiper
239	Pectoral Sandpiper
240	White-rumped Sandpiper
241	Baird's Sandpiper
242	Least Sandpiper
242.2	Rufous-necked Sandpiper
244	Curlew Sandpiper
243	Dunlin (Red-backed Sandpiper)
231	Dowitcher
233	Stilt Sandpiper
246	Semipalmated Sandpiper
247	Western Sandpiper
262	Buff-breasted Sandpiper
249	Marbled Godwit
250	Pacific Bar-tailed Godwit
251	Hudsonian Godwit
248	Sanderling
225	American Avocet
226	Black-necked Stilt
222	Red Phalarope
224	Wilson's Phalarope
223	Northern Phalarope

Skuas and Jaegers

36	Pomarine Jaeger
37	Parasitic Jaeger
38	Long-tailed Jaeger
35	Northern Skua

A.O.U. No.Common NameGulls

42	Glaucous Gull
43	Iceland Gull
44	Glaucous-winged Gull
47	Great Black-backed Gull
48	Slaty-backed Gull
49	Western Gull
51	Herring Gull
53	California Gull
54	Ring-billed Gull
55	Short-billed Common Gull
58	Laughing Gull
59	Franklin's Gull
60	Bonaparte's Gull
57	Heerman's Gull
39	Ivory Gull
40	Kittiwake (Atlantic and Pacific)
41	Red-legged Kittiwake
61	Ross's Gull
62	Sabine's Gull

Terns

63	Gull-billed Tern
69	Forster's Tern
70	Common Tern
71	Arctic Tern
72	Roseate Tern
73	Aleutian Tern
74	Least Tern
67	Sandwich Tern (Cabot's)
64	Caspian Tern
77	American Black Tern

Auks

32	Razor-bill
30	Murre (Atlantic, California, etc.)
31	Thick-billed Murre (Brünnich's)
34	Dovekie
27	Black Guillemot
29	Pigeon Guillemot
23	Marbled Murrelet
24	Kittlitz's Murrelet
21	Ancient Murrelet
16	Cassin's Auklet
17	Parakeet Auklet
18	Crested Auklet

A.O.U. No.Common NameAuks (continued)

20	Least Auklet
19	Whiskered Auklet
15	Rhinoceros Auklet
13	Atlantic Puffin
14	Horned Puffin
12	Tufted Puffin

Pigeons and Doves

314	White-crowned Pigeon
312	Band-tailed Pigeon
313	Red-billed Pigeon
317	Zenaida Dove
319	White-winged Dove
316	Mourning Dove
320	Ground Dove
321	Inca Dove
318	White-fronted Dove
322.1	Quail Dove (Ruddy)

Cuckoos

386a	Mangrove Cuckoo (Maynard's)
387	Yellow-billed Cuckoo
388	Black-billed Cuckoo

Goatsuckers

416	Chuck-will's-widow
417	Whip-poor-will
418	Poor-will
419	Parake (Merrill's)
420	Common Nighthawk (Eastern, Western, etc.)
421	Lesser Nighthawk (Texas)

Swifts

422	Black Swift
423	Chimney Swift
424	Vaux's Swift
425	White-throated Swift

Hummingbirds

437	Lucifer Hummingbird
428	Ruby-throated Hummingbird

A.O.U. No.Common NameHummingbirds (continued)

429	Black-chinned Hummingbird
430	Costa's Hummingbird
431	Anna's Hummingbird
432	Broad-tailed Hummingbird
433	Rufous Hummingbird
434	Allen's Hummingbird
435	Heloise's Hummingbird
436	Calliope Hummingbird
426	Rivoli's Hummingbird
427	Blue-throated Hummingbird
439	Buff-bellied Hummingbird
440.1	White-eared Hummingbird
441	Broad-billed Hummingbird

Woodpeckers

412	Yellow-shafted Flicker (Northern and Southern)
413	Red-shafted Flicker
414	Gilded Flicker
405	Pileated Woodpecker
409	Red-bellied Woodpecker
410	Golden-fronted Woodpecker
411	Gila Woodpecker
406	Red-headed Woodpecker
407	Acorn Woodpecker (Ant-eating, California, etc.)
408	Lewis's Woodpecker
402	Sapsucker (Yellow-bellied, Red-naped, etc.)
404	Williamson's Sapsucker
393	Hairy Woodpecker
394	Downy Woodpecker
396	Ladder-backed Woodpecker (Texas, Cactus, etc.)
397	Nuttall's Woodpecker
398	Arizona Woodpecker
399	White-headed Woodpecker
400	Arctic Three-toed Woodpecker
401	American Three-toed Woodpecker

Flycatchers

444	Eastern Kingbird
445	Gray Kingbird
446	Tropical Kingbird (Couch's)

A.O.U. No.Common NameFlycatchers (continued)

447	Western Kingbird (Arkansas)
448	Cassin's Kingbird
442	Fork-tailed Flycatcher
443	Scissor-tailed Flycatcher
449	Kiskadee Flycatcher (Derby)
451	Sulphur-bellied Flycatcher
452	Crested Flycatcher (Northern and Southern)
453	Lesser Crested Flycatcher (Arizona and Mexican)
454	Ash-throated Flycatcher
455a	Olivaceous Flycatcher
456	Eastern Phoebe
458	Black Phoebe
457	Say's Phoebe
463	Yellow-bellied Flycatcher
465	Acadian Flycatcher
466	Traill's Flycatcher (Little and Alder)
467	Least Flycatcher
468	Hammond's Flycatcher
469	Wright's Flycatcher
469.1	Gray Flycatcher
464	Yellow-green Flycatcher (Western)
470a	Buff-breasted Flycatcher
460	Coues's Flycatcher
461	Eastern Wood Pewee
462	Western Wood Pewee
459	Olive-sided Flycatcher
471	Vermilion Flycatcher
472	Beardless Flycatcher

Swallows

615	Violet-green Swallow
614	Tree Swallow
616	Bank Swallow
617	Rough-winged Swallow
613	Barn Swallow
612	Cliff Swallow
612.1	Cave Swallow (Cuban and Coahuila Cliff)
611	Purple Martin
611.2	Gray-breasted Martin

Titmice

735	Black-capped Chickadee
737	Mexican Chickadee

A.O.U. No.Common NameTitmice (continued)

738	Mountain Chickadee
739	Gray-headed Chickadee (Alaska)
740	Boreal Chickadee (Hudsonian, Acadian, etc.)
741	Chestnut-backed Chickadee
731	Tufted Titmouse
732	Black-crested Titmouse
733	Plain Titmouse
734	Bridled Titmouse
746	Verdin
743	Bushtit (Coast, California, etc.)
745	Black-eared Bushtit (Lloyd's)

Nuthatches

727	White-breasted Nuthatch
728	Red-breasted Nuthatch
730	Pygmy Nuthatch

Creepers

726	Brown Creeper
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Wrens

721	House Wren
721.1	Brown-throated Wren
722	Winter Wren
719	Bewick's Wren
718	Carolina Wren
713	Cactus Wren
725	Marsh Wren (Long-billed)
724	Sedge Wren (Short-billed Marsh)
717	Canon Wren
715	Rock Wren

Mockingbirds and Thrashers

703	Mockingbird
704	Catbird
705	Brown Thrasher
706	Long-billed Thrasher (Sennett's)
708	Bendire's Thrasher
707	Curve-billed Thrasher
710	California Thrasher
711	Leconte's Thrasher
712	Crissal Thrasher
702	Sage Thrasher

A.O.U. No.Common NameThrushes

761	Robin
763	Varied Thrush
755	Wood Thrush
759	Hermit Thrush
758	Swainson's Thrush (Olive-backed, Russet-backed, etc.)
757	Gray-cheeked Thrush
756	Veery
766	Bluebird (Eastern, etc.)
767	Chestnut-backed Bluebird
768	Mountain Bluebird
765	Wheatear
764	Bluethroat
754	Townsend's Solitaire

Willow Warblers, Kinglets, and Gnatcatchers

747	Arctic Willow Warbler (Kennicott's)
751	Gnatcatcher (Blue-gray, etc.)
752	Black-tailed Gnatcatcher (Plumbeous)
748	Golden-crowned Kinglet
749	Ruby-crowned Kinglet

Wagtails and Pipits

696	Yellow Wagtail (Alaska)
697	Water Pipit (American)
700	Sprague's Pipit

Waxwings

618	Greater Waxwing (Bohemian)
619	Cedar Waxwing

Shrikes

621	Gray Shrike (Northern)
622	Loggerhead Shrike

Vireos

630	Black-capped Vireo
631	White-eyed Vireo
632	Hutton's Vireo

A.O.U. No.Common NameVireos (continued)

633	Bell's Vireo
634	Gray Vireo
628	Yellow-throated Vireo
629	Solitary Vireo (Blue-headed, etc.)
624	Red-eyed Vireo
626	Philadelphia Vireo
627	Warbling Vireo

Meadowlarks, Orioles and Blackbirds

494	Bobolink
501	Meadowlark (Eastern, Southern, etc.)
501.1	Western Meadowlark
506	Orchard Oriole
503	Black-headed Oriole (Audubon's)
505	Hooded Oriole (Sennett's and Arizona)
504	Scott's Oriole
507	Baltimore Oriole
508	Bullock's Oriole

Tanagers

607	Western Tanager
608	Scarlet Tanager
609	Hepatic Tanager
610	Summer Tanager

Grosbeaks, Finches, Sparrows and Buntings

593	Cardinal
595	Rose-breasted Grosbeak
596	Black-headed Grosbeak
514	Evening Grosbeak
515	Pine Grosbeak
560	Chipping Sparrow

Warblers

636	Black and White Warbler
637	Prothonotary Warbler
638	Swainson's Warbler
639	Worm-eating Warbler
642	Golden-winged Warbler
641	Blue-winged Warbler

A.O.U. No.Common NameWarblers (continued)

647	Tennessee Warbler
646	Orange-crowned Warbler
645	Chestnut-crowned Warbler (Nashville and Calaveras)
644	Virginia's Warbler
647.1	Colima Warbler
643	Lucy's Warbler
648	Parula Warbler
649	Olive-backed Warbler (Sennett's)
651	Olive Warbler
652	Yellow Warbler
657	Magnolia Warbler
650	Cape May Warbler
654	Black-throated Blue Warbler
655	Myrtle Warbler
656	Audubon's Warbler
665	Black-throated Gray Warbler
668	Townsend's Warbler
667	Black-throated Green Warbler
666	Golden-cheeked Warbler
669	Hermit Warbler
658	Cerulean Warbler
662	Blackburnian Warbler
663	Yellow-throated Warbler
664	Grace's Warbler
659	Chestnut-sided Warbler
660	Bay-breasted Warbler
661	Blackpoll'd Warbler
671	Pine Warbler
670	Kirtland's Warbler
673	Prairie Warbler
672	Palm Warbler
674	Ovenbird
675	Waterthrush (Northern, Grinnell's)
676	Louisiana Waterthrush
677	Kentucky Warbler
678	Connecticut Warbler
679	Mourning Warbler
680	MacGillivray's Warbler
681	Common Yellowthroat (Maryland, etc.)
682.1	Ground Chat (Rio Grande Yellowthroat)
683	Yellow-breasted Chat
690	Red-faced Warbler
684	Hooded Warbler

A.O.U. No.Common NameWarblers (continued)

685	Pileolated Warbler (Wilson's)
686	Canada Warbler
687	Redstart (American)
688	Painted Redstart

LIST OF CHIEF PROVINCIAL GAME OFFICIALS

Information regarding birds protected by provincial game laws may be obtained from the chief game officials in the several provinces, as listed below.

British Columbia:	The Game Commissioner, 567 Burrard Street, VANCOUVER, British Columbia.
Alberta:	The Fish and Game Commissioner, Department of Lands and Forests, EDMONTON, Alberta.
Saskatchewan:	The Game Commissioner, Department of Natural Resources, REGINA, Saskatchewan.
Manitoba:	The Director of Game and Fisheries, Game and Fisheries Branch, Department of Mines and Natural Resources, WINNIPEG, Manitoba.
Ontario:	The Chief, Division of Fish and Wildlife, Department of Lands and Forests, TORONTO 2, Ontario.
Quebec:	The General Superintendent, Department of Game and Fish, QUEBEC, Quebec.
New Brunswick:	The Chief, Fish and Wildlife Branch, Department of Lands and Mines, FREDERICTON, New Brunswick.
Nova Scotia:	The Provincial Wildlife Biologist, Department of Lands and Forests, 513 Prince Street, TRURO, Nova Scotia.
Prince Edward Island:	The Deputy Minister of Industry and Natural Resources, CHARLOTTETOWN, Prince Edward Island.

Newfoundland: The Director of Wildlife,
Department of Mines and Resources,
ST. JOHN'S, Newfoundland.

Northwest
Territories: The Commissioner,
Northwest Territories,
OTTAWA, Canada.

Yukon
Territory: The Commissioner,
Yukon Territory,
P.O. Box 127,
WHITEHORSE, Yukon Territory.

