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SERVICE)

**Birds Protected
in Canada**
**Under the Migratory
Birds Convention Act**

**Occasional Papers
Number 1**

**Canadian
Wildlife Service**

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Occasional Papers Number 1
Second Edition

Canadian Wildlife Service
Department of Indian Affairs
and Northern Development

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Foreword

Each province has general jurisdiction over wildlife within its boundaries. The Government of Canada is, however, responsible for wildlife in national parks and in bird sanctuaries established by regulations related to the Migratory Birds Convention Act. This act was passed in 1917 to enable Canada to fulfill obligations incurred under the Migratory Birds Treaty with the United States of America and empowers the Governor-in-Council to make regulations necessary to protect migratory birds which inhabit Canada for all, or part, of the year.

Birds protected under the Migratory Birds Treaty and Act are in three categories as follows:

Migratory game birds – Anatidæ or waterfowl, including brant, wild ducks, geese and swans; Gruidæ or cranes, including little brown, sandhill and whooping cranes; Rallidæ or rails, including coots, gallinules, sora and other rails; Limicolæ or shorebirds, including avocets, curlew, dowitchers, godwits, knots, oyster catchers, phalaropes, plovers, sandpipers, snipe, stilts, surf birds, turnstones, willet, woodcock and yellowlegs; Columbidae or pigeons, including doves and wild pigeons.

Migratory insectivorous birds – 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, whip-poor-wills, woodpeckers, wrens and all other perching birds which feed entirely or chiefly on insects.

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

This booklet lists species protected under *federal* law. Species of migratory birds not included may be protected by *provincial* law and this information is available from game authorities of the province concerned. A list of chief provincial game officers is given on page 11.

Birds are generally classified in alphabetical order. The names under general headings, the numbers following the names and the order in which the birds appear are according to the *Checklist of North American Birds* prepared by the American Ornithologists' Union. Some listed birds are rarely seen; hunting and collecting the birds, nests, or eggs are, nevertheless, subject to the Migratory Birds Convention Act and Regulations.

List of Birds Protected in Canada

Under the Migratory Birds
Convention Act

A.O.U. No.	Common Name	A.O.U. No.	Common Name
	Auks	134	Mottled duck (Florida and Louisiana)
✓ 32	Razorbill	✓ 135	Gadwall
✓ 30	Common murre (Atlantic and California)	✓ 143	Pintail
✓ 31	Thick-billed murre (Brünnich's)	✓ 138	Common teal
✓ 34	Dovekie	✓ 139	Green-winged teal
✓ 27	Black guillemot	✓ 140	Blue-winged teal
29	Pigeon guillemot	✓ 141	Cinnamon teal
23	Marbled murrelet	✓ 136	European widgeon
24	Kittlitz's murrelet	✓ 137	American widgeon
21	Ancient murrelet	✓ 142	Shoveler
16	Cassin's auklet	✓ 144	Wood duck
17	Parakeet auklet	✓ 146	Redhead
18	Crested auklet	✓ 150	Ring-necked duck
20	Least auklet	✓ 147	Canvasback
19	Whiskered auklet	✓ 148	Greater scaup
15	Rhinoceros auklet	✓ 149	Lesser scaup
✓ 13	Common puffin	✓ 151	Common goldeneye
14	Horned puffin	✓ 152	Barrow's goldeneye
12	Tufted puffin	✓ 153	Bufflehead
		✓ 154	Oldsquaw
		✓ 155	Harlequin duck
	Cranes	157	Steller's eider
✓ 204	Whooping crane	✓ 159	Common eider (northern, American, etc.)
✓ 205	Sandhill crane (little brown and Florida)	✓ 162	King eider
		✓ 158	Spectacled eider
	Creepers	✓ 165	White-winged scoter
✓ 726	Brown creeper	✓ 166	Surf scoter
		✓ 163	Common scoter
	Cuckoos	✓ 167	Ruddy duck
386a	Mangrove cuckoo (Maynard's)	168	Masked duck
✓ 387	Yellow-billed cuckoo	✓ 131	Hooded merganser
✓ 388	Black-billed cuckoo	✓ 129	Common merganser
		✓ 130	Red-breasted merganser
	Ducks		Flycatchers
177	Black-bellied tree duck	✓ 444	Eastern kingbird
✓ 178	Fulvous tree duck	445	Gray kingbird
✓ 132	Mallard	446	Tropical kingbird (Couch's)
133.1	Mexican duck (New Mexican)	✓ 447	Western kingbird (Arkansas)
✓ 133	Black duck		

A.O.U. No.	Common Name	A.O.U. No.	Common Name
448	Cassin's kingbird	176	Emperor goose
442	Fork-tailed flycatcher	✓ 171	White-fronted goose
443	Scissor-tailed flycatcher	CON. ✓ 169	Snow goose
449	Kiskadee flycatcher (Derby)	✓ 169.1	Blue goose
451	Sulphur-bellied flycatcher	✓ 170	Ross' goose
✓ 452	Great crested flycatcher (northern and southern)		Goatsuckers
453	Wied's crested flycatcher	416	Chuck-will's-widow
454	Ash-throated flycatcher	✓ 417	Whip-poor-will
455a	Olivaceous flycatcher	418	Poor-will
✓ 456	Eastern phoebe	419	Pauraque
458	Black phoebe	✓ 420	Common nighthawk (eastern, western, etc.)
✓ 457	Say's phoebe	421	Lesser nighthawk (Texas)
✓ 463	Yellow-bellied flycatcher		Grebes
465	Acadian flycatcher		
✓ 466	Traill's flycatcher (little and Alder)	✓ 2	Red-necked grebe (Holboell's)
✓ 467	Least flycatcher	✓ 3	Horned grebe
468	Hammond's flycatcher	4	Eared grebe
469	Dusky flycatcher	✓ 1	Western grebe
469.1	Gray flycatcher	✓ 6	Pied-billed grebe
464	Yellow-green flycatcher (western)		Grosbeaks, Finches, Sparrows and Buntings
470a	Buff-breasted flycatcher	✓ 593	Cardinal
460	Coues' flycatcher	✓ 595	Rose-breasted grosbeak
✓ 461	Eastern wood pewee	596	Black-headed grosbeak
462	Western wood pewee	✓ 514	Evening grosbeak
✓ 459	Olive-sided flycatcher	✓ 515	Pine grosbeak
471	Vermilion flycatcher	✓ 560	Chipping sparrow
472	Beardless flycatcher		Gulls
	Gannets		
✓ 117	Gannet	✓ 42	Glaucous gull
		✓ 43	Iceland gull
	Geese and Swans	44	Glaucous-winged gull
✓ 180	Whistling swan	✓ 47	Great black-backed gull
✓ 181	Trumpeter swan	48	Slaty-backed gull
✓ 172	Canada goose	49	Western gull
CON. ✓ 173	Brant	✓ 51	Herring gull
✓ 174	Black brant	53	California gull
✓ 175	Barnacle goose	✓ 54	Ring-billed gull

A.O.U. No.	Common Name	A.O.U. No.	Common Name
✓55	Mew gull (short-billed)	✓10	Arctic loon (Pacific)
✓58	Laughing gull	✓11	Red-throated loon
✓59	Franklin's gull		
✓60	Bonaparte's gull		
57	Heermann's gull		
✓39	Ivory gull	✓494	Bobolink
✓40	Black-legged kittiwake	✓501	Meadowlark
41	Red-legged kittiwake		(eastern, southern, etc.)
61	Ross' gull	✓501.1	Western meadowlark
✓62	Sabine's gull	✓506	Orchard oriole
		503	Black-headed oriole
	Hérons		(Audubon's)
✓194	Great blue heron	505	Hooded oriole
✓196	Egret (American)		(Sennett's and Arizona)
✓197	Snowy egret	504	Scott's oriole
✓200	Little blue heron	✓507	Baltimore oriole
✓201	Green heron	508	Bullock's oriole
✓202	Black-crowned night heron		
✓190	American bittern		
✓191	Least bittern		
	Hummingbirds		
437	Lucifer hummingbird	✓703	Mockingbird
✓428	Ruby-throated hummingbird	✓704	Catbird
429	Black-chinned hummingbird	✓705	Brown thrasher
430	Costa's hummingbird	706	Long-billed thrasher
431	Anna's hummingbird		(Sennett's)
432	Broad-tailed hummingbird	708	Bendire's thrasher
433	Rufous hummingbird	707	Curve-billed thrasher
434	Allen's hummingbird	710	California thrasher
435	Heloise's hummingbird	711	Le Conte's thrasher
436	Calliope hummingbird	712	Crissal thrasher
426	Rivoli's hummingbird	702	Sage thrasher
427	Blue-throated hummingbird		
439	Buff-bellied hummingbird	✓727	White-breasted nuthatch
440.1	White-eared hummingbird	✓728	Red-breasted nuthatch
441	Broad-billed hummingbird	730	Pygmy nuthatch
	Loons	96	
✓7	Common loon	✓95	Slender-billed shearwater
8	Yellow-billed loon	93	Sooty shearwater
			Black-vented shearwater

A.O.U. No.	Common Name	A.O.U. No.	Common Name
95.1	Pale-footed shearwater	278	Snowy plover
91	Pink-footed shearwater	280	Thick-billed plover (Wilson's)
✓89	Greater shearwater	✓273	Killdeer
88	Cinereous shearwater (Cory's)	281	Mountain plover
96.2	New Zealand shearwater	✓272	American golden plover
99	Scaled petrel		(Atlantic and Pacific)
98.3	Cook's petrel	✓270	Black-bellied plover
✓86	Fulmar (Atlantic and Pacific)	282	Surfbird
105	Fork-tailed petrel	✓283	Turnstone (ruddy)
✓106	Leach's petrel	284	Black turnstone
✓109	Wilson's petrel	✓228	American woodcock
		✓230	Common snipe (Wilson's)
	Pigeons and Doves	264	Long-billed curlew
314	White-crowned pigeon	✓265	Whimbrel (Hudsonian curlew)
312	Band-tailed pigeon	268	Bristle-thighed curlew
313	Red-billed pigeon	266	Eskimo curlew
317	Zenaida dove	✓261	Upland plover
319	White-winged dove	✓263	Spotted sandpiper
✓316	Mourning dove	✓256	Solitary sandpiper
320	Ground dove	259	Wandering tattler
321	Inca dove	✓258	Willet
318	White-fronted dove	✓254	Greater yellowlegs
322.1	Quail dove (ruddy)	✓255	Lesser yellowlegs
		✓234	American knot
	Rails and Gallinules	✓235	Purple sandpiper
✓208	King rail	235a-d	Rock sandpiper (Aleutian)
✓210	Clapper rail	238	Sharp-tailed sandpiper
✓212	Virginia rail	✓239	Pectoral sandpiper
✓214	Sora	✓240	White-rumped sandpiper
✓215	Yellow rail	✓241	Baird's sandpiper
216	Black rail	✓242	Least sandpiper
218	Purple gallinule	242.2	Rufous-necked sandpiper
✓219	Common gallinule	✓244	Curlew sandpiper
✓221	American coot	✓243	Dunlin (red-backed sandpiper)
	Shorebirds	✓231	Short-billed dowitcher
✓286	American oystercatcher	✓232	Long-billed dowitcher
287	Black oystercatcher	✓233	Stilt sandpiper
✓274	Semipalmated plover	✓246	Semipalmated sandpiper
275	Ringed plover	✓247	Western sandpiper
✓277	Piping plover	✓262	Buff-breasted sandpiper

A.O.U. No.	Common Name	A.O.U. No.	Common Name
✓249	Marbled godwit	609	Hepatic tanager
250	Bar-tailed godwit (Pacific)	✓610	Summer tanager
✓251	Hudsonian godwit		
✓248	Sanderling		Terns
✓225	American avocet	63	Gull-billed tern
226	Black-necked stilt	✓69	Forster's tern
✓222	Red phalarope	✓70	Common tern
✓224	Wilson's phalarope	✓71	Arctic tern
✓223	Northern phalarope	✓72	Roseate tern
		73	Aleutian tern
	Shrikes	✓74	Least tern
✓621	Gray shrike (northern)	67	Sandwich tern (Cabot's)
✓622	Loggerhead shrike	✓64	Caspian tern
		✓77	American black tern
	Skuas and Jaegers		
✓36	Pomarine jaeger		Thrushes
✓37	Parasitic jaeger	✓761	Robin
✓38	Long-tailed jaeger	✓763	Varied thrush
35	Northern skua	✓755	Wood thrush
		✓759	Hermit thrush
	Swallows	✓758	Swainson's thrush (olive-backed, russet-backed, etc.)
615	Violet-green swallow	✓757	Gray-cheeked thrush
✓614	Tree swallow	✓756	Veery
✓616	Bank swallow	✓766	Bluebird (eastern, etc.)
✓617	Rough-winged swallow	767	Western bluebird
✓613	Barn swallow	768	Mountain bluebird
✓612	Cliff swallow	✓765	Wheatear
612.1	Cave swallow (Cuban and Coahuila cliff)	764	Bluethroat
✓611	Purple martin	✓754	Townsend's solitaire
611.2	Gray-breasted martin		
			Titmice
	Swifts	✓735	Black-capped chickadee
422	Black swift	737	Mexican chickadee
✓423	Chimney swift	738	Mountain chickadee
424	Vaux's swift	739	Gray-headed chickadee (Alaska)
425	White-throated swift	✓740	Boreal chickadee (Hudsonian, Acadian, etc.)
			Tanagers
✓607	Western tanager	741	Chestnut-backed chickadee
✓608	Scarlet tanager		

A.O.U. No.	Common Name	A.O.U. No.	Common Name
✓731	Tufted titmouse	✓648	Parula warbler
732	Black-crested titmouse	649	Olive-backed warbler (Sennett's)
733	Plain titmouse		
734	Bridled titmouse	651	Olive warbler
746	Verdin	✓652	Yellow warbler
743	Bushtit (coast, California, etc.)	✓657	Magnolia warbler
		✓650	Cape May warbler
745	Black-eared bushtit (Lloyd's)	✓654	Black-throated blue warbler
		✓655	Myrtle warbler
	Vireos	✓656	Audubon's warbler
630	Black-capped vireo	665	Black-throated gray warbler
631	White-eyed vireo	668	Townsend's warbler
632	Hutton's vireo	✓667	Black-throated green warbler
633	Bell's vireo	666	Golden-cheeked warbler
634	Gray vireo	669	Hermit warbler
✓628	Yellow-throated vireo	✓658	Cerulean warbler
✓629	Solitary vireo (blue-headed, etc.)	✓662	Blackburnian warbler
		663	Yellow-throated warbler
✓624	Red-eyed vireo	664	Grace's warbler
✓626	Philadelphia vireo	✓659	Chestnut-sided warbler
✓627	Warbling vireo	✓660	Bay-breasted warbler
		✓661	Blackpoll warbler
	Wagtails and Pipits	✓671	Pine warbler
696	Yellow wagtail (Alaska)	670	Kirtland's warbler
✓697	Water pipit (American)	✓673	Prairie warbler
700	Sprague's pipit	✓672	Palm warbler
		✓674	Ovenbird
		✓675	Waterthrush (northern, Grinnell's)
✓636	Black-and-white warbler	✓676	Louisiana waterthrush
✓637	Prothonotary warbler	✓677	Kentucky warbler
638	Swainson's warbler	✓678	Connecticut warbler
✓639	Worm-eating warbler	✓679	Mourning warbler
✓642	Golden-winged warbler	680	MacGillivray's warbler
✓641	Blue-winged warbler	✓681	Common yellowthroat (Maryland, etc.)
✓647	Tennessee warbler		
✓646	Orange-crowned warbler	682.1	Ground chat (Rio Grande yellowthroat)
✓645	Chestnut-crowned warbler (Nashville and Calaveras)		
644	Virginia's warbler	✓683	Yellow-breasted chat
647.1	Colima warbler	690	Red-faced warbler
643	Lucy's warbler	✓684	Hooded warbler

A.O.U. No.	Common Name	A.O.U. No.	Common Name
685	Pileolated warbler (Wilson's)	399	White-headed woodpecker
✓ 686	Canada warbler	✓ 400	Black-backed three-toed woodpecker
✓ 687	Redstart (American)	✓ 401	Northern three-toed woodpecker
688	Painted redstart		
Waxwings			
✓ 618	Greater waxwing (Bohemian)	✓ 721	House wren
✓ 619	Cedar waxwing	721.1	Brown-throated wren
Willow Warblers, Kinglets and Gnatcatchers			
747	Arctic willow warbler (Kennicott's)	✓ 722	Winter wren
		719	Bewick's wren
		✓ 718	Carolina wren
		713	Cactus wren
✓ 751	Gnatcatcher (blue-gray, etc.)	✓ 725	Marsh wren (long-billed)
752	Black-tailed gnatcatcher (plumbeous)	✓ 724	Sedge wren (short-billed marsh)
✓ 748	Golden-crowned kinglet	717	Canon wren
✓ 749	Ruby-crowned kinglet	715	Rock wren
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' 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		

List of Chief Provincial Game Officers

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

Director
Fish and Wildlife Branch
Department of Recreation and Conservation
Victoria

Alberta

Director
Fish and Wildlife Division
Department of Lands and Forests
109th Street and 99th Avenue
Edmonton

Saskatchewan

Director
Wildlife Branch
Department of Natural Resources
Regina

Manitoba

Director
Wildlife Branch
Department of Mines and Natural Resources
Winnipeg

Ontario

Chief
Fish and Wildlife Branch
Department of Lands and Forests
Toronto 2

Quebec

Director
Wildlife Division
Fish and Game Branch
Department of Tourism, Fish and Game
Quebec City

New Brunswick

Director
Fish and Wildlife Branch
Department of Natural Resources
Fredericton

Nova Scotia

Director
Wildlife Conservation Division
Department of Lands and Forests
P.O. Box 516
Kentville

Prince Edward Island

Director of Game
Department of Tourist Development
Charlottetown

Newfoundland

Director
Wildlife Management Branch
Department of Mines, Agriculture, and Resources
St. John's

Northwest Territories

Commissioner
Government of the Northwest Territories
Yellowknife

Yukon Territory

Commissioner
Government of the Yukon Territory
Whitehorse

**Canadian
Wildlife Service**