

ALBERTA FEDERATION OF ROCK CLUBS.

LAWS PERTAINING TO THE COLLECTION, OWNERSHIP AND SELLING OF AMMONITE SHELL, FOSSILS AND PETRIFIED WOOD IN ALBERTA

There are three [3] laws that are relevant to the collection, ownership and selling of Alberta fossils.

1. Historical Resources Act, [HRA].
 - i. Alberta Regulation 101/98, Disposition [Ministerial] Regulation
 - ii. Alberta Regulation 254/2002, Archaeological and Paleontological Research Permit Regulation
2. Mines and Mineral Act, [MMA],
 - i. Alberta Regulation 152/2004, Ammonite Shell Regulation
3. Cultural Property Export and Import Act, Minister of Justice Canada, RSC 1885 c C-51

The documents are posted on the Alberta Federation of Rock Clubs [AFRC] Website and are available to all of the member clubs and their membership.

The AFRC has designed this document to answer questions regarding the collection of Ammonite Shell, Fossils and Petrified Wood. All fossils are protected under the HRA, but the following can be disposed of by the Alberta Government Protected fossils under the HRA are as follows:-

- Ammonite Shell
- Oyster Shell
- Petrified Wood
- Fossil Leaf Impressions

AMMONITE SHELL

If I purchase ammonite shell on the matrix or as prepared from a First Nation seller is it legal and what do I need to do?

First Nation people who collect ammonite shell on the Indian Reserve Land are exempt from the Alberta Acts. Ammonite Shell is present on three reserves in Southern Alberta, Sisika, Pikani and Blood. You are not required to do anything if you purchase the ammonite shell from a First Nation person. You can however, ask them for a letter from the Band Council authorizing them to sell the ammonite shell.

You can do what you wish with the ammonite shell as it was purchased from a special exemption group that are not governed by the Alberta Acts.

If I purchase ammonite shell, in any form, from a vendor at a trade show, store or tailgate. Is it legal and what do I need to do?

When purchasing ammonite shell at one of the above venues ask the vendor for a copy of their disposition certificate from the Government of Alberta or record the number of the certificate.

If there is a disposition certificate number, you can do what you wish with the ammonite shell because the vendor has the disposition and owns the shell. You do not require a disposition to resell the ammonite shell.

If I purchase the ammonite shell in the USA or outside North America?

As the majority of ammonite shell comes from Southern Alberta, you may purchase the ammonite shell but ask the vendor for the disposition number and the export documents [proof to sell] that would have been required to take the ammonite shell out of Canada. A receipt may also be a good idea.

You are required to declare the ammonite shell at your port of entry back into Canada, and pay the applicable duty and taxes. Again, as the item was purchased you can do what you wish with it.

[NB: - *If the vendor cannot produce the Band Council Letter or the Disposition Certificate it is your responsibility to decide if you wish to proceed with your purchase.*]

Can I pick up loose shards or pieces of ammonite shell from the surface on Crown Land or on private land with the permission of the landowner?

No, ammonite shell is protected under the Historical Resources Act, Disposition Regulation and cannot be surface collected. The only people allowed to collect ammonite shell are under the exemptions in the Act.

Can I pick up any fossils from the ammonite family with shell from Crown Land or private land with the permission of the Landowner?

No, the law applies to the shell on the fossil as well whether it is jewelry quality or in powdery form.

[NB:-*Ammonite family that are found in Alberta are ammonite, scaphite, baculites, and belemnites*]

FOSSILS**Can I collect fossils in Alberta?**

Fossils can be collected in Alberta on Crown Land and on private land with the permission of the landowner. Surface collecting is allowed but not digging or excavation.

Fossils collected may be kept in a rock hound's private collection and cannot be sold. It is illegal to sell any fossil found in Alberta without a disposition certificate. If the fossil is rare or may have some scientific value the person who found it is strongly encouraged to take a photograph and send the information to the Royal Tyrrell Museum, Drumheller, where it can be assessed. If the fossil is of no

value to the Alberta Government for scientific or research purposes, a disposition certificate may be issued if the fossil is eligible for disposition.

PETRIFIED WOOD

If I find petrified wood on the surface on crown land or private land can I collect it for my collection, does it require a disposition?

Yes, it is legal to surface collect petrified wood in Alberta. The collector can keep it in their collection but cannot sell, alter or export it without first getting disposition.

What about size from small shards to tree stumps?

There is no limit to the size but the fossil must be surface collected. No excavation is allowed.

Can I sell petrified wood as it is found with no alteration?

No, you must first obtain a disposition certificate from Alberta Culture via the Royal Tyrrell Museum

Can the wood be tumbled or made into items and sold, again if sold would a disposition be required?

Petrified wood cannot be altered, tumbled or made into other items without first obtaining disposition. Disposition is only needed once per fossil, so a second disposition certificate is not required to sell the material if a disposition certificate has already been issued for the fossil.

General Questions

What can club members do if they inherit an estate or manage an auction for a collection donated due to a family wanted to get rid of a collection?

We generally try to encourage the original collector to apply for disposition (or Register the collection in the case of pre-1978 collections). If that is not possible, we will work with the executor of an estate or the people that come into possession of these collections to get the appropriate approvals in place.

What is the government's plan for illegally collected/altered items without a disposition number?

There is no plan per se. but would recommend that anyone in that position contact Dan Spivak directly.

WHAT IS THE DISPOSITION CERTIFICATE PROCESS?

To initiate the Process, the person must submit an application for the **Disposition of Paleontological Resources**, along with photos of the ammonite shell, fossil or petrified wood for which they are seeking disposition. This application process is free.

Once the application is received at the Royal Tyrrell Museum, it is reviewed by Resource Management staff for completeness and entered into the database. If it is complete, with all relevant information, signatures, and photographs, the application is sent to one of the museum curators for review. The curator will review the photographs and determine if any of the fossils are scientifically significant. Any significant fossils will be removed from the disposition process and must be sent to the Royal Tyrrell Museum to become part of the Provincial Collection.

After this review, the application is returned to the Resource Management Program where the Disposition Certificate is drafted. The application and certificate are sent to the Assistant Deputy Minister of the Heritage Division (Alberta Culture) for final approval. Once signed, the Resource Management Program drafts a letter explaining the results of the Disposition Process. This letter is returned to the applicant with the approved application form and **Disposition Certificate**.

When the Disposition Process is complete, the person becomes the legal owner of the ammonite shell, fossil or petrified wood approved for disposition. The person is now free to sell, trade, or alter the ammonite shell, fossil or petrified wood as they wish. It is important to remember that there may be federal export issues to address before the ammonite shell, fossil or petrified wood can be exported from Canada. Go to <http://www.pch.gc.ca/eng/1358364893642/1358365043241> for more information.