

## Chapter 12

### AN ACT TO AMEND THE WILDLIFE ACT

(Assented to May 5, 2005)

The Commissioner of Nunavut, by and with the advice and consent of the Legislative Assembly, enacts as follows:

1. **This Act amends the *Wildlife Act*, S.Nu. 2003, c.26.**
2. **(1) Paragraph 19(2)(a) is repealed and the following is substituted:**
  - (a) licences to harvest wildlife, including licences for persons other than Inuit with aboriginal rights;**(2) Subsection 19(2) is amended by adding the following after paragraph (f):**
  - (f.1) licences to act as big game outfitters;
3. **That portion of subsection 21(1) preceding paragraph (a) is repealed and the following is substituted:**

Special exemptions

21. (1) The Superintendent may, by licence or order, authorize the use of a weapon, equipment, technique or procedure, or the conduct of an activity, that would otherwise be contrary to this Act, the regulations or an order, where

4. **Section 86 is repealed and the following is substituted:**

Tags

86. No person shall possess a wild animal, for which a tag is required by the regulations, without complying with the regulations respecting the holding or affixing of tags.

5. **(1) Paragraph 87(1)(c) is repealed and the following is substituted:**
  - (c) have in or on a vehicle or other conveyance a firearm with a live shell or cartridge in the barrel, the breech, the firing compartment or an attached magazine, or a crossbow loaded with a quarrel;**(2) Subsection 87(2) is repealed and the following is substituted:**

Authorized vehicles and other conveyances

(2) Paragraphs (1)(a), (b) and (c) do not apply to a person who is

- (a) on a snowmobile;
- (b) on a sled pulled by dogs;

- (c) on a prescribed all-terrain vehicle; or
- (d) in a boat, other than a barge, of less than 15 m in length.

**6. Section 109 is repealed and the following is substituted:**

Commercial buying

109. Subject to the exception in paragraph 110(b), no person shall buy wildlife as a commercial activity or above a prescribed rate or quantity without a licence authorizing it.

**7. Paragraph 111(1)(a) is repealed and the following is substituted:**

- (a) uses the services of a big game outfitter licensed under this Act; and

**8. The following is added after section 111:**

Big game outfitter

111.1. (1) No person shall for compensation, without a licence authorizing it, provide or agree to provide guides, personnel or equipment to persons harvesting or wishing to harvest big game.

Duty to ensure holding of licences

(2) A big game outfitter shall confirm that

- (a) every guide working for the outfitter is licensed as big game guide under this Act; and
- (b) every person he or she is outfitting holds a licence, or is otherwise authorized, to harvest the wildlife in respect of which the outfitting is being done.

Exemption

(3) A big game outfitter licensed under this Act does not require a permit under the *Travel and Tourism Act* to conduct the activities licensed under this Act.

**9. The following is added after subsection 112(3):**

Guide exemption

(4) A guide licensed under this Act does not require a permit to act as a guide under the *Travel and Tourism Act*.

**10. Subsection 118(1) is amended by striking out "an outfitter licensed under the *Travel and Tourism Act*" and substituting "a big game outfitter licensed under this Act".**

**11. That portion of subsection 132(1) preceding paragraph (a) is repealed and the following is substituted:**

Interim and emergency measures

132. (1) When a species is designated as threatened or endangered under this Act, the NWMB shall

**12. Section 254 is repealed and the following is substituted:**

*Victims of Crime Act*

**254. (1) The *Victims of Crime Act* is amended by this section.**

**(2) Subsection 12(1) is amended by striking out "subsection (3)" and substituting "subsections (2.1) and (3)".**

**(3) The following is added after subsection 12(2):**

Natural Resources Conservation Trust Fund

(2.1) No surcharge under this Act is applicable where a surcharge is levied for an offence under the *Wildlife Act* to the credit of the Natural Resources Conservation Trust Fund.