

WILDLIFE ACT

**OFFICIAL CONSOLIDATION OF POLAR BEAR
TOTAL ALLOWABLE HARVEST ORDER**

C.R.Nu. R-011-2005

In force July 6, 2005

(Consolidation date: December 15, 2022)

Note: see s.4 of R-037-2022 for transitional provisions.

R-011-2005

AS AMENDED BY:

R-020-2007

In force September 5, 2007

R-021-2008

In force September 18, 2008

R-003-2010

s.2 in force July 1, 2010

s.3 in force July 1, 2011

s.4 in force July 1, 2012

s.5 in force July 1, 2013

R-019-2011

In force October 27, 2011

R-017-2012

In force September 26, 2012

R-025-2015

In force August 25, 2015

R-031-2015

In force October 26, 2015

R-025-2017

In force September 26, 2017

R-013-2018

In force July 1, 2018

R-026-2021

In force July 1, 2021

R-037-2022

In force December 15, 2022

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The authoritative text of original and revised statutes can be ascertained from the *Revised Statutes of the Northwest Territories, 1988* and the Annual Volumes of the Statutes of the Northwest Territories (for statutes passed before April 1, 1999) and the Statutes of Nunavut (for statutes passed on or after April 1, 1999).

A copy of a statute of Nunavut can be obtained from the Territorial Printer at the address below. The Annual Volumes of the Statutes of Nunavut and this consolidation are also available online at www.nunavutlegislation.ca.

Any certified Bills not yet included in the Annual Volumes of the Statutes of Nunavut can be obtained through the Office of the Clerk of the Legislative Assembly.

Territorial Printer
Legislation Division
Department of Justice
Government of Nunavut
P.O. Box 1000, Station 550
Iqaluit, NU X0A 0H0

Tel.: (867) 975-6305
Fax: (867) 975-6189
Email: Territorial.Printer@gov.nu.ca

GLOSSARY OF TERMS USED IN CONSOLIDATIONS

Miscellaneous

- c. means "chapter".
- CIF means "comes into force".
- NIF means "not in force".
- s. means "section" or "sections", "subsection" or "subsections", "paragraph" or "paragraphs".
- Sch. means "schedule".
- SI-005-98 means the instrument registered as SI-005-98 in 1998. (*Note: This is a Northwest Territories statutory instrument if it is made before April 1, 1999, and a Nunavut statutory instrument if it is made on or after April 1, 1999 and before January 1, 2000.*)
- SI-013-2017 means the instrument registered as SI-013-2017 in 2017. (*Note: This is a Nunavut statutory instrument made on or after January 1, 2000.*)

Citation of Acts

- R.S.N.W.T. 1988,c.D-22 means Chapter D-22 of the *Revised Statutes of the Northwest Territories, 1988*.
- R.S.N.W.T. 1988,c.10(Supp.) means Chapter 10 of the Supplement to the *Revised Statutes of the Northwest Territories, 1988*. (*Note: The Supplement is in three volumes.*)
- S.N.W.T. 1996,c.26 means Chapter 26 of the 1996 Annual Volume of the Statutes of the Northwest Territories.
- S.Nu. 2011,c.15 means Chapter 15 of the 2011 Annual Volume of the Statutes of Nunavut.

POLAR BEAR TOTAL ALLOWABLE HARVEST ORDER

Mapsheets 1 to 20, which show the boundaries of the polar bear populations in Nunavut in greater detail, are available for inspection during reasonable hours at the following locations:

Office of the Chief Legislative Counsel
Legislation Division
Department of Justice
Building 1107
Iqaluit, Nunavut

Office of the Superintendent of Wildlife
Department of Environment
Government of Nunavut
Suite 1104 A
Inuksugait Plaza
Iqaluit, Nunavut

Office of every Nunavut Conservation Officer

The Minister, in accordance with an accepted decision of the NWMB, under sections 120, 121, 156 and 157 of the *Wildlife Act*, S.Nu.2003,c.26 and every enabling power, makes the annexed *Polar Bear Total Allowable Harvest Order*.

1. (1) A total allowable harvest is established for polar bears in accordance with this Order.

(2) The level of the total allowable harvest for each harvest year for a subpopulation of polar bears is set out in the following formula and is expressed as a yearly limit allocated to a community or region:

$$\text{TAH} = \text{BTAH} + \text{CR}$$

where

TAH is the total allowable harvest for the subpopulation of polar bear listed in Column 1 of Schedule A for the respective community or region listed in Column 4 of Schedule A;

BTAH is the basic total allowable harvest listed in Column 3 of Schedule A for the respective subpopulation and community or region;

CR is the number of polar bear credits carried over from a previous year for the subpopulation and community or region, as calculated in accordance with this section.

(3) The number of polar bear credits carried over from one year to the next for the subpopulation of polar bear listed in Column 1 of Schedule A for the respective community or region listed in Column 4 of Schedule A is calculated in accordance with the following formula:

$$CR = PYTAH - PYH$$

where

- CR is the number of polar bear credits carried over from one year to the next for the subpopulation and community or region;
- PYTAH is the previous year's total allowable harvest (TAH) for the subpopulation and community or region as calculated under subsection (2);
- PYH is the number of polar bears harvested from the subpopulation by the community or region, or attributed to it, during the previous year.

(4) Despite subsection (3), when a basic total allowable harvest listed in Column 3 of Schedule A is amended,

- (a) the credits carried over from the previous year for the respective subpopulation and community or region are deemed to be zero; and
- (b) the total allowable harvest (TAH) for the respective subpopulation and community or region during the first year the amendment is in effect is equal to the basic total allowable harvest (BTAH) listed in Column 3 of Schedule A for the respective subpopulation and community or region.

(5) The portion of the total allowable harvest (TAH) for a subpopulation and community or region that is derived from the number of polar bear credits carried over from a previous year (CR) may only be harvested if

- (a) when the yearly harvests from that portion do not exceed of 25% of the basic total allowable harvest (BTAH), the Superintendent authorizes the harvest; or
- (b) in any other case, a decision of the NWMB authorizes the harvest.

(6) The Superintendent, RWOs and HTOs must issue polar bear tags in a manner that reasonably ensures that the number of female polar bears harvested from a subpopulation by a community or region listed in column 4 of Schedule A does not, over time, exceed the number of male polar bears harvested from the subpopulation.

(7) It is presumed that Inuit need the total allowable harvest for polar bears.
R-037-2022,s.2.

2. (1) The populations of polar bears that are recognized in Nunavut are pictured in a map set out in Schedule B, using the abbreviations for the populations.

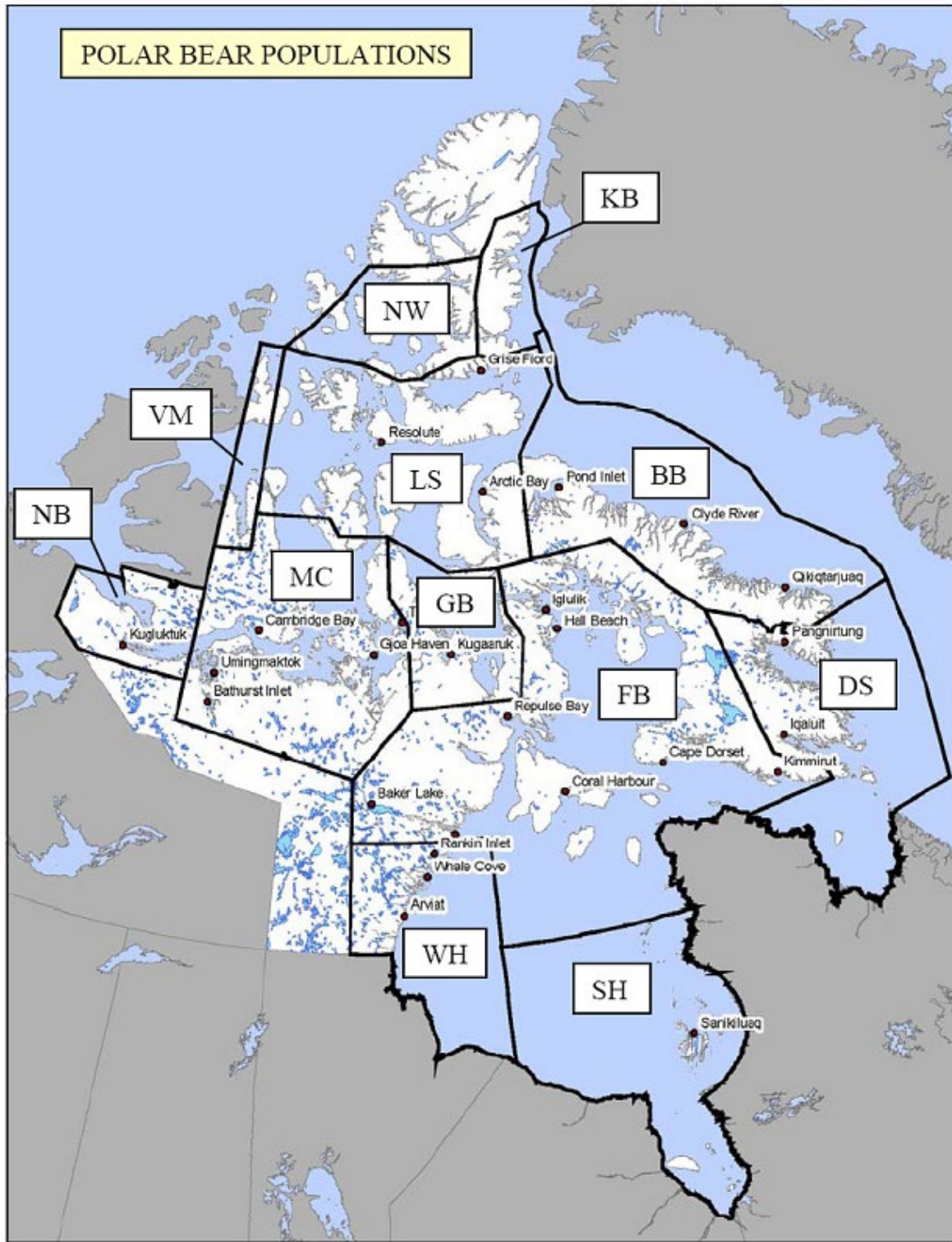
(2) A polar bear found inside Nunavut within 30 km of the boundary of a polar bear population may be presumed to come from either the population of the area it was found in or from the bordering one.

SCHEDULE A

Column 1 Population of Wildlife	Column 2 Abbreviation	Column 3 Basic Total Allowable Harvest	Column 4 Community, Region or Aboriginal Group
Norwegian Bay Polar Bear Population	NW	4	Grise Fiord
Kane Basin Polar Bear Population	KB	5	Grise Fiord
Viscount Melville Polar Bear Population	VM	3	Cambridge Bay
Lancaster Sound Polar Bear Population	LS	85	Baffin Region
Baffin Bay Polar Bear Population	BB	80	Baffin Region
Northern Beaufort Polar Bear Population	NB	6	Kugluktuk
M'Clintock Channel Polar Bear Population	MC	21	Kitikmeot Region
Gulf of Boothia Polar Bear Population	GB	17	Baffin Region
		6	Kivalliq Region
		61	Kitikmeot Region
Foxe Basin Polar Bear Population	FB	52	Baffin Region
		71	Kivalliq Region
Davis Strait Polar Bear Population	DS	46	Baffin Region
Western Hudson Bay Polar Bear Population	WH	38	Kivalliq Region
Southern Hudson Bay Polar Bear Population	SH	25	Sanikiluaq

R-020-2007; R-021-2008; R-003-2010,ss.2(1),3(1),4(1),5(1); R-019-2011; R-017-2012; R-025-2015,ss.2,3(1),(2); R-031-2015; R-025-2017; R-013-2018,ss.2,3; R-026-2021,s.2; R-037-2022,s.3.

SCHEDULE B



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