

WILDLIFE ACT

R-012-2005

Registered with the Registrar of Regulations

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WILDLIFE TRANSITIONAL REGULATIONS

The Commissioner in Executive Council, under section 201 of the *Wildlife Act*, S.Nu.2003,c.26 and every enabling power, makes the annexed *Wildlife Transitional Regulations*.

1. In these regulations,

"current regulations" means the following regulations, all made under the former *Wildlife Act*:

- (a) *Big Game Hunting Regulations*,
- (b) *Birds of Prey Regulations*,
- (c) *Certification and Disposal of Wildlife Regulations*,
- (d) *Critical Wildlife Areas Regulations*,
- (e) *Polar Bear Defence Kill Regulations*,
- (f) *Sale of Wildlife Regulations*,
- (g) *Small Game Hunting Regulations*,
- (h) *Trapping Regulations*,
- (i) *Wildlife Business Regulations*,
- (j) *Wildlife Export Regulations*,
- (k) *Wildlife General Regulations*,
- (l) *Wildlife Licenses and Permits Regulations*,
- (m) *Wildlife Management Barren-Ground Caribou Areas Regulations*,
- (n) *Wildlife Management Grizzly Bear Areas Regulations*,
- (o) *Wildlife Management Muskox Areas Regulations*,
- (p) *Wildlife Preserves Regulations*,
- (q) *Wildlife Regions Regulations*,
- (r) *Wildlife Sanctuaries Regulations*,
- (s) *Wildlife Management Units Regulations*,
- (t) *Wildlife Management Zones Regulations; (règlements en vigueur)*

"former *Wildlife Act*" means the *Wildlife Act*, R.S.N.W.T. 1988,c.W-4; (*Loi sur la faune*)

2. (1) The *Wildlife Management Polar Bear Areas Regulations*, made under the former *Wildlife Act*, are repealed.

(2) Subsection 4(2) of the *Big Game Hunting Regulations*, made under the former *Wildlife Act*, is repealed.

(3) Where there is an inconsistency or conflict between any provision of the current regulations and the *Polar Bear Total Allowable Harvest Order*, the *Polar Bear Total Allowable Harvest Order* prevails to the extent of the inconsistency or conflict.

(4) Any reference in the current regulations to a polar bear management area shall be read as is it were a reference to the corresponding polar bear population set out in the *Polar Bear Total Allowable Harvest Order*.

3. (1) Any reference in the current regulations to the "Northwest Territories" shall be read as if it were a reference to "Nunavut".

(2) Any provision in the current regulations relating exclusively to an area or location in the Northwest Territories is repealed, including any provision in the current regulations implementing the Agreement between the Committee for Original Peoples' Entitlement, representing the Inuvialuit of the Inuvialuit Settlement Region, and the Government of Canada, dated June 5, 1984, and tabled in the House of Commons of Canada on June 19, 1984, and recorded as document number 322-7/20.

4. Any reference in the current regulations to the holder of a "General Hunting Licence" or "GHL" shall be read as if it were a reference to an Inuk, if the holder is a person enrolled under Article 35 of the Agreement.

5. (1) For greater certainty, pursuant to the Agreement, any restriction or quota on the amount of wildlife that may be harvested in the current regulations that was in force immediately prior to the date of ratification of the Agreement shall be deemed to have been established by the NWMB, and shall remain in effect until removed or otherwise modified by the Board in accordance with Article 5 of the Agreement.

(2) For greater certainty, pursuant to the Agreement, non-quota limitations on harvesting in the current regulations that were in force at the date of the ratification of the Agreement shall be deemed to have been established by the NWMB, and shall remain in effect until removed or otherwise modified by the Board in accordance with Article 5.

6. For greater certainty, the current regulations remain in force in accordance with section 36 of the *Interpretation Act*.