



Plain Language Version



NEW WILDLIFE ACT for the Northwest Territories

July 2014 version



CONSERVING WILDLIFE



Northwest Territories Environment and Natural Resources

THE NORTHWEST TERRITORIES *WILDLIFE ACT*: Plain Language Version

INTRODUCTION

The Department of Environment and Natural Resources has prepared this plain language version of the new *Wildlife Act* to make it easier to understand the legislation. This plain language version is not a legal document. For the official version of the *Wildlife Act* and related regulations, visit www.justice.gov.nt.ca.

For more information and updates, contact a Renewable Resource Officer near you, or check our website at www.enr.gov.nt.ca.

Cover Photographs:
Moose – N. Larter, ENR
Snowy Owl – G. Court

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Provisions in the <i>Wildlife Act</i>	This means:
<p>PREAMBLE</p> <p>Whereas wildlife is highly valued by the people of the Northwest Territories;</p> <p>And whereas all people of the Northwest Territories have an interest in wildlife as a natural resource and a responsibility for stewardship of wildlife and habitat;</p> <p>And whereas wildlife and habitat should be conserved and managed for the benefit of current and future generations;</p> <p>And whereas the protection of habitat is essential to the conservation of wildlife;</p> <p>And whereas the Government of the Northwest Territories recognizes and respects the Aboriginal and treaty rights of Aboriginal peoples, including harvesting rights;</p> <p>And whereas land claims agreements set out rights of beneficiaries and regimes for the management of wildlife and habitat;</p> <p>And whereas the Government of the Northwest Territories is committed to the conservation of wildlife in the Northwest Territories;</p> <p>And whereas the Government of the Northwest Territories is committed to working in a collaborative manner within the wildlife management processes established for the Territories;</p> <p>The Commissioner of the Northwest Territories, by and with the advice and consent of the Legislative Assembly, enacts as follows:</p>	<p>The preamble sets the background and tone for the cooperative approach to wildlife management taken in the Act. The preamble is included to help people, officers and the courts understand why the Act is written the way it is and to help them interpret the Act.</p> <p>The intent of the preamble is to recognize:</p> <ul style="list-style-type: none"> • the value of wildlife as a natural resource to people in the NWT; • the need for conservation and management of wildlife and habitat for future generations; • that habitat protection is needed to conserve wildlife; • Aboriginal and treaty rights including the right to harvest wildlife; • the rights and processes set out treaties and land claim agreements; • the commitment of the Government of the Northwest Territories (NWT) to conservation of wildlife; and, • the importance of working together to conserve and manage wildlife. • that all people in the NWT have a responsibility to help look after wildlife and habitat.
<p>PART 1 INTERPRETATION AND APPLICATION</p> <p>Definitions</p> <p>1. (1) In this Act,</p>	<p>This section explains words that need to be understood in a particular way in the <i>Wildlife Act</i>. These words might be used differently in other places.</p> <p>The definitions are used to interpret the meaning and intent of the provisions in the Act.</p>

Provisions in the <i>Wildlife Act</i>	This means:
<p>(a) "beneficiary" means a participant as defined in the <i>Gwich'in Comprehensive Land Claim Agreement</i> entered into between Her Majesty the Queen in right of Canada and the Gwich'in, as represented by the Gwich'in Tribal Council, on April 22, 1992, as amended,</p> <p>(b) a person enrolled as a beneficiary in accordance with the <i>Inuvialuit Final Agreement</i> entered into between the Inuvialuit of the Inuvialuit Settlement Region and the Government of Canada on June 5, 1984, as amended,</p> <p>(c) a participant as defined in the <i>Sahtu Dene and Metis Comprehensive Land Claim Agreement</i> entered into between Her Majesty the Queen in right of Canada and the Dene of Colville Lake, Déljne, Fort Good Hope and Fort Norman and the Metis of Fort Good Hope, Fort Norman and Norman Wells, as represented by the Sahtu Tribal Council, on September 6, 1993, as amended,</p> <p>(d) A Tłı̄cho Citizen as defined in the <i>Land Claims and Self-Government Agreement</i> among the Tłı̄cho and the Government of the Northwest Territories and the Government of Canada, signed on August 25, 2003, as amended, and</p> <p>(e) A person entitled through enrolment or registration under another land claims agreement, or otherwise entitled under another land claims agreement, to rights and benefits under that agreement;</p> <p>"big game" means species of wildlife prescribed as big game, or an individual of a species of big game;</p> <p>"conservation" means the management and protection of wildlife and habitat, and their use in a manner that promotes their continued survival and maintains ecosystem integrity;</p> <p>"conservation area" means an area of the Northwest Territories designated under subsection 89(1) as a conservation area;</p> <p>"derivative" in respect of wildlife means a substance derived from or produced by wildlife;</p>	<p>"Beneficiary" means a:</p> <ul style="list-style-type: none"> • Participant under the <i>Gwich'in Comprehensive Land Claim Agreement</i> • Beneficiary of the <i>Inuvialuit Final Agreement</i> • Participant in the <i>Sahtu Dene and Métis Comprehensive Land Claim Agreement</i> • Tłı̄cho Citizen as defined in the <i>Land Claims and Self-Government Agreement</i> • Person who is enrolled, and entitled, to rights and benefits under another land claims agreement. <p>"big game" – the regulations will have a list of species that are considered big game under this Act.</p> <p>"conservation" means managing and protecting wildlife and habitat, and their use, to ensure survival of wildlife and healthy ecosystems.</p> <p>"conservation area" only means conservation areas set up under subsection 89(1) of this Act.</p> <p>"derivative" includes anything that comes from wildlife including blood, urine, etc.</p>

Provisions in the <i>Wildlife Act</i>	This means:
<p>"dwelling place" means</p> <ul style="list-style-type: none"> (a) a building or structure that is kept or occupied as a permanent or temporary residence, (b) a building or structure that is connected to a building or structure referred to in paragraph (a) by a doorway or by a covered and enclosed passageway, (c) the part of a building or structure kept or occupied as a permanent or temporary residence in a building or structure used for additional purposes, or (d) a unit that is designed to be mobile, such as a tent or other temporary shelter, and to be used as a permanent or temporary residence, and that is being used as such a residence; 	<p>"dwelling place" includes any building, structure (including a tent or other temporary shelter), or mobile unit that is either a permanent or temporary residence.</p>
<p>"edible" in respect of parts of wildlife means parts that are fit for human consumption;</p>	<p>The parts of any species of wildlife that you can eat.</p>
<p>"for profit" means for money or money's worth, or in the expectation, hope or possibility of money or money's worth;</p>	<p>"for profit" means to make money, or hope to make money.</p>
<p>"fur-bearers" means species of wildlife prescribed as fur-bearers, or individuals of a species of fur-bearer;</p>	<p>"fur-bearers" – the regulations will have a list of species that are considered fur-bearers under this Act.</p>
<p>"game" means big game, small game and fur-bearers, or individuals of those species;</p>	<p>"game" means all big game, small game and fur-bearers that are listed in the regulations.</p>
<p>"habitat" means the area or type of site where a species or an individual of a species of wildlife naturally occurs or on which it depends, directly or indirectly, to carry out its life processes;</p>	<p>"habitat" is the place where a species naturally lives or depends on for survival throughout its life.</p>
<p>"harvest", "harvesting" in respect of wildlife or its parts or derivatives includes any of the following actions, whether or not wildlife is wounded, killed or captured:</p> <ul style="list-style-type: none"> (a) hunting, (b) with any equipment or by any method wounding, killing or capturing or attempting to wound, kill or capture wildlife, (c) setting a device such as a net, snare, deadfall or trap that can be used to wound, kill or capture wildlife, (d) taking, gathering or collecting parts or derivatives of wildlife 	<p>"harvest" and "harvesting" means:</p> <ul style="list-style-type: none"> • hunting • wounding, killing or capturing wildlife using any method • trying to wound, kill or capture wildlife • snaring, netting, or trapping wildlife • collecting or gathering wildlife or parts of wildlife
<p>"harvester" means a person who hunts or otherwise harvests wildlife;</p>	<p>"harvester" means a person who hunts or uses any other method to harvest wildlife.</p>

Provisions in the <i>Wildlife Act</i>	This means:
<p>"hunt", "hunting" in respect of wildlife includes any of the following actions while in possession of a firearm, bow and arrow or crossbow, whether or not wildlife is wounded or killed:</p> <ul style="list-style-type: none"> (a) attracting or lying in wait for wildlife, (b) searching for, following after or on the trail of, stalking, pursuing or chasing wildlife, (c) driving, flushing or worrying wildlife, (d) shooting at, wounding or killing wildlife <p>"hunting licence" means a licence established under subsection 24(1);</p> <p>"land claims agreement" means</p> <ul style="list-style-type: none"> (a) one of the following land claims agreements within the meaning of section 35 of the <i>Constitution Act, 1982</i>: <ul style="list-style-type: none"> (i) the <i>Gwich'in Comprehensive Land Claim Agreement</i> entered into between Her Majesty the Queen in right of Canada and the Gwich'in Tribal Council, on April 22, 1992, as amended, (ii) the <i>Inuvialuit Final Agreement</i> entered into between the Inuvialuit of the Inuvialuit Settlement Region and the Government of Canada on June 5, 1984, as amended, (iii) the <i>Sahtu Dene and Métis Comprehensive Land Claim Agreement</i> entered into between Her Majesty the Queen in right of Canada and the Dene of Colville Lake, Déljne, Fort Good Hope and Fort Norman and the Métis of Fort Good Hope, Fort Norman and Norman Wells, as represented by the Sahtu Tribal Council, on September 6, 1993, as amended, (iv) the <i>Land Claims and Self-Government Agreement</i> among the Tłı̄cho and the Government of the Northwest Territories and the Government of Canada, signed on August 25, 2003, as amended, or (v) an agreement prescribed under this paragraph as a land claims agreement, or (b) a prescribed legally binding agreement concluded between an Aboriginal government or organization, the Government of the Northwest Territories and the Government of Canada, that addresses wildlife harvesting in the Northwest Territories; <p>"licence" means a licence issued under this Act or the regulations except where otherwise specified;</p>	<p>"hunt", "hunting" means attract, chase, search, or follow wildlife, while you have a firearm, bow and arrow or crossbow. It doesn't matter whether you actually kill or wound wildlife.</p> <p>"hunting licence" is the licence issued under this Act that proves you are allowed to hunt.</p> <p>"land claims agreement" includes land claim agreements, land and resources agreements and other similar agreements between Aboriginal organizations, the Government of the Northwest Territories and the Government of Canada that deal with wildlife harvesting and management.</p> <p>"licence" refers to the different kinds of licences that can be issued under this Act.</p>

Provisions in the <i>Wildlife Act</i>	This means:
<p>"local harvesting committee" means one of the following bodies or organizations that represents persons with Aboriginal or treaty rights to harvest wildlife, in respect of the exercise of those rights at a local level:</p> <ul style="list-style-type: none"> (a) a Renewable Resources Council, Hunters and Trappers Committee or similar body or organization established by or under a land claims agreement, (b) a body or organization selected by an Aboriginal organization that represents beneficiaries under a land claims agreement, if a body or organization similar to one referred to in paragraph (a) is not established by or under the agreement, (c) a body or organization designated as a local harvesting committee in an agreement referred to in subsection 14(2); <p>"management zone" means an area of the Northwest Territories designated under subsection 88(1) as a management zone;</p> <p>"non-resident" means</p> <ul style="list-style-type: none"> (a) a Canadian citizen who is not a resident, or (b) a permanent resident, as defined in subsection 2(1) of the <i>Immigration and Refugee Protection Act</i> (Canada), who is not a resident; <p>"non-resident alien" means a person who is not a Canadian citizen or a permanent resident as defined in subsection 2(1) of the <i>Immigration and Refugee Protection Act</i> (Canada);</p> <p>"non-resident alien hunting licence" means a hunting licence established under paragraph 24(1)(c);</p> <p>"non-resident hunting licence" means a hunting licence established under paragraph 24(1)(b);</p> <p>"officer" means an officer appointed under section 107 or a person who, by virtue of his or her office, is an officer under subsection 106(3) or is designated as an officer under subsection 108(1);</p> <p>"other authorization" means an authorization to engage in an activity in relation to this Act or the regulations except where otherwise specified;</p> <p>"permit" means a permit issued under the regulations except where otherwise specified;</p>	<p>"local harvesting committee" means:</p> <ul style="list-style-type: none"> • a Renewable Resources Council, Hunters and Trappers Committee or similar organizations established under a land claims agreement • an organization chosen to represent beneficiaries if an organization is not already established in a land claims agreement • another agreed to organization <p>"management zone" is an area in the NWT that has a unique name or number to make it easier to manage wildlife.</p> <p>"non-resident" means a Canadian citizen or permanent resident who has not lived in the NWT for one continuous year.</p> <p>"non-resident alien" means someone who is not a Canadian resident or permanent resident.</p> <p>"non-resident alien hunting licence" means a licence that allows a non-resident alien to hunt.</p> <p>"non-resident hunting licence" means a licence that allows a non-resident to hunt.</p> <p>"officer" is a person appointed to enforce this Act.</p> <p>"other authorization" includes a tag, licence, or permit.</p> <p>"permit" is a piece of paper that says you are allowed to do something. You must have a permit before you can legally do certain activities.</p>

Provisions in the <i>Wildlife Act</i>	This means:
<p>"private lands" includes</p> <ul style="list-style-type: none"> (a) land that is privately owned, and (b) lands owned under or in accordance with land claims agreements by Aboriginal peoples or organizations; <p>"proper identification" means identification referred to in section 19;</p> <p>"renewable resources board" means a board or other body established by or under a land claims agreement, that is composed of members who are designated, nominated or appointed by an Aboriginal organization, and members who are appointed by government, and that has authority respecting the management of wildlife and habitat in an area of the Northwest Territories;</p> <p>"resident" means a person who is</p> <ul style="list-style-type: none"> (a) a Canadian citizen or a permanent resident as defined in subsection 2(1) of the <i>Immigration and Refugee Protection Act</i> (Canada), and (b) ordinarily resident in the Northwest Territories at the time that residence becomes material under this Act or the regulations and has been ordinarily resident in the Territories for the 12 month period immediately preceding that time; <p>"resident hunting licence" means a hunting licence established under paragraph 24(1)(a);</p> <p>"settlement area" means</p> <ul style="list-style-type: none"> (a) the area within the Northwest Territories as described in appendix A to the <i>Gwich'in Comprehensive Land Claim Agreement</i> entered into between Her Majesty the Queen in right of Canada and the Gwich'in, as represented by the Gwich'in Tribal Council, on April 22, 1992, as amended, (b) the area within the Northwest Territories shown in Annex A and described in Annex A-1 of the <i>Inuvialuit Final Agreement</i> entered into between the Inuvialuit of the Inuvialuit Settlement Region and the Government of Canada on June 5, 1984, as amended, (c) the area within the Northwest Territories as described in appendix A to the <i>Sahtu Dene</i> 	<p>"private lands" means all private lands including land owned by individuals and land held by an Aboriginal organization under a land claim agreement.</p> <p>"proper identification" is identification that proves a person's right to harvest.</p> <p>"renewable resources board" means the following:</p> <ul style="list-style-type: none"> • Wildlife Management Advisory Council (NWT) • Gwich'in Renewable Resources • Sahtu Renewable Resources Board • Wek'èezhii Renewable Resources Board <p>When new land claim agreements are signed, boards established to manage wildlife, with members appointed by both the land claim organization and government, will automatically be included in this definition.</p> <p>"resident" is a Canadian citizen or permanent resident who has lived in the NWT for one full year. A person cannot be a resident in the NWT if they are a resident somewhere else.</p> <p>"resident hunting licence" means a licence that allows a resident to hunt.</p> <p>"settlement area" means:</p> <ul style="list-style-type: none"> • Gwich'in Settlement Area • Inuvialuit Settlement Region • Sahtu Settlement Area • Tłı̨cho Lands • Other areas, as listed in the regulations

Provisions in the <i>Wildlife Act</i>	This means:
<p><i>and Métis Comprehensive Land Claim Agreement</i> entered into between Her Majesty the Queen in right of Canada and the Dene of Colville Lake, Déline, Fort Good Hope and Fort Norman and the Métis of Fort Good Hope, Fort Norman and Norman Wells, as represented by the Sahtu Tribal Council, on September 6, 1993, as amended,</p> <p>(d) the area within the Northwest Territories described in part 1 of the appendix to Chapter 1 of the <i>Land Claims and Self-Government Agreement</i> among the Tłı̨cho and the Government of the Northwest Territories and the Government of Canada, signed on August 25, 2003, as amended, or</p> <p>(e) other areas prescribed as settlement areas for the purposes of this Act;</p> <p>"small game" means species of wildlife prescribed as small game, or an individual of a species of small game;</p> <p>"special harvester licence" means a hunting licence established under paragraph 24(1)(d);</p> <p>"Superintendent" means the Superintendent of Wildlife appointed under subsection 106(1);</p> <p>"tag" means an identification tag issued in accordance with this Act or the regulations that indicates an authorization to harvest an individual of a particular species of wildlife;</p> <p>"treaty rights" includes rights that exist by way of land claims agreements referred to in paragraph (a) of the definition "land claims agreement";</p> <p>"wildlife" means</p> <p>(a) all species of vertebrates and invertebrates found wild in nature in the Northwest Territories, and individuals of those species, except</p> <p>(i) fish as defined in section 2 of the <i>Fisheries Act</i> (Canada), and</p> <p>(ii) other prescribed species and subspecies,</p> <p>(b) species of wildlife referred to in paragraph (a) that are domesticated or held in captivity, and</p>	<p>"small game"– the regulations will have a list of species that are considered small game under this Act.</p> <p>"special harvester licence" means a licence approved by a local harvesting committee that allows a person to hunt or harvest in the area of the local harvesting committee. The committee will decide what the person is allowed to hunt and trap.</p> <p>"Superintendent" is appointed by the Minister to implement parts of this Act.</p> <p>"tag" – a tag gets attached to the carcass or hide of an animal you have hunted to show t you have permission to harvest and possess the animal.</p> <p>"treaty rights" include rights under both historical and modern treaties or land claim agreements.</p> <p>"wildlife" includes all wild animals except fish and marine mammals. This means that "wildlife" includes mammals, birds, reptiles, amphibians and insects.</p> <p>Wildlife also includes wild animals that have been domesticated or live in captivity. Other animals can be listed as wildlife in the regulations.</p>

Provisions in the <i>Wildlife Act</i>	This means:
<p>individuals of those species, and</p> <p>(c) prescribed species or subspecies of vertebrates and invertebrates, and individuals of those species or subspecies.</p> <p>(2) Subject to subsection (3) and the regulations, a person who is or has been temporarily absent from the Northwest Territories for a particular purpose is deemed not to cease to be ordinarily resident in the Northwest Territories if,</p> <p>(a) during the absence for that purpose, he or she intends to return to reside in the Territories; and</p> <p>(b) at the completion of the absence for that purpose, he or she returns to reside in the Territories.</p> <p>(3) Subject to the regulations, for the purposes of subsection (2) the maximum period of temporary absence is 12 months.</p>	<p>If you live in the NWT and you temporarily move somewhere else for a particular purpose (e.g. going to school or medical treatment), you are still considered an NWT resident as long as your move is temporary and you intend to return to the NWT as soon as you are done. Except for certain situations, you must return and live in the NWT within 12 months to be considered resident.</p> <p>The regulations will have more details about when a person is considered to be resident in the NWT.</p>
<p>2. (1) The Government of the Northwest Territories and all persons and bodies exercising powers and performing duties and other functions under this Act shall do so in accordance with the following principles:</p> <p>(a) wildlife is to be conserved for its intrinsic value and for the benefit of present and future generations;</p> <p>(b) the conservation and management of wildlife and habitat is to be carried out on an ecosystem basis, recognizing the interconnection of wildlife with the environment;</p> <p>(c) the conservation and management of wildlife and habitat is to be conducted in an integrated and collaborative manner;</p> <p>(d) traditional Aboriginal values and practices in relation to the harvesting and conservation of wildlife are to be recognized and valued;</p> <p>(e) the best available information, including traditional, scientific and local knowledge, is to be used in the conservation and management of wildlife and habitat;</p>	<p>The following principles must be followed by the Government of the Northwest Territories and anyone carrying out duties under this Act:</p> <ul style="list-style-type: none"> • Wildlife is to be conserved for its own sake, for our benefit and for the benefit of our children and our children's children. • When making decisions about managing wildlife, remember everything in nature is connected to everything else. • When making decisions about wildlife management and conservation, everyone will work together in a coordinated way. • Traditional Aboriginal values and practices for wildlife harvesting and conservation are to be recognized and valued. • The best information is to be used in making decisions, including traditional knowledge, local knowledge and scientific knowledge.

Provisions in the <i>Wildlife Act</i>	This means:
<p>(f) where there are threats of serious or irreparable harm to wildlife or habitat, lack of complete certainty is not to be a reason for postponing reasonable conservation measures.</p> <p>(2) In paragraph (1)(e), “local knowledge” includes a person’s knowledge about wildlife or habitat acquired through experience or observation.</p>	<ul style="list-style-type: none"> If there is danger of serious harm to wildlife or habitat, a lack of complete information is not an excuse for not taking conservation action. <p>“local knowledge” includes what people have learned through their own experience or observation. Any person can contribute useful local knowledge.</p>
<p>3. The principles set out in subsection 2(1) apply to the interpretation and application of this Act.</p>	<p>These principles will also be considered when interpreting or applying this Act.</p>
<p>4. This Act is to be interpreted in a manner consistent with the recognition and affirmation of existing Aboriginal and treaty rights in section 35 of the <i>Constitution Act, 1982</i>, including the duty to consult.</p>	<p>The rights of Aboriginal people are protected under the Canadian Constitution. Nothing in the <i>Wildlife Act</i> changes those rights.</p>
<p>5. An action or thing authorized by this Act must be carried out in accordance with any applicable land claims agreement.</p>	<p>Anything done under this Act must be done in a way that is consistent with land claim agreements.</p>
<p>6. If there is a conflict or an inconsistency between a provision of this Act or the regulations and a provision of a land claims agreement or legislation approving, giving effect to and declaring valid a land claims agreement, the provision of the land claims agreement or legislation prevails to the extent of the conflict or inconsistency.</p>	<p>If there is a difference or a conflict between anything in this Act or regulations and something in a land claim agreement, the land claim agreement will be followed.</p>
<p>7. This Act binds the Government of the Northwest Territories.</p>	<p>The Government of the Northwest Territories must follow this Act.</p>
<p>PART 2 ROLES AND RESPONSIBILITIES</p> <p>Purpose</p> <p>8. The purpose of this Part is to identify persons and bodies responsible for conservation and management of wildlife in the Northwest Territories, while respecting the roles and responsibilities of each of them, and to promote cooperative and collaborative working relationships for effective wildlife management at the local, regional and territorial levels.</p>	<p>There are many different organizations involved in wildlife management and conservation in the NWT. Each one has different roles and responsibilities. Some work at the local community level, some at the regional level and some at the territorial level. Wildlife management is most effective if these groups work together. This section identifies the organizations that have formal responsibilities for wildlife management.</p>
<p>Renewable Resources Boards</p> <p>9. (1) Renewable resources boards are the main instruments of wildlife management in areas of the Northwest Territories with land claims</p>	<p>Each of the four settled land claim agreements sets up a renewable resources board. These boards are the main instrument of wildlife</p>

Provisions in the <i>Wildlife Act</i>	This means:
<p>agreements.</p> <p>(2) The authority of each renewable resources board is set out in the land claims agreement by or under which it was established.</p>	<p>management in their land claim area.</p> <p>The land claim agreements set out the authorities of the renewable resources boards. These roles and responsibilities are respected under this Act.</p>
<p>Local Harvesting Committees</p> <p>10. Local harvesting committees that are established by or under land claims agreements have roles and responsibilities, in accordance with the applicable agreements, in respect of the conservation and management of wildlife.</p>	<p>Land claim agreements have established Hunters and Trappers Committees and Renewable Resource Councils in the NWT. Their roles and responsibilities are explained in their land claim agreements and are respected under this Act.</p>
<p>Minister</p> <p>11. (1) The Minister is responsible for the administration of this Act and the regulations.</p> <p>(2) The Minister has responsibilities for the conservation and management of wildlife in the Northwest Territories.</p> <p>(3) The Minister shall exercise his or her powers and perform his or her duties in a manner that is not inconsistent with land claims agreements.</p> <p>(4) The Minister shall develop and implement policies and programs in a manner that promotes a coordinated, collaborative and integrated approach to the conservation and management of wildlife and habitat in the Northwest Territories.</p>	<p>The Minister of Environment and Natural Resources is responsible for this Act and the regulations.</p> <p>The Minister has responsibilities for the conservation and management of wildlife in the NWT.</p> <p>The Minister must act in a way that is consistent with land claim agreements.</p> <p>The Minister will develop policies and programs that promote a cooperative and coordinated approach to wildlife management.</p>
<p>12. The Minister may enter into agreements with governments, persons, bodies, or organizations with respect to the Minister's responsibilities under subsections 11(1) and (2).</p>	<p>The Minister can make agreements with other governments, organizations or people to do some of the things in this Act or the regulations, or other things related to wildlife conservation and management.</p>
<p>13. (1) The Minister may, in writing, delegate to a person a power or duty of the Minister.</p> <p>(2) A power or duty delegated under subsection (1) is subject to any limitations, terms and conditions specified in the delegation, and may not be subdelegated to another person unless the delegation expressly provides otherwise.</p>	<p>The Minister can give other people the authority to do some of the things in this Act.</p>

Provisions in the <i>Wildlife Act</i>	This means:
<p>14. (1) The Minister may enter into agreements with local harvesting committees with respect to their involvement in the conservation and management of wildlife.</p> <p>(2) For the purposes of this Act, the Minister may enter into an agreement with a band council, Métis council or other body or organization located in the Northwest Territories to designate the body or organization as a local harvesting committee in respect of Aboriginal harvesters who are not represented by a local harvesting committee referred to in paragraph (a) or (b) of the definition "local harvesting committee" in subsection 1(1).</p>	<p>The Minister can make agreements with local harvesting committees, including renewable resource councils and hunter and trapper committees, about how they will be involved in the conservation and management of wildlife at the local level.</p> <p>In areas without a settled land claim agreement, there are no formal local harvesting committees. In these areas, the Minister can enter into an agreement to make a band council, Métis council or other organization a local harvesting committee for the purposes of this Act.</p>
<p>15. The Minister shall, at least once in each calendar year, convene a meeting of bodies and organizations responsible for wildlife management in the Northwest Territories, for the purpose of promoting cooperative and collaborative working relationships for effective wildlife management at the local, regional and territorial levels.</p>	<p>At least once a year, the Minister will hold a meeting of all the organizations responsible for wildlife management in the NWT to encourage them to work together.</p>
<p>16. The Minister shall establish a process for receiving submissions from interested persons and bodies in respect of the management and conservation of wildlife and habitat in the Northwest Territories, and for making the submissions available for public review.</p>	<p>The Minister will set up a process for all interested people to provide their ideas on wildlife management to the Minister and to make those ideas available for the public to review.</p>
<p>PART 3 RIGHTS AND AUTHORIZATIONS</p> <p>Aboriginal Harvesting Rights and Identification</p> <p>17. (1) A person who has an Aboriginal or treaty right to harvest wildlife in an area of the Northwest Territories does not require a licence or permit to exercise that right in that area and is not required to pay a fee to do so.</p> <p>(2) For greater certainty, persons referred to in subsection (1) include those from outside the Northwest Territories who have Aboriginal or treaty rights to harvest wildlife in areas of the Northwest Territories.</p>	<p>If you have an Aboriginal or treaty right to harvest in an area, you do not need a licence to harvest in that area and you do not need to pay a fee.</p> <p>This includes Aboriginal people who live outside the NWT but have a right to harvest here.</p>
<p>18. To facilitate effective wildlife management, a person claiming to exercise an Aboriginal or treaty right to harvest wildlife in an area of the Northwest Territories shall,</p> <p>(a) while harvesting game or other prescribed</p>	<p>If you have an Aboriginal or treaty right to harvest in an area, you must carry proper identification when you are harvesting to prove you have that right. You must show your identification if an officer asks to see it.</p>

Provisions in the <i>Wildlife Act</i>	This means:
<p>wildlife, carry proper identification to harvest in the area; and</p> <p>(b) on request by an officer, show proper identification to harvest in the area.</p>	
<p>19. Proper identification for the purpose of evidencing an Aboriginal or treaty right to harvest wildlife in an area of the Northwest Territories is</p> <p>(a) the form of proof or identification that may be required in relation to harvesting under a provision of a land claims agreement, if it is addressed in the agreement;</p> <p>(b) the form of identification agreed to under subsection 20(1);</p> <p>(c) the form of identification referred to in or established under the regulations; or</p> <p>(d) if paragraphs (a) and (b) do not apply, and regulations have not been made in respect of paragraph (c), such other form of proof or identification that evidences the right.</p>	<p>Different types of identification can be used to prove your right to harvest:</p> <ul style="list-style-type: none"> • Identification required to harvest under a land claim agreement • Identification agreed to under this Act • Identification listed in the regulations • If you do not have a land claim agreement or an agreement under this Act, and no regulations have been made, other identification proving you have the right to harvest can be used.
<p>20. (1) The Minister may, with an Aboriginal organization that represents persons in respect of their rights under a land claims agreement to harvest wildlife, or in respect of their other treaty rights or Aboriginal rights to harvest wildlife, enter into an agreement respecting a form of identification that provides evidence that a person represented by the organization has an Aboriginal or treaty right to harvest wildlife in an area of the Northwest Territories.</p>	<p>The Minister and Aboriginal organizations can enter into an agreement on what type of identification can be used to prove a person has the right to harvest in an area.</p>
<p>(2) An agreement respecting a form of identification may address other matters that the Minister and the Aboriginal organization consider relevant, including the identification of persons harvesting in an area in accordance with an overlap or sharing agreement.</p>	<p>The agreement can also include identification for people from other areas when there is an overlap agreement.</p>
<p>General Hunting Licences</p> <p>21. (1) A general hunting licence authorizes the person to whom it is issued to harvest game subject to</p> <p>(a) land claims agreements; and</p> <p>(b) the provisions of this Act and the regulations.</p>	<p>If you have a general hunting licence (GHL), you can harvest wildlife throughout the NWT but you must follow the rules in the land claim agreements and the <i>Wildlife Act</i> and regulations.</p>

Provisions in the <i>Wildlife Act</i>	This means:
(2) For greater certainty, a person who has an Aboriginal or treaty right to harvest wildlife in an area of the Northwest Territories does not, under this Act, require a general hunting licence to exercise that right in that area.	You don't need a GHL to harvest where you have Aboriginal or treaty harvesting rights.
<p>22. A person is not eligible to apply for, obtain or hold a general hunting licence, unless he or she</p> <ul style="list-style-type: none"> (a) has an Aboriginal or treaty right to harvest wildlife in the Northwest Territories; and (b) is or is eligible to be a member of a prescribed Aboriginal organization located in the Northwest Territories. 	To get a GHL, you must have an Aboriginal or treaty right to harvest in the NWT and be a member of an Aboriginal group recognized in the regulations.
<p>23. (1) An application for a general hunting licence must be made in accordance with the regulations.</p> <p>(2) An applicant shall provide the information required by the regulations.</p> <p>(3) An applicant shall provide such additional information as the person issuing the general hunting licence may reasonably require to determine eligibility for the licence.</p> <p>(4) In an application for a general hunting licence, the applicant has the onus of proving that he or she is eligible to hold the licence.</p>	<p>To apply for a GHL, you must use the proper form and provide all necessary information.</p> <p>It is up to you to prove you are eligible for a GHL.</p>
<p>Hunting Licences</p> <p>24. (1) The following hunting licences are established:</p> <ul style="list-style-type: none"> (a) resident hunting licence; (b) non-resident hunting licence; (c) non-resident alien hunting licence; (d) special harvester licence. <p>(2) Resident hunting licences, non-resident hunting licences and non-resident alien hunting licences authorize the persons to whom they are issued to hunt big game and to harvest small game subject to</p> <ul style="list-style-type: none"> (a) land claims agreements; (b) the provisions of this Act and the regulations; and (c) terms and conditions that apply to the licence under this Act and the regulations, including terms and conditions enacted after the licence is issued. 	<p>There are four other types of hunting licence available under the <i>Wildlife Act</i>:</p> <ul style="list-style-type: none"> (a) resident hunting licence; (b) non-resident hunting licence; (c) non-resident alien hunting licence; (d) special harvester licence. <p>With a resident, non-resident or non-resident alien hunting licence, you can hunt big game and small game. You must follow the rules in the land claim agreements, this Act and the regulations and any terms and conditions on your hunting licence.</p> <p>Different hunting licences have different rules. You need to check the regulations to know where you can hunt, what species you can hunt, when you can hunt and how many animals you can hunt.</p>

Provisions in the <i>Wildlife Act</i>	This means:
<p>(3) A special harvester licence authorizes the person to whom it is issued to harvest wildlife subject to</p> <ul style="list-style-type: none"> (a) land claims agreements; (b) the provisions of this Act and the regulations; (c) conditions endorsed on the licence; and (d) terms and conditions that apply to the licence under this Act and the regulations, including terms and conditions enacted after the licence is issued. 	<p>A special harvester licence allows you to hunt or trap wildlife in a specific area. The number and type of animals you can harvest are listed on the licence.</p>
<p>Application for Hunting Licence</p> <p>25. (1) An application for a hunting licence must be made in the form approved by the Minister.</p> <p>(2) An applicant shall provide the information required by the regulations and the prescribed licence fee.</p> <p>(3) An applicant shall provide such additional information as the person issuing the hunting licence may reasonably require</p> <ul style="list-style-type: none"> (a) to determine eligibility for the licence; and (b) in case of an applicant for a special harvester licence, respecting the endorsement of conditions on the licence. <p>(4) An applicant has the onus of proving that he or she is eligible to hold the hunting licence.</p>	<p>You must use the proper forms to apply for a hunting licence and must provide all necessary information. You must also pay the appropriate fee for your licence.</p> <p>The person issuing hunting licences can ask you for more information to make sure you are eligible for the licence you are requesting. The licence includes the proper terms and conditions.</p> <p>It is your responsibility to prove you are eligible for a hunting licence.</p>
<p>Eligibility Requirements for Hunting Licences</p> <p>26. (1) A person is not eligible to obtain or hold a special harvester licence unless the application is recommended by</p> <ul style="list-style-type: none"> (a) a local harvesting committee; or (b) a local band council or Métis council, if there is no local harvesting committee to consider the application. <p>(2) A local harvesting committee, band council or Métis council that recommends the issuance of a special harvester licence may recommend that the Superintendent endorse specified conditions on the licence.</p>	<p>A special harvester licence is for people who do not have Aboriginal or treaty rights in the NWT but are supporting an Aboriginal family, living a subsistence lifestyle or, for some other reason, want to trap or harvest more than is allowed under a resident or non-resident hunting licence. You can only get a special harvester licence if your application is recommended by a local harvesting committee, band council or Métis council.</p> <p>The local harvesting committee, band council or Métis council can make recommendations about what, how and when you can harvest using a special harvesting licence.</p> <p>You can only use a special harvester licence in the area used by the local harvesting committee recommending your licence. You must follow all other conditions on your licence.</p>

Provisions in the <i>Wildlife Act</i>	This means:
<p>(3) A person who has not received a written response from a local harvesting committee, local band council or Métis council within 60 days after making a written request to the organization for a recommendation for a special harvester licence may, in writing, request the Minister to contact the organization to inquire about the status of the request.</p> <p>(4) On receiving a request under subsection (3), the Minister may contact the local harvesting committee, local band council or Métis council to inquire about the status of the request.</p>	<p>If you have applied to a local harvesting committee, band council or Métis council for approval of a special harvesters licence and you have not received an answer in 60 days, you can write to ask the Minister to contact the organization to find out the status of your request.</p> <p>When the Minister receives a written request, the Minister can contact the local harvesting committee, band council or Métis council and ask for an update on your application.</p>
<p>27. (1) A person is not eligible to apply for, obtain or hold a hunting licence unless he or she has attained the age of 12 years.</p> <p>(2) An application for a hunting licence by a person who has not attained 18 years must be endorsed by his or her parent or guardian.</p> <p>(3) It is a condition of a hunting licence issued to a person who has not attained the age of 18 years that he or she be accompanied at all times while harvesting by a person who</p> <ul style="list-style-type: none"> (a) has attained 18 years of age; and (b) is entitled or authorized to harvest wildlife in the Northwest Territories. 	<p>You cannot get a hunting licence until you are 12 years old.</p> <p>If you are between 12 and 18 years old, your parent or guardian must sign for your licence.</p> <p>If you are between 12 and 18 years old, you must hunt with someone who is at least 18 years old and is allowed to hunt in the NWT.</p>
<p>(4) Notwithstanding subsections (2) and (3), the Superintendent may, in accordance with the regulations, grant an exemption to the requirement in subsection (2) and the condition in subsection (3).</p>	<p>Regulations can be made to allow the Superintendent to issue a hunting licence to a person between 12 and 18 years of age without the parent or guardian's authorization.</p> <p>Regulations can be made to allow a person under the age of 18 to hunt unaccompanied.</p>
<p>28. A person is not eligible to apply for or obtain a hunting licence if</p> <ul style="list-style-type: none"> (a) he or she has, within one year before the day the application for the licence is made, failed to comply with a reporting requirement under the regulations; and (b) he or she continues to fail to comply with the reporting requirement at the time of application for the licence. 	<p>If you have a resident, non-resident or non-resident alien hunting licence or a special harvesters licence, you must follow any regulations requiring you to report what you harvest. If you don't follow the regulations, you will not be able to get a new licence.</p>
<p>29. (1) A person whose hunting licence is suspended by the Superintendent in accordance with the regulations, or by a court, is not eligible to apply for or obtain a hunting licence until the period of suspension expires.</p>	<p>If your hunting licence is suspended, you cannot get another hunting licence until the suspension is over.</p>

Provisions in the <i>Wildlife Act</i>	This means:
<p>(2) A person whose hunting licence is cancelled by the Superintendent in accordance with the regulations, or by a court, is not eligible to apply for, obtain or hold a hunting licence until any applicable conditions in the decision or order to cancel the licence are met.</p> <p>(3) A person whose licence or permit to harvest wildlife in another jurisdiction is suspended by that jurisdiction, is not eligible to apply for, obtain or hold a hunting licence until the period of suspension expires.</p> <p>(4) A person whose licence or permit to harvest wildlife in another jurisdiction is cancelled by that jurisdiction, is not eligible to apply for, obtain or hold a hunting licence until any applicable conditions in the decision or order to cancel the licence or permit are met.</p> <p>(5) A person who is prohibited by court order from harvesting wildlife in another jurisdiction is not eligible to apply for, obtain or hold a hunting licence during the period of that prohibition.</p>	<p>The Superintendent or the court can cancel your hunting licence until you meet certain conditions. If your hunting licence is cancelled, you cannot get another hunting licence until you have met those conditions.</p> <p>If you had a licence to hunt somewhere outside the NWT and your licence has been suspended, you cannot get a hunting licence in the NWT until the suspension is over.</p> <p>If you had a licence to hunt somewhere outside the NWT and your licence has been cancelled, you cannot get a hunting licence in the NWT until you have met whatever conditions apply to the cancellation.</p> <p>If a court order bans you from hunting somewhere outside the NWT, you cannot get a hunting licence in the NWT until that ban is over.</p>
<p>30. (1) A person is not eligible to apply for, obtain or hold a resident hunting licence unless he or she is a resident.</p> <p>(2) A person is not eligible to apply for, obtain or hold a resident hunting licence if he or she holds a hunting licence issued by another jurisdiction that may only be issued to a person who is ordinarily resident in that jurisdiction.</p>	<p>You can only get a resident hunting licence if you have lived in the NWT for one full year before applying.</p> <p>You cannot get a resident hunting licence in the NWT if you have a resident hunting licence somewhere else.</p>
<p>31. (1) A non-resident is eligible to apply for a non-resident hunting licence.</p> <p>(2) A non-resident alien is eligible to apply for a non-resident alien hunting licence.</p> <p>(3) Subject to the regulations, it is a condition of a non-resident hunting licence and a non-resident alien hunting licence that the licence holder, while hunting big game, be accompanied by a licenced guide.</p>	<p>If you are a Canadian citizen or permanent resident but you have not lived in the NWT for a full year, you can apply for a non-resident hunting licence.</p> <p>If you are not a Canadian citizen or permanent resident, you can apply for a non-resident alien hunting licence.</p> <p>A non-resident or non-resident alien hunter must use a licenced guide to hunt big game.</p>

Provisions in the <i>Wildlife Act</i>	This means:
<p>Issuance of Hunting Licences</p> <p>32. (1) The Superintendent may issue a hunting licence.</p> <p>(2) The Superintendent may endorse on a special harvester licence any terms and conditions recommended by the local harvesting committee, band council or Métis council that recommended the issuance of the licence.</p> <p>(3) A hunting licence must be in the form approved by the Minister.</p>	<p>The Superintendent can issue a hunting licence.</p> <p>If a local harvesting committee, band council or Métis council recommends a special harvesting licence with terms and conditions, then the Superintendent can put those terms and conditions on the licence.</p> <p>Your hunting licence must be in the proper form.</p>
<p>33. Officers may, under the direction of the Superintendent, issue hunting licences.</p>	<p>Officers can issue hunting licences.</p>
<p>34. (1) The Superintendent may appoint employees of the Government of the Northwest Territories as vendors for the purpose of issuing hunting licences other than special harvester licences.</p> <p>(2) Vendors appointed under subsection (1) shall adhere to directives issued by the Superintendent that relate to the issuance of hunting licences.</p>	<p>The Superintendent can appoint government employees to sell hunting licences but not special harvester licences.</p> <p>People selling licences must follow directions given by the Superintendent.</p>
<p>35. (1) The Superintendent may enter into agreements with persons or bodies with respect to the issuance of hunting licences, other than special harvester licences, and may authorize such persons or bodies to issue licences as vendors on behalf of the Government of the Northwest Territories.</p> <p>(2) Vendors authorized under subsection (1) are entitled, in accordance with the regulations, to receive remuneration for issuing hunting licences.</p> <p>(3) Vendors authorized under subsection (1) shall adhere to directives issued by the Superintendent that relate to the issuance of hunting licences.</p>	<p>The Superintendent can set up agreements to allow other people to sell hunting licences but not special harvester licences.</p> <p>They can be paid for selling hunting licences and must follow directions given by the Superintendent.</p>
<p>36. (1) A person authorized to issue a hunting licence shall refuse to do so if</p> <p>(a) the applicant is ineligible to apply for, obtain or hold it; or</p> <p>(b) the applicant fails to provide the required information or fee.</p>	<p>A person cannot sell you a hunting licence if you are not eligible for it, if you do not provide all the required information or if you do not pay the fee.</p>

Provisions in the <i>Wildlife Act</i>	This means:
(2) A person authorized to issue a hunting licence may refuse to do so if the applicant had been required to pay a fine for contravening this Act or the regulations and the fine is outstanding.	If you owe a fine under this Act or regulations, a person selling hunting licences can refuse to sell you a licence until you pay the fine.
37. The reasons for a refusal to issue a hunting licence must be provided to the applicant.	If you are refused a hunting licence, you must be told why.
Prohibitions and Requirements 38. Subject to section 17 and subsection 39(3), no person shall (a) harvest game without a hunting licence, general hunting licence or permit; or (b) harvest prescribed wildlife without a permit.	If you don't have an Aboriginal or treaty right to harvest in an area, you must have a hunting licence or general hunting licence (GHL) or permit to hunt or trap game.
39. (1) For the purposes of this section, "young harvester" means a harvester who has not attained 18 years of age. (2) This section applies in respect of a young harvester who would, but for this section, require a hunting licence or general hunting licence to harvest wildlife. (3) With the consent of his or her parent or guardian and subject to the regulations, a young harvester who is a resident may, without a hunting licence or general hunting licence, harvest game for which a hunting licence or general hunting licence is required, (a) while under the direct supervision of a person who has attained 18 years of age, who is entitled or authorized to harvest game in the Northwest Territories and who has agreed to supervise the young hunter; and (b) under the authority of and subject to the conditions or limits on the entitlement or authorization to harvest held by the person described in paragraph (a). (4) For greater certainty, if the entitlement or authorization to harvest held by a person described in paragraph (3)(a) is limited in any manner, such as by the requirement for a tag, or by a restriction on the amount of game that may be harvested, any game harvested by the young hunter is deemed to be harvested by the person supervising him or her.	"young harvester" means a person under the age of 18. The following only applies to young harvesters who need a licence. A person under 18 who is a resident can hunt without a licence if they have the consent of a parent or guardian. They must hunt with an adult who is legally allowed to hunt and the adult must directly supervise the young hunter at all times. The adult is responsible for the young hunter's actions. The young hunter must follow any conditions on the adult hunter's licence. A young hunter without his or her own licence cannot get his or her own tags. Anything harvested by the young hunter will be counted against the bag limit of the person supervising him or her.

Provisions in the <i>Wildlife Act</i>	This means:
<p>(5) Notwithstanding paragraph (3)(b), a young harvester who is supervised by a person who has an Aboriginal or treaty right to harvest game in the area, or a general hunting licence,</p> <ul style="list-style-type: none"> (a) shall not harvest game that the young harvesters would be restricted from harvesting if he or she were required to obtain a resident hunting licence; (b) shall not harvest more game than the young harvester would be authorized to harvest if he or she were required to obtain a resident hunting licence; and (c) shall not harvest game by a method or with equipment that the young harvester would be restricted from using if he or she were required to obtain a resident hunting licence. <p>(6) For greater certainty, this section shall not be construed as authorizing the transfer to a young harvester of</p> <ul style="list-style-type: none"> (a) any aspect of an Aboriginal or treaty right to harvest wildlife; or (b) any authority to harvest wildlife under a general hunting licence that would exceed the authority to harvest wildlife under a resident hunting licence. 	<p>A young harvester supervised by someone with Aboriginal or treaty rights, or someone with a GHL, must follow the same rules about the kind of animals they can hunt, how many animals they can hunt and what type of equipment they can use as a resident hunter. A person with Aboriginal or treaty rights or a GHL holder cannot transfer those rights to a young hunter by taking them hunting.</p>
<p>40. A person who is issued a hunting licence or general hunting licence shall carry it with him or her while harvesting game.</p>	<p>You must carry your licence or GHL with you whenever you are hunting or trapping.</p>
<p>41. No person shall breach a condition endorsed on a special harvester licence or a term or condition that, under this Act or the regulations, applies to a hunting licence.</p>	<p>If you have a special harvester licence, you must follow any terms or conditions that apply to it.</p>
<p>42. Subject to the regulations, no person who requires a non-resident hunting licence or non-resident alien hunting licence shall hunt big game unless he or she</p> <ul style="list-style-type: none"> (a) obtains the services of a licenced outfitter in respect of the hunt; and (b) is accompanied while hunting by a licenced guide. 	<p>All non-resident and non-resident alien hunters must use a licenced outfitter and guide to hunt big game.</p>
<p>43. (1) In this section "young hunter" means</p> <ul style="list-style-type: none"> (a) a person who has been issued a hunting licence and who has not attained 18 years of age; or (b) a person who has not attained 18 years of age and who is harvesting game under subsection 39(3). 	<p>"young hunter" is a person under 18 who has a hunting licence or a person under 18 who does not have his or her own licence but is hunting with a licenced adult.</p>

Provisions in the <i>Wildlife Act</i>	This means:
<p>(2) The following persons shall ensure that a young hunter complies in all respects with this Act and the regulations:</p> <ul style="list-style-type: none"> (a) the parent or guardian of the young hunter who, in accordance with subsection 27(2), endorsed the application for the hunting licence issued to the young hunter; (b) the person who has attained the 18 years of age and who is accompanying the young harvester in accordance with subsection 27(3). (c) the person referred to in paragraph 39(3)(a) who agreed to supervise the young harvester. 	<p>If you are the parent or guardian who signed the licence of a young hunter or if you are over 18 and are hunting with a young hunter, you are responsible for making sure they follow the law.</p> <p>If the young hunter commits an offence under this Act while hunting, you are responsible and can be charged with the offence.</p>
<p>44. Subject to section 17, no person shall, without a licence or permit to do so, engage in an activity in relation to wildlife or habitat for which he or she requires a licence or permit under this Act or the regulations.</p>	<p>If this Act says you need a licence or permit to do something, you must have the proper licence or permit to carry out that activity.</p>
<p>45. (1) Subject to section 17 and subsection (2) of this section, no person shall trap fur-bearers unless authorized to do so by a general hunting licence, a special harvester licence or a permit.</p> <p>(2) Subsection (1) does not apply in respect of species of fur-bearers that are prescribed both as fur-bearers and as small game.</p>	<p>A hunting licence allows you to snare small game but it does not allow you to trap other furbearers.</p> <p>To trap fur-bearers you must have an Aboriginal or treaty right to trap in an area, a general hunting licence (GHL) or a special harvester licence or permit that allows you to trap.</p>
<p>PART 4 PROPER CONDUCT ON THE LAND Harvester Training Courses</p> <p>46. (1) The Minister shall ensure the development and delivery of harvester training courses that promote wildlife conservation and the safe and humane harvest of game and other prescribed wildlife.</p> <p>(2) During the development of course materials, the Minister shall request advice from the following bodies or organizations for the area in which the course will be taught:</p> <ul style="list-style-type: none"> (a) local harvesting committees; (b) local band councils or Métis councils, for areas where there are no local harvesting committees; (c) renewable resources boards; (d) for an area where a group of persons with Aboriginal or treaty rights to harvest wildlife are not beneficiaries, an Aboriginal 	<p>The Minister will make sure there are harvester training courses available to teach people how to safely and humanely harvest wildlife.</p> <p>The Minister will ask for advice from local harvesting committees, band councils, Métis councils, renewable resources boards, Aboriginal organizations and resident hunter organizations when developing the courses to make sure the courses meet local needs.</p>

Provisions in the <i>Wildlife Act</i>	This means:
<p>organization that represents members of the group in respect of those rights;</p> <p>(e) organizations that represent persons who hold resident hunting licences.</p>	
<p>47. The Minister may facilitate local involvement in the delivery of harvester training courses.</p>	<p>The Minister can help local people get involved in teaching harvester training courses.</p>
<p>48. (1) Unless exempted by the regulations, a person shall not hunt or otherwise harvest wildlife until he or she has successfully completed an approved harvester training course.</p> <p>(2) Unless exempted by the regulations, a person convicted of an offence for a contravention of a prescribed provision of this Act or the regulations may not obtain a hunting licence or general hunting licence, and shall not hunt or otherwise harvest under a hunting licence or general hunting licence, until he or she has successfully completed an approved harvester training course.</p>	<p>Before you can harvest wildlife, you must pass a harvester training course. The regulations will have exemptions to this requirement. For example, people who have passed a hunter training course somewhere else may not need to take another course.</p> <p>If you are convicted of an offence under this Act, you will have to take a harvester training course before you can hunt or use a hunting licence. This will not apply to all offences. The regulations will identify the offences that apply to this.</p>
<p>Harvesting in Settlement Areas and on Private Lands</p> <p>49. (1) In this section, "private lands" means lands</p> <p>(a) owned under or in accordance with a land claims agreement; and</p> <p>(b) on which, under the land claims agreement, beneficiaries are provided with an exclusive right to harvest game or other wildlife.</p> <p>(2) Subject to subsection (3), no person shall harvest wildlife on private lands, or access private lands for the purpose of harvesting wildlife, except with permission obtained in accordance with the procedure established by the person or body authorized to grant permission.</p>	<p>Under the land claim agreements, there are private lands owned by the beneficiaries. Under the Inuvialuit, Sahtu and Gwich'in land claim agreements, beneficiaries and specific people listed in the land claim agreements are the only people with the right to harvest wildlife on these private lands.</p> <p>If you are not a beneficiary and you want to harvest wildlife on these private lands, you must get permission from the organization identified in the land claim agreement and follow any conditions that go along with that permission.</p>

Provisions in the <i>Wildlife Act</i>	This means:
<p>(3) Subsection (2) does not apply in respect of the following:</p> <ul style="list-style-type: none"> (a) a beneficiary of the land claims agreement in respect of which the private lands are owned; (b) harvesting on or accessing private lands to the extent that a land claims agreement does not restrict a person from doing so. <p>(4) Subject to subsection (5), no person shall harvest fur-bearers in a settlement area except with permission obtained in accordance with the procedure established by the person or body authorized to grant permission.</p> <p>(5) Subsection (4) does not apply in respect of the following:</p> <ul style="list-style-type: none"> (a) a beneficiary of the land claims agreement under which the settlement area was established; (b) harvesting fur-bearers to the extent that a land claims agreement permits a person, without permission, to harvest fur-bearers in the settlement area; (c) harvesting fur-bearers on any applicable lands in the settlement area on which beneficiaries do not have an exclusive right to harvest fur-bearers. <p>(6) A person who is granted permission in accordance with this section shall comply with any conditions included in the land claims agreement and on the form of permission.</p>	<p>Under the Inuvialuit, Sahtu and Gwich'in land claim agreements, beneficiaries, and specific people listed in the land claim agreements, are the only people with the right to trap fur-bearers in the settlement area. Under the Tłı̄cho Agreement, beneficiaries are the only people who can trap fur-bearers on Tłı̄cho private lands. If you are not a beneficiary, you must get permission from the organization identified in the land claim agreement before you can trap on settlement lands.</p>
<p>Interference with Harvesting</p> <p>50. (1) No person shall interfere with or obstruct a person lawfully engaged in harvesting wildlife.</p> <p>(2) Subject to the regulations, no person shall remove, spring or otherwise interfere with a snare, deadfall, trap or similar device lawfully set by another person to harvest game, without the consent of that other person.</p>	<p>You cannot interfere with someone who is legally hunting or trapping.</p> <p>You cannot remove or interfere with traps or snares that have been legally set unless you have permission from the person who set them.</p>
<p>Respect for Wildlife</p> <p>51. (1) Subject to section 17, no person shall, unless authorized by a licence or permit to do so, destroy, disturb or take</p> <ul style="list-style-type: none"> (a) an egg of a bird; (b) the nest of a bird when the nest is occupied by a bird or its egg; or (c) the nest of a prescribed bird. 	<p>Unless you have an Aboriginal or treaty right or a permit, you cannot disturb bird eggs or nests that are being used. You cannot disturb the nest of any bird listed in the regulations even if the nest is not being used.</p>

Provisions in the <i>Wildlife Act</i>	This means:
(2) Subject to section 17, no person shall, unless authorized by a licence or permit to do so, break into, destroy or damage a den, beaver dam or lodge, muskrat push-up or hibernaculum.	Unless you have an Aboriginal or treaty right or a permit, you cannot break into or damage a den, beaver lodge or dam, muskrat push-up or a place where any animal hibernates.
52. Subject to section 17, no person shall, unless authorized by a licence or permit to do so, (a) engage in an activity that is likely to result in a significant disturbance to big game or other prescribed wildlife; or (b) unnecessarily chase, fatigue, disturb, torment or otherwise harass game or other prescribed wildlife.	Unless you have an Aboriginal or treaty right or a permit, you can't do anything that will cause a significant disturbance to big game and you can't harass game or other animals listed in the regulations.
53. Subject to the regulations, a person who wounds or kills game or other prescribed wildlife shall make every reasonable effort to retrieve the wildlife and, if it is alive, to kill it.	If you wound a game animal, you must do everything you can to find it and kill it.
54. Subject to the regulations, no person shall waste, destroy, abandon or allow to spoil (a) the edible parts of prescribed wildlife; (b) raw pelts or hides of prescribed fur-bearers; or (c) prescribed parts of prescribed wildlife.	You cannot waste, abandon or destroy game meat, pelts, hides or other wildlife parts listed in the regulations.
Emergencies and Accidental Kills 55. Notwithstanding any other provision of this Act or the regulations, a person may chase wildlife away from a dwelling place, camp, work site, municipality or unincorporated community, or its immediate vicinity, if doing so is necessary to prevent injury or death to a person or damage to property.	You can chase wildlife away to protect a person from being injured or killed or to prevent property damage.
56. (1) Notwithstanding any other provision of this Act or the regulations but subject to subsection (4), a person may harvest and consume wildlife or take and consume the eggs of birds if it is necessary to prevent starvation of a person. (2) Notwithstanding any other provision of this Act or the regulations but subject to subsection (4), a person may kill wildlife if it is necessary to prevent injury or death to a person. (3) Notwithstanding any other provision of this Act or the regulations but subject to subsection (4) and any regulations specified as applying in respect of this section, a person may kill wildlife if it is necessary to prevent damage to property.	You can harvest and eat wildlife or bird eggs if you are starving. You can kill wildlife if it is necessary to prevent a person from being injured or killed. You can kill wildlife if it is necessary to prevent property damage unless there is a regulation against it.

Provisions in the <i>Wildlife Act</i>	This means:
(4) Subsections (1), (2) and (3) do not provide a defence to a contravention of this Act or the regulations for a person who resorts to harvesting or killing wildlife as a result of his or her mismanagement.	You cannot use this section as an excuse to kill wildlife if the situation happened because of your own lack of planning or mismanagement.
57. Subject to the regulations, a person shall, as soon as is practicable, report the harvest or kill of big game or other prescribed wildlife to an officer, if (a) under section 56, the person harvested big game or other prescribed wildlife to prevent starvation, or killed big game or other prescribed wildlife to prevent injury or death to a person or damage to property; and (b) the harvest or kill would, but for subsection 56(1), (2) or (3), be a contravention of this Act or the regulations.	If you kill big game or other wildlife listed in the regulations because you are starving or to prevent injury or property damage, you must report it to an officer as soon as you can.
58. A person who, with a motorized vehicle, accidentally kills or seriously wounds big game or other prescribed wildlife on a highway as defined in section 1 of the <i>Motor Vehicles Act</i> , shall report the event to an officer within the time fixed in the regulations.	If you wound or kill big game or other wildlife listed in the regulations with your vehicle, you must report it to an officer. The regulations will include time limits for reporting.
Harvesting Methods and Equipment 60. (1) Subject to the regulations, no person shall harvest big game except with a firearm, bow and arrow or crossbow. (2) Subject to the regulations, no person shall harvest small game except with a firearm, bow and arrow, crossbow, slingshot, net, snare, deadfall, trap or similar device.	You can only hunt big game with a firearm, bow and arrow or crossbow. You can only harvest small game with a firearm, bow and arrow, crossbow, slingshot, net, snare, deadfall, trap or something similar. This section does not apply to people who have an Aboriginal or treaty right to use any method to harvest.
61. No person shall harvest wildlife in contravention of regulations respecting the humane harvesting of wildlife made to ensure consistency with international agreements to which Canada is a party.	There will be regulations restricting some types of harvesting to make sure harvesting methods are humane. All people must follow these regulations.
62. Subject to section 17 and the regulations, no person shall, without a permit, set out or use bait for the harvest of big game or other prescribed wildlife.	You cannot use bait to harvest big game unless you have an Aboriginal or treaty right or permit or it is allowed by the regulations.
Harvesting Restriction 62.1. (1) Subject to subsection (2) and the regulations, no person who has been on an aircraft while	In some cases, you will have to wait a period of time after flying into an area before you can start hunting. Details about where this applies and

Provisions in the <i>Wildlife Act</i>	This means:
<p>it was in flight shall harvest prescribed wildlife within a prescribed time period after the termination of the flight</p> <p>(2) Subsection (1) does not apply in respect of a regularly scheduled flight operated by a commercial airline company from one airport to another.</p>	<p>how long you will have to wait will be in the regulations. This does not apply to regularly scheduled commercial flights.</p>
<p>Possession of Wildlife</p> <p>63. (1) No person shall possess game or other prescribed wildlife that is dead, or a part or prescribed derivative of it, unless</p> <ul style="list-style-type: none"> (a) the person lawfully harvested it; (b) the person lawfully acquired it from a person who lawfully harvested it; (c) the person has a licence or permit entitling him or her to possess it; (d) it was preserved or prepared by a taxidermy process after being lawfully harvested; (e) it is a part or derivative of an individual of a species of wildlife that has been subjected to a manufacturing process, such as processed food, a garment, jewelry or art, and the wildlife from which the part or derivative originated was lawfully harvested; (f) the person lawfully possessed it under the <i>Wildlife Act</i>, as it read before the coming into force of this Act; or (g) possession of the dead wildlife or part or derivative is exempted by the regulations. <p>(2) A person who acquires possession of unlawfully harvested wildlife, or a part or prescribed derivative of unlawfully harvested wildlife, is not entitled to retain possession of it.</p>	<p>You can only have game meat or parts if you legally harvested it, you got it from someone who legally harvested it or you have a permit.</p> <p>As long as the wildlife was legally harvested, you don't need a permit if the wildlife has been tanned or mounted by a taxidermist or it has been manufactured into processed food, clothing, jewellery or arts or crafts.</p> <p>If you legally possessed meat or other wildlife parts before this Act came into effect, you do not need to get a new permit.</p> <p>Some wildlife parts, like caribou antlers, do not require a permit. These will be listed in the regulations.</p> <p>If you have wildlife or wildlife parts that were not legally harvested, you cannot keep them.</p>
<p>64. No person shall possess wildlife or a part of wildlife for which a tag is required by the regulations, unless he or she complies with regulations respecting the holding or affixing of tags.</p>	<p>If a tag is required under the regulations to possess wildlife or a wildlife part, you must have a tag and follow the regulations about how and where to attach the tag.</p>

Provisions in the <i>Wildlife Act</i>	This means:
<p>Live Wildlife and Other Animals</p> <p>65. (1) Subject to subsection (2), no person shall intentionally feed big game, fur-bearers or other prescribed wildlife.</p> <p>(2) Subsection (1) does not apply in respect of a person feeding wildlife lawfully kept in captivity or in circumstances permitted by the regulations.</p>	<p>You cannot feed big game, fur-bearers or other wildlife listed in the regulations unless you have a permit to keep captive wildlife or the regulations allow it.</p>
<p>66. (1) No person shall deposit, place or leave in, on or about land or premises food, food waste or another substance if there is a reasonable likelihood that it could attract big game or other prescribed wildlife to the land or premises and endanger a person, a domestic animal or wildlife.</p> <p>(2) Subsection (1) does not apply in respect of</p> <ul style="list-style-type: none"> (a) the drying or caching of meat, pelts or hides, except in a manner contrary to regulations respecting the treatment, caching and identification of wildlife and parts of wildlife left temporarily on the land; (b) a person lawfully harvesting fur-bearers with bait; or (c) other persons and circumstances exempted by the regulations. 	<p>You can't leave food or waste somewhere that will likely attract big game and could put a person, wildlife or domestic animals in danger.</p> <p>This does not prevent you from properly storing food in your house or camp.</p> <p>This doesn't apply to meat, pelts or hides that have been properly cached or set out to dry or bait legally set to trap fur-bearers. The regulations can include other situations that do not apply.</p>
<p>67. No person shall capture, keep captive or possess live big game, fur-bearers, or other prescribed wildlife, unless such capture, captivity or possession is in accordance with the regulations or incidental to the legal harvest of the wildlife.</p>	<p>There will be regulations about capturing and keeping live big game, fur-bearers and other animals. You cannot catch or keep these live animals except according to these regulations or if it is part of legally harvesting them.</p>
<p>68. (1) No owner or other person shall release, allow to escape or otherwise allow domestic animals or captive wildlife to run at large and harass big game or other prescribed wildlife, or to run at large in a way that is likely to endanger big game or other prescribed wildlife.</p> <p>(2) Subject to the regulations, no person shall release a member of a prescribed species into habitat in which that species does not naturally occur.</p> <p>(3) A person who contravenes subsection (1) or (2) shall make every effort to recover the domestic animal, wildlife or member of the species.</p>	<p>You cannot let domestic animals like pets or farm animals, or captive wildlife run loose to harass or endanger big game or other wildlife listed in the regulations. If they do get loose, you must do everything you can to get them back.</p> <p>You cannot release certain animals or plants into habitat where they don't belong. These will be listed in the regulations.</p>

Provisions in the <i>Wildlife Act</i>	This means:
<p>(4) A person who contravenes subsection (1) or (2) is not entitled to any compensation if the domestic animal, wildlife, or member of the species is harmed or destroyed, and the Government of the Northwest Territories has a right of action in damages against the person for any</p> <ul style="list-style-type: none"> (a) loss or damage to wildlife or habitat caused by the release; and (b) costs incurred in pursuing, recovering, holding or destroying the domestic animal, wildlife or member of the species. 	<p>If you have broken these rules, you are not entitled to any compensation if your animals or plants are harmed or destroyed or if you have to pay to capture or destroy your animals or plants.</p> <p>If any damage is caused to wildlife or wildlife habitat, you can be required to pay for damages.</p>
<p>(5) This section does not apply</p> <ul style="list-style-type: none"> (a) to a person who is authorized by a licence or permit to release the domestic animal, wildlife or member of the species; or (b) in respect of a domestic animal that is retrieving wildlife under the control of a person who is lawfully harvesting the wildlife. 	<p>If you have a permit to release a plant or animal, this section does not apply to you.</p> <p>This section does not apply if you are using a domestic animal to retrieve wildlife you have lawfully harvested.</p>
<p>Public Safety</p> <p>69. Subject to the regulations, for the purpose of public safety, no person shall use for harvesting, or have in his or her possession while harvesting game or other prescribed wildlife,</p> <ul style="list-style-type: none"> (a) poison; (b) explosives; (c) tracer ammunition; (d) a projectile containing any explosive material; (e) a set gun, spring gun, set bow, swivel set or any other mechanism designed to discharge projectiles by mechanical means; (f) an automatic firearm capable of firing more than one projectile during one pressure of the trigger; or (g) a prescribed substance or prescribed equipment. 	<p>Some types of equipment are not allowed to be used for harvesting because they pose a threat to public safety. When harvesting, no person can have:</p> <ul style="list-style-type: none"> • poison; • explosives; • tracer ammunition; • bullets containing explosives; • set guns (or similar mechanical device); or, • automatic weapons. <p>There may be regulations restricting other types of equipment for public safety reasons. These restrictions apply to everyone.</p>
<p>70. Subject to the regulations, for the purpose of public safety, no person shall</p> <ul style="list-style-type: none"> (a) harvest wildlife with a device such as a firearm, bow and arrow, crossbow, deadfall or trap that is in an unsafe condition; (b) while harvesting wildlife, discharge a firearm, bow and arrow, crossbow or other device from, or cause the projectile from it to pass along or across the traveled portion of a highway as defined in section 1 of the <i>Motor Vehicles Act</i>; 	<p>These restrictions apply to everyone.</p> <ul style="list-style-type: none"> • You cannot hunt with a firearm, bow and arrow, crossbow, deadfall or trap that is in an unsafe condition. • You cannot shoot along or across a highway.

Provisions in the <i>Wildlife Act</i>	This means:
(c) discharge a firearm, bow and arrow, crossbow or other device within a prescribed no shooting area or other area described in the regulations; or	<ul style="list-style-type: none"> You cannot shoot in a no-shooting area.
(d) otherwise harvest wildlife without due regard for the safety or property of other persons, or in a manner that endangers the harvester or other persons.	<ul style="list-style-type: none"> You cannot hunt in a way that may endanger yourself, other people or property.
PART 5 COMMERCIAL AND OTHER ACTIVITIES Commercial Licences and Permits 71. (1) The Superintendent may issue a commercial licence or permit of a type established by the regulations. (2) The Superintendent may endorse such conditions on a commercial licence or permit as he or she considers appropriate.	<p>The Superintendent can issue licences and permits to carry out commercial activities related to wildlife and can put terms and conditions on them that the permit holder must follow.</p>
72. (1) A person who is issued a commercial licence or permit that is not transferable shall not purport to transfer it to another person. (2) No person shall solicit or purport to receive a transfer of a commercial licence or permit that is not transferable, or a transfer of a right or privilege that it carries. (3) A non-transferable commercial licence or permit that is purported to be transferred is void.	<p>If you have a commercial licence that is not transferable, you cannot give or sell it to another person. No other person can ask you to transfer it to them or claim that you have transferred it to them.</p> <p>If a non-transferable licence is transferred, it is no longer valid.</p>
73. The Superintendent may refuse to issue a commercial licence or permit if the applicant had been required to pay a fine for contravening this Act or the regulations and the fine is outstanding.	<p>If you owe a fine under this Act, the Superintendent can refuse to give you a commercial licence or permit until you pay the fine.</p>
74. The reasons for a refusal to issue a commercial licence or permit must be provided to the applicant.	<p>If you are refused a commercial licence or permit, you must be told why.</p>
Commercial Activity Prohibitions 75. No person shall, except in accordance with the regulations, (a) engage in the harvest of wildlife for a commercial purpose; (b) traffic in the meat of wildlife; (c) traffic in prescribed wildlife or the parts or prescribed derivatives of prescribed wildlife; (d) buy prescribed wildlife or the parts or prescribed derivatives of prescribed wildlife	<p>There will be regulations about commercial activities that relate to wildlife.</p> <p>You must follow the regulations to:</p> <ul style="list-style-type: none"> commercially harvest wildlife for a commercial purpose (e.g. harvest meat for sale); sell game meat; sell wildlife parts listed in the

Provisions in the <i>Wildlife Act</i>	This means:
<p>as a commercial activity or buy in excess of the prescribed quantity;</p> <p>(e) buy in excess of the prescribed quantity of raw pelts or hides;</p> <p>(f) tan, dye or preserve the pelt or hide of wildlife for profit;</p> <p>(g) engage in taxidermy for profit;</p> <p>(h) engage in fur farming;</p> <p>(i) engage in game ranching; or</p> <p>(j) engage in any other prescribed commercial activity relating to wildlife or habitat.</p>	<p>regulations;</p> <ul style="list-style-type: none"> • buy raw pelts, hides or other wildlife parts listed in the regulations, as a commercial activity; • tan, dye or preserve pelts for money; • run a taxidermy business; • run a fur farm or a game ranch; or, • carry out any other wildlife business listed in the regulations. <p>The regulations will define what is and is not a commercial activity.</p>
<p>76. (1) Subject to the regulations, no person shall, without an outfitter licence issued in accordance with the regulations, provide or agree to provide, for profit, guides or equipment to a person for the harvest of big game or other prescribed wildlife.</p> <p>(2) No outfitter shall, for profit, provide or agree to provide a guide who does not hold a guide licence issued in accordance with the regulations, to a person for the harvest of big game or other prescribed wildlife.</p> <p>(3) No outfitter shall, for profit, provide guides or equipment to a person who requires a licence to hunt or otherwise harvest wildlife in respect which the service is provided, unless the person is licenced to do so before the service is provided.</p>	<p>You must have an outfitter licence to provide guides or equipment to people harvesting big game if you charge for it.</p> <p>All guides provided by an outfitter must have a guide licence.</p> <p>Outfitters can only provide guides and equipment to people who are legally allowed to hunt. If you need a licence to hunt, you must have one before an outfitter can give you a guide or equipment to hunt.</p>
<p>77. (1) No person shall, without a guide licence issued in accordance with the regulations, guide for profit a person who is harvesting big game or other prescribed wildlife.</p> <p>(2) No licenced guide shall guide a person who is harvesting big game or other prescribed wildlife, unless section 17 applies or the person is licenced to hunt or otherwise harvest the wildlife in respect of which the service is provided.</p>	<p>You must have a guide licence to work as a guide.</p> <p>A guide can only guide a person who is legally allowed to hunt.</p> <p>If you need a licence to hunt, you must have one before a guide can provide services to you.</p>
<p>78. (1) Subject to subsection (2) and the regulations, while providing guiding services no guide shall kill or wound, or attempt to kill or wound, big game or other prescribed wildlife.</p> <p>(2) If a hunter has lawfully wounded wildlife and it appears that it may escape, a guide may assist the hunter to retrieve or kill the wildlife.</p>	<p>A guide cannot hunt big game or other listed wildlife while guiding. If a hunter has wounded wildlife and it looks like it might escape, the guide can help the hunter retrieve or kill the wildlife.</p>

Provisions in the <i>Wildlife Act</i>	This means:
<p>Possession, Import and Transport</p> <p>79. No person shall import into, or possess or transport in the Northwest Territories a prescribed live animal, unless</p> <p>(a) the animal is tested for prescribed diseases and other conditions, is quarantined, or is treated in accordance with the regulations; and</p> <p>(b) the person is permitted, in accordance with the regulations, to possess, import or transport the animal.</p>	<p>Some animals carry diseases that can affect wildlife or people. For these animals, you will need a permit to import, possess or transport them. Before getting the permit you may need to have the animal tested for certain diseases, quarantined for a period of time or treated for disease.</p>
<p>80. No person shall import into or transport in the Northwest Territories dead wildlife that is prescribed as a potential carrier of disease or other condition, or prescribed parts or derivatives of such wildlife, unless the person is permitted, in accordance with the regulations, to import or transport it.</p>	<p>Some wildlife parts can spread disease that can affect wildlife or people. To prevent the spread of disease, the regulations will have a list of dead wildlife and parts that could carry disease. You will need a permit to import or transport these parts.</p>
<p>Export</p> <p>81. No person who harvests big game or prescribed small game under a non-resident hunting licence or non-resident alien hunting licence shall, without an export permit, export the wildlife or a part or prescribed derivative of it.</p>	<p>Non-resident and non-resident alien hunters need an export permit to take their meat or wildlife parts out of the NWT.</p>
<p>82. (1) No person who receives as a gift the meat of big game or other prescribed wildlife shall, without an export permit, export in excess of 10 kg of the meat.</p> <p>(2) If an export permit is requested by a person to whom subsection (1) does not apply, because he or she receives the meat in accordance with an Aboriginal or treaty right, that person may receive the permit free of charge.</p>	<p>If you are given meat as a gift, you will need an export permit to take more than 10 kgs of it out of the NWT.</p> <p>You do not need an export permit if you receive meat as a gift as part of an Aboriginal or treaty right. If you want an export permit, you can get one free of charge.</p> <p>Laws in other places regarding export and import still apply.</p>
<p>83. No person shall, without a permit, export prescribed wildlife or parts or prescribed derivatives of prescribed wildlife for a commercial purpose.</p>	<p>The regulations will have a list of wildlife parts that need an export permit if they are being exported for a commercial purpose. No one can export the parts on that list for a commercial purpose without an export permit.</p>
<p>Wildlife Research, Observation and Other Activities</p> <p>84. (1) Subject to subsection 86(1), no person shall, without a licence or permit, conduct research on wildlife or collect wildlife specimens for research.</p> <p>(2) The Minister shall notify the renewable resources board for an area where research</p>	<p>You need a wildlife research permit to carry out research on wildlife or collect wildlife specimens.</p> <p>The Minister will tell the renewable resource boards about all wildlife research permits issued</p>

Provisions in the <i>Wildlife Act</i>	This means:
will be conducted or wildlife specimens will be collected, of all licences and permits issued for research and collection in that area.	in their area.
85. Subject to subsection 86(1) and the regulations, no person shall, without a licence or permit authorizing it, establish, offer or provide an organized activity for profit in which big game or other prescribed wildlife is the object of interaction, manipulation or close observation, including the making of a film or the provision of an expedition, safari or cruise.	You need a permit to carry out any commercial activity that involves interacting, handling or close observation of big game or other wildlife listed in the regulations. This includes wildlife viewing tours and commercial film making.
<p>86. (1) The Superintendent may, by written notice, exempt a person from the requirement for a licence or permit under section 84 or 85 if</p> <p>(a) the person requires a licence, permit or other authorization to engage in the activity issued under another Act of the Northwest Territories or Canada; and</p> <p>(b) the Superintendent is satisfied that the licence, permit or other authorization provides protection to the wildlife or habitat equivalent to a licence or permit issued under this Act or the regulations.</p> <p>(2) The Superintendent shall give a copy of an exemption notice issued under subsection (1) to the following bodies and organizations for the area where the activity is to take place:</p> <p>(a) renewable resources boards;</p> <p>(b) local harvesting committees;</p> <p>(c) a local band council or Métis council, for an area where there is no local harvesting committee.</p>	<p>You may not need a permit for wildlife research or for commercial activities listed in section 85 if you already need a permit under another Act. If that permit includes conditions to protect wildlife and habitat, the Superintendent of Wildlife can give you an exemption from the requirement for a permit under this Act. For example, if you need a tourism operator's licence to offer a wildlife viewing expedition, you may not need another permit under this Act.</p> <p>If the Superintendent waives the requirement for a permit under this section, he or she will give a copy of the exemption to the renewable resources boards, local harvesting committee, local band councils or Métis councils in the area.</p>
<p>87. (1) This section does not apply in respect of matters dealt with by section 62.</p> <p>(2) Subject to the regulations, no person shall, without a permit, set out or use bait to attract big game or other prescribed wildlife.</p>	<p>You cannot use bait to attract big game for any purpose, including wildlife viewing, unless you have a permit. The regulations can list other animals that you cannot attract using bait.</p> <p>This section doesn't apply to you if you are legally setting bait to trap fur-bearers.</p>
<p>PART 6 CONSERVATION AND MANAGEMENT MEASURES</p> <p>Management Zones</p> <p>88. (1) The Commissioner, on the recommendation of the Minister, may for the purpose of the conservation and management of wildlife, make regulations designating areas of the Northwest Territories as management zones with distinctive names or numbers.</p>	<p>The NWT can be divided up into management zones to make it easier to manage wildlife. The zones will have names or numbers and can overlap or be divided into smaller sections.</p>

Provisions in the <i>Wildlife Act</i>	This means:
(2) Management zones may overlap and may be subdivided.	Different regulations can be made for each management zone.
<p>Conservation Areas</p> <p>89. (1) The Commissioner in Executive Council, on the recommendation of the Minister, may, for the purpose of the conservation of wildlife or of habitat important to its conservation, make regulations designating areas of the Northwest Territories as conservation areas with distinctive names or numbers.</p> <p>(2) A regulation designating an area of the Northwest Territories as a conservation area may describe the time period or periods during which the area is a conservation area, and the circumstances under which regulation applies.</p> <p>(3) The Minister shall give notice to members of the Legislative Assembly at least 30 days before regulations are made designating a conservation area.</p>	<p>The Minister can recommend conservation areas to protect wildlife or important wildlife habitat. Cabinet must approve them.</p> <p>Some conservation areas may only be in effect during some time periods or under certain circumstances. For example, a conservation area might be established to protect caribou while they are calving. During other times of the year, the conservation area would not be in effect.</p> <p>The Minister must tell the Legislative Assembly at least 30 days before making regulations that designate a conservation area.</p>
90. If the Minister proposes the designation of a conservation area, he or she shall proceed in accordance with applicable provisions in land claims agreements.	If the Minister recommends a conservation area in an area where there is a land claim agreement, the Minister will follow the process in the land claim agreement to set up the conservation area.
<p>91. (1) Subject to subsection (2), a conservation area may only include private lands if the Minister is satisfied that a designation restricted to public lands is insufficient to meet conservation needs.</p> <p>(2) Subsection (1) does not apply if the owner of private lands requests or agrees to the designation of a conservation area on those lands.</p>	<p>A conservation area would only include private land if there isn't enough public land to meet the conservation needs.</p> <p>A conservation area could be set up on private land if the land owner requests it or agrees to establish a conservation area on their land.</p>
92. (1) Before the designation of a conservation area that includes private lands, the Minister shall (a) consult with the owner of the lands; and (b) make reasonable efforts to enter into an agreement respecting effects of the designation with the owner of the lands.	Before a conservation area can be set up on private land, the Minister must talk to the land owner and try to reach an agreement about how to deal with any negative impacts the conservation area might have for the land owner.

Provisions in the <i>Wildlife Act</i>	This means:
<p>(2) An agreement may include, but is not limited to, provisions respecting</p> <ul style="list-style-type: none"> (a) mitigation of any negative effects resulting from the designation of the conservation area; and (b) compensation to the owner for economic losses actually incurred as a result of any extraordinary effects of the designation of the conservation area, based on demonstrated use at the time the regulation making the designation comes into force. <p>(3) If a conservation area includes private lands and an agreement is not reached, the Minister may, in accordance with the regulations, provide compensation to the owner of the lands for economic losses actually incurred as a result of any extraordinary effects of the designation.</p> <p>(4) If the designation of a conservation area would affect federal land, the Minister shall consult with the Government of Canada before the designation is made.</p>	<p>If the conservation area results in the owner losing money, the agreement could include compensation for the owner.</p> <p>If the Minister and the land owner can't reach an agreement about a conservation area, the Minister can provide compensation to the owner if the land owner loses money because the conservation area is set up.</p> <p>If a conservation area is set up on federal land, the Minister will consult with the federal government before it is set up.</p>
<p>Protection of Habitat</p> <p>93. (1) No person shall substantially alter, damage or destroy habitat.</p> <p>(2) A person who establishes that he or she acted with legal justification in altering, damaging or destroying habitat shall not be convicted of an offence under subsection (1).</p>	<p>Unless you have a permit or some other legal authority, you can't substantially damage or destroy wildlife habitat. This doesn't apply if you have a permit or licence that allows you to carry out an activity that would result in habitat being changed, damaged or destroyed.</p>
<p>94. (1) The Government of the Northwest Territories has a right of action in damages against a person who, without legal justification, alters, damages or destroys habitat.</p> <p>(2) Damages recoverable under subsection (1) include</p> <ul style="list-style-type: none"> (a) any costs the Government of the Northwest Territories may be required to incur to restore habitat and associated wildlife to, or near to, its original state; or (b) damages in respect of the loss of habitat and associated wildlife, if restoration is not practicable. 	<p>If you damage wildlife habitat without a permit, the GNWT can require you to pay for damages.</p> <p>Damages can include any money the GNWT spends to repair the habitat and money to cover the loss of wildlife or habitat.</p>

Provisions in the <i>Wildlife Act</i>	This means:
<p>(3) The posting of security in accordance with regulations does not affect the liability of a person for damages in excess of the amount of the posted security.</p>	<p>If you were required to post a security bond before you were allowed to carry out an activity and the security bond is not enough to pay for any damages you cause, the GNWT can require you to pay the remaining costs not covered by the bond.</p>
<p>Wildlife Management and Monitoring Plans</p> <p>95. (1) A developer or other person or body may be required, in accordance with the regulations, to prepare a wildlife management and monitoring plan for approval by the Minister, and to adhere to the approved plan, if the Minister is satisfied that a development, proposed development, or other activity is likely to</p> <ul style="list-style-type: none"> (a) result in a significant disturbance to big game or other prescribed wildlife; (b) substantially alter, damage or destroy habitat; (c) pose a threat of serious harm to wildlife or habitat; or (d) significantly contribute to cumulative impacts on a large number of big game or other prescribed wildlife, or on habitat. <p>(2) A wildlife management and monitoring plan must include</p> <ul style="list-style-type: none"> (a) a description of potential disturbance to big game and other prescribed wildlife, potential harm to wildlife and potential impacts on habitat; (b) a description of required measures to be implemented for the mitigation of potential impacts; (c) the process for monitoring impacts and assessing whether mitigative measures are effective; and (d) other prescribed requirements. 	<p>Some development projects may result in significant disturbance or pose a threat of harm to wildlife, cause substantial damage to wildlife habitat or significantly contribute to cumulative impacts on wildlife or habitat.</p> <p>The Minister can require these types of projects to have a plan that identifies:</p> <ul style="list-style-type: none"> • how the project might affect big game or other wildlife listed in the regulations and its habitat; • how the impacts will be reduced or repaired; • how the developers will monitor any impacts and whether the measures to reduce the impacts are working; or, • other requirements that are in the regulations. <p>There will be regulations to identify what kinds of projects would need a wildlife management and monitoring plan.</p> <p>If a plan is required, it would be an offence to not have a plan put in place. If a plan is required, it would be an offence to not follow the plan.</p> <p>These types of plans are already required by airports and diamond mines.</p>

Provisions in the <i>Wildlife Act</i>	This means:
<p>(3) If a developer or other person or body that is required to prepare a wildlife management and monitoring plan has, for a body under other legislation, prepared a plan that deals to the Minister's satisfaction with part or all of the matters referred to in subsection (2), the Minister may accept that plan, or part of it, in place of part or all of the requirements under subsection (2).</p>	<p>If a developer already has a plan that deals with wildlife management and monitoring to meet a requirement under another piece of legislation, the Minister can adopt it fully or partially without the developer having to create a new plan.</p>
<p>Guidelines</p> <p>96. The Minister may develop and issue guidelines for the conservation and management of wildlife or habitat in relation to</p> <ul style="list-style-type: none"> (a) activities for which a licence, permit or other authorization is required under this Act or the regulations; (b) other matters regulated by this Act and the regulations; and (c) land use and other activities that may <ul style="list-style-type: none"> (i) disturb big game or other wildlife, (ii) alter, damage or destroy habitat, or (iii) otherwise pose a threat of harm to wildlife or habitat. 	<p>The Minister can develop guidelines to help developers understand what is expected of them when they carry out different types of activities that might affect wildlife or habitat.</p> <p>The guidelines would not be legally binding but would help industry reduce negative impacts on wildlife and habitat.</p> <p>These types of guidelines are already used under the <i>Environmental Protection Act</i>.</p>
<p>Minister's Submissions on Proposed Developments and Applications</p> <p>97. (1) The Minister shall make a submission to the responsible body respecting the potential impacts of a proposed development on game, other prescribed wildlife or its habitat, if</p> <ul style="list-style-type: none"> (a) the development proposal undergoes a preliminary screening or a screening or is referred for environmental assessment or an environmental impact review; (b) he or she considers that the proposed development may affect game, other prescribed wildlife or its habitat; and (c) he or she has or has been granted standing to make a submission. <p>(2) If an application for a land use permit or water licence is made in respect of a development that the Minister considers may affect game or other prescribed wildlife or its habitat, he or she shall, if granted standing, make a submission respecting the potential impacts of the proposed development on the wildlife or habitat to the body considering the application.</p>	<p>Many industrial developments need to be reviewed to see what kind of impact they will have on the environment before they can proceed.</p> <p>If a proposed development project is undergoing a preliminary screening, a screening, environmental assessment or an environmental impact review and the Minister thinks the project may affect wildlife or habitat, the Minister must let the agency reviewing the proposed project know about the possible effects on wildlife or habitat.</p> <p>Most development projects need a land use permit or water licence before they can proceed. These permits and licences can put terms and conditions on how the project can be carried out. If the Minister thinks a project may affect wildlife or habitat, the Minister must let the agency issuing the land use permit or water licence know about the possible effects on wildlife or habitat.</p>

Provisions in the <i>Wildlife Act</i>	This means:
<p>(3) If the Minister considers that the designation of a conservation area under subsection 89(1) may conflict with or be inconsistent with a provision under a land use plan or a proposed land use plan, the Minister shall make a submission to the appropriate land use planning body respecting the purpose and need for the conservation area, and may request that</p> <ul style="list-style-type: none"> (a) a land use plan be amended to take the purpose and need into account; or (b) a proposed land use plan take the purpose and need into account. 	<p>If a conservation area is established under this Act and a conservation area doesn't fit in with a land use plan for the area, the Minister will make a submission to the land use planning board to explain the reason for the conservation area and ask the board to consider including it in the land use plan.</p>
<p>Allocation of Harvest</p> <p>98. Where, under this Act or the regulations, limits are imposed on the harvest of wildlife, the priority for allocation of harvest in areas without land claims agreements must be determined as follows:</p> <ul style="list-style-type: none"> (a) first, allocation for subsistence usage, including for cultural purposes, for those with Aboriginal or treaty rights to harvest wildlife in the area; (b) second, allocation for holders of general hunting licences who do not have Aboriginal or treaty rights to harvest wildlife in the area, holders of special harvester licences and holders of resident hunting licences; (c) third, allocation for holders of non-resident and non-resident alien hunting licences and allocation for commercial purposes. 	<p>Land claim agreements set out priorities for allocating wildlife harvest. If wildlife harvesting must be limited in areas with a settled land claim agreement, the harvest will be allocated according to the agreements.</p> <p>If the harvest of wildlife must be limited in areas without a land claim agreement, first priority will be given to people with Aboriginal or treaty rights in that area for food and cultural use; second priority will be given to GHIL holders who do not have rights in the area, special harvester licence holders and resident hunters; and, third priority to non-residents and commercial activities.</p>
<p>Mandatory Reporting Requirement</p> <p>98.1 A person who harvests wildlife in the Northwest Territories shall report the wounding, killing or capture of big game or other prescribed wildlife when requested by the Minister or in accordance with the regulations.</p>	<p>The regulations will have rules about when people must report their harvest. The Minister can also ask people to report their harvest and they must do so.</p>
<p>Emergency Circumstances</p> <p>99. (1) In this section,</p> <p>"affected Aboriginal organization", in respect of an action of the Minister to respond to emergency circumstances that may affect an Aboriginal or treaty right to harvest wildlife, means the Aboriginal organization that represents persons in respect of their Aboriginal or treaty rights to harvest wildlife in the area where the rights may be affected;</p> <p>"affected renewable resources board" means a renewable resources board for an area that may be affected by an action of the Minister to respond to</p>	<p>The land claim agreements lay out a process for the Minister to work with renewable resources boards to manage wildlife. In areas without land claim agreements, the Minister is responsible for wildlife management but must consult with Aboriginal organizations if any management action may infringe on Aboriginal or treaty rights.</p> <p>These are the normal processes followed by the Minister to manage wildlife.</p>

Provisions in the <i>Wildlife Act</i>	This means:
<p>emergency circumstances;</p> <p>"emergency circumstances" means circumstances in respect of which a failure by the Minister to take immediate action is likely to cause serious or irreparable harm to wildlife or habitat, or to jeopardize public health or public safety.</p> <p>(2) The Minister may, in accordance with this section, take action in respect of the conservation or management of wildlife or habitat to respond to emergency circumstances.</p> <p>(3) Before taking action to respond to emergency circumstances, the Minister shall notify affected Aboriginal organizations and affected renewable resources boards of the action being considered, and shall provide reasons for it.</p> <p>(4) On taking action to respond to emergency circumstances, the Minister shall, as soon as is practicable,</p> <p>(a) notify affected Aboriginal organizations and affected renewable resources boards of the action; and</p> <p>(b) take such further actions as may be required under land claims agreements.</p> <p>(5) An action to respond to emergency circumstances must be an interim measure and, as soon as is practicable after taking such action, the Minister shall, for the purpose of assessment of the circumstances and review of the interim measure,</p> <p>(a) request affected renewable resources boards to review it; and</p> <p>(b) consult with affected Aboriginal organizations.</p> <p>(6) The Minister may enter into agreements with renewable resources boards and Aboriginal organizations respecting procedures for notifying the boards or organizations of actions to respond to emergency circumstances.</p> <p>(7) The Minister shall provide public notice of any action taken to respond to emergency circumstances and of the reason for taking such action.</p>	<p>However, sometimes action must be taken very quickly to prevent serious harm to wildlife or wildlife habitat and there is not time to follow the normal process. This section lays out the process the Minister must follow when immediate action is needed because of emergency circumstances.</p> <p>Before the Minister takes any action to respond to an emergency situation, he or she will let affected Aboriginal groups and renewable resources boards know and give them reasons for the action.</p> <p>After taking an action to respond to emergency circumstances, the Minister will let affected Aboriginal organizations and renewable resources boards know and will follow any processes laid out in land claim agreements.</p> <p>Emergency actions are only temporary. As soon as he or she can, the Minister will ask the renewable resources boards to review the action and provide advice on next steps. The Minister will also consult with any affected Aboriginal organizations if Aboriginal or treaty rights may be affected.</p> <p>The Minister can make agreements with renewable resources boards and Aboriginal organizations about how they should be notified when emergency actions are needed.</p> <p>If the Minister takes an emergency action, he or she will let the public know and provide reasons for the action.</p>

Provisions in the <i>Wildlife Act</i>	This means:
<p>Wildlife Management Measures</p> <p>100. (1) The Minister may, by order, declare a species of wildlife or plant to be a pest, if he or she is satisfied that the species is likely to present a threat of harm to a species of wildlife or to habitat.</p> <p>(2) The Minister may, by order, declare a disease or other condition suffered or transmitted by wildlife to be a reportable disease for the purposes of this Act and the regulations, if he or she is satisfied that the disease or condition is likely to present a threat of harm to a person, a domestic animal, wildlife or habitat.</p>	<p>If a species of plant or animal poses a threat to wildlife or habitat, the Minister can declare it a pest and pass regulations about how it should be treated.</p> <p>If a wildlife disease poses a threat to people, domestic animals, wildlife or habitat, the Minister can declare it a reportable disease and pass regulations about what you must do if you find an animal has the disease.</p>
<p>101. An officer acting in the course of his or her duties</p> <p>(a) is not in contravention of sections 50, 51, 63, 64, 65 and 67; and</p> <p>(b) may be exempted, in accordance with the regulations, from a requirement under this Act or the regulations to hold a licence, permit or other authorization.</p>	<p>This section lists the parts of the Act that do not apply to wildlife officers when they are doing their job.</p>
<p>102. An officer, or a person acting under the instructions of an officer, may at any time and by any means, kill or capture</p> <p>(a) wildlife that is likely to harm persons or property; or</p> <p>(b) wildlife that is reasonably believed to be injured or diseased.</p>	<p>An officer, or someone helping an officer, can kill or capture wildlife that is likely to harm someone or damage property. They can also kill or capture wildlife they think is injured or diseased.</p>
<p>103. (1) If an officer believes on reasonable grounds that the public safety is at immediate risk in an area because of the presence of wildlife, he or she may order that the area be closed to the public for the period specified in the order.</p> <p>(2) An order made under subsection (1) expires no later than 48 hours after the time it was made, but an officer may, under that subsection, make a further order in respect of the area if he or she believes on reasonable grounds that the public safety continues to be at immediate risk.</p> <p>(3) An officer shall, in accordance with the regulations, provide notice of an order made under this section.</p> <p>(4) No person shall, without the written authorization of an officer, contravene an order made under this section.</p>	<p>If an officer thinks wildlife is causing a risk to public safety in an area, he or she can close the area to the public for 48 hours. If the risk continues, they can close the area for longer.</p> <p>You cannot go into an area that an officer has officially closed for safety reasons unless an officer gives you written permission.</p>

Provisions in the <i>Wildlife Act</i>	This means:
<p>104. (1) If an officer believes on reasonable grounds that dangerous wildlife is or may be attracted to land or premises, he or she may enter and inspect the land or premises in accordance with section 115.</p> <p>(2) Subsection (1) does not authorize an officer to enter and inspect a dwelling place.</p> <p>(3) If, on inspection, the officer believes on reasonable grounds that there is a risk to the public safety because food, food waste or another substance is attracting, or could attract, dangerous wildlife to the land or premises, the officer may order the owner, occupier or person in charge of the land or premises, to contain, move or remove the attractant within the time specified in the order.</p> <p>(4) An order under subsection (3) may be made verbally, but must be confirmed in writing and delivered to the person to whom it is directed within 48 hours.</p> <p>(5) Notwithstanding subsection (3), an order may not be made in respect of</p> <ul style="list-style-type: none"> (a) a person lawfully harvesting fur-bearers with bait; (b) a facility operated by a municipal corporation or unincorporated community for the disposal of waste; or (c) other persons and circumstances exempted by the regulations. <p>(6) A person to whom an order is directed shall comply within the specified period.</p> <p>(7) If a person fails to take any measures to comply with the order, an officer may take those measures or cause them to be taken.</p> <p>(8) The Government of the Northwest Territories has a right of action in damages against a person who fails to comply with the order.</p> <p>(9) Damages recoverable under subsection (8) include any costs incurred by the Government to take any measures or cause any measures to be taken under subsection (7).</p>	<p>If an officer thinks dangerous wildlife might be attracted to a place or building, the officer can enter and do an inspection unless it is someone's home.</p> <p>If the inspection shows there might be a risk to public safety because there is food, waste or something else that could attract dangerous wildlife, the officer can order the person in charge to clean it up within a certain amount of time.</p> <p>Any verbal order to clean up an area must be followed by a written order within 48 hours.</p> <p>An officer cannot order someone to remove bait that is being used to legally trap fur-bearers and cannot order a landfill site to remove or contain its waste.</p> <p>There could be other exemptions listed in the regulations.</p> <p>If you are ordered to remove things that could attract dangerous wildlife, you must do it within the amount of time in the order. If you don't, an officer can remove them or have them removed and you can be made to pay the costs.</p>

<p>PART 7 ENFORCEMENT</p> <p>Interpretation</p> <p>105. In this Part,</p> <p>"alternative measures" means measures other than judicial proceedings used to deal with a person who is alleged to have committed an offence;</p> <p>"place" includes</p> <ul style="list-style-type: none"> (a) land or an area, (b) a building or structure, including a tent, (c) a container, and (d) a vehicle; <p>"record" includes any document, book, electronic data or other record;</p> <p>"vehicle" includes any conveyance that may be used for transportation and anything attached to the conveyance;</p> <p>"wildlife" includes a part or derivatives of wildlife.</p>	<p>These definitions only apply to this part of the Act:</p> <p>"alternative measures" are a way of dealing with people who have committed an offence without going through the normal court system.</p> <p>"place" includes any land, building, structure (including a tent), container or vehicle.</p> <p>"record" includes any document, book, electronic data or any other record.</p> <p>"vehicle" includes anything that can be used for transportation (including cars, trucks, boats, canoes, snow machines and ATVs), and anything attached to it (including trailers, sleds and toboggans).</p> <p>"wildlife" includes live and dead animals, wildlife parts and anything that comes from wildlife or wildlife parts including blood, urine, etc.</p>
<p>Superintendent and Officers</p> <p>106. (1) The Minister shall appoint a member of the public service as the Superintendent of Wildlife.</p> <p>(2) The Superintendent may exercise the powers conferred and shall perform the duties imposed on him or her under this Act and the regulations.</p> <p>(3) The Superintendent is, by virtue of his or her office, an officer.</p>	<p>The Minister will appoint a government employee to be the Superintendent of Wildlife.</p> <p>The Superintendent can do everything this Act allows him or her to do.</p> <p>The Superintendent is considered an officer and can do anything under this Act that an officer can do.</p>
<p>107. The Minister, or a person designated under the regulations, may appoint officers for the purposes of this Act and the regulations.</p>	<p>The Minister, or someone else listed in the regulations, can appoint wildlife officers.</p>
<p>108. (1) The Minister may, by order, designate classes of persons who, by virtue of their offices, are officers for the purposes of this Act and the regulations.</p> <p>(2) Before designating a class of persons employed by a government other than the Government of the Northwest Territories as officers, the Minister shall obtain the agreement of that government.</p>	<p>The Minister can make groups of people in certain jobs or positions automatically wildlife officers. For example, the Minister could make Fisheries Officers, who work for the federal Department of Fisheries and Oceans, wildlife officers.</p> <p>If a group of people work for a different government, the Minister must first get approval from the government they work for before making them wildlife officers.</p>

<p>109. (1) For the purposes of this Act and the regulations, an officer is a peace officer and has the powers and protections provided to a peace officer by law.</p> <p>(2) An officer may administer all oaths and affirmations and take and receive all affidavits and statutory declarations required under this Act or the regulations, other than an oath or affirmation referred to in subsection (3), and may certify the administration or taking or receiving of them.</p> <p>(3) An officer shall take and subscribe to an oath or affirmation in the following form, translated, if he or she so requests, into an Official Language of the Northwest Territories other than English or French:</p> <p>I,, solemnly (swear/affirm) that I will diligently, impartially and to the best of my ability, execute and perform the duties required of me as an officer, and will follow all lawful instructions that I receive as an officer, without fear of, or favour or affection toward any person. (So help me God/I so affirm).</p>	<p>Wildlife officers are “peace officers”. This means they have the same powers and the same protections peace officers have under the <i>Criminal Code</i>.</p> <p>Any oaths, affirmations, affidavits or statutory declarations needed under this Act can be done by a wildlife officer except for the oath taken by officers when they are sworn in.</p> <p>Officers must swear and obey an oath to perform their duties to the best of their ability, in a fair and impartial way.</p> <p>An officer can ask to swear the oath in any Official Language of the NWT.</p>
<p>110. (1) In exercising powers or performing duties under this Act or the regulations, an officer shall, on request, show the certificate referred to in subsection (2).</p> <p>(2) An officer must be provided with a certificate, in the form approved by the Minister, certifying that he or she has been appointed or designated as an officer.</p>	<p>An officer will be given a certificate that proves he or she is an officer.</p> <p>When officers are carrying out any duties under this Act, they must show their certificate to anyone who asks.</p>
<p>111. (1) An officer may request another person to assist him or her in exercising powers or performing duties under this Act or the regulations.</p> <p>(2) The protections afforded under this Act to an officer extend to another person while and to the extent that the person is in the course of assisting the officer under the officer’s direction.</p>	<p>An officer can ask another person to help them carry out his or her duties.</p> <p>A person helping an officer has the same protections as an officer under this Act.</p>

<p>Inspection, Investigation and Seizure</p> <p>112. (1) An officer may, at any reasonable time, require a person whom the officer believes on reasonable grounds has in his or her possession any log books or other records respecting the operation of an aircraft in the Northwest Territories within the preceding three years for the transportation of big game or other prescribed wildlife, or for the transportation of persons in respect of the harvesting, possession, or acquisition of big game or other prescribed wildlife, to produce the log books or records for the officer's inspection.</p> <p>(2) Subsection (1) does not apply in respect of log books and other records, or parts of log books or records, to the extent that they relate to the operation of an aircraft by a commercial airline company on a regularly scheduled flight directly from one airport to another.</p>	<p>An officer can inspect any records or log books from flights that carried big game or other wildlife listed in the regulations, hunters or anyone else who had big game or was going to get big game or other species listed in the regulations during the past three years. You must show these records to an officer if you have them.</p> <p>This does not apply to regularly scheduled flights by commercial airlines.</p>
<p>113. (1) For the purpose of carrying out an inspection or a search under this Part, an officer may signal or otherwise direct the operator of a vehicle to stop the vehicle, or to move the vehicle to a location and stop it, and the operator shall immediately comply with the officer's signal or direction and shall not proceed until permitted to do so by the officer.</p> <p>(2) For the purposes of subsection (1), signals to stop include intermittent flashes of red or blue light, a hand signal, an audible request or a siren.</p> <p>(3) This section does not apply in respect of an aircraft that is in flight.</p>	<p>An officer can stop your vehicle to inspect or search it.</p> <p>When you see red and blue flashing lights, hear a siren or see an officer directing you to pull over, you must pull over, stop your vehicle and remain stopped until the officer says you can leave.</p> <p>This doesn't apply to airplanes in flight.</p>
<p>114. For the purpose of carrying out an inspection or a search under this Part, an officer may signal or otherwise direct a person</p> <ul style="list-style-type: none"> (a) driving a dog team, (b) riding or leading a pack animal, or (c) carrying a pack or a firearm in plain view, <p>in an area usually inhabited by wildlife to stop, or to move to a location and stop, and the person shall immediately comply with the officer's signal or direction and shall not proceed until permitted to do so by the officer.</p>	<p>An officer can also stop you for an inspection or search if you are in an area where there is wildlife and you are driving a dog team, riding or leading a pack animal, or walking with a pack or firearm that the officer can see.</p> <p>If an officer asks you to stop, you must stop and remain stopped until the officer says you can leave.</p>

<p>115. (1) Subject to subsection (5), for the purpose of ensuring compliance with this Act or the regulations, an officer may, at any reasonable time, enter and inspect any place in which the officer believes on reasonable grounds there is a record or other thing to which this Act or the regulations applies, or a record or other thing relating to the administration of this Act or the regulations.</p> <p>(2) In conducting an inspection under this section, an officer may</p> <p>(a) open any container or other thing that he or she believes on reasonable grounds contains a record or other thing referred to in subsection (1);</p> <p>(b) inspect the record or other thing and take samples free of charge;</p> <p>(c) conduct tests or analyses that may be relevant to the inspection;</p> <p>(d) inspect any other record or thing that is in the place and that he or she believes on reasonable grounds is a record or thing referred to in subsection (1); and</p> <p>(e) require any person to produce for examination or copying any record that the officer believes on reasonable grounds contain information that is relevant to the administration of this Act or the regulations.</p> <p>(3) In carrying out an inspection of a place under subsection (1), an officer may</p> <p>(a) use or cause to be used any computer system or other electronic device at the place to examine any data contained in or available to the computer system or other electronic device;</p> <p>(b) reproduce any record or cause it to be reproduced from the data in the form of a printout or other output;</p> <p>(c) use or cause to be used any copying equipment at the place to make copies of the data or any other record; and</p> <p>(d) remove from the place any record or other thing for the purpose of making copies or for further inspection.</p> <p>(4) Any copying or further inspection done under paragraph (3)(d) must be carried out as soon as is practicable, and the record or other thing must be returned promptly to the person from whom it was taken.</p>	<p>At any reasonable time, an officer can enter and inspect a place where there might be something that relates to this Act. An officer can only enter a place where someone lives if the person says it is okay or the officer has a warrant.</p> <p>When doing an inspection, an officer can:</p> <ul style="list-style-type: none"> • open any container that might contain something related to this Act and inspect any records or other things they find; • take samples and conduct relevant tests or analyses; • inspect anything or any record related to this Act; • require anyone to provide records, data, accounts or any other information relevant to the Act; • examine and use any computer or electronic device and any data on them; • print out or make copies of data or records; • take data or records away to be copied; or, • take anything away for further inspection if it is related to this Act. <p>Anything taken by an officer must be returned promptly.</p>
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<p>(5) An officer may only enter a dwelling place with the consent of the occupant or under the authority of a warrant issued under section 116.</p>	<p>An officer can only enter a home if the person who lives there says it is okay or with a warrant.</p>
<p>116. (1) If, on an <i>ex parte</i> application, a justice is satisfied by information on oath or affirmation that</p> <ul style="list-style-type: none"> (a) there is in a dwelling place a record or other thing to which this Act or the regulations applies or a record or other thing relating to the administration of this Act or the regulations, (b) entry to the dwelling place is necessary for a purpose relating to the administration of this Act or the regulations, and (c) entry to the dwelling place has been refused or that there are reasonable grounds for believing that entry will be refused, <p>the justice may issue a warrant authorizing an officer and any other named person to enter and inspect that dwelling place and exercise any power referred to in subsections 115(2) and (3), subject to any conditions that may be specified in the warrant.</p> <p>(2) An endorsement that is made on a warrant as provided for in subsection (1) is sufficient authority to the officer to whom it was originally directed, to any other officer, and to any other named person, to execute the warrant.</p>	<p>A justice can issue an officer a warrant to enter and inspect a place where someone lives if the justice is satisfied there is something related to this Act there the officer must examine and the owner has refused to allow officers to enter.</p> <p>Any officer, or any other person named on the warrant, can do the search.</p>
<p>117. The owner or person in charge of a place that is entered by an officer under section 115 or 116 and every person found in the place, shall</p> <ul style="list-style-type: none"> (a) produce for inspection any record or other thing requested by the officer for the purposes of this Act or the regulations; (b) give the officer all reasonable assistance to enable the officer to exercise powers and perform duties under this Act or the regulations; and (c) provide the officer with any information relevant to the administration of this Act or the regulations that he or she may reasonably require. 	<p>While an officer is carrying out an inspection you must show anything the officer asks for and give any information or help the officer needs.</p>

<p>118. (1) If, on an <i>ex parte</i> application, a justice is satisfied by information on oath or affirmation that there are reasonable grounds to believe that there is in a place a record or other thing</p> <p>(a) by means of or in respect of which an offence under this Act or the regulations has been or is suspected to have been committed,</p> <p>(b) that there are reasonable grounds to believe will afford evidence with respect to the commission of an offence under this Act or the regulations, or</p> <p>(c) that will reveal the whereabouts of a person who is believed to have committed an offence under this Act or the regulations,</p> <p>the justice may issue a warrant, subject to any terms or conditions he or she considers necessary, authorizing an officer and any other named person to enter a place and search the place for any such thing and to seize it.</p> <p>(2) An endorsement that is made on a warrant as provided for in subsection (1) is sufficient authority to the officer to whom it was originally directed, to any other officer, and to any other named person, to execute the warrant and to deal with things seized in accordance with this Part or as otherwise provided by law.</p> <p>(3) In carrying out a search, an officer and any other named person who is authorized under this section to search a computer system or other electronic device for data may exercise any power referred to in subsection 115(3), and may seize any printout or other output or any copy made in the exercise of that power.</p>	<p>If a justice thinks there may something in a place that has been used to commit an offence or might provide evidence about an offence, the justice can issue a warrant for an officer to enter and search a place, including a place where someone is living, and seize those items.</p> <p>Any officer, or any other person named on the warrant, can carry out the search and seize items.</p> <p>While doing a search, an officer can search any computer system or other electronic device and print out or make a copy of any data that is relevant to the search.</p>
<p>119. (1) A warrant issued under section 116 or 118 must specify a date on which it expires, which must not be later than 15 days after its issue.</p> <p>(2) A warrant issued under section 116 or 118 may be executed only between 6 a.m. and 9 p.m., unless</p> <p>(a) the justice is satisfied that there are reasonable grounds for it to be executed at a different time;</p> <p>(b) the reasonable grounds are included in the information referred to in subsection 116(1) or 118(1), as the case may be; and</p> <p>(c) the justice authorizes in the warrant that it</p>	<p>A warrant must include an expiry date, which cannot be more than 15 days after it is issued.</p> <p>Officers can only carry out a search under a warrant between 6 a.m. and 9 p.m. unless there are good reasons for the search to be completed during different hours and the justice allows it in the warrant.</p>

<p>be executed at a different time.</p>	
<p>120. Notwithstanding section 118, an officer may, without a warrant, exercise any of the powers described in that section, if</p> <ul style="list-style-type: none"> (a) the officer believes on reasonable grounds that there is in the place a record or other thing referred to in paragraph 118(1)(a), (b) or (c); and (b) it is not practicable to obtain a warrant because of exigent circumstances, including circumstances in which the delay necessary to obtain the warrant could result in the loss or destruction of evidence. 	<p>In urgent circumstances and an officer believes it isn't possible to get a warrant before evidence may be lost or destroyed, an officer can carry out a search and seize evidence without a warrant.</p>
<p>121. (1) If, on an <i>ex parte</i> application, a justice is satisfied by information on oath or affirmation that there are reasonable grounds to believe that an offence under this Act or the regulations has been or will be committed, and that information concerning the offence will be obtained through the use of a technique, procedure, device or by the doing of the thing described in the information, the justice may issue a warrant authorizing an officer and any other named person to use any investigative technique or procedure, to use any device, or to do anything described in the warrant that would, if not authorized, constitute an unreasonable search or seizure in respect of a person or a person's property.</p> <p>(2) Section 487.01 of the <i>Criminal Code</i>, except to the extent that it restricts the kind of offences to which the section relates, applies in respect of a warrant issued under subsection (1), with such modifications as the circumstances require.</p> <p>(3) An endorsement that is made on a warrant as provided for in subsection (1) is sufficient authority to the officer to whom it was originally directed, to any other officer, and to any other named person, to execute the warrant and to deal with any record or other things seized in accordance with this Part or as otherwise provided by law.</p>	<p>If a justice believes an offence has been committed or will be committed, the justice can issue a warrant to an officer to use a technique, procedure, or device in the investigation that would otherwise be considered unreasonable search and seizure.</p> <p>The rules about investigations in the <i>Criminal Code</i> apply.</p> <p>Any officer, or other person named on the warrant, can carry out the investigation and deal with any records or items seized.</p>
<p>122. (1) If an officer believes that an offence under this Act or the regulations has been committed and that it would be impracticable to appear personally to make an application for a warrant under section 116 or 118, the</p>	<p>If an officer cannot appear before a justice, a warrant can be issued by telephone or other means.</p>

<p>officer may submit an information on oath or affirmation to a justice by telephone or another means of telecommunication.</p> <p>(2) A justice referred to in subsection (1) may issue a warrant conferring the same authority respecting search and seizure as may be conferred by a warrant issued by a justice before whom an officer appears personally under section 116 or 118, and section 487.1 of the <i>Criminal Code</i> applies with such modifications as the circumstances require.</p> <p>(3) An endorsement that is made on a warrant as provided for in subsection (1) is sufficient authority to the officer to whom it was originally directed, to any other officer, and to any other named person, to execute the warrant and to deal with things seized in accordance with this Part or as otherwise provided by law.</p>	<p>This kind of warrant is the same as a warrant issued in person.</p> <p>Any officer, or other person named on the warrant, can carry out the search and deal with any items seized.</p>
<p>123. (1) An officer may use as much force as is necessary to execute a warrant issued under section 118, 121, or 122, or to exercise a power provided by section 120 or 124.</p> <p>(2) In executing a warrant issued under section 116, an officer may not use force unless the use of force has been specifically authorized in the warrant.</p>	<p>An officer may use as much force as necessary to carry out a search and seizure under a warrant unless it is in a place where someone lives. When searching someone's home an officer can only use force if the warrant specifically allows it.</p>
<p>124. (1) An officer who is searching a place without a warrant under section 120 may seize any record or other thing that he or she believes on reasonable grounds</p> <p>(a) has been obtained by the commission of an offence under this Act or the regulations;</p> <p>(b) has been used in the commission of an offence under this Act or the regulations;</p> <p>(c) will afford evidence in respect of an offence under this Act or the regulations; or</p> <p>(d) is intermixed with a thing referred to in paragraph (a), (b) or (c).</p> <p>(2) If the officer is searching a place under the authority of a warrant, subsection (1) applies to any record or other thing referred to in that subsection, whether or not such a thing is specified in the warrant.</p>	<p>While searching a place without a warrant, an officer can seize anything the officer thinks might have been involved in an offence or that might provide evidence about an offence.</p>

<p>(3) An officer authorized to seize wildlife under subsection (1) or (2) may take a sample of the wildlife instead of seizing it, or may seize a part of the wildlife.</p>	<p>An officer can take a sample or a part of wildlife instead of seizing all of it.</p>
<p>125. An officer may at any time take, for examination or testing, a sample of wildlife seized under this Part.</p>	<p>An officer can take a sample from any wildlife that has been seized and have it examined or tested.</p>
<p>126. A sample taken under section 115, 124, or 125 is forfeited to the Government of the Northwest Territories.</p>	<p>Any wildlife samples taken become the property of the government.</p>
<p>127. (1) An officer who has reasonable grounds to believe that wildlife is diseased may seize the wildlife for examination or testing.</p> <p>(2) Notwithstanding any other provision of this Act, the Minister may direct the quarantine or disposal of wildlife that is found to be diseased on examination or testing by a laboratory or veterinarian recognized by the Minister.</p>	<p>If an officer believes wildlife is diseased, the officer can seize it for examination and testing.</p> <p>If a veterinarian or laboratory test finds the wildlife is diseased, the Minister can order the wildlife quarantined or disposed of.</p>
<p>128. On seizing a record or other thing in the execution of a warrant issued under this Part, and on seizing a record or other thing without a warrant, an officer shall, as soon as is practicable, bring the thing seized before a justice or report to a justice that he or she has seized the thing and is detaining it or is causing it to be detained, to be dealt with by the justice in accordance with this Part.</p>	<p>An officer must bring anything seized to a justice as soon as he or she can.</p>
<p>129. A justice before whom a thing seized is brought, or to whom a report is made, shall order that the thing be dealt with in accordance with this Part.</p>	<p>A justice shall decide what to do with anything that has been seized.</p>
<p>130. (1) A justice shall order the return of a thing that has been seized, and that has not been forfeited, abandoned or sold under this Part, to the owner or the person lawfully entitled to possession of the thing, if the owner or person is known, unless the prosecutor, or the officer or other person having custody of the thing, satisfies the justice that its detention is required for the purposes of any investigation, trial or other proceeding.</p>	<p>If something that has been seized is not needed for an investigation or trial, the justice will return it to the owner.</p>

<p>(2) If the prosecutor, or the officer or other person having custody of the thing seized, satisfies the justice that the thing should be detained for a reason set out in subsection (1), the justice shall order that it be detained until the conclusion of any investigation or until it is required to be produced for the purposes of a trial or other proceeding.</p> <p>(3) Nothing shall be detained under the authority of subsection (2) for a period of more than three months after the day of the seizure, or any longer period that ends when an application made under subsection (1) is decided, unless</p> <p>(a) a justice, on the making of a summary application to him or her after three clear days notice of the application to the person from whom the thing detained was seized, is satisfied that, having regard to the nature of the investigation, its further detention for a specified period is warranted and the justice so orders; or</p> <p>(b) proceedings are instituted in which the thing detained may be required.</p>	<p>If something that has been seized is needed for an investigation or trial, the justice can order that it be kept.</p> <p>Things that are seized can normally only be kept for three months. A justice can order that something be kept longer if it is needed for an investigation or trial.</p> <p>A person who had an item seized must be given three days notice before the justice can order that it be kept for more than three months.</p> <p>Items can also be kept for longer than three months if they are needed for a trial that has begun.</p>
<p>131. More than one order for further detention may be made under paragraph 130(3)(a), but the cumulative period of detention must not exceed one year after the day of the seizure, or any longer period that ends when an application made under paragraph 130(3)(a) is decided, unless</p> <p>(a) a judge of the Supreme Court, on the making of a summary application to him or her after three clear days notice of the application to the person from whom the thing detained was seized, is satisfied, having regard to the complex nature of the investigation, that the further detention of the thing seized is warranted for a specified period and subject to such other conditions as the judge considers appropriate, and the judge so orders; or</p> <p>(b) proceedings are instituted in which the thing detained may be required.</p>	<p>Normally, seized items cannot be kept for a total of more than one year.</p> <p>If an investigation or case is very complicated, a Supreme Court judge can order that something be kept for longer.</p> <p>A person who had an item seized must be given three days notice before a judge can order that it be kept for more than a year.</p> <p>Items can also be kept for longer than a year if they are needed for a trial that has begun.</p>

<p>132. (1) Notwithstanding section 130, a justice may order that</p> <ul style="list-style-type: none"> (a) dead wildlife or a dead animal, or a part or derivative of dead wildlife or a dead animal, that has been seized is forfeited to the Government of the Northwest Territories if the justice is satisfied that it is not practicable to maintain the wildlife, animal, part or derivative in custody or if it is likely to deteriorate; (b) live wildlife or a live animal that has been seized is forfeited to the Government of the Northwest Territories if the justice is satisfied that maintaining the wildlife or animal in custody is not practicable or may cause the wildlife or animal to weaken or die; (c) wildlife or an animal or other thing seized be returned to the owner or the person lawfully entitled to possession of it on the terms and conditions that the justice may order if he or she is satisfied that the seizure of the thing is causing injustice or undue hardship; or (d) wildlife or an animal or other thing seized be disposed of or sold in the manner that the justice may direct if he or she is satisfied that it is not practicable to maintain the thing in custody or if it is likely to deteriorate or die. <p>(2) An order made under paragraph (1)(d) respecting the disposition of an edible part of wildlife may include direction that the justice considers appropriate respecting distribution to members of the public.</p> <p>(3) If a thing is sold the proceeds of the sale must be paid in the manner directed in the order.</p>	<p>If something that has been seized is not returned because it is needed for an investigation or trial, a justice has several choices about what to do with it.</p> <p>For meat, pelts, and other parts of dead animals, if the justice doesn't think it's practical to keep them in storage or if it is likely they will deteriorate before they can be returned, the justice can order the parts become the property of the government.</p> <p>For a live animal that has been seized, if a justice doesn't think it's practical to keep it in custody or if keeping it in custody may cause it to weaken or die, the justice can order the animal become the property of the government.</p> <p>If a justice thinks that keeping a seized item would cause injustice or hardship to the owner, the justice can return it.</p> <p>If a justice thinks it is impractical to keep a seized item or the item may deteriorate or die, the justice can order that it be sold or disposed of and can order how any proceeds should be distributed.</p> <p>If the seized item is edible meat, the justice may order that it be distributed to members of the public.</p>
<p>133. (1) A person claiming to be the owner or other person lawfully entitled to the possession of a thing that has been seized under this Part may apply to a justice for an order returning or releasing the thing to the person.</p> <p>(2) On an application under subsection (1), a justice may order a thing be returned or released to the person lawfully entitled to its possession if</p> <ul style="list-style-type: none"> (a) the continued detention of the thing is not reasonably required for the purposes of an investigation, trial or other proceeding; and (b) the thing has not been forfeited, 	<p>The owner of a seized item can apply to the court to get it back.</p> <p>The court can return it to the owner, with terms and conditions, if the court is sure the person is the legal owner and the seized item is not needed for an investigation or trial</p>

<p>abandoned, sold or disposed of under this Part.</p>	
<p>134. At the conclusion of an investigation, if a charge is not laid or if a charge is laid but on its final disposition the accused is acquitted or the charge is dismissed or withdrawn, a justice shall order the return of a thing that had been seized, and that has not been forfeited, abandoned, sold or disposed of under this Part, to the owner or the person lawfully entitled to possession of it, if that person is known.</p>	<p>When an investigation is finished, if no charges are laid or if charges are laid but the accused is acquitted or charges are dismissed or withdrawn, a justice will order that everything seized be returned to the owner unless it has already been disposed of.</p>
<p>135. A person who seizes or detains a thing shall take reasonable care to ensure its preservation, unless it is</p> <ul style="list-style-type: none"> (a) wildlife quarantined or disposed of by the Minister under subsection 127(2); or (b) forfeited or abandoned to the Government of the Northwest Territories. 	<p>The person who seized an item will take reasonable care of it unless it is wildlife that has been quarantined or disposed of by the Minister, or the item has become the property of the government.</p>
<p>136. No action or other proceeding for damages lies or may be instituted against the Government of the Northwest Territories, the Minister, the Superintendent or an officer for loss or damage arising from the seizure, disposal or return in accordance with this Part of a thing that has been seized, or from the deterioration of a thing while it is being detained under a seizure, other than loss or damages resulting from negligence or wilful neglect.</p>	<p>You cannot sue the government for the loss or damage of item that was seized unless the loss or damage was caused by negligence or it was neglected on purpose.</p>
<p>137. If wildlife seized under this Part is not returned to the owner or the person lawfully entitled to possession of it, the Minister may, if he or she considers it appropriate, direct that compensation be paid to the person.</p>	<p>If seized wildlife is not returned to the owner, the Minister may pay compensation to the owner if the Minister thinks it is appropriate.</p>
<p>138. (1) The owner or the person lawfully entitled to possession of a thing seized may abandon it to the Government of the Northwest Territories.</p> <p>(2) The Minister may give directions for the disposition of a thing abandoned to the Government of the Northwest Territories.</p> <p>(3) If proceeds are realized as a result of the disposition of a thing as directed under subsection (2), the Minister shall direct that the net proceeds realized from its disposition be payable to the owner or the person lawfully entitled to the possession of the thing, if</p>	<p>The owner of a seized item can abandon it to the government and the Minister can decide what to do with it.</p> <p>If the item is sold, the owner will receive any proceeds if a charge hasn't be laid within 90 days of the seizure or if a charge is laid but the person is acquitted or the charges have been dropped.</p>

<p>(a) a charge is not laid within 90 days after seizure of the thing;</p> <p>(b) a charge is withdrawn after it is laid; or</p> <p>(c) a charge is laid but on its final disposition, the accused is acquitted or the charge is dismissed or withdrawn.</p>	
<p>General</p> <p>139. (1) An officer may arrest without warrant a person whom the officer believes on reasonable grounds is committing or has committed an offence under this Act or the regulations.</p> <p>(2) An officer who arrests a person under this section shall, as soon as is practicable, release the person from custody, unless the officer believes on reasonable grounds that</p> <p>(a) it is necessary in the public interest for the person arrested to be detained, having regard to all the circumstances, including the need to</p> <p>(i) establish the identity of the person,</p> <p>(ii) secure or preserve evidence of or relating to the offence, or</p> <p>(iii) prevent the continuation or repetition of the offence or the commission of another offence; or</p> <p>(b) the person arrested, if released, will fail to attend court in order to be dealt with according to law.</p> <p>(3) A person arrested and not released under this section must be brought before a justice to be dealt with according to law as follows:</p> <p>(a) if a justice is available within a period of 24 hours after the person has been arrested by or delivered to the officer, the person shall be brought before the justice as soon as is practicable and in any event within that period;</p> <p>(b) if a justice is not available within a period of 24 hours after the person has been arrested by or delivered to the officer, the person shall be brought before a justice as soon as is practicable.</p> <p>(4) An officer may use as much force as is necessary to make an arrest under this section.</p>	<p>An officer can arrest any person, without a warrant, if the officer believes the person is committing an offence or has committed an offence under this Act.</p> <p>A person who has been arrested will be released as soon as practical unless there is a good reason to keep them in custody. A person can be kept in custody if there is a need to:</p> <ul style="list-style-type: none"> • find out who they are; • collect evidence from them; or, • prevent them from committing another offence. <p>The person can also be kept in custody if it is likely he or she will not return to court.</p> <p>If a person is not released, the person must be brought before a justice within 24 hours. If there is no justice available within 24 hours, the person must be brought before a justice as soon as possible.</p> <p>An officer can use as much force as necessary to arrest someone.</p>

<p>140. (1) Subject to subsection (3), an officer who is exercising powers or performing duties under this Act or the regulations, and a person assisting the officer, may enter on any land without being liable for trespass, and a person or body having title to the land, or any other interest or right in respect of the land, has no right to object to that use of the land.</p> <p>(2) An officer or a person referred to in subsection (1) is liable only for actual damage wilfully or negligently caused by him or her.</p> <p>(3) Entry on the land under subsection (1) is subject to any conditions for access to lands set out in or determined under a land claims agreement.</p>	<p>An officer, and anyone helping an officer can, enter any lands without being charged with trespassing and can only be held responsible for damages caused intentionally or through neglect.</p> <p>They must still follow any conditions for access to private lands in the land claim agreements.</p>
<p>141. An officer or any other person having powers or duties under this Act or the regulations is not liable for anything done or not done by him or her in good faith in the exercise of the powers or performance of the duties.</p>	<p>An officer, or another person with authority under this Act or regulations, is not liable for anything they do or don't do while carrying out their duties in good faith.</p>
<p>Prohibitions and Requirements</p> <p>142. No person shall</p> <p>(a) knowingly make a false or misleading statement, either orally or in writing, or fail to disclose a material fact, to an officer who is exercising powers or performing duties under this Act; or</p> <p>(b) otherwise obstruct or hinder an officer who is exercising powers or performing duties under this Act.</p>	<p>It is an offence to lie to an officer, fail to provide important information to an officer or in any other way interfere with an officer carrying out duties under the Act.</p>
<p>143. (1) A person who holds a licence, permit or other authorization that relates to an activity that would otherwise be prohibited under this Act or the regulations, and that is issued under this Act or the regulations, or under any other Act of the Northwest Territories or an Act of Canada shall, at the request of an officer, produce the licence, permit or authorization to the officer for examination.</p> <p>(2) If a person fails to produce for examination a licence, permit or other authorization when requested by an officer and the officer has reasonable grounds to believe that the person is acting without authority, the person shall cease the activity immediately upon request of the officer.</p>	<p>If you have a licence or permit that relates to this Act, you must show it to an officer if asked. This includes licences and permits issued under other Acts.</p> <p>If you are doing something that needs a licence or permit and you don't show your licence or permit to an officer, the officer can tell you to immediately stop doing what you are doing and you have to stop.</p>
<p>144. A person who is in possession of wildlife shall, at the request of an officer, state the location</p>	<p>If you have any wildlife, you must tell an officer where and when you got it, if asked.</p>

<p>where and the date on which the wildlife was harvested by the person or came into his or her possession.</p>	
<p>145. (1) No person shall make a false or misleading statement or provide false or misleading information in an application for a licence, permit or other authorization.</p> <p>(2) No person shall make a false or misleading statement or entry or provide false or misleading information, in a report or other record required by this Act or the regulations.</p>	<p>It is an offence to lie on an application for a licence or permit, or in any other report or document, needed under this Act.</p>
<p>146. No person shall obliterate, spoil, alter or duplicate a stamp, tag, brand or other identifying mark that has been placed on wildlife by an officer or by a person authorized by an officer.</p>	<p>You can't change, remove or copy any identifying mark that an officer has put on wildlife.</p>
<p>147. (1) No person shall remove, alter, deface or destroy a sign or notice posted by an officer or by a person authorized by an officer.</p> <p>(2) No person shall, without lawful authority, post a sign or notice purporting to prohibit or regulate activities in relation to wildlife or habitat.</p>	<p>You can't remove, change or destroy any sign or notice put up by an officer.</p> <p>You can't put up a sign to stop or regulate any activities that would affect wildlife or habitat unless you have a permit or other legal right.</p>
<p>Offences and Punishment</p> <p>148. (1) Subject to subsections (2), (3) and (4), every person who contravenes or fails to comply with this Act or the regulations is guilty of an offence punishable on summary conviction, and except as otherwise provided, is liable</p> <p>(a) in the case of a corporation, to a fine not exceeding \$100,000; or</p> <p>(b) in the case of any other person, to a fine not exceeding \$50,000, to imprisonment for a term not exceeding one year, or to both.</p>	<p>A company convicted of an offence under this Act can be fined up to a maximum of \$100,000 for each offence.</p> <p>An individual convicted of an offence under this Act can be fined up to a maximum of \$50,000, be sent to jail for up to one year, or both.</p>

<p>(2) A person is guilty of an offence punishable on summary conviction and is liable to a fine not exceeding \$250,000, to imprisonment for a term not exceeding one year, or to both if</p> <ul style="list-style-type: none"> (a) he or she contravenes section 75, 76 or 83; (b) he or she contravenes or fails to comply with a regulation respecting a commercial activity and the regulation specifies that this subsection applies; or (c) it is established that he or she, for a commercial purpose, contravened or failed to comply with another provision of this Act or the regulations. <p>(3) Every person who contravenes or fails to comply with this Act or the regulations under circumstances that involve or affect a listed species or a pre-listed species as defined in subsection 1(1) of the <i>Species at Risk (NWT) Act</i>, is guilty of an offence punishable on summary conviction, and is liable</p> <ul style="list-style-type: none"> (a) in the case of a corporation, to a fine not exceeding \$1,000,000; or (b) in the case of any other person, to a fine not exceeding \$250,000, to imprisonment for a term not exceeding one year, or to both. <p>(4) A person is guilty of an offence punishable on summary conviction and is liable to a fine not exceeding \$1,000,000, to imprisonment for a term not exceeding one year, or to both if, under circumstances that involve or affect a listed species or a pre-listed species as defined in subsection 1(1) of the <i>Species at Risk (NWT) Act</i>,</p> <ul style="list-style-type: none"> (a) he or she contravenes section 75, 76 or 83; (b) he or she contravenes or fails to comply with a regulation respecting a commercial activity and the regulation specifies that this subsection or subsection (2) applies; or (c) it is established that he or she, for a commercial purpose, contravened or failed to comply with another provision of this Act or the regulations. 	<p>If you are guilty of committing an offence under this Act for commercial purposes (for example illegal trafficking in wildlife), you can be fined up to \$250,000, be sent to jail for up to one year, or both.</p> <p>If you are guilty of committing an offence involving a species that is listed as a species at risk under the <i>Species at Risk (NWT) Act</i>, you can be fined up to \$250,000, be sent to jail for up to one year, or both.</p> <p>A company can be fined \$1,000,000 for an offence that involves a species at risk.</p> <p>If you are guilty of an offence involving a species that is listed as a species at risk under the <i>Species at Risk (NWT) Act</i> for a commercial purpose, you can be fined up to \$1,000,000, be sent to jail for up to one year, or both.</p>
<p>149. (1) If a person is convicted of an offence a subsequent time, the maximum amount of the fine for that subsequent offence may be double the amount set out in section 148 (1) to (4).</p>	<p>If you commit the same offence again, your fine can be doubled.</p>

<p>(2) If an offence under this Act or the regulations is committed on more than one day or is continued for more than one day, the offence is considered to be a separate offence for each day on which the offence is committed or continued.</p> <p>(3) A fine imposed on conviction for an offence involving more than one individual, part or derivative of wildlife may be calculated as though each individual, part or derivative had been the subject of a separate complaint or information.</p> <p>(4) If a court that convicts a person of an offence is satisfied that monetary benefits accrued to the person as a result of the commission of the offence, the court may order the person to pay an additional fine in an amount equal to the court's estimation of the amount of the monetary benefits, and the additional fine may exceed the maximum amount of any fine that may otherwise be imposed under this Act.</p>	<p>If you continue to commit an offence on more than one day, each day can be counted as a separate offence.</p> <p>If you commit an offence that involves more than one animal or more than one wildlife part, you can be charged for each one separately.</p> <p>If you made money by committing an offence, the Court can make you pay back that money, in addition to any other fines you must pay.</p>
<p>150. (1) Every person who attempts to do anything that would be an offence under this Act or the regulations is guilty of that offence.</p> <p>(2) Every person who knowingly induces, aids or abets or attempts to induce, aid or abet another person to commit an offence under this Act or the regulations is guilty of an offence.</p>	<p>If you try to do something that is an offence, you can be charged with committing the offence even if you were not successful.</p> <p>If you help someone commit an offence, you are also guilty of that offence.</p>
<p>151. If a corporation commits an offence, any officer, director, agent or employee of the corporation who directed, authorized, assented to, acquiesced in, or participated in the commission of the offence is a party to and guilty of the offence, and is liable on conviction to the punishment provided for the offence, whether or not the corporation has been prosecuted for the offence.</p>	<p>If you work for a corporation that commits an offence, you can be charged with the offence if you were involved or knew about it, even if the corporation isn't charged.</p>
<p>152. In a prosecution for an offence, the accused may be convicted of the offence if it is established that it was committed by a person</p> <p>(a) as an employee or agent of the accused in the course of the employment or agency, or</p> <p>(b) in the course of operations under a licence, permit or other authorization issued to the accused, whether or not the person has been prosecuted</p>	<p>You can be charged with an offence if it is committed by someone who works for you, even if your employee is not charged, unless you can show that you did not know about it.</p>

<p>for the offence, unless the accused establishes that the offence was committed without the knowledge or consent of the accused.</p>	
<p>153. A person employed or retained as a guide may be convicted of an offence, whether or not his or her client has been prosecuted for the offence, if it is established that</p> <ul style="list-style-type: none"> (a) the offence was committed by a client of the guide while the guide was providing guiding services to the client; and (b) the guide assented to or acquiesced in the commission of the offence. 	<p>If you are working as guide and you allow your client to commit an offence while you are with them, you can be charged with the offence even if your client is not charged.</p>
<p>154. A person shall not be convicted of an offence under this Act or the regulations if the person establishes that he or she exercised all due diligence to prevent the commission of the offence.</p>	<p>You will not be convicted of an offence under this Act if you can show you did everything you could to prevent the offence from being committed.</p>
<p>155. (1) A court that convicts a person of an offence may, in addition to any other penalty imposed, order that a thing seized in connection with the offence and not otherwise forfeited, returned or disposed of under this Act, or any proceeds of its disposition, be forfeited to the Government of the Northwest Territories.</p> <p>(2) A convicting court that does not order forfeiture under subsection (1) may order that a thing referred to in that subsection, or any proceeds of its disposition, be returned to its owner or the person lawfully entitled to its possession.</p>	<p>If you are convicted of an offence, in addition to any other penalty, the Court can order that anything seized from you becomes the property of the government.</p> <p>If a Court doesn't do that, the Court can order seized items be returned. If seized items have been sold, the Court can return the proceeds of the sale to the owner of the seized items.</p>
<p>156. If a fine is imposed on a person convicted of an offence, a thing seized, or any proceeds of its disposition, may be retained until the fine is paid, or the thing may, not less than one year after the day the fine is imposed, be sold in satisfaction of the fine with the proceeds applied, in whole or in part, in payment of the fine.</p>	<p>If you are convicted of an offence and are given a fine, anything that was seized can be kept until you pay the fine. If you haven't paid the fine after one year, the seized item can be sold and the money from the sale used to pay all or part of your fine.</p>
<p>157. A court that convicts a person of an offence may, in addition to any other penalty imposed and having regard to the nature of the offence and the circumstances surrounding its commission, make one or more of the following orders:</p> <ul style="list-style-type: none"> (a) prohibiting the person from doing any act or engaging in any activity that the court considers could result in the continuation or repetition of the offence; 	<p>If you are convicted of an offence under the Act, in addition to any other penalty, a Court can:</p> <ul style="list-style-type: none"> • prohibit you from doing anything that might result in you committing the offence again; • order you to repair any harm done to wildlife or habitat caused by your offence; • order you to successfully complete a

<p>(b) directing the person to take any action that the court considers appropriate to remedy or avoid any harm to any wildlife or habitat to which this Act applies that has resulted or may result from the commission of the offence;</p> <p>(c) directing that the person must successfully complete an approved harvester training course before carrying out any future harvesting of wildlife in the Northwest Territories;</p> <p>(d) directing the person to publish, in any manner that the court considers appropriate, the facts relating to the commission of the offence;</p> <p>(e) directing the person to pay to the Government of the Northwest Territories an amount for all or any of the cost of remedial or preventative action taken, or to be taken, by or on behalf of the Government of the Northwest Territories as a result of the commission of the offence;</p> <p>(f) directing the person to perform community service in accordance with any conditions that the court considers appropriate;</p> <p>(g) directing the person to submit to the Minister, on application to the court by the Minister within three years after the conviction, any information that the court considers appropriate about the activities of the person in relation to matters within the scope of this Act;</p> <p>(h) directing the person to post a bond or pay an amount into court that the court considers appropriate for the purpose of ensuring compliance with any prohibition, direction or requirement under this section;</p> <p>(i) directing the person to pay for deposit in the Natural Resources Conservation Trust Fund, established under the <i>Natural Resources Conservation Trust Act</i>, a specified amount which, when added to the amount of a fine ordered, must not exceed the maximum fine that may be imposed for the particular offence;</p> <p>(j) requiring the person to comply with any other conditions that the court considers appropriate for securing the person's good conduct or for preventing the person from repeating the offence or committing other offences.</p>	<p>harvester training course before you can harvest wildlife again;</p> <ul style="list-style-type: none"> • order you to publish the facts about your offence; • order you to pay the government's costs to repair or prevent any damage resulting from your offence; • direct you to perform community service; • direct you to provide the Minister with information about any of your activities that are related to the Act. The Minister can ask the Court to order this any time within three years after you are convicted; • direct you to provide a security deposit to make sure you do whatever the court has ordered; • direct you to pay a specified amount into the Natural Resources Conservation Trust Fund; • require you to follow any other conditions the court thinks are necessary to make sure you behave properly and don't commit another offence.
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<p>157. (1) The prosecutor, or a person to whom an order made under section 157 is directed, may apply to the court for variation of it.</p> <p>(2) Before hearing an application under subsection (1), the court may order the applicant to give notice of the application in accordance with directions of the court.</p> <p>(3) The court may, on an application under subsection (1) and if it considers variation appropriate because of a material change in circumstances, make an order</p> <ul style="list-style-type: none"> (a) changing the original order or any conditions in it; (b) relieving the person to whom the order is directed, either absolutely or partially or for any period of time the court considers appropriate, from any aspect of the original order; (c) reducing the period during which the original order is to remain in effect; or (d) extending the period during which the original order is to remain in effect, subject to the limit that the extension must not exceed one year. <p>(4) If an application has been heard by the court under subsection (1), no other application may be made in respect of the same order except with leave of the court.</p>	<p>After a Court makes an order, you may ask to have it changed. The prosecution can also ask to have an order changed.</p> <p>If you ask for a change in a court order and the Court feels the circumstances have changed and a change is appropriate, the Court can issue a new order.</p> <p>The new order can change the conditions of the original order, reduce or extend the amount of time that the order applies, or remove some or all of the requirements of the original order.</p> <p>You can only apply once to have a court order changed unless the Court gives permission for additional applications.</p>
<p>159. (1) If a person is convicted of an offence under this Act or the regulations and the court suspends the imposition of sentence, the court may make an order under section 157.</p> <p>(2) If a person whose sentence has been suspended fails to comply with an order made under section 157, or is convicted of another offence under this Act or the regulations within the period during which the order is to remain in effect, a court may, on the application of the prosecutor, impose any sentence that could have been imposed had the sentence not been suspended.</p>	<p>If you are convicted of an offence and you receive a suspended sentence, the Court can still order you to do any of the things listed above in s.158.</p> <p>If you don't follow the orders or if you are convicted of another offence under this Act while those orders are in effect, the Court can still sentence you for your offence.</p>

<p>160. (1) A court that convicts a person of an offence described in subsection (2) may order that</p> <ul style="list-style-type: none"> (a) a licence issued under this Act authorizing the person to harvest wildlife is cancelled, or is suspended for a specified period that the court considers appropriate, which must not exceed five years; and (b) during a specified period that the court considers appropriate, which must not exceed five years, the person shall not apply for, obtain, hold, possess or renew a licence to hunt wildlife under this Act. <p>(2) Subsection (1) applies in respect of</p> <ul style="list-style-type: none"> (a) an offence under <ul style="list-style-type: none"> (i) sections 38, 41, 42, 44, and 45, (ii) paragraph 52(b), and (iii) sections 54, 60, 61, 62, 64, 69, 70, 145 and 146; (b) an offence that involves or affects a listed species or a pre-listed species as defined in subsection 1(1) of the <i>Species at Risk (NWT) Act</i>; and (c) an offence prescribed by the regulations as an offence to which subsection (1) applies. 	<p>If you are convicted of certain offences listed in the regulations, the Court can cancel or suspend your hunting licence for up to five years and prevent you from getting a new hunting licence for up to five years.</p> <p>This part lists the offences that can result in your licence being suspended.</p>
<p>162. (1) A court that convicts a person of an offence may, in addition to any penalty imposed under section 160, order that during a period specified in the order the person shall not apply for, obtain, hold, possess or renew a licence, permit or other authorization of a kind that is related to the offence, as specified by the court.</p> <p>(2) A court that makes an order under subsection (1) in respect of a kind of licence, permit or other authorization that the person holds at the time the order is made shall order that the licence, permit or authorization be cancelled.</p>	<p>If you are convicted of an offence, in addition to any other penalty, the Court can cancel any licence or permit you have that is related to the offence and prevent you from getting a new one.</p>
<p>162. A person whose licence, permit or other authorization is suspended or cancelled under paragraph 160(1)(a) or subsection 161(2) shall surrender the licence, permit or other authorization to the court without delay.</p>	<p>If a court cancels or suspends your licence, permit or authorization, you must turn it in right away.</p>
<p>163. A court that convicts a person of an offence may, in addition to any other penalty imposed, order the person to pay all or part of any costs that</p> <ul style="list-style-type: none"> (a) are incurred by the Government of the Northwest Territories in respect of inspection, seizure, storage or disposition 	<p>If you are convicted of an offence, the Court can order you to pay any government costs for inspection, seizure, storage, forfeiture, or disposal of seized items that exceed the proceeds the government received from the sale of any seized items.</p>

<p>of a thing seized in connection with the offence, including a thing forfeited or abandoned under this Act; and</p> <p>(b) exceed any proceeds of disposition of the things that are forfeited or abandoned to the Government of the Northwest Territories under this Act.</p>	
<p>164. A prosecution for an offence under this Act or the regulations may not be commenced more than two years after the day the offence first came to the attention of an officer.</p>	<p>Charges cannot be laid more than two years after an officer first becomes aware of an offence.</p>
<p>165. (1) In a prosecution or in any other proceeding under this Act or the regulations in which proof is required as to</p> <p>(a) the issuance, non-issuance, renewal, suspension, revocation or cancellation of a licence, permit or other authorization,</p> <p>(b) whether or not a person is a holder of a licence, permit or other authorization,</p> <p>(c) the designation, appointment or authority of an officer, official or other person, or</p> <p>(d) the delivery or giving of any notice by the Minister,</p> <p>a statement signed by the Minister certifying as to those facts is admissible in evidence as proof, in the absence of evidence to the contrary, of the facts stated in the statement and is, without proof of the Minister's appointment or signature, proof of the authority of the Minister.</p> <p>(2) In a prosecution or in any other proceeding under this Act or the regulations, a statement signed by a person in charge, or by an assistant or person acting in the place of the person in charge, of any laboratory or meteorology station operated, supported or certified by</p> <p>(a) the Government of the Northwest Territories,</p> <p>(b) the Government of Canada or the government of a province or territory,</p> <p>(c) the Government of the United States of America or the government of a state, or</p> <p>(d) a university,</p> <p>is admissible in evidence as proof, in the absence of evidence to the contrary, of the facts stated in the statement and of the authority of the person who signed the statement.</p>	<p>A signed statement by the Minister can be used as proof in court regarding licences and permits, whether or not a person has been appointed as an officer, or any notice given by the Minister.</p> <p>A signed statement from a person in charge of a certified laboratory or meteorology station can be used as proof in court.</p>

<p>(3) In any proceedings under this Act or the regulations, a certificate signed by the Superintendent stating that wildlife</p> <p>(a) has been examined by a person qualified to judge and classify wildlife, and</p> <p>(b) is of a certain species or sex or is in a certain condition,</p> <p>is, in the absence of evidence to the contrary, proof of the facts stated in the certificate and of the authority of the Superintendent without further proof of the appointment or signature of the Superintendent.</p>	<p>A certificate signed by the Superintendent of Wildlife stating that wildlife has been examined and is of a certain sex, age or in a certain condition can be used as proof in court.</p>
<p>166. (1) In a prosecution under this Act or the regulations, the burden of proving that an exemption, exclusion, exception, excuse or qualification under this Act or the regulations operates in favour of the accused is on the accused, and the prosecutor is not required to prove the contrary except by way of rebuttal.</p> <p>(2) If holding a licence, permit or other authorization is a defence to a prosecution of an offence under this Act, the accused has the burden of proving that he or she held the licence, permit or authorization at the material time.</p>	<p>If you are charged under this Act, it is up to you to prove that any part of the Act or regulations does not apply to you.</p> <p>If you are charged with an offence where having a licence, permit or some other form of authorization would provide you with a defence, it is up to you to prove you had the required licence, permit or other authorization.</p>

Alternative Measures

- 167.** (1) Alternative measures may be used to deal with a person alleged to have committed an offence if the following conditions are met:
- (a) the measures are part of a program of alternative measures authorized by the Minister of Justice;
 - (b) the person who is considering whether to use the measures is satisfied that they would be appropriate, having regard to the needs of the person alleged to have committed the offence and the interests of society;
 - (c) the person, having been informed of the alternative measures, fully and freely consents to participate;
 - (d) the person has, before consenting to participate in the alternative measures, been advised of the right to be represented by counsel and has been given a reasonable opportunity to consult with counsel;
 - (e) there is, in the opinion of the Attorney General for the Northwest Territories or his or her agent, sufficient evidence to proceed with the prosecution of the offence;
 - (f) the prosecution of the offence is not in any way barred at law.
- (2) Alternative measures must not be used to deal with a person alleged to have committed an offence if the person
- (a) denies participation or involvement in the commission of the offence; or
 - (b) expresses the wish to have any charge against him or her dealt with by a court.
- (3) No admission, confession or statement accepting responsibility for a given act or omission made by a person alleged to have committed an offence as a condition of the person being dealt with by alternative measures is admissible in evidence against that person in any civil or criminal proceedings.

Instead of going through the normal court system, other measures can be taken to deal with someone who has committed an offence under this Act if the following conditions are met:

- the measures are part of an alternative measures program approved by the Minister of Justice;
- the use of alternative measures would be appropriate for the person accused of committing an offence and would serve the interests of society;
- the person accused freely agrees to participate in the alternative measures program;
- the person accused has been told they have the right to a lawyer and have been given a chance to talk to a lawyer;
- there is enough evidence to go to court;
- there is nothing in the law that would prevent the charges from going forward.

Alternative measures cannot be used if the person accused:

- says they were not involved in committing the offence; or,
- wants to be dealt with by a court

Nothing an accused person says to get into an alternative measures program can be used against the person in court.

<p>(4) Alternative measures may include the making of an agreement containing any terms and conditions, including terms and conditions</p> <ul style="list-style-type: none"> (a) in relation to matters referred to in section 157; (b) recommended by a local harvesting committee, renewable resources board or Aboriginal organization; and (c) relating to costs associated with ensuring compliance with the agreement. <p>(5) The use of alternative measures in respect of a person alleged to have committed an offence is not a bar to proceedings against the person under this Act, and does not prevent a person from laying an information, obtaining the issue or confirmation of a process, or proceeding with the prosecution of an offence in accordance with the law.</p> <p>(6) Notwithstanding subsection (5), if a charge is laid against a person in respect of an offence that is dealt with through alternative measures, the court shall dismiss the charge</p> <ul style="list-style-type: none"> (a) if satisfied, on a balance of probabilities, that the person has totally complied with the terms and conditions of the alternative measures; or (b) if satisfied, on a balance of probabilities, that the person has partially complied with the terms and conditions of the alternative measures, and if satisfied that prosecution of the charge would be unfair having regard to the circumstances and the person's performance with respect to the alternative measures. 	<p>Alternative measures can include making an agreement with the accused person. The agreement can include:</p> <ul style="list-style-type: none"> • requiring the person to do any of the things that could be ordered by a Court under section 158; • terms and conditions recommended by a local harvesting committee, renewable resources board or Aboriginal organization; and, • terms and conditions relating to the costs of making sure the person follows the agreement. <p>The use of alternative measures does not prevent the possibility of charges being laid against the person.</p> <p>However, if a person is being dealt with through alternative measures the Court will dismiss the charge if:</p> <ul style="list-style-type: none"> • the person has done everything they were ordered to do under the alternative measures agreement; or, • the person has done some of the things required under the alternative measures agreement and the court believes that it would be unfair to also deal with the person in court.
<p>PART 8 GENERAL</p> <p>Appeal</p> <p>167.1 A person who, under this Act or the regulations, has been refused a licence, permit or other authorization, may appeal the refusal in accordance with the regulations.</p>	<p>If you have been refused a licence, permit or authorization, you can appeal the refusal. The appeal process will be put into the regulations.</p>

<p>Disclosure of Information</p> <p>168. (1) Notwithstanding a person's right of access to information under subsection 5(1) of the <i>Access to Information and Protection of Privacy Act</i>, the Minister may direct that information not be disclosed under that Act, or under any provision of this Act that permits or requires information in any form to be provided or made available, if</p> <p>(a) the Minister considers that disclosure of the information could result in a risk to, or could be detrimental to, the survival or recovery of a species of wildlife; or</p> <p>(b) the information is traditional knowledge and an Aboriginal organizations requests that it not be disclosed.</p> <p>(2) For greater certainty, the exception to disclosure in subsection (1) applies in addition to the exceptions to disclosure under Division B of Part 1 of the <i>Access to Information and Protection of Privacy Act</i>.</p>	<p>Under the <i>Access to Information and Protection of Privacy Act</i> anyone can ask for information in government records.</p> <p>In spite of that, the Minister does not have to provide information to anyone if releasing the information could threaten the survival or recovery of a species of wildlife or if the information is traditional knowledge and an Aboriginal organization has asked that it not be released to the public.</p> <p>There are other exceptions to releasing information under the <i>Access to Information and Protection of Privacy Act</i>. These also apply.</p>
<p>169. On written request from a renewable resources board for information under the control of the Department of Environment and Natural Resources, in relation to the conservation or management of wildlife or habitat in the area for which the board operates, the Minister shall ensure that the information is provided to the board as soon as is practicable.</p>	<p>If a renewable resources board asks for information about the conservation or management of wildlife or habitat in their area, the Minister will provide the information as soon as it can reasonably be provided.</p>
<p>170. (1) Where, under a land claims agreement, the Minister is required to respond to a decision or recommendation of a renewable resources board, the Minister shall</p> <p>(a) respond within the time set in or agreed to under the agreement; or</p> <p>(b) respond within 60 days after receiving the decision or recommendation, if no time for response is set in or agreed to under the agreement.</p> <p>(2) Notwithstanding paragraph (1)(b), the Minister may extend the time period referred to in that paragraph by 30 days on providing the renewable resources board with written notice that sets out the reason for the extension.</p>	<p>If the Minister needs to respond to a decision or recommendation from a renewable resources board, the Minister will respond within the time limit set in the appropriate land claim agreement. If the land claim agreement does not have a time limit, the Minister will respond within 60 days.</p> <p>If the Minister needs more time to respond, he or she can extend the deadline by 30 days by giving the renewable resources board written reasons for the extension.</p>

<p>(3) On acceptance of a decision or recommendation that requires implementation by the Government of the Northwest Territories, or on receipt from a renewable resources board of a determination that requires implementation by the Government of the Northwest Territories, the Minister shall</p> <p>(a) as soon as is practicable, advise the renewable resources board in writing of the actions the Minister intends to undertake to implement the decision, recommendation or determination; and</p> <p>(b) take all reasonable measures to ensure that the decision, recommendation or determination is implemented as soon as is practicable.</p> <p>(4) If a decision, recommendation or determination referred to in subsection (3) is not fully implemented within one year after acceptance of the decision or recommendation, or receipt of the determination, the Minister shall provide the renewable resources board with written reasons and a schedule for completion.</p>	<p>If a year has passed since a board has made a decision or recommendation and the actions required by the GNWT have not all been taken, the Minister will let the board know, in writing, why the actions are not complete and when they will be.</p>
<p>Review by Legislative Assembly</p> <p>171. This Act must be reviewed by the Legislative Assembly within five years after this section comes into force, and thereafter no later than seven years after the completion of the previous review.</p>	<p>The Legislative Assembly will review the <i>Wildlife Act</i> five years after this section comes into force, and again seven years later.</p>
<p>Review by Minister</p> <p>172. This Act must be reviewed by the Minister with the representatives of any Aboriginal organization that enters into a land claims agreement in relation to the Northwest Territories on or after the date of assent to this Act, to determine whether this Act should be amended to implement any provision of the agreement.</p>	<p>If a land claim agreement is finalized after this Act has passed, the Minister shall review this Act with representatives of the relevant Aboriginal organization to determine if changes are needed in this Act to implement any of the land claim agreement provisions.</p>
<p>Regulations</p> <p>173. (1) The Commissioner, on the recommendation of the Minister, may make regulations</p> <p>(a) prescribing species of wildlife as</p> <p>(i) big game for the purpose of the definition "big game",</p> <p>(ii) fur-bearers for the purpose of the definition "fur-bearers", and</p> <p>(iii) small game for the purpose of the definition "small game";</p> <p>(b) prescribing species and subspecies for</p>	<p>Regulations can be made as required to implement this Act for the areas listed.</p>

<p>the purposes of paragraph (a) of the definition "wildlife" and prescribing species and subspecies of vertebrates and invertebrates as wildlife for the purposes of paragraph (c) of that definition;</p> <ul style="list-style-type: none"> (c) prescribing agreements as land claims agreements for the purposes of the definition "land claims agreement"; (d) prescribing areas as settlement areas for the purposes of paragraph (e) of the definition "settlement area"; (e) defining "owner" in respect of lands, defining "public lands" and further defining "private lands"; (f) respecting temporary absences from the Northwest Territories in the context of residency under subsections 1(2) and (3), including the purposes for the absences, time limits for absences for particular kinds of purposes, and conditions that may apply, and respecting exceptions to subsection 1(3); (g) respecting proper identification for the purpose of evidencing an Aboriginal or treaty right to harvest wildlife in an area of the Northwest Territories, including the establishment of a form of identification; (h) requiring a licence or permit in specified circumstances as an exemption to section 17, and respecting the requirement for a licence or permit; (i) prescribing wildlife for the purposes of section 18; (j) prescribing eligibility requirements for general hunting licences; (k) prescribing Aboriginal organizations for the purposes of paragraph 22(b); (l) establishing licences and permits, in addition to licences established under subsection 24(1), to harvest game and other prescribed wildlife; (m) establishing and requiring licences and permits, and requiring other authorizations, for activities related to wildlife and habitat; (n) respecting applications for licences, permits and other authorizations, and the issuance and refusal of licences, permits and authorizations, including <ul style="list-style-type: none"> (i) the form and manner of applications, (ii) eligibility criteria, (iii) qualifications and disqualifications, (iv) information that must be included in applications, (v) the application process, 	
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<p>(vi) conditions that must be met for the approval of applications, and (vii) information that must be provided to an applicant on the refusal of an application;</p> <p>(o) respecting the amendment, expiry, renewal and replacement of licences, permits and other authorizations;</p> <p>(p) prescribing and respecting fees for licences, permits and other authorizations;</p> <p>(q) respecting the form of licences, permits and other authorizations;</p> <p>(r) respecting appeals from a refusal to issue a licence, permit or other authorization;</p> <p>(s) requiring and respecting the posting by an applicant of a form of security for particular types of licences, permits and other authorizations;</p> <p>(t) respecting terms and conditions that apply to licences, permits and other authorizations, respecting penalties for breach of terms and conditions, and establishing other requirements for holders of such authorizations;</p> <p>(u) respecting the transfer of licences, permits and other authorizations;</p> <p>(v) deeming the sale of a percentage of shares, or the transfer of voting control of a corporation that holds a commercial licence, permit or other authorization to effect a transfer or purported transfer of the authorization;</p> <p>(w) respecting the suspension and cancellation of licences, permits and other authorizations, including processes for suspension and cancellation, and respecting appeals from suspensions and cancellations;</p> <p>(x) establishing prohibitions in relation to licences, permits and other authorizations, and in relation to activities authorized by such authorizations;</p> <p>(y) respecting exemptions for the purposes of subsection 27(4);</p> <p>(z) respecting exemptions to subsection 31(3) and section 42;</p> <p>(z.1) respecting vendors of hunting licences and remuneration for vendors;</p> <p>(z.2) prescribing wildlife for the purposes of paragraph 38(b);</p> <p>(z.3) respecting young harvesters referred to in section 39;</p> <p>(z.4) respecting harvester training courses, including their development and approval, course content and materials, instructors</p>	
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<p>and certification of instructors and prescribing wildlife for the purposes of subsection 46(1);</p> <p>(z.5) requiring, for purposes of conservation, public safety or the humane harvest of wildlife, a person to successfully complete a harvester training course</p> <ul style="list-style-type: none"> (i) as an eligibility requirement for a licence, permit, or other authorization, (ii) as a condition of the harvest of wildlife by a specified method, (iii) as a condition of the harvest of specified wildlife, (iv) on conviction for a particular offence, as a condition of the harvest of wildlife, or (v) in other circumstances specified in the regulations; <p>(z.6) respecting exemptions from the requirements under subsections 48(1) and (2) to complete an approved harvester training course and prescribing provisions of the Act and the regulations for the purpose of subsection 48(2);</p> <p>(z.7) respecting exceptions to subsection 50(2);</p> <p>(z.8) respecting the eggs and nests of birds and prescribing birds for the purposes of paragraph 51(1)(c);</p> <p>(z.9) respecting dens, beaver dams and lodges, muskrat push-ups, hibernacula and other wildlife abodes;</p> <p>(z.10) respecting what constitutes a significant disturbance and prescribing wildlife for the purposes of section 52;</p> <p>(z.11) respecting the chasing, fatiguing, disturbance, torment and other harassment of wildlife, including what constitutes unnecessary chasing, fatiguing, torment and other harassment;</p> <p>(z.12) respecting the treatment, caching and identification of wildlife and parts of wildlife left temporarily on the land;</p> <p>(z.13) prescribing wildlife for the purposes of section 53 and respecting the retrieval of game and other prescribed wildlife that has been wounded or killed, and the killing of wounded wildlife, including exceptions to section 53;</p> <p>(z.14) respecting the retrieval of wildlife that may be diseased;</p> <p>(z.15) respecting the wastage, destruction, abandonment and spoilage of wildlife and parts of wildlife, including</p>	
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<ul style="list-style-type: none"> (i) what constitutes edible parts of wildlife, wastage, destruction, abandonment and spoilage, and (ii) exceptions to section 54; (z.16) prescribing fur-bearers, wildlife and parts for the purposes of section 54; (z.17) respecting the use of the edible parts of wildlife as bait for the purpose of harvesting wildlife and for other purposes; (z.18) respecting the use of the edible parts of wildlife to feed domestic animals and captive wildlife; (z.19) respecting the chasing or killing of wildlife to prevent starvation, injury or death to a person or damage to property, including requirements with regard to reporting such incidents; (z.20) respecting exceptions to subsection 56(3); (z.21) respecting the accidental killing or wounding of wildlife and other losses of wildlife; (z.22) respecting the surrender or other disposition of the pelts, hides, meat or other parts of wildlife killed in circumstances referred to in paragraphs (z.19) and (z.21); (z.23) respecting exemptions to section 57, prescribing wildlife for the purposes of sections 57 and 58 and fixing a time under section 58 for reporting the accidental killing or wounding of wildlife; (z.24) respecting the manner and method of harvesting wildlife, practices and technology used for harvesting wildlife, and the use or possession of equipment and other things while harvesting wildlife, including exceptions to subsections 60(1) and (2); (z.25) respecting the humane harvesting of wildlife for the purpose of ensuring consistency of harvesting methods with international agreements to which Canada is a party, including regulations respecting the certification and use of traps and other equipment for the harvest of wildlife; (z.26) respecting the baiting of wildlife, including exceptions to section 62 and subsection 87(2), and prescribing wildlife for the purposes of those subsections; (z.26.a) respecting exceptions to section 62.1 and prescribing wildlife and time periods for the purpose of that section; (z.27) respecting the possession and use of wildlife and parts and derivatives of 	
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<p>wildlife, including establishing prohibitions against possessing an individual of a species of wildlife or any part or derivative of such an individual, and respecting the deemed possession of wildlife and parts and derivatives of wildlife;</p> <p>(z.28) prescribing wildlife for the purposes of subsection 63(1), prescribing derivatives for the purposes of subsections 63(1) and (2) and setting out and respecting exemptions to prohibitions respecting the possession of wildlife, and parts and derivatives of wildlife, for the purposes of paragraph 63(1)(g);</p> <p>(z.29) respecting the feeding of wildlife and prescribing wildlife for the purposes of subsection 65(1);</p> <p>(z.30) prescribing wildlife for the purposes of subsection 66(1), respecting substances that attract wildlife, and setting out and respecting exemptions for the purposes of paragraph 66(2)(c);</p> <p>(z.31) respecting the capture of wildlife, the keeping of wildlife in captivity and the possession of live wildlife, and prescribing wildlife for the purposes of section 67;</p> <p>(z.32) prescribing wildlife for the purposes of subsection 68(1);</p> <p>(z.33) respecting the release of species into habitat in which the species does not naturally occur, prescribing species to which subsection 68(2) applies and respecting exceptions to that subsection;</p> <p>(z.34) respecting the import of species referred to or described in regulations made under paragraph (z.33);</p> <p>(z.35) respecting exceptions to sections 69 and 70, prescribing wildlife for the purposes of section 69 and prescribing substances and equipment for the purposes of paragraph 69(g);</p> <p>(z.36) prescribing no shooting areas, describing areas where firearms, bows and arrows, crossbows and other devices may not be discharged and respecting what constitutes a device for the purposes of paragraphs 70(b) and (c);</p> <p>(z.37) respecting what constitutes harvesting wildlife without due regard for the safety or property of other persons, or in a manner that endangers other persons, for the purposes of paragraph 70(d);</p> <p>(z.38) respecting commercial activities relating to wildlife and habitat, including</p> <p>(i) respecting what constitutes</p>	
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<p>commercial activity and commercial purpose,</p> <ul style="list-style-type: none"> (ii) respecting what constitutes trafficking in wildlife or parts or derivatives of wildlife, (iii) controlling, restricting or prohibiting commercial activities, (iv) establishing reporting requirements and procedures with respect to commercial activities, (v) respecting liability and financial responsibility in relation to commercial activities, (vi) respecting standards and quality of services for commercial activities, (vii) respecting outfitter operations and services, (viii) respecting the training, certification, qualifications and conduct of guides, and (ix) respecting the establishment and operation of camps and buildings used in connection with commercial activities; <p>(z.39) prescribing wildlife and derivatives for the purposes of paragraphs 75(c) and (d), prescribing quantities for the purposes of paragraphs 75(d) and (e) and prescribing commercial activities for the purposes of paragraph 75(j);</p> <p>(z.40) prescribing wildlife for the purposes of sections 76, 77, and 78 and respecting exceptions to subsections 76(1) and 78(1);</p> <p>(z.41) respecting the possession and transportation of live animals in the Northwest Territories and the import of live animals into the Territories, to prevent the spread of disease and other conditions to or among wildlife, including</p> <ul style="list-style-type: none"> (i) prescribing live animals and diseases and other conditions for the purposes of section 79, (ii) respecting the testing, quarantine and treatment of live animals possessed or transported in the Northwest Territories, and before importation into the Territories, (iii) respecting testing procedures and subsequent testing requirements for live animals, (iv) respecting seizure and disposal of live animals, and (v) respecting permits and other forms of authorization to possess, transport or 	
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<p>import live animals;</p> <p>(z.42) respecting the possession and transportation of live wildlife in the Northwest Territories and the import of live wildlife into the Territories, to prevent threats to public health and to prevent the spread of disease and other conditions to domestic animals;</p> <p>(z.43) respecting the import and transport of dead wildlife, or parts or derivatives of dead wildlife, in the Northwest Territories, to prevent the spread of disease and other conditions to or among wildlife, or threats to public health, including</p> <ul style="list-style-type: none"> (i) prescribing wildlife as a potential carrier of a disease or other condition and prescribing parts and derivatives of such wildlife for the purposes of section 80, and (ii) respecting permits and other forms of authorization to import or transport dead wildlife prescribed as a potential carrier of a disease or other condition, or the parts or derivatives of such wildlife; <p>(z.44) respecting the transportation of wildlife or parts or derivatives of wildlife in the Northwest Territories and the import of wildlife and parts and derivatives into the Northwest Territories in relation to commercial activities, and in relation to the enforcement of this Act and regulations;</p> <p>(z.45) respecting the export of wildlife and parts and derivatives of wildlife from the Northwest Territories, and prescribing small game and derivatives for the purposes of section 81, wildlife for the purposes of sections 82 and 83 and derivatives for the purposes of section 83;</p> <p>(z.46) establishing prohibitions against importing or exporting an individual of a species of wildlife or any part or derivative of such an individual;</p> <p>(z.47) respecting wildlife research, including what constitutes wildlife research and respecting the collection of wildlife specimens;</p> <p>(z.48) respecting exceptions to section 85, and prescribing wildlife for the purposes of that section;</p> <p>(z.49) respecting management zones and conservation areas;</p> <p>(z.50) designating a management zone as a registered group trapping area or as a</p>	
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<p>trapping area for the exclusive use of one harvester per area;</p> <p>(z.51) respecting designated trapping areas and the allocation of rights to harvest in designated trapping areas;</p> <p>(z.52) requiring the doing of things that may conserve wildlife and prohibiting activities that may adversely affect wildlife;</p> <p>(z.53) respecting the harvest of wildlife, including</p> <ul style="list-style-type: none"> (i) fixing open and closed seasons for the harvest of wildlife, (ii) restricting the number of wildlife that may be harvested, (iii) establishing a system of quotas, (iv) requiring tags for the harvest of wildlife and respecting tags, and (v) restricting the harvest of wildlife based on species, size, age, sex or other characteristics; <p>(z.54) respecting reporting in relation to the wounding, killing or capture of big game or other prescribed wildlife for the purpose of section 98.1, and requiring and respecting reporting of other matters in relation to the harvest of wildlife;</p> <p>(z.55) establishing prohibitions against and respecting</p> <ul style="list-style-type: none"> (i) killing, harming, capturing or taking wildlife, or (ii) buying or otherwise acquiring, selling, leasing, trading, bartering, or offering for sale or lease an individual of a species of wildlife or any part or derivative of an individual; <p>(z.56) respecting contracts in relation to the harvest of wildlife;</p> <p>(z.57) respecting the gifting of big game, other specified wildlife and parts and derivatives, and the receipt of such wildlife, parts and derivatives as a gift;</p> <p>(z.58) respecting agreements under subsection 92(1);</p> <p>(z.59) respecting compensation under paragraph 92(2)(b) and subsection 92(3), including</p> <ul style="list-style-type: none"> (i) procedures to be followed in claiming compensation, (ii) the kinds of losses for which compensation may be payable, (iii) methods to be used in determining the eligibility of a person for compensation, the amount of loss suffered by a person and the amount of compensation to be paid in respect 	
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<p>of a loss, and</p> <ul style="list-style-type: none"> (iv) terms and conditions for the provision of compensation; <p>(z.60) respecting conservation areas, including</p> <ul style="list-style-type: none"> (i) requiring the doing of things that may conserve wildlife or habitat in the conservation area, (ii) prohibiting activities that may adversely affect wildlife or habitat in the conservation area, (iii) imposing restrictions on harvesting in the conservation area, (iv) imposing prohibitions against damaging habitat in the conservation area, (v) controlling, restricting or prohibiting any use of, access to, or activity in the conservation area, and (vi) controlling, restricting or prohibiting the release of any substances in the conservation area; and (vii) respecting management plans for conservation areas; <p>(z.61) respecting the protection of habitat for the conservation of specified species of wildlife, including</p> <ul style="list-style-type: none"> (i) requiring the taking of measures that may protect habitat, (ii) prohibiting activities that may adversely affect habitat, (iii) imposing prohibitions against damaging or destroying habitat, (iv) controlling, restricting or prohibiting any use of, access to, or activity in habitat, and (v) controlling , restricting or prohibiting the release of any substances in habitat; <p>(z.62) respecting the deposit of waste, including the remains of butchered wildlife, or litter in or near habitat;</p> <p>(z.63) respecting what constitutes</p> <ul style="list-style-type: none"> (i) substantial alteration of, damage to, or destruction of habitat, for the purposes of subsection 93(1) or paragraph 95(1)(b), (ii) a significant disturbance, for the purposes of paragraph 95(1)(a), or (iii) a significant contribution to cumulative impacts, for the purposes of paragraph 95(1)(d); <p>(z.64) respecting wildlife management and monitoring plans, including</p> <ul style="list-style-type: none"> (i) defining "developer" for the purposes 	
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<p>of section 95,</p> <ul style="list-style-type: none"> (ii) respecting circumstances under which a wildlife management and monitoring plan is required, (iii) describing developments or other activities that require a wildlife management and monitoring plan, (iv) requiring persons or bodies to prepare a wildlife management and monitoring plan, (v) exempting persons or bodies from the requirement to prepare a wildlife management and monitoring plan, (vi) respecting the form and process for preparation of wildlife management and monitoring plans, (vii) prescribing wildlife for the purposes of paragraphs 95(1)(a) and (d) and paragraph 95(2)(a), and requirements for wildlife management and monitoring plans for the purposes of paragraph 95(2)(d), (viii) respecting approval, implementation and amendment of wildlife management and monitoring plans, (ix) respecting reporting requirements, monitoring processes and inspections, and (x) establishing prohibitions and penalties in respect of wildlife management and monitoring plans; <p>(z.65) defining "development", "development proposal", "preliminary screening", "screening", "environmental assessment" and "environmental impact review" for the purposes of subsection 97(1);</p> <p>(z.66) listing, for the purposes of subsection 97(1), bodies responsible for preliminary screenings, screenings, environmental assessments and environmental impact reviews;</p> <p>(z.67) prescribing wildlife for the purposes of subsections 97(1) and (2);</p> <p>(z.68) defining "land use permit" and "water licence" for the purposes of subsection 97(2);</p> <p>(z.69) listing, for the purposes of subsection 97(2), bodies responsible for considering applications for land use permits and water licences;</p> <p>(z.70) defining "land use plan" for the purposes of subsection 97(3), and respecting the land use planning bodies referred to in that subsection;</p> <p>(z.71) respecting prevention of the spread of</p>	
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<p>species of wildlife and plants declared under subsection 100(1) to be pests, and respecting the import, control and destruction of such species;</p> <p>(z.72) respecting reporting requirements pertaining to diseases and other conditions declared to be reportable diseases under subsection 100(2) and the prevention and control of such diseases and conditions;</p> <p>(z.73) respecting exemptions for the purposes of paragraph 101(b);</p> <p>(z.74) respecting orders by an officer under sections 103 and 104 and notice of such orders;</p> <p>(z.75) setting out and respecting exemptions for the purposes of paragraph 104(5)(c);</p> <p>(z.76) respecting powers that may be exercised and duties that must be performed by the Superintendent and the delegation of his or her powers and duties;</p> <p>(z.77) designating persons who may appoint officers under section 107;</p> <p>(z.78) respecting powers that may be exercised and duties that must be performed by officers and respecting exemptions from requirements under this Act and the regulations for officers acting in the course of their duties;</p> <p>(z.79) prescribing wildlife for the purposes of subsection 112(1);</p> <p>(z.80) defining "exigent circumstances" for the purposes of paragraph 120(b);</p> <p>(z.81) respecting notice requirements prior to the making of an order under section 132;</p> <p>(z.82) prescribing offences for the purposes of paragraph 160(2)(c);</p> <p>(z.83) respecting the enforcement of bylaws made by Hunters and Trappers Committees established under subsection 14(75) of the <i>Inuvialuit Final Agreement</i> entered into between the Inuvialuit of the Inuvialuit Settlement Region and the Government of Canada on June 5, 1984, as amended;</p> <p>(z.84) respecting the form and content of reports and other records required by this Act and the regulations;</p> <p>(z.85) establishing fees or other charges;</p> <p>(z.86) establishing requirements, restrictions, prohibitions and penalties, in addition to those set out in this Act, in relation to matters dealt with in this Act and the regulations;</p>	
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<p>(z.87) prescribing any other matter or thing that by this Act may or is to be prescribed; and</p> <p>(z.88) respecting any other matter the Commissioner considers necessary or advisable for carrying out the purposes and provisions of this Act.</p> <p>(2) A regulation made under this Act may</p> <p>(a) include different provisions for different areas as specified in the regulation;</p> <p>(b) include different provisions for different species and subspecies of wildlife as specified in the regulation; and</p> <p>(c) include different provisions for different persons, activities or things, or for different classes of persons, activities or things, as specified in the regulation.</p>	<p>Regulations can be different in different areas and can be different for different species.</p> <p>Regulations can be different for different persons, activities or things.</p>
<p>TRANSITIONAL</p> <p>174. (1) In this section, “former Act” means the <i>Wildlife Act</i>, R.S.N.W.T. 1988, c.W-4.</p> <p>(2) On the coming into force of this section,</p> <p>(a) the Superintendent of Wildlife appointed under this Act, a wildlife officer appointed under the former Act is deemed to be appointed as an officer under this Act, and a vendor appointed under the former Act is deemed to be appointed under this Act;</p> <p>(b) a person holding a licence or permit under the former Act is deemed to hold the equivalent licence or permit under this Act; and</p> <p>(c) regulations made under the former Act remain in force and are deemed to be made under this Act, to the extent that they are not expressly inconsistent with this Act, until they are repealed or new regulations are made in their stead.</p> <p>(3) A person holding a general hunting licence under paragraph 15(a) or (b) of the former Act does not lose his or her eligibility to hold the licence under this Act on the ground that the eligibility requirements to apply for, obtain and hold the licence under section 22 of this Act may differ from the eligibility requirements for that person under the former Act.</p>	<p>This Act replaces the <i>Wildlife Act</i> R.S.N.W.T. 1988, c.W-4.</p> <p>The Superintendent of Wildlife, wildlife officers and vendors appointed under the previous <i>Wildlife Act</i> will keep their appointments under the new Act.</p> <p>A licence or permit issued to a person under the previous <i>Wildlife Act</i> will remain in effect under the new Act.</p> <p>Regulations made under the previous <i>Wildlife Act</i> will remain in force until changes are made.</p> <p>A person who holds a general hunting licence (GHL) under the previous <i>Wildlife Act</i> can continue to hold a GHL under this Act even if they do not meet the new eligibility requirements.</p>
<p>175. (1) The areas of the Northwest Territories that are critical wildlife areas described in the Schedule to the <i>Critical Wildlife Areas Regulations</i>, R.R.S.N.W.T. 1990, c.W-3, as</p>	<p>The Bluenose Calving Areas designated as critical wildlife areas under the <i>Critical Wildlife Areas Regulations</i> are conservation areas under this Act.</p>

<p>those regulations read before the coming into force of this section, are deemed to be designated as conservation areas under subsection 89(1) of this Act.</p> <p>(2) The areas of the Northwest Territories that are wildlife sanctuaries described in the Schedule to the <i>Wildlife Sanctuaries Regulations</i>, R.R.N.W.T. 1990, c.W-20, as those regulations read before the coming into force of this section, are deemed to be designated as conservation areas under subsection 89(1) of this Act.</p> <p>(3) The areas of the Northwest Territories that are wildlife preserves described in the Schedule to the <i>Wildlife Preserves Regulations</i>, R.R.N.W.T. 1990, c.W-18, as those regulations read before the coming into force of this section, are deemed to be designated as conservation areas under subsection 89(1) of this Act.</p>	<p>The Mackenzie Bison Sanctuary and Thelon Wildlife Sanctuary designated as wildlife sanctuaries under the <i>Wildlife Sanctuaries Regulations</i> are conservation areas under this Act.</p> <p>The Norah Willis Michener Territorial Park Game Preserve and the Peel River Preserve designated as wildlife preserves under the <i>Wildlife Preserves Regulations</i> are conservation areas under this Act.</p>
<p>CONSEQUENTIAL AMENDMENTS</p> <p>176. (1) Subsection 3.4(2) of the <i>Environment Protection Act</i> is repealed and the following is substituted:</p> <p>(2) Members of the Royal Canadian Mounted Police and officers appointed under section 107 of the <i>Wildlife Act</i> are, by virtue of their offices, inspectors.</p>	<p>RCMP members and wildlife officers appointed under the <i>Wildlife Act</i> are appointed as inspectors.</p>
<p>177. (1) Subsection 4(2) of the <i>Forest Management Act</i> is repealed and the following is substituted:</p> <p>(2) Members of the Royal Canadian Mounted Police and officers appointed under section 107 of the <i>Wildlife Act</i> are, by virtue of their offices, forest management officers.</p>	<p>In the <i>Forest Management Act</i>, RCMP members and wildlife officers appointed under the <i>Wildlife Act</i> are appointed as forest management officers.</p>
<p>178. (1) Subsection 13(2) of the <i>Herd and Fencing Act</i> is repealed and the following is substituted:</p> <p>(2) Members of the Royal Canadian Mounted Police and officers appointed under section 107 of the <i>Wildlife Act</i> are, by virtue of their offices, officers for the purposes of this Act.</p>	<p>In the <i>Herd and Fencing Act</i>, RCMP members and wildlife officers appointed under the <i>Wildlife Act</i> are appointed as officers.</p>

<p>REPEAL</p> <p>179. The <i>Wildlife Act</i>, R.S.N.W.T. 1988, c.W-4 is repealed.</p>	<p>The previous version of the <i>Wildlife Act</i> is no longer in force.</p>
<p>COMMENCEMENT</p> <p>180. This Act and any provision of this Act comes into force on a day or days to be fixed by order of the Commissioner.</p>	<p>The Commissioner will set a date in which this Act comes into force.</p>