

Frequently Asked Questions



Part 1 – Interpretation and Application

1. Can the proposed *Wildlife Act* affect Aboriginal or Treaty rights?

The proposed Wildlife Act is a tool for wildlife management in the NWT. It cannot and does not give or take away any Aboriginal or treaty rights, including settled land claim agreement provisions respecting wildlife. Aboriginal and treaty rights are constitutionally protected under the federal Constitution Act. All legislation in Canada, including the proposed Wildlife Act, must follow the Constitution.

2. Can the proposed *Wildlife Act* limit Aboriginal or Treaty harvesting rights?

Harvesting rights may be limited through the regulations of the proposed *Wildlife Act* for conservation or public safety reasons. For example, tags may be required for big game. Poisons and unsafe equipment are restricted.

Consultation is needed for any provisions or regulations that may infringe on Aboriginal or Treaty harvesting rights.

3. Does the proposed *Wildlife Act* respect land claim, resource and self-government agreements?

The proposed *Wildlife Act* recognizes respects and supports land claims, self government and resource agreements. Rights included in any new agreements will automatically be recognized under the proposed new Act. The *Wildlife Act* will also be reviewed and updated periodically to ensure that all provisions in new land claim, self- government, or resource agreements are entered into the clauses of the Act.



Part 2 – Roles and Responsibilities

1. Who manages and conserves wildlife in the NWT

All NWT residents have roles and responsibilities to ensure that our wildlife is conserved for present and future generations.

Wildlife management in the NWT is a shared responsibility, which encourages and supports involvement at the local, regional and territorial level. The proposed *Wildlife Act* uses a collaborative approach to wildlife management for those organizations who have responsibilities for wildlife management in the NWT. Wildlife management is most effective if these groups work together.

The Minister of Environment and Natural Resources is responsible for the *Wildlife Act* and its regulations and is ultimately responsible for the conservation and management of wildlife in the NWT. . The Minister develops and applies policies and programs to promote a coordinated, collaborative approach to the conservation and management of wildlife and wildlife habitat in the NWT.

The role of Renewable Resource Boards is set up through each land claim agreement. They are the main public body for wildlife management in each of the settled land claim areas. The roles and responsibilities of each renewable resource board are respected under the proposed *Wildlife Act*. These boards are responsible for managing wildlife in each settled land claim area. They can call public hearings and make recommendations to government on wildlife management.

Interim Measures Agreements (IMAs) provide for the protection, management or use of land and resources before land claim agreements are signed. The ENR Minister represents unsettled areas on wildlife management decisions. The Minister consults with Aboriginal governments, bands and councils and engages with the public before making decisions

The Conference for Wildlife Management is set up to provide an opportunity for all organizations with a role or responsibility for wildlife management to come together to discuss issues that are of common interest. Issues the Conference might want to discuss include: management of migratory species, wildlife management plans, strategies and actions for shared wildlife and habitat, and; harvester education, conservation education and wildlife research.



Part 3 – Rights and Authorizations

1. **What types of harvesting licences are available under the proposed new Wildlife Act?**
 - **General Hunting Licence (GHL)**
 - It is up to you to prove that you are eligible for a General Hunting Licence.
 - To get a GHL, you must:
 1. Have an Aboriginal or treaty right to harvest in the NWT;
 2. Be a member of an Aboriginal group that is recognized in the regulations of the *Wildlife Act*;
 3. And, meet the residency requirements listed in the regulations
 - A General Hunting Licence allows you harvest wildlife throughout the NWT. You must still follow the rules in the land claim agreements and the Wildlife Act and regulations. For example, if you want to harvest on private lands, and are not a beneficiary in that area, then you require permission to harvest on those lands.
 - You must carry your GHL with you whenever you are harvesting.
 - **Resident Hunting Licence**
 - It is up to you to prove that you are eligible for a resident hunting licence.
 - You must have lived in the NWT for 12 consecutive months before applying for a resident hunting licence.
 - You cannot get a resident hunting licence in the NWT if you have a resident hunting licence somewhere else.
 - You must follow the conditions in the land claims agreements, the Wildlife Act and the regulations, and any conditions on your hunting licence.
 - You must carry your licence with you whenever you are harvesting.
 - **Non-resident Hunting Licence**
 - If you are a Canadian citizen or a permanent resident of Canada but you have not been a resident of the NWT for a full year, you can apply for a non-resident hunting licence.
 - You must carry your licence with you whenever you are harvesting.
 - You must use a licensed guide and outfitter to hunt big game.

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- **Non-resident Alien Hunting Licence**
 - If you are not a Canadian citizen or permanent resident, you can apply for a non-resident alien hunting licence.
 - You must carry your licence with you whenever you are harvesting.
 - You must use a licensed guide and outfitter to hunt big game.

- **Special Harvester Licence**
 - This type of licence will replace the special General Hunting Licence that exists under the current Act.
 - The Special Harvester Licence could allow people to harvest more wildlife than they would normally be permitted to harvest and could allow the holder to trap furbearers.
 - It is intended for people that provide meat to an Aboriginal family or who live a subsistence lifestyle.
 - Special harvesting licences would be issued on the recommendation of the local harvesting committee on a case-by-case basis and only apply within the local harvesting area of the committee.

2. I have an Aboriginal and/ or Treaty right to harvest wildlife in an area of the NWT. Do I require a licence to harvest in the area where my rights exist?

Under the proposed new Wildlife Act, people with Aboriginal or Treaty rights to harvest wildlife in an area in the NWT do not require a licence to harvest in that area. They must carry identification agreed to by the Minister and Aboriginal organizations. The identification must be shown to a wildlife officer if requested.

Types of identification that may be used will be outlined in the regulations of the proposed *Wildlife Act*.

3. I currently have a General Hunting Licence (GHL). Can I still use this licence to harvest in the NWT?

Yes. Under the proposed new Wildlife Act existing GHLs will be carried over and may be used throughout the NWT.

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Land claim agreements and the Wildlife Act and its regulations must still be respected. If you are harvesting on private lands in areas where you are not a beneficiary you must get permission from the land owner and carry the permission with you while harvesting.

4. I don't have a General Hunting Licence. Can I get one under the proposed Wildlife Act?

You can apply for a new GHL if you meet eligibility criteria. It is up to you to prove that you are eligible for a GHL.

Eligibility criteria that must be met include:

- Having an Aboriginal or treaty right to harvest wildlife in the NWT;
- Being a member of an Aboriginal organization located in the NWT; and
- Meeting the residency requirements laid out in the regulations.

5. I currently have a Resident Hunting Licence. Can I still use this to harvest in the NWT?

Yes. Existing Resident Harvesting Licences may be used through the NWT. The terms and conditions of your licence must be respected. Land claim agreements, the Wildlife Act and regulations must also be respected. If you are harvesting on private lands you must get permission from the land owner and carry the permission with you while harvesting.

6. I don't have a NWT Resident Hunting Licence. Can I get one under the proposed Wildlife Act?

You can apply for a resident hunting if you have lived in the Northwest Territories for twelve consecutive months. You cannot get a resident hunting licence if you have a resident hunting licence somewhere else. Other eligibility criteria may be required.

Before resident hunters can get a tag to hunt big game in the NWT for the first time, they will have to successfully complete a harvester training course. Regulations will have exemptions to this requirement. For example, people who have passed a hunter training course in Canada may not have to take another course.

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The minimum age to get a licence has been lowered to 12 years. Young people under the age of 18 would need parental or guardian consent to get a hunting licence and must harvest with an adult who is authorized to harvest wildlife in the NWT.

7. I have a resident hunting licence from another provinces or territory. Can I use this licence to hunt in the NWT?

No. Resident hunting licences from other jurisdictions are not valid in the NWT. There are three options to get a licence in this situation, depending on your eligibility:

- If you are a Canadian citizen or a permanent resident of Canada but you have not been a resident of the NWT for 12 consecutive months, you can apply for non-resident hunting licence. A licenced outfitter and guide must be used to hunt big game.
- If you are not a Canadian citizen or permanent resident of Canada, you can apply for a non-resident alien hunting licence. A licenced outfitter and guide must be used to hunt big game.
- If you meet the residency (have lived in the NWT for twelve consecutive months) and eligibility criteria for an NWT Resident Hunting Licence, you may apply for this licence. If granted, you must surrender your other provincial or territorial resident hunting licence.

It is up to each individual to prove their eligibility for any type of licence.

8. I have Aboriginal or treaty rights in Canada but not in the NWT. What licence should I get to harvest in the NWT?

- If you are a Canadian citizen or a permanent resident of Canada but you have not been a resident of the NWT for 12 consecutive months, you can apply for non-resident hunting licence. A licenced outfitter and guide must be used to hunt big game.
- If you meet the residency (have lived in the NWT for twelve consecutive months) and eligibility criteria for an NWT Resident Hunting Licence, you may apply for this



licence. If granted, you must surrender your other provincial or territorial resident hunting licence.

Successful completion of a harvester training course may be required.

It is up to each individual to prove their eligibility for any type of licence.

9. How old do I have to be to get a hunting licence?

Under the proposed *Wildlife Act* the minimum age to get a licence would be lowered to 12 years. Young people under the age of 18 would require parental or guardian consent to get a hunting licence.

First time licence holders will need to successfully complete a harvester training course before they are able to get a tag to hunt big game in the NWT.

10. If I am between the ages of 12 and 18 and don't have any type of hunting licence, can I still go hunting?

Youth between the ages of 12 and 18 who do not have any type of hunting licence can harvest under the direct supervision of an adult harvester, provided they have parental or guardian consent.. The adult harvester must:

- Be at least 18 years of age;
- Have the right to harvest in the Northwest Territories, and;
- Have agreed to supervise the youth.

The adult supervisor has full responsibility for the youth hunter's actions. Any tags used come off of the adult supervisors tag limit.

11. Why is the residency period being lowered to one year?

The two year residency period was originally put in place to address community concerns that temporary workers, who came to work in the oil and gas industry, would put too much pressure on the local wildlife resource if they were allowed to hunt. But a lengthy residency requirement is not an effective way to manage hunting pressure. Where there are concerns about wildlife populations, other tools will be used to address them. Some community



residents were also concerned that newcomers to the NWT wouldn't know how to hunt northern wildlife, be safe on the land and respect northern values with respect to wildlife. To address this concern, a requirement for resident hunters to take a harvester training course before obtaining a big game tag for the first time. A one year residency requirement is also more consistent with other jurisdictions in Canada. 12 months is currently the longest residency period required in Canada.

Part 4 – Proper Conduct on the Land

1. What is a Harvester Training Course? Do I need to take one?

Harvester Training courses promote wildlife conservation and safe, humane harvest of game and other prescribed wildlife. The Minister of ENR will talk to local harvesting committees, renewable resource boards, Aboriginal organizations and resident hunter organizations when developing the courses to make sure courses meet local needs. The Minister can help local people get involved in teaching harvester training courses.

Harvester Training courses are mandatory for:

- Resident hunters who want to hunt big game for the first time. (Some exemptions may apply.)
- Individuals who have been convicted of certain offences under the *Wildlife Act* and who wish to harvest or get a harvesting licence. (The regulations will identify which offences this mandatory training will be required for).

Harvester Training courses are open to everyone with an interest in taking them.

Under land claim agreements, some regions may require harvester training courses. This will be reflected in the regulations.

Hunters with a non-resident or non-resident alien hunting licence are not required to take the Harvester Training course as they are accompanied by a licenced and trained guide while hunting.

2. Can I trap fur-bearers under the proposed *Wildlife Act*?

The draft Act and regulations prohibit trapping fur-bearers unless you have:

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- An Aboriginal or treaty right to trap in that specific area;
- A General Hunting Licence
- A Special Harvester Licence or permit that specifically allows you to trap fur bearers in that specific area

Any conditions on your licence and permit must be respected.

Many land claim agreements allow for the trapping of fur bearers if you are a beneficiary. Land claim agreements, the *Wildlife Act* and its regulations must be respected.

3. Can I harvest in Settlement Areas and on Private Lands?

Under land claim agreements, there are lands owned by the beneficiaries. If you are not a beneficiary of the area and you want to harvest wildlife on these private lands, you must first get permission from the organization identified in the land claim agreement and follow any conditions that go along with that permission. You must carry the permission with you when harvesting. You can use your hunting licence to hunt in other parts of land claim areas that are not private lands.

4. Is interference with harvesting or traps illegal under the proposed *Wildlife Act*?

It is an offence to interfere with a person who is lawfully harvesting wildlife. This includes springing their snares or traps or scaring away animals that are being hunted.

5. Can bird nests and wildlife abodes be destroyed or disturbed under the proposed *Wildlife Act*?

Unless you have an Aboriginal or treaty right or a permit, it is an offence to disturb, destroy or take bird eggs, birds' nests that are being used or the nest of a bird listed in the regulations even if it is not being used.

Unless you have an Aboriginal or treaty right or permit, it is an offence to break into, damage or destroy a den, beaver lodge or dam, muskrat push-up, or hibernaculum.

6. Is it an offence to disturb and harass big game or other animals?

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Unless you have an Aboriginal or treaty right or a permit, it is an offence to cause a significant disturbance to big game or other animals listed in the regulations. This means that even when you are hunting, you cannot unnecessarily chase, fatigue, disturb, torment or otherwise harass these animals.

For example, chasing game without the intent to legally harvest would be considered harassment. So would unnecessarily chasing game for a long time before you shoot them.

7. If I feel threatened by a bear or wolf, what can I do?

Chasing wildlife away, or killing wildlife, is allowed under the proposed *Wildlife Act* if it is necessary to protect a person from being injured or killed, or to prevent property damage. You must report killing of wildlife in these circumstances to your local ENR office.

You can also contact your local or regional ENR office at any time to have them deal with problem wildlife or get tips on how not to attract wildlife to your camp or cabin.

8. What should I do if I am legally harvesting and wound a game animal?

You must do everything you can to find the animal and kill it. This is important for humane harvesting.

9. I hit big game on the highway. What do I do now?

Contact your local ENR officer as soon as possible. The regulations will include time limits for reporting.

10. I'm hunting big game. What equipment can I use?

If you are a licenced hunter, you can only hunt big game with a firearm, bow and arrow or crossbow.

These restrictions don't apply if you have an Aboriginal or treaty right to harvest using other methods.

11. I'm hunting small game. What equipment can I use?

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If you are a licenced hunter, you can harvest small game with a firearm, bow and arrow, crossbow, slingshot, net, snare, deadfall, trap or something similar.

These restrictions don't apply if you have an Aboriginal or treaty right to harvest using other methods.

12. Are there any types of equipment that can't be used for harvesting?

Yes. Some types of equipment cannot be used for harvesting by anyone because they could be a threat to public safety. While harvesting **no person** can use:

- Poison
- Explosives
- Tracer ammunition
- Bullets containing explosives
- Set guns (or similar mechanical devices)
- Automatic weapons

In the interest of public safety, other types of equipment may be added to this list. These rules and restrictions apply to everyone.

13. Are there other public safety rules that I need to know about?

For public safety reasons, no person can:

- Shoot across or along a highway, winter access road or ice road.
- hunt with a firearm that is in a unsafe condition
- shoot in a no-shooting area
- hunt in a way that might endanger other people or property

These rules and restrictions apply to everyone.

14. Can meat, pelts or hides be wasted under the proposed *Wildlife Act*?

You cannot waste, abandon or destroy game meat, pelts, hides or other wildlife parts listed in the regulations.

Regional variations on the definition of wastage may be incorporated into the regulations.



Part 5 – Commercial and other activities

1. Do I need a permit for selling wild meat?

Selling wild meat as a commercial activity requires a permit. In some areas, the regulations may permit selling small amounts of meat such as stew or drymeat at community events, carnivals, jamborees or to hospitals, treatment centres and schools. Where there are conservation concerns, a permit would be needed to sell any amount of meat.

A permit allows wildlife managers to keep track of wild meat used for commercial use. It is easy to overharvest when selling meat for a profit.

The regulations will have details about when you need a permit.

2. Do I need a permit to give meat to family or friends?

Land claim agreements lay out the rights of beneficiaries to give meat to other people and these are respected in the proposed wildlife act. A licenced hunter can give meat as a gift without a permit but you may need to provide the person you give the meat to with proof that the meat was a gift and was legally harvested.

3. Do I need an export permit to bring meat outside of the NWT?

If you have an Aboriginal or treaty right in the NWT to receive and transport the gift of the meat you will not need an export permit. Licenced resident hunters do not need an export permit to take their meat out of the NWT. If a gift of legally harvested meat weighs **less than 10kg**, you will not need an export permit. Non-resident hunters will require an export permit to remove their meat and trophies out of the NWT. Any person exporting meat or prescribed wildlife parts for commercial purposes will require an export permit.

Other jurisdictions outside the NWT may require an export permit and/or proof that you have received legally harvested meat.

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Each individual is responsible for researching the needs of different jurisdictions prior to leaving the NWT. It is recommended that all people get an export permit if crossing NWT borders. You can get a free export permit at your local or regional ENR office.

5. Do I need a permit to trade, barter or sell meat if I have an Aboriginal or Treaty Right in the NWT?

The land claim agreements allow beneficiaries to trade, barter or sell meat amongst themselves, and with some other Aboriginal groups, for personal use. The rules are laid out in the land claim agreements and the intent is to support traditional sharing. These rules are respected under the proposed Wildlife Act. Other people with Aboriginal or treaty rights to harvest in the NWT can trade, barter or sell meat to other Aboriginal people for their personal use as part of their right to hunt for food or subsistence purposes.

Beneficiaries cannot trade, barter or sell legally harvested meat for commercial purposes without a permit.

Beneficiaries cannot trade, barter or sell meat to non-First Nation people as this would be considered commercial. The regulations will outline commercial levels and permits.

6. Do I need a permit for selling hides?

If you have an Aboriginal or treaty right in the NWT to trade or barter the hide, and the animal has been legally harvested, then you will not require a permit. The land claim agreements allow the sale of inedible wildlife parts and this is respected under the proposed new Wildlife Act.

Selling hides at a commercial level will require a permit.

The regulations will have details on commercial levels and permits.

7. How much meat can be exported under the proposed Act?

Currently there is no limit on how much meat can be exported by people with Aboriginal rights under the proposed new Wildlife Act, as long as the meat is not being exported as part of a commercial transaction. The only condition is that the meat has been legally harvested for personal use. The co-management board can define how much can be exported.

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Under the proposed new Act, resident hunters can export all the meat they have legally harvested under their licence without a permit. Non-resident hunters will need an export permit.

Gifts of meat of up to 10kgs will be able to be exported without a permit.

Each individual is responsible for researching the needs of different jurisdictions prior to leaving the NWT. It is recommended that all people get an export permit if crossing NWT borders. You can get a free export permit at your local or regional ENR office.

8. Do I need a permit to serve game meat at a not-for-profit community function?

No. If the meat is not being sold for profit, you will not need a permit.

9. Are there rules for importing live animals into the NWT?

Yes. Some live animals carry diseases that can affect wildlife or people. These animals will be listed in the regulations and you will need a permit to import 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. The regulations may also list some types of wild animals that cannot be imported, even with a permit.

Part 6 – Conservation and Management Measures

1. How is wildlife habitat protected under the proposed new Act?

The proposed act allows for the creation of conservation areas by passing regulations.

Conservation areas must be:

- A geographically defined area.
- Established for the conservation of wildlife or of habitat important to wildlife conservation.

Each conservation area will outline which activities are prohibited in that area.

The act can also develop regulations for sensitive habitats (e.g. mineral licks, bear dens etc.)

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2. Does the act require mandatory harvest reporting?

Not in the Act itself. Requirements for harvest reporting will be dealt with in the regulations.

3. Does the new Act recognize different traditions regarding wastage?

Yes, different traditions regarding wastage can be recognized in regulations under the proposed Act. What is considered wastage varies between communities and regions. The proposed Act allows flexibility for regional variations. Wastage will be defined in detail in the regulations.

Part 7 – Enforcement

1. Can the community deal with wildlife offences?

The Act makes it possible to use Alternative Measures programs. Instead of going through the normal court system, other measures may be taken to deal with someone who has committed an offence. If an alternative measures program is in place, the community could determine how an offence could be handled. Otherwise, offences will be dealt with through the normal court system.

2. Are penalties and fines for wildlife offences changing under the proposed *Wildlife Act*?

Under the proposed Wildlife Act, penalties and fines for wildlife offences will be increased.

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.

A company convicted of an offence under this Act can be fined up to a maximum of \$100,000 for each offence.

If you are found guilty of committing an offence under this Act for commercial purposes (ex. illegal trafficking in wildlife) or involving a species at risk under the *Species at Risk (NWT) Act*, you can be fined up to \$250,000, be sent to jail for up to one year, or both.