

REGULATIONS RESPECTING ACCESS TO LABRADOR INUIT LANDS BY NON-BENEFICIARIES FOR PURPOSES OF HARVESTING

The President in Council, acting under the authority of subsection 12.2(d) of the *Labrador Inuit Lands Act* is pleased to enact the following regulations:

Short Title

1

These regulations are the *Harvesting Access by Non-Beneficiaries Regulations*.

Authority

2

These regulations are made under section 4.12 and subsection 12.2(d) of the *Labrador Inuit Lands Act* and section 12.2.2 of the *Labrador Inuit Land Claims Agreement*.

Interpretation

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(1) Unless the context otherwise requires, terms used in these regulations have the same meaning as in the *Labrador Inuit Land Claims Agreement*.

(2) In these regulations:

“Non-Beneficiary” does not include:

- (i) a member of the Innu Nation;
- (ii) an Inuit beneficiary of the James Bay and Northern Quebec agreement; or
- (iii) a Person who is not a natural person.

“Director” means the Director of Renewable Resources of the Department of Lands and Natural Resources of the Nunatsiavut Government;

“permit” means a Non-Beneficiary Harvesting Access Permit issued by the Director in accordance with these regulations;

“permit holder” means a Non-beneficiary to whom a permit has been issued;

“prescribed form” means the form attached as Schedule A which is a part of these regulations.

Prohibition

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Except as provided in the Labrador Inuit Land Claims Agreement a Non-Beneficiary may not enter Labrador Inuit lands for purposes of Harvesting unless he or she holds a permit.

How a Non-Beneficiary Harvesting Access Permit is Issued

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- (1) A Non-Beneficiary who wishes to Harvest in Labrador Inuit Lands must complete the application in section 1 of the prescribed form and submit it to the Nunatsiavut Government.
- (2) The Director may:
 - (a) refuse to issue a Non-Beneficiary Harvesting Access Permit if in the opinion of the Director the issuance of a permit would be contrary to the best interests of Inuit, Wildlife, Plants, Labrador Inuit Lands or the Environment; or
 - (b) approve the application by issuing a permit under section 2 of the prescribed form.

Conditions of Non-Beneficiary Harvesting Access Permits

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- (1) A permit holder may enter Labrador Inuit Lands for purposes of Harvesting Wildlife in accordance with the provisions of this section.
- (2) A permit is valid for a period of one year from the date of issue and is not transferable.
- (3) A permit holder must carry the prescribed form at all times when Harvesting on Labrador Inuit Lands and must produce it for an enforcement officer if so requested.
- (4) A permit holder must also carry all permits and licenses required in order to harvest under laws of general application and produce them for an enforcement officer if so requested.
- (5) Except in the case of an emergency or as set out in subsection (8), a permit holder may not harvest any Plant in Labrador Inuit Lands or dig any surface material.
- (6) A permit holder may not use any means of access to enter Labrador Inuit Lands other than by foot, boat or snowmobile.
- (7) A permit holder may not Harvest for commercial purposes on Labrador Inuit Lands.
- (8) A permit holder must obey and conform to the provisions of subsections 12.13.9 (a) and (b) of the Labrador Inuit Land Claims Agreement.
- (9) A permit holder may not erect any structure other than a tent or snow house on Labrador Inuit Lands.

Fees

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No fee is payable for a permit under this regulation.

SCHEDULE 'A'

PERMIT TO ACCESS – LABRADOR INUIT LANDS

No Fee Required

Section: I

Application No: NG2006-00001

Name: _____

Date of Birth: _____ Telephone Number: () _____

Address: _____

Hereby applies for access to Labrador Inuit Lands, specifically in the area of:

for the period of: _____ 20__ to _____ 20__

for the purpose of this application is approved, I agree to the terms and conditions governing access set out in the Harvesting Access by

Regulations: _____ Non-Beneficiaries

Species to be harvested: _____

Signature of Applicant

Date

Section: II

Permission is hereby granted to the Applicant to enter the Labrador Inuit Lands at the places and times and for the purposes set out in Section I, subject to the terms and conditions established in the Harvesting Access by

Non-Beneficiaries.

*Approving Officer
Nunatsiavut Government*

Date

**Schedule A
Harvest Transfer Regulations**

In accordance with section 12.3.15 of the Labrador Inuit Land Claims Agreement made thereunder:

SECTION I *Application No. NG2006-00001*

I _____ hereby transfer the right to harvest under section
Name of Beneficiary and Number

12.3 to _____ who in accordance with 12.3.15, meets one of the
Harvester's Name

following criteria:

- Spouse
- Parent or Child
- An individual to whom stands in the position of a Parent
- An individual who stands in the position of a parent to that Inuk
- Another Inuk
- Another recognized Aboriginal individual

Species (#) to be harvested: _____ Harvest Area: _____

Term of transfer from _____ to _____

- I am 50 years or older therefore considered a senior citizen
- I am under the age of 50 therefore not considered a senior citizen

Signature of Applicant *Date*

Address and Phone Number

SECTION II

I _____ of _____
Transferee *Address & Phone Number*

hereby state that I meet one of the above eligibility criteria as outlined in Section I and I am aware of the terms and conditions applicable to the transfer and agree to abide by them:

Signature of Transferee *Date*

SECTION III **FOR OFFICE USE ONLY**

This is to certify that _____ has approval to harvest on behalf of
Transferee Name

above mentioned beneficiary.

Approving Officer *Date*
Nunatsiavut Government