

# REGULATIONS RESPECTING THE TRANSFER BY INUIT OF A RIGHT TO HARVEST UNDER SECTIONS 12.3.2 AND 12.3.3 OF THE LABRADOR INUIT LAND CLAIMS AGREEMENT

The President in Council, acting under the authority of a Declaration of the Executive Council issued under the *Nunatsiavut Government Transitional Powers Act* on the 27th day of February, 2006, is pleased to enact the following regulations:

## Short Title

1

These regulations are the *Harvest Transfer Regulations*.

## Authority

2

These regulations are made under subsection 4(2) of the *Nunatsiavut Government Transitional Powers Act* and subsection 12.7.1(e) of the *Labrador Inuit Land Claims Agreement*.

## Interpretation

3

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

## How a Transfer is Made

4

- (1) An Inuk who wishes to transfer a right to Harvest must complete the application in section 1 of the prescribed form and submit it to an official in the Department of Natural Resources.
- (2) The Nunatsiavut Government must approve the transfer if the individual to whom the transfer is made is eligible to be a transferee under section 12.3.15 of the Labrador Inuit Land Claims Agreement and signs his or her acceptance of the terms and conditions applicable to the transfer.

## Conditions Applicable to Transfers

**5**

- (1) A transfer under this regulation to an individual referred to in subsections 12.3.15 (a), (b), (c), and (d) shall not exceed a term of 5 years.
- (2) A transfer under this regulation to an individual referred to in subsections 12.3.15 (e) or (f) shall not exceed a term of 1 year.
- (3) A transfer referred to in subsection (1) may be revoked by the transferor at any time by written notice to the Nunatsiavut Government and the transferee signed by the transferor or the transferor's guardian.
- (4) A transfer referred to in subsection (2) is not revocable by the transferor during its term.
- (5) All transfers are revoked upon the death of the transferor.
- (6) If a transfer is revoked the transferee must surrender the prescribed form to the Nunatsiavut Government as soon as possible.
- (7) A transferee must carry the prescribed form at all times when Harvesting and must produce it for a law enforcement officer if so requested.
- (8) A transferee Harvesting under a transfer is subject to all terms conditions and restrictions with respect to the Inuit Domestic Harvest.

**Fees**

**6**

No fee is payable for a transfer under this regulation.

**Schedule A  
Harvest Transfer Regulations**

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

**SECTION I** REGULATION NO. NC 2106-0000

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** CORRECTIVE USE ONLY

This is to certify that \_\_\_\_\_ has approval to harvest on behalf of  
*Transferee Name*

above mentioned beneficiary.

\_\_\_\_\_  
*Approving Officer* *Date*  
*Nunatsiavut Government*