

## Sections of the Marine Mammals Regulations Specific to Narwhal, Beluga, and Walrus

4. (1) Subject to subsections (2) and 32(1), the Minister may, on application and payment of the fee set out in column II of an item of the table to this subsection, issue a licence referred to in column I of that item.
  - Beluga = No charge
  - Narwhal = No charge
  - Walrus = \$5
4. (2) A licence to fish for narwhal shall not be issued to a person other than an Inuk.
5. Subject to section 6, no person shall fish for marine mammals except under the authority of a licence issued under these Regulations or under the Aboriginal Communal Fishing Licences Regulations.
6. (1) An Indian or Inuk other than a beneficiary may, without a licence, fish for food, social or ceremonial purposes for
  - (a) seals;
  - (b) cetaceans, except beluga in the areas described in column I of items 1 to 7 of Schedule II, bowhead whales, right whales and narwhal; and
  - (c) subject to section 26, four walrus in a year.
6. (2) A beneficiary may, without a licence, fish for food, social or ceremonial purposes within the area covered by the agreement under which the beneficiary is enrolled for
  - (a) seals;
  - (b) cetaceans, except beluga in the areas described in column I of items 1 to 7 of Schedule II, bowhead whales, right whales and narwhal; and
  - (c) subject to section 26, four walrus in a year.
6. (3) A person, other than a person referred to in subsection (1) or (2), who resides immediately adjacent to any of Sealing Areas 1 to 4 may fish for seals without a licence in any of those Sealing Areas for food purposes.
7. No person shall disturb a marine mammal except when fishing for marine mammals under the authority of these Regulations.
8. No person shall attempt to kill a marine mammal except in a manner that is designed to kill it quickly.
9. No person shall fish for a marine mammal without having on hand the equipment that is necessary to retrieve it.
10. (1) No person who kills or wounds a marine mammal shall
  - (a) fail to make a reasonable effort to retrieve it without delay; or
  - (b) subject to section 33.1, abandon or discard it.
10. (2) No person who kills a cetacean or walrus shall waste any edible part of it.
11. No person, other than the holder of a licence to fish for marine mammals for experimental, scientific, educational or public display purposes issued under the *Fishery (General) Regulations*, shall

- (a) move a live marine mammal from the immediate vicinity in which it is found; or
- (b) tag or mark, or attempt to tag or mark, a live marine mammal in any manner.

12. Where an annual fishing quota fixed by these Regulations has been reached, a fishery officer shall notify the persons affected or likely to be affected by one or more of the methods set out in subsection 7(1) of the *Fishery (General) Regulations*.
13. (1) Subject to subsection (2), no person shall buy, sell, trade or barter the edible parts of a cetacean or walrus.
13. (2) Subsection (1) does not apply in respect of buying, selling, trading or bartering by
  - (a) an Indian or Inuk other than a beneficiary, within the Northwest Territories, the Yukon Territory, Quebec or Newfoundland; or
  - (b) a beneficiary, if the purchase, sale, trade or barter is carried out in accordance with the terms of the agreement under which the beneficiary is enrolled.
14. No person shall buy, sell, trade, barter or possess a narwhal tusk unless the licence under the authority of which the narwhal was taken is attached to the tusk.
15. The Minister shall, on application, issue a marine mammal transportation licence
  - (a) authorizing a person to take or carry edible marine mammal parts from one province to another for the personal use of that person or the members of that person's family;
  - (b) in respect of non-edible marine mammal parts; or
  - (c) in respect of any marine mammal or marine mammal parts to be used for experimental, scientific, educational or public display purposes.
16. (1) Subject to subsection (2), no person shall take or carry marine mammals or marine mammal parts from one province to another except under the authority of a marine mammal transportation licence issued by the Minister.
16. (2) Subsection (1) does not apply to a person who fishes for marine mammals in one province and resides in another province and who is taking or carrying his catch to his place of residence;
17. (1) Every person who is authorized under these Regulations to fish for cetaceans or walrus shall keep a record for a period of two years of any cetacean or walrus taken and shall produce that record for examination when requested to do so by a fishery officer.
17. (2) The record referred to in subsection (1) shall contain the time and place at which the cetacean or walrus was taken and the species, sex and colour of the cetacean or walrus.
18. No person shall fish for a beluga calf, bowhead calf or narwhal calf or for an adult beluga, bowhead whale or narwhal that is accompanied by a calf.
19. No person shall fish for cetaceans with a firearm unless the person uses
  - (a) a rifle and bullets that are not full metal-jacketed that produce a muzzle energy of not less than 1,500 foot pounds; or
  - (b) a shotgun and rifled slugs that produce a muzzle energy of not less than 1,500 foot pounds.

20. No person shall fish for beluga in the St. Lawrence River, the Saguenay River or any of their tributaries or in the Gulf of St. Lawrence.
21. No person shall fish for beluga in an area described in column I of an item of Schedule II  
 (a) during the close time set out in column II of that item; or  
 (b) after notice has been given by a fishery officer that the annual fishing quota set out in column III of that item has been reached.
23. No person who ordinarily resides in a settlement set out in column I of an item of the table to this section shall fish for narwhal after notice has been given by a fishery officer that the annual fishing quota set out in column II of that item has been reached.

TABLE

Column I Item Settlement	Column II Annual Fishing Quota
1. Arctic Bay	100
2. Broughton Island	50
3. Cape Dorset	10
4. Clyde River	50
5. Coral Harbour	10
6. Creswell Bay	12
7. Gjoa Haven	10
8. Grise Fiord	20
9. Hall Beach	10
10. Igloolik	10
11. Iqaluit	10
12. Lake Harbour	10
13. Pangnirtung	40
14. Pelly Bay	10
15. Pond Inlet	100
16. Repulse Bay	25
17. Resolute Bay	20
18. Spence Bay	10
19. Rankin Inlet	10
20. Chesterfield Inlet	5
21. Whale Cove	5

24. Every person who kills a narwhal shall forthwith  
 (a) affix the licence under the authority of which it was killed securely to the tusk of the narwhal or, where there is no tusk, to the carcass of the narwhal;  
 (b) mark the month of the kill by making a notch in the appropriate date square indicated on the edge of the licence; and  
 (c) tear off the portion of the licence indicated on the licence, mark on that portion of the licence the month in which the narwhal was killed and the sex of the narwhal, and return that portion of the licence as soon as possible to the person who issued the licence.
25. No person shall fish for walrus with a firearm unless the person uses

- (a) a rifle and bullets that are not full metal-jacketed that produce a muzzle energy of not less than 1,500 foot pounds; or
- (b) a shotgun and rifled slugs that produce a muzzle energy of not less than 1,500 foot pounds.

26. No person who ordinarily resides in a settlement set out in column I of an item of the table to this section shall fish for walrus after notice has been given by a fishery officer that the annual fishing quota set out in column II of that item has been reached.

TABLE  
Column I                      Column II  
Item Settlement Annual Fishing Quota

1. Coral Harbour	60
2. Sanikiluaq	10
3. Arctic Bay	10
4. Clyde River	20

SCHEDULE II  
(Subsections 6(1) and (2) and section 21)  
BELUGA FISHING CLOSE TIMES AND ANNUAL FISHING QUOTAS

Column I Area	Column II Close Time	Column III Annual Fishing Quota																					
<p><b>1. Pangnirtung:</b> The waters enclosed by the coastline of Baffin Island and straight lines joining the following points, in the order in which they are listed:</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 10%;">Point</th> <th style="width: 20%;">North Latitude</th> <th style="width: 70%;">West Longitude</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td>66°37'</td> <td>61°16'</td> </tr> <tr> <td>2.</td> <td>66°40'</td> <td>59°00'</td> </tr> <tr> <td>3.</td> <td>63°05'</td> <td>59°00'</td> </tr> <tr> <td>4.</td> <td>63°05'</td> <td>64°45'</td> </tr> </tbody> </table>	Point	North Latitude	West Longitude	1.	66°37'	61°16'	2.	66°40'	59°00'	3.	63°05'	59°00'	4.	63°05'	64°45'	Mar. 1 – Nov. 30	5						
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<p><b>2. Iqaluit:</b> The waters enclosed by the coastline of Baffin Island and straight lines joining the following points, in the order in which they are listed:</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 10%;">Point</th> <th style="width: 20%;">North Latitude</th> <th style="width: 70%;">West Longitude</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td>63°05'</td> <td>64°45'</td> </tr> <tr> <td>2.</td> <td>63°05'</td> <td>59°00'</td> </tr> <tr> <td>3.</td> <td>61°00'</td> <td>59°00'</td> </tr> <tr> <td>4.</td> <td>61°00'</td> <td>66°00'</td> </tr> <tr> <td>5.</td> <td>61°20'</td> <td>68°00'</td> </tr> <tr> <td>6.</td> <td>62°14'55"</td> <td>68°32'</td> </tr> </tbody> </table>	Point	North Latitude	West Longitude	1.	63°05'	64°45'	2.	63°05'	59°00'	3.	61°00'	59°00'	4.	61°00'	66°00'	5.	61°20'	68°00'	6.	62°14'55"	68°32'	Mar. 1 to Nov. 30	5
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<p><b>3. Lake Harbour:</b> The waters enclosed by the coastline of Baffin Island and straight lines joining the following points, in the order in which they are listed:</p> <table border="0"> <thead> <tr> <th>Point</th> <th>North Latitude</th> <th>West Longitude</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td>62°14'55"</td> <td>68°32'</td> </tr> <tr> <td>2.</td> <td>61°20'</td> <td>68°00'</td> </tr> <tr> <td>3.</td> <td>62°30'</td> <td>72°00'</td> </tr> <tr> <td>4.</td> <td>63°24'</td> <td>72°00'</td> </tr> </tbody> </table>	Point	North Latitude	West Longitude	1.	62°14'55"	68°32'	2.	61°20'	68°00'	3.	62°30'	72°00'	4.	63°24'	72°00'	Mar. 1 to Nov. 30	5						
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<p><b>4. Ungava Bay:</b> The waters of Ungava Bay that are south of a straight line joining the southeast tip of Dry Bay at Latitude 60°25'00" N., Longitude 69°44'00" W., and the southwest tip of Polunin Inlet at Latitude 60°09'48" N., Longitude 65°00'00" W., and north of a straight line joining Point Tasker at Latitude 58°29'40" N., Longitude 67°44'00" W., and Cape Kernertut at Latitude 58°30'00" N., Longitude 66°56'00" W.</p>	Mar. 1 to Nov. 30	1																					
<p><b>5. Mucalic Estuary:</b> The waters of Ungava Bay that are south of a straight line joining Point Tasker at Latitude 58°29'40" N., Longitude 67°44'00" W., and Cape Kernertut at Latitude 58°30'00" N., Longitude 66°56'00" W.</p>	Mar. 1 to Nov. 30	1																					
<p><b>6. Eastern Hudson Bay:</b> The waters, other than those described in item 7, enclosed by the eastern shores of Hudson Bay and James Bay and straight lines joining the following points, in the order in which they are listed:</p> <table border="0"> <thead> <tr> <th>Point</th> <th>North Latitude</th> <th>West Longitude</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td>52°32'00"</td> <td>78°40'48"</td> </tr> <tr> <td>2.</td> <td>52°32'00"</td> <td>80°00'00"</td> </tr> <tr> <td>3.</td> <td>54°30'42"</td> <td>81°00'24"</td> </tr> <tr> <td>4.</td> <td>61°30'18"</td> <td>79°40'48"</td> </tr> <tr> <td>5.</td> <td>62°10'00"</td> <td>79°10'36"</td> </tr> <tr> <td>6.</td> <td>62°10'00"</td> <td>78°10'00"</td> </tr> </tbody> </table>	Point	North Latitude	West Longitude	1.	52°32'00"	78°40'48"	2.	52°32'00"	80°00'00"	3.	54°30'42"	81°00'24"	4.	61°30'18"	79°40'48"	5.	62°10'00"	79°10'36"	6.	62°10'00"	78°10'00"	Mar. 1 to Nov. 30	60
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<p><b>7. Nastapoka Estuary:</b> The waters of the Nastapoka Estuary that are east of straight lines joining the following points, in the order in which they are listed:</p> <table border="0"> <thead> <tr> <th>Point</th> <th>North Latitude</th> <th>West Longitude</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td>56°50'45"</td> <td>76°30'39"</td> </tr> <tr> <td>2.</td> <td>56°54'24"</td> <td>76°34'48"</td> </tr> <tr> <td>3.</td> <td>56°55'05"</td> <td>76°30'39"</td> </tr> </tbody> </table>	Point	North Latitude	West Longitude	1.	56°50'45"	76°30'39"	2.	56°54'24"	76°34'48"	3.	56°55'05"	76°30'39"	July 1 to July 31	1									
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8. <i>All other waters</i>	Dec. 15 to Feb. 15	N/A
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