



CANADA

GAME ORDINANCE
AND
FUR EXPORT TAX ORDINANCE

OF

YUKON TERRITORY

DAWSON, Y.T.
1952

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CANADA

Issued by
THE YUKON TERRITORIAL COUNCIL
Fred Fraser, Commissioner
Dawson, Y.T.

GAME PRESERVE FOR NATIVE INDIANS

(Chapter 1, Ordinance, 1924)

Commencing at the intersection of the sixty-sixth (66) parallel of north latitude with the boundary between the Yukon Territory and the Northwest Territories; thence northerly and westerly following the said boundary to its intersection with Peel River thence southerly following the right bank of Peel River to its confluence with Snake River; thence upstream following the right bank of Snake River to latitude $65^{\circ} 30'$, a distance of approximately sixty (60) miles; thence due east to the boundary between the Northwest Territories and the Yukon Territory; thence northerly along the said boundary to the point of commencement.

Violation for hunting or trapping within the preserve, guilty of an offence and liable, upon conviction, to a penalty not exceeding \$500 and not less than \$25 for each offence.

THE YUKON GAME ORDINANCE

(Office Consolidation, January 1, 1952.)

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of said Territory, enacts as follows:

Short Title

1. This Ordinance may be cited as "The Yukon Game Ordinance".

Interpretation

2. In this Ordinance, unless the context otherwise requires:

- (a) "Close Season" means the period in which the hunting, killing, destroying, injuring, trapping, taking, capturing, selling, trading in, or molesting of game is prohibited or restricted by the Ordinance or by any Regulation.
- (b) "Commissioner" means the Commissioner of the Yukon Territory.
- (c) "Deer" means animals of the species commonly known as Coat or Columbia deer, mule deer, white-tailed deer and fallow deer.
- (d) "Department" means the Department of Game and Publicity of the Yukon Territory.
- (e) "Director" means the Director of the Department and includes the Assistant Director.
- (f) "Fur Bearing Animals" means and includes beaver, fox, lynx, marten, mink, muskrat, otter, fisher, weasel

and squirrel, but shall not include any bear, coyote, wolverine, wolf or rabbit.

- (g) "Game" means all wild mammals and wild birds and the heads, skins and every part of such mammals and birds.
- (h) "Game Guardian" means any person appointed by the Commissioner for the purpose of enforcing the provisions of this Ordinance.
- (i) "Chief Guide" wherever used herein shall mean and include any person duly licensed as such and the person who, being a chief guide, is in charge of and guiding and conducting any big game hunter; duly licensed as such under the provisions of this Ordinance.
- (j) "Assistant Guide" shall mean any person duly licensed as such and any person so licensed acting as assistant guide under the direction of any such chief guide in guiding and conducting any such licensed hunter.
- (k) "Loaded Firearms" means and includes any airgun, shotgun, rifle or other firearm carrying a loaded shell, cartridge or other projectile in the magazine or chamber.
- (l) "Open Season" means the period during which such game may be hunted, killed, destroyed, trapped, taken, captured or possessed.
- (m) "Ordinance" means the Yukon Game Ordinance.
- (n) "Outfitter" means and includes any

person duly licensed as such who carries on or who is engaged in or concerned in the business of lending, renting, or letting for hire any saddle horse, pack horse, vehicle, boat or other equipment for the purpose of being used in the hunting, taking or killing of any big game.

- (o) "Outpost" means a trading establishment in which the business of trading or trafficking in game is carried on by the holder of a Trading Post permit and under the authority of an Outpost permit.
- (p) "Person" includes Indians.
- (q) "Preserve" means an area set aside for the protection of game for the benefit of native Indians.
- (r) "Registered Trapline" means an area designated and registered under this Ordinance and under the Registered Trapline Regulations.
- (s) "Resident" means any Canadian citizen who has resided continuously in the Yukon Territory for not less than one year immediately prior to the date of his application for a licence under this Ordinance, or any member of His Majesty's Armed Forces or any member of the Royal Canadian Mounted Police who has resided continuously in the Yukon Territory for not less than thirty days immediately prior to the date of his application for a licence under this Ordinance.
- (t) "Sanctuary" means any bounded area set aside under the provisions of this Ordinance for the protection of all game.

Game Guardians

3. (1) The Director, all members of the Royal Canadian Mounted Police and all Chief Guides shall be ex-officio game guardians under this Ordinance and the Commissioner may from time to time appoint other game guardians.

(2) Every game guardian so specially appointed, before acting as such guardian, shall take and subscribe before any person authorized to administer oaths in the Territory, the following oath:

"I, A.B. _____, a game guardian, in and for the Yukon Territory, do solemnly swear that to the best of my judgment I will faithfully, honestly, and impartially fulfil, execute, and perform the office and duty of such game guardian, according to the true intent and meaning of the Ordinance respecting the preservation of game in the Yukon Territory, and of all regulations made or to be made thereunder."

Open Seasons

4. (1) Unless otherwise provided in this Ordinance or the Regulations no person shall hunt or have in his possession any game except during the open season for that game.

(2) Unless otherwise provided by the Regulations the open seasons are as follows:

<u>GAME</u>	<u>RESIDENTS OPEN SEASON</u>	<u>NON-RESIDENTS AND ALIENS OPEN SEASON</u>
(a) Buffalo (Bison)	no open season	no open season
Elk (Wapiti))	
Deer)	
Polar Bear	throughout year	no open season
(b) Pheasant	no open season	no open season

Wilson's Snipe	no open season	no open season
Jack Snipe		
(c) Bear	throughout the year	May 1st to June 30th Aug. 1st to Nov. 30th
(d) Caribou	Aug. 1st to Jan. 31st following	Aug. 1st to Nov. 30th.
(e) Moose	Aug. 1st to Nov. 30th	Aug. 15th to Nov. 30th
(f) Mountain Goat) Mountain Sheep)	Aug. 1st to Nov. 30th	Aug. 1st to Nov. 30th
(g) Ptarmigan) Sharp-tailed) Grouse) Franklin Grouse) Spruce Grouse) (fool hen))	Sept. 1st to Jan. 31st following	Sept. 1st to Nov. 30th
(h) Ruffed Grouse) (Willow Grouse)) Blue Grouse)	Sept. 1st to Oct. 31st	Sept. 1st to Oct. 31st
(i) Waterfowl (except the species pro- hibited under the Migratory Birds Convention Act and Regulations)	Sept. 1st to Oct. 31st	Sept. 1st to Oct. 31st
(j) Beaver	See Regulations governing same	

RESIDENTS AND CANADIAN
NON-RESIDENTS ONLY

- (k) Fisher) Nov. 1st to May 1st following
 Otter)
- (l) Fox Nov. 1st to Jan. 31st following
 (South of Arctic Circle)
 Nov. 1st to March 31st following
 (North of Arctic Circle)
- (m) Lynx Nov. 15th to Mar. 31st following
- (n) Marten) Nov. 15th to end of Feb. following
 Mink)
- (o) Muskrat March 1st to May 31st following
 (South of Arctic Circle)
 March 1st to June 15th following
 (North of Arctic Circle)
- (p) Squirrel Nov. 1st to Mar. 15th following
- (q) Weasel (Ermine) Nov. 1st to Mar. 31st following

(3) Except as hereinafter provided, no eggs in the nest of any of the birds above mentioned, or in the nest of any other species of wild fowl, shall be taken, destroyed, injured, or molested at any time of the year.

5. No person shall engage in hunting or trapping any game permitted to be taken under Section 4 of this Ordinance, without being the holder of a valid and subsisting licence or permit issued pursuant to this Ordinance, bearing his signature or duly witnessed mark on the face thereof. No person shall be entitled to register a trapline unless trapping is one of his main occupations.

6. The names of the several licences and the fees for the same shall be as follows:

(a) Resident hunting licence	\$ 2.00 5.00
(b) Resident bear and predator licence	Free
(c) Non-resident Canadian big game hunting licence	100.00
(d) Non-resident Alien big game hunting licence	150.00
(e) Non-resident bird licence	10.00
(f) For registration of trapline	10.00
(g) Renewal of registration of trapline	5.00
(h) Non-resident trapping licence	250.00
(i) Non-resident Canadian spring bear hunting licence	25.00
(j) Non-resident Alien spring bear hunting licence	50.00
(k) Resident Indian hunting licence	Free

A minor under the age of 14 years shall not be eligible for any licence. An Alien shall not be eligible for a registered trapline permit. However, where an Alien was, prior to 1947, a resident of the Territory, the holder of a trapping licence, and had by long use established an interest in a trapline together with its cabins and equipment, and has made application for citizenship under the Canadian Citizenship Act, the Commissioner may, pending completion of the citizenship application and the issue of the citizenship certificate, authorize the issue of a registered trapline permit to the said Alien. A resident hunting licence may, at the discretion of the Commissioner in Council, be issued to an Alien who has resided continuously in the Yukon Territory for not less than two years immediately prior to the date of his application for a licence.

Return of Licence

7. (1) Subject to subsection 2, every person to whom a licence has been issued shall, before leaving the Yukon Territory or as soon as practicable after the expiration of the licence, whichever first occurs, return the licence to the office of issue with the affidavit or declaration on the back of

said licence duly completed setting forth the number and kind of game killed, trapped, taken traded, or trafficked in under its authority.

(2) Where a licensee is unable to return his licence to the office of issue as required by subsection 1, he shall before leaving the Yukon Territory or as soon as practicable after the expiration of the licence, whichever first occurs, forward to the nearest Game Guardian his affidavit setting forth the number and kind of game killed, trapped, taken, traded or trafficked in during the period covered by the licence.

Privileges under Licences

8. (1) Bag-limits shall be as follows:

- (a) For the holder of a resident hunting licence: one moose, one mountain sheep, one mountain goat, one woodland caribou, four migratory caribou.
- (b) For the holders of non-resident Canadian and non-resident Alien big game hunting licences: one moose, one mountain sheep, one mountain goat, one caribou and one grizzly bear.
- (c) For the holders of non-resident Canadian and non-resident Alien spring bear hunting licences: two grizzly bears and two black or brown bears.
- (d) Any quantity of game not protected by this Ordinance may be taken by the holder of any hunting licence.
- (e) For the holders of resident hunting and non-resident bird licences for the birds listed in paragraphs (g) and (h) of subsection 2 of section 4

of this Ordinance: fifteen in the aggregate in any one day and thirty in the aggregate for the open season.

- (f) For the holders of Resident hunting and Non-resident bird licences for migratory birds: as laid down in the Migratory Birds Convention Act and Regulations thereto.

Restrictions under Licences

(2) No female, nor any animal under the age of one year of the following species shall be killed (a) moose; (b) mountain sheep; (c) mountain goat; (d) any kind of caribou.

(3) (a) No game shall be exported or taken from the Yukon Territory except under the authority of a permit which may be obtained from the Department upon production of a hunting licence in the case of non-resident hunters, duly completed and signed by the Chief Guide in charge of the party.

(b) Every licence holder, upon request, shall be entitled to receive from the Department a certificate showing the game killed by him. Such certificate shall set forth a description of the game killed together with the measurements of the trophies obtained therefrom, the number of the licence, the locality where such game was killed and the name of the Chief Guide accompanying the licensee. The Director shall keep a record book of all such certificates issued containing the information set forth herein.

(4) Except as herein provided, no party of non-resident big game hunters shall engage in hunting moose, mountain sheep, mountain goat, caribou or bear without having with them, in their employ, a licensed Chief Guide, and for each member of such party more than one there shall be a licensed Assistant Guide.

(5) A resident or non-resident Registered Trapline Permit shall allow the taking of fur-bearing animals and to export the pelts and skins thereof upon compliance with the provisions of the Fur Export Tax Ordinance and such licence shall further entitle the holder thereof to kill for his own use and only to the extent necessary for such purpose, during the open season, the animals and birds mentioned in paragraphs (d), (e), (f), (g), (h), and (i) of subsection 2, of Section 4, of this Ordinance, and such game as is not protected by this Ordinance.

Licensed Outfitters and Guides

9. (1) Outfitters' Licence.

(a) No person shall for hire, gain or reward, use, rent or let out any saddle horse, pack horse, vehicle, boat or other equipment for the purpose of being used in the hunting, taking or killing of any big game by non-resident hunters without first obtaining an Outfitters' Licence as provided for under this section, provided, however, that nothing herein contained shall restrict any resident person from renting, hiring, or lending any additional saddle horse, pack-horse, vehicle, boats or other equipment to any licensed Outfitter. All such horses, boats and necessary equipment shall be kept in good order.

and repair and shall be available for inspection by the Director or his duly appointed agent at all times. An Outfitters' licence shall be valid for one year and shall expire on the 30th day of June.

- (b) A return shall be made to the Commissioner or his duly appointed agents by each Outfitter showing the number of big game or game bird hunting parties outfitted by him during the season, which will include the name and address of each hunter and each guide and the number and species of game killed, and district where hunted.

Chief and Assistant Guides

- (2)(a) "Chief Guide". The Commissioner or his appointed agents may issue to any person being resident of the Territory a licence to act as Chief Guide, providing such person was a licensed Chief Guide under this Ordinance, or to any person who has acted as a licensed Assistant Guide for a period of at least three years within the Territory, and can satisfy the Commissioner, or his duly appointed agents, that he is a fit and qualified person to assume the responsibilities of a Chief Guide. A Chief Guide Licence shall be issued annually and shall expire on the 30th day of June of each year.
- (b) "Assistant Guide". The Commissioner or his duly appointed agents, may issue to any person being a resident of the Territory, a licence to act,

as an Assistant Guide providing such person was a licensed Assistant Guide prior to 1945, or to any person who can produce such evidence of his qualifications both as to ability and character, such as may be required by the Commissioner, or his duly appointed agents. An Assistant Guides Licence shall be issued annually and shall expire on the 30th day of June each year.

(c) A Chief Guide, Assistant Guide, or Camp Helper or other employee while engaged as such shall not hunt any game as set forth in paragraphs (c), (d), (e), (f), (g), (h) and (i) of subsection 2 of Section 4 of this Ordinance.

(3) Any person who acts as Chief or Assistant Guide to any big game hunter, without first having procured a licence as required by the Ordinance, shall be guilty of an offence against this Ordinance.

(4) Fees for such licences respectively, shall be as follows:

Outfitters' Licence.....	\$ 40.00
Chief Guides Licence.....	20.00
Assistant Guides Licence.....	10.00

(5) Every Chief Guide and Assistant Guide licensed hereunder, who shall fail to report, or who refuses or neglects to lay information for any violation of this Ordinance, or who shall himself violate any of the provisions of this Ordinance, shall, in addition to any other penalty, have his licence revoked and shall be ineligible to act as guide for a period of at least two years from the date of conviction.

Use of Aircraft

10. (1) Aircraft shall not be used in trapping or hunting operations except as a means of transportation between the settlement where a trapper or hunter is outfitted and his principal base camp. Before making use of aircraft as above every trapper or hunter shall notify the nearest game guardian in writing stating the location and name of the settlement in the Yukon Territory where he will be outfitted, and also giving the location of his principal base camp and the location of that portion of the Territory where he will trap or hunt.

(2) The owner or operator of the aircraft used to transport a trapper or hunter shall also be required to report to the Department immediately after transporting a trapper or hunter to his base camp stating in writing the name of the trapper or hunter, date and number of his licence, name of settlement where trapper or hunter is outfitted, location of his principal base camp, and also when removing the trapper or hunter from his base camp to furnish a report in writing giving name of trapper or hunter, number and date of licence, and date and destination where trapper or hunter is taken by plane.

(3) Every game guardian shall report immediately to the Department all information received under this Section.

(4) Any operator or owner of an aircraft, who uses aircraft in transporting a trapper or hunter who is not licensed under this Ordinance, or any such operator or owner who fails to furnish the information as required by this Ordinance, shall be guilty of an offence against this Ordinance.

Trading and Outpost Permits

11. No trading post or outpost shall be established or maintained in any part of the Territory except under the authority of a permit from the Commissioner or an officer authorized by him. Such permits may, in the discretion of the Commissioner, be cancelled if the trading post or outpost for which the permit is issued is not operated for at least eight months in the case of a trading post, and at least three months in the case of an outpost in each licence year, or for any infraction of the Ordinance or Regulation. The permit shall not be transferable. A fee of One (\$1) Dollar shall be charged for each permit.

Fur Trading Licences

12. (1) Except those persons authorized by the Ordinance, no person shall engage in the business of trading and trafficking in the pelts and skins of fur-bearing animals and those wild animals not protected by this Ordinance in the Territory, without first securing a licence to do so.

(2) The holder of such licence shall at all times have the right to trade and traffic in the pelts and skins of game legally killed or taken under this Ordinance. The licence shall authorize the person to whom it is issued to trade and traffic only at the trading post or outpost described in the licence.

(3) No person shall in any licence year acquire from anyone other than the holder of a Fur Trader's Licence, skins or pelts of game for his own use or otherwise, to a value exceeding One Hundred (\$100) Dollars.

(4) Every person trading or trafficking in the skins and pelts of animals mentioned in sub-

section (1) of this Section must obtain a separate licence for each trading post or outpost for which he has secured a permit under Section 11 of this Ordinance.

Licence Fees

13. The fees for Fur Trading Licences shall be as follows, for each trading post or outpost:

For a Resident Fur Trading Licence	\$ 25
For a Non-resident Canadian Citizen	150

Transfer of Licence

14. A Fur Trading Licence may be transferred upon written request being made to the Commissioner or his duly appointed agents, and upon payment of a fee of \$5.00.

Records of Licensees

15. Every holder of a Fur Trading Licence shall keep a true record of all furs purchased or sold by him, such record to show:

- (a) Date of purchase or sale;
- (b) Name and address of vendor or purchaser;
- (c) Licence number of the trapper;
- (d) A sufficient description of the furs purchased or sold.

All entries are to be made as soon as practicable after purchase or sale and such records shall be open for inspection by any Game Guardian. A quarterly return, in a form prescribed by the Director, shall be forwarded to the Department within fifteen days after the end of each quarter.

Licensee to Make Returns

16. Every holder of a Fur Trading Licence shall, before leaving the Yukon Territory, or as soon as practicable after the expiration of the licence, whichever first occurs, return the licence to the nearest game guardian with the affidavit on the back of the same duly completed.

Trading Post Assistants

17. Notwithstanding the provisions of Section 12, any person who is authorized to engage in the business of fur trading under this Ordinance may have other persons to assist him at the trading post or outpost described in the licence.

Issue of Licences

18. (1) All licences shall be issued by the Commissioner or persons specially designated by him for that purpose, and no licence shall be valid unless the signature of the person named in the licence is endorsed thereon.

(2) No licence issuer shall issue a licence until the applicant for such licence produces a receipt showing that he has paid the annual poll tax for the current year, or satisfies the licence issuer that he is a person exempt from said tax, under the provisions of "The Poll Tax Ordinance", being Chapter 1 of the Ordinances of the Yukon Territory, 1918.

Expiry Date of Licences

19. (1) All resident hunting licences shall expire on the 31st day of January of the year next following the year of issue of such licences. All non-resident big game and bird licences shall expire on the 30th day of November in each year. All other licences issued under the provisions of this Ordinance shall expire on the thirtieth day of June

next following the year of issue of such licences.

Inspection of Licences

(2) Upon the request of a game guardian the holder of any licence issued under the provisions of this Ordinance shall submit his licence for inspection.

Licences May be Cancelled

20. Any licence issued under this Ordinance may, in the discretion of the Commissioner, be cancelled or suspended, if the holder thereof is convicted of violation of the provisions of the Ordinance or Regulations made pursuant to the provisions of said Ordinance.

Penalties for False Reports

21. Any person who makes a false report as to the number of game killed, trapped, taken or traded in, or who fails or neglects to return his licence within the time specified in the Ordinance, or Regulations, may, in addition to any other penalty provided in the Act or Regulations, be refused a licence in any subsequent year.

Illegal Possession of Game

22. It shall be unlawful for any person to have in his possession any game taken in violation of the provisions of the Ordinance or Regulations.

Powers of Game Guardians to Search

23. Any game guardian may call upon any person at any time found in possession of game or the pelt of any fur-bearing animal to state when, where, and from whom such game or pelt was obtained, and whenever he has reason to suspect that any person is illegally in the possession of any such game or

pelt, he shall have the right to inspect any bag, or other receptacle, vehicle, or other conveyance in which he supposes any such game or pelt to be, and any person refusing, molesting, or obstructing any game guardian in the accomplishment of such duties shall be liable, upon summary conviction, to a penalty not exceeding Two Hundred (\$200) Dollars and costs, and, in default of payment, to imprisonment for a period not exceeding three (3) months.

Seizure and Confiscation of Game

24. Any game guardian who has reasonable grounds for believing that an offence has been committed under this Ordinance may enter upon the premises of any person where he has reason to believe any game, or fur-bearing animal, or pelt may be, and make search therefor in every part thereof, and seize any game or fur-bearing animal or pelt in respect to which he believes such offence has been committed, and upon any seizure, shall notify the person, in whose custody such game, or fur-bearing animal or pelt was found, to appear before the nearest convenient Justice, at a time and place to be named to such person by said guardian in order to establish the rightfulness of his possession of such game, fur-bearing animal or pelt; and where practicable, such Game Guardian shall take the said game, fur-bearing animal, or pelt before said Justice, and in the event of such person failing to establish such right of possession the Justice may declare such game, fur-bearing animal, or pelt confiscated and the same may be dealt with in the manner provided by Section 32 of this Ordinance in regard to property confiscated.

Game Guardians may Appoint Constables

25. (1) Any game guardian, when he considers it necessary to do so, may deputize a constable or constables to apprehend any person who has done, or who he has reason to believe has done, anything in

contravention of any of the provisions of this Ordinance or the Regulations.

(2) Such constable shall upon apprehending such person, arrest him and bring him for trial before the nearest Justice of the Peace, together with any game, eggs, or nests, or parts thereof, protected by this Ordinance or a Regulation, found in the possession of such person at the time of his apprehension.

Possession of Game

26. (1) No person shall have in his possession game killed or taken in violation of the provisions of this Ordinance. Illegal possession shall be constituted as follows:

- (a) Possession at any time of the year of a buffalo, or bison, elk or wapiti, or any species of deer, dead or alive, or any part thereof, or
- (b) Possession at any time of the year of eggs of any of the birds mentioned in this Ordinance, or of eggs of any other species of wild fowl, or
- (c) Possession during the close season of any game or parts thereof protected by paragraphs (a), (d), (e), (f), (g), (h) and (i) of subsection 2 of Section 4 of this Ordinance.

(2) Nothing in this section shall be construed to prevent the possession of game or game birds permitted to be taken under Section 4 of this Ordinance and such game, legally taken, may be held in possession for a period not over 60 days after the beginning of the close season. At the expiration of the period written authority for the possession of such game or game birds must be

obtained from a Game Guardian.

Search Warrants may be Issued in Certain Cases

27. Any Justice of the Peace, upon proper information that there is reason to suspect that a breach of any of the provisions of this Ordinance has been committed, or that any pelt of any fur-bearing animal or any beast, bird or eggs, or any part of any beast or bird in respect of which such a breach has been committed, is likely to be in any tent, or on any premises, or on board of any vessel, or at any other place, may by warrant under his hand authorize any Game Guardian to enter and search any place, and, if found, to seize any such pelt, beast, bird, or eggs, or any such part of any beast, or bird to be dealt with as provided in regard to any pelt, beast or bird which has become confiscated under any provisions of this Ordinance.

When in Dire Need of Food

28. Notwithstanding anything in Section 4 of this Ordinance, any Indian or Eskimo, or any bona fide prospector who is actually engaged personally in any exploration, drilling or mining operations employing less than five men, if in dire need of food, may at any time of the year take or kill any of the game mentioned in subsection (2), paragraphs (d), (e), (f), (g), (h), and (i) of Section 4, or any game not protected by this Ordinance. Every person except Indians and Eskimos, who kill game under this Section shall report as soon as practicable to a Game Guardian the number and kind of game taken and furnish such other information relating to the killing as may be required by such Game Guardian.

Meat of Animals Killed must be Used for Food

29. The meat of mammals mentioned in paragraphs (d), (e), and (f), subsection (2) of Section

4 lawfully killed in the open season must be used for food purposes and the person taking the same who does not use the meat thereof for food himself or cause the same to be used for food shall be guilty of an offence and liable to a penalty not exceeding Five Hundred (\$500) Dollars and in default of payment, to imprisonment not exceeding three (3) months.

Permits to Take Game for Scientific Purposes

30. (1) The Commissioner or any officer authorized by him may issue a permit to any person to take the eggs or nests of non-migratory birds for scientific purposes, or a permit to take or kill game for scientific purposes or for any public park or zoological garden. Each permit shall set out the name, address, and calling of the person to whom it is issued, the purpose for which it is issued and the number of specimens to be taken thereunder. The permit shall not be transferable.

(2) Such permits shall be returned to the Commissioner within sixty (60) days of the expiry date, together with a statement by the permittee setting forth the numbers and kinds of game taken under its authority.

Permits to Ship or Remove Game

31. Except under permit from the Commissioner or an officer authorized by him, no person shall ship or remove from the Yukon Territory the meat, horns, antlers, or the raw pelt of any moose, deer, caribou, mountain sheep, or mountain goat, or any mammal not protected by this Ordinance.

Seizure of Guns, Traps, Boats, and Game

32. (1) All guns, ammunition, traps, boats, skiffs, canoes, punts, and vessels of every description, horses, dogs, wagons, sleighs, or other conveyance

and other outfits, decoys, and appliances, and materials of every kind used in violation of or for the purpose of violating this Ordinance, or any Regulations, may be seized upon view by any Game Guardian, or taken and removed by any person appointed for such purpose by a Game Guardian, for delivery to a Justice of the Peace, who may order such chattels to be held pending the payment of any penalty for any offence committed.

- (2) (a) Any game taken, caught, killed, or had in possession, in violation of this Ordinance, or any Regulation, and
- (b) Any poison, ammunition, explosives, traps, snares, spring guns, firearms and other implements, appliances and contrivances, the use of which is prohibited under the provisions of this Ordinance, may be seized on view by any Game Guardian, and shall be forfeited to the Yukon Territory to be disposed of by the Commissioner by public auction, or in such public manner as he deems advisable, the proceeds thereof to form part of the Consolidated Revenue Fund of the Territory.

Use of Poison

33. (1) No hunter or trapper, including Indians and Eskimos, shall have in his possession any poison compounds of strychnine, arsenic, phosphorus, antimony, barium, the cyanides, corrosive sublimate, or any other poison capable of being used for killing fur-bearing or game animals. Possession shall include presence of such poisons in camps, cabins, buildings, boats, or aeroplanes used by hunters, trappers, native Indians or Eskimos.

(2) It shall be unlawful for any person to use any poison as mentioned in subsection (1) of this Section for the purpose of taking or killing

any beasts or birds of any kind whatsoever, and the fact that a person places any poison or poisonous substance in such a position that it may be reached by any beast or bird shall be proof that it was used for such purpose and such placing of poison shall be deemed an offence against the provisions of this Ordinance.

(3) Any Game Guardian who has reasonable grounds to suspect that any person has used poison for the purpose of taking or killing game, or has poison in his possession may, in search of poison, enter any premises or tent or board any vessel or conveyance of any common carrier or search any kit, parcel, chest, box, receptacle, outfit, or other belongings of such person.

(4) Notwithstanding the provisions of this Section, the Commissioner may authorize the use of poison by Game Guardians for the destruction of predatory animals or by scientists for the preservation of scientific specimens.

Injury to Beaver Dams, Houses or Muskrat Houses Forbidden

34. (1) It shall be unlawful to dig up, injure or destroy any beaver dam, beaver house or runway or muskrat house or runway unless such injury or destruction becomes necessary in the carrying on of a bona fide mining operation or in the course of driving timber on any stream.

(2) No person shall at any time hunt, kill or attempt to kill any beaver by means of any spear or similar device or any shotgun or pistol.

(3) No person shall at any time hunt, kill or attempt to kill any muskrat with a shotgun.

Use of Batteries and Other
Contrivances Forbidden

35. (1) In this section "baiting" means placing or exposing corn, wheat, oats or other grain or the products thereof, or any other food or materials that may attract wild birds.

(2) No person shall kill, hunt, capture, destroy, injure, take or molest, or attempt to kill, hunt, capture, destroy, injure, take or molest any species of birds mentioned in this Ordinance or any other species of birds, at any time of the year;

- (a) by the use of any of the contrivances known as batteries, swivel guns or sunken punts; or
- (b) by the use of a gun larger than number ten gauge; or
- (c) by the use or aid of night lights; or
- (d) by the use or aid of live birds as decoys; or
- (e) by the use or aid of baiting; or
- (f) within one-half mile of any place, reserved or otherwise, where baiting is taking place; or
- (g) from any motor vehicle or any wheeled vehicle or any vehicle to which a draught animal is attached; or
- (h) by using a power boat, aeroplane or motor vehicle to disturb birds with the object of driving them towards a hunter; or

- (i) with a shotgun of any description which has not been permanently plugged or altered, if necessary, so as to reduce its capacity to not more than three shells at any one time in the magazine and chamber combined.

(3) No person shall kill, hunt, capture, injure, take or destroy or attempt to kill, hunt, capture, injure, take or destroy any game bird during the open season for such game bird except with a gun not larger than number ten gauge or with a bow and arrow or within one-half mile of any place where baiting has taken place less than fourteen days before the first day of such open season.

Traps to be Removed or Sprung

36. Any person using traps or other contrivances for trapping, taking, or killing game shall remove or spring the same before the close season and no person shall set or re-set during the close season any trap or contrivance used in connection with the trapping, taking, or killing of any animal protected by this Ordinance.

Use of Traps in Close Season

37. Except under permit from the Commissioner or any officer authorized by him, no trap or contrivance shall be used during the close season for the capture of coyotes, wolves, wolverine, or other predatory animals not protected by this Ordinance, but predatory animals may be shot at all times.

Traps, Deadfalls, or Pits for Big Game

38. No traps, deadfalls, pits, snares or other such contrivances shall be used at any time for the trapping of moose, caribou, deer, mountain sheep, mountain goat, or bear.

Disputes Regarding Trap Lines

39. Any dispute relative to rights in location of trap lines may be decided by the Game Guardian of the district. If the decision is appealed, it may be taken before a Justice of the Peace. Any person who fails to abide and comply with the decision of the said Justice of the Peace shall be guilty of an offence and shall be liable, on summary conviction to a fine not exceeding One Hundred (\$100) Dollars, nor less than Five (\$5) Dollars, or to imprisonment, for any term not exceeding two (2) months, or to both fine and imprisonment.

Contracts with Indians or Others

40. No one shall enter into any contract or agreement with or employ any Indian, Eskimo, or other person, whether such Indian, Eskimo, or other person is an inhabitant of the Territory, or not, to hunt, kill, or take contrary to the provisions of this Ordinance, any of the beasts or birds mentioned in this Ordinance, or to take, contrary to such provisions, any eggs, nest or part thereof.

Application for Fur Farm Licence

41. No person shall engage in the business of farming fur-bearing animals in the Yukon Territory or possess them for propagation purposes without first having obtained a Fur Farm Licence. The application for a licence shall set out the name and address of the applicant, a description of the location of the fur farm and the means by which the fur-bearers are to be secured.

Licence Fee

42. If there is no valid objection to the establishment of a fur farm at the location described in the application the Commissioner, or

any officer authorized by him, may, in his discretion, issue a Fur Farm Licence to the applicant therefor. The fee for a Fur Farm Licence shall be Five (\$5) Dollars.

Expiry Date of Licence and Renewal

43. (1) Any such licence shall expire on the 30th day of June next following its date of issue.

(2) Upon proof that the holder thereof has complied with all the provisions governing the issue of such licence, the Commissioner or such officer authorized by him may issue renewals thereof from year to year. The fee for a renewal licence shall be Two (\$2) Dollars.

Trespassing Prohibited

44. No person except a Game Guardian shall, without the consent of the owner of a ranch or enclosure where fur-bearing animals are kept in captivity for breeding purposes, enter upon such private grounds or within twenty-five yards of the pens or dens of such animals upon which notices forbidding trespassing on the premises are posted so as to be plainly discernible at the said distance of twenty-five yards. Provided, that where such dens or pens are located within twenty-five yards of a public highway, the rights of the public to use such highway shall not be restricted.

Dogs may be Killed

45. The owner or caretaker of fur-bearing animals kept on any premises for breeding purposes pursuant to a licence issued hereunder may kill any dog found in the enclosure in which such animals are kept and there giving tongue or otherwise terrifying the said animals.

Inspection of Records

46. The holder of a Fur Farm Licence shall keep books and records which shall correctly set forth at all times the total number of fur-bearing animals in his possession, and full particulars in respect of all animals bred, purchased, or acquired and the licensee shall at all reasonable hours allow any Game Guardian to enter and inspect the premises where operations are being carried on hereunder, and to inspect the books and records of such licensee relating thereto.

Returns to be Made Yearly

47. The holder of a Fur Farm Licence shall on the 30th day of June in each year make a return in triplicate to the nearest Game Guardian, showing the number of each species of fur-bearing animals in his possession, the number born in captivity, the number disposed of during the preceding year, and the names and addresses of the purchasers.

Licence not Transferable

48. No Fur Farm Licence issued hereunder shall be transferable without the written approval of the Commissioner first had and obtained.

Licence may be Cancelled

49. The Commissioner may cancel any Fur Farm Licence issued hereunder for failure to comply with any of the terms or conditions of the licence, or of this Ordinance, and may in his discretion refuse to issue any further licence to the person whose licence has been so cancelled.

Shipment of Pelts

50. The provisions of The Fur Export Tax Ordinance shall not apply with respect to nor shall

the tax imposed thereunder be collected upon the pelts of animals raised in captivity by the holder of a Fur Farm Licence.

Permits To Take Animals for Propagation Purposes

51. (1) No person shall take or trap any game for propagation purposes except under authority of a permit from the Commissioner. The permit shall set out the address and calling of the person to whom it is issued, the purpose for which it is issued, and the number of each species to be taken under its authority.

(2) Such permit shall not entitle the holder thereof to take animals for propagation purposes from a registered trapline area unless the owner thereof has given his consent.

Permit Fees

52. The fees for such a permit when issued to the holder of a Fur Farm Licence shall be:

For each beaver, fox, fisher, marten, mink or otter (Limit Twenty-five (25) of each species.....	\$2.00
For muskrat (Limit One Hundred (100) animals) each.....	.25

Free Permits in Certain Cases

53. Free permits may be issued if the applicant is a resident Indian or Eskimo, or if he is the holder of a registered trapline permit issued under the provisions of this Ordinance, conditional, however, upon the said fur-bearers being taken during the open season as provided by this Ordinance.

When Fur Bearers may be Exported

54. The provisions of Sections 52 and 53 of this Ordinance shall apply only to those persons who have been granted a Fur Farm Licence, and no person shall enter into any agreement to secure fur-bearing animals taken under the said authority or export them from the Yukon Territory without first obtaining a permit under Section 55 of this Ordinance.

Permit to Export Animals

55. The Commissioner or any officer authorized by him, may, in his discretion, issue a permit authorising any person to take live fur-bearing animals, and to ship or transport them from the Territory upon payment of the following fees:

For each beaver, fox, fisher, marten, mink,
or otter (limit Six (6) of each species)....\$10.00

For each muskrat (Minimum on any permit
Twenty (20) Limit One Hundred (100))..... .50

Unless otherwise specified in the permit, game taken under this authority shall be secured during the open season. When the live fur-bearers are being shipped or transported every precaution shall be taken to prevent injury to the animals in transit. The animals shall be properly fed and cared for and shall be shipped or transported in well ventilated crates maintained in a sanitary condition.

When Box Traps shall be Used

56. The holder of a permit, if permitted to take fur-bearers during the close season, shall be required to take or capture the said fur-bearers by the use of box traps or a modification of same.

Return of Permits

57. All permits issued under Sections 52 to 55 inclusive, shall be returned to the Commissioner upon the expiry date of the permit, together with an affidavit sworn setting forth the number and kind of game taken under its authority.

Privileges of Natives in Preserves

58. (1) No person, other than a native-born Indian or Eskimo of the Yukon Territory, or the Northwest Territories shall hunt, trap, take, shoot, at, wound, molest, kill, trade, or traffic for any purpose whatsoever in any area created as a game preserve in the Yukon Territory for native Indians or Eskimos.

(2) No licence or permit issued under the provisions of this Ordinance shall confer the right to hunt or trap, or take game within any such game preserve.

Remuneration of Game Guardians

59. The remuneration of Game Guardians, constables, and any other person or persons employed to perform any duties imposed by this Ordinance, or any Regulations under it, shall be determined by the Commissioner.

May Administer Oaths

60. All Game Guardians and Guides shall, while acting as such under the provisions of this Ordinance, have and possess the powers of a "Commissioner for taking affidavits in and for the Yukon Territory", in relation to all matters coming within the provisions of this Ordinance.

Game Guardians have Powers of Constables

61. Every Game Guardian shall have and is hereby given all the powers of a constable for the purpose of this Ordinance.

Commissioner may Appoint Persons to Issue Licences

62. Except as herein otherwise provided, the Commissioner may appoint such persons as he may deem from time to time necessary, with authority to issue licences authorized by this Ordinance.

Application of Ordinance to Indians

63. (1) This Ordinance shall apply to Indians except as herein otherwise provided. Indian Missions, Residential Schools and Hospitals situate within the Yukon Territory may purchase or otherwise obtain, under permit issued by the Department, from Resident Indians only during the open season, such game as is set forth in paragraphs (d), (e), and (f), of subsection 2 of Section 4 of the Ordinance.

(2) Indian Missions, Residential Schools and Hospitals purchasing or obtaining game as set forth above shall at the close of the hunting season, furnish the Department a full statement of the amount of game so purchased or obtained.

Sale of Game

64. (1) No person shall sell or buy, or offer for sale or kill for gain or reward any game or game birds or parts thereof, as set forth in paragraphs (d), (e), (f), (g), (h), and (i) of subsection 2 of Section 4 of this Ordinance except as otherwise provided under Section 63.

(2) No game, game birds or parts thereof, as set forth in paragraphs (d), (e), (f), (g), (h), and (i) of subsection 2 of Section 4 of this Ordinance shall be served for food in any public place unless such has been authorized by permit issued by the Commissioner, or as herein otherwise provided under Section 63 of this Ordinance.

Penalty for Offences by Game Guardians

65. Any Game Guardian who violates this Ordinance, or any regulation, or who aids, abets, or connives at any violation of this Ordinance, or any regulations, shall be liable upon summary conviction to a penalty not exceeding Five Hundred (\$500) Dollars, and not less than One Hundred (\$100) Dollars or to imprisonment for any term not exceeding six months, or to both fine and imprisonment.

Refusing Information or Giving False Information

66. Any person who wilfully furnishes false information to a Game Guardian respecting a violation of this Ordinance, or of any Regulation, the existence of, or the place of concealment of any game, nest or eggs, or portion thereof, captured, killed or taken in violation of this Ordinance, or of any Regulation, shall be guilty of a violation of this Ordinance.

Penalties

67. Any person who violates any of the provisions of this Ordinance, for which no other penalty is provided, or of any Regulation, shall be guilty of an offence, and shall be liable on summary conviction to:

- (a) A fine not exceeding Five Hundred (\$500) Dollars and costs, not less than One Hundred (\$100) Dollars and costs, or to imprisonment, for any

term not exceeding six (6) months, or to both fine and imprisonment, for any offence against Section 4, subsection (1), relating to the animals mentioned in paragraph (a) of subsection 2 of said Section 4.

- (b) A fine not exceeding Two Hundred (\$200) Dollars and costs nor less than Fifty (\$50) Dollars and costs, or to imprisonment for any term not exceeding three (3) months, or to both fine and imprisonment, for any offence under Sections 5, 12, and 64.
- (c) A fine not exceeding One Hundred (\$100) Dollars and costs, nor less than Five (\$5) Dollars and costs, or to imprisonment for any term not exceeding two (2) months, or to both fine and imprisonment for any other offence against this Ordinance.

Confine in Suitable Buildings

68. When, because of distance, or for want of conveyance or communication, or for any other cause, it is not convenient to confine any convicted person in the nearest gaol, or other place of confinement, the convicting authority shall have the power to confine such person in any suitable building which is more convenient to the place of trial, and to take all necessary precautions to prevent his escape therefrom.

Prosecution Within Three Years

69. **Prosecution** for any offence committed against this Ordinance may be entered at any time within three years from the time when such offence was committed.

Arrest on View

70. Any person found committing an offence against this Ordinance may be arrested on view by any Game Guardian.

Justice May Convict on View

71. Every Justice of the Peace may, upon his own view, convict for any offence against this Ordinance or Regulations.

Burden of Proof as to Licences

72. (1) In all actions and prosecutions under this Ordinance or the Regulations, the onus shall be upon the person charged to prove:

- (a) That he is the holder of a valid licence required by this Ordinance;
- (b) His bona fide residence is in the Yukon Territory.

Licence Moneys and Fines to Form Part General Revenue Fund

73. All moneys received from licences or permits issued under the provisions of this Ordinance, and all fines resulting from convictions under this Ordinance shall form part of the Consolidated Revenue Fund of the Territory.

Restrictions on Use of Firearms Along or Near Certain Roads

74. (1) No person shall hunt, trap, kill or molest any wildlife or discharge any firearm within the area extending a distance of one mile on either side of the centre of the Alaska Highway and of the Haines Cut-off Road.

- (2) No person shall carry or have in his

possession any loaded rifle or discharge any rifle within the area extending a distance of one mile on either side of the centre of the Whitehorse to Mayo to Dawson Highway.

(3) No person shall carry or have in his possession any loaded shotgun or discharge any shotgun within the area extending a distance of one hundred yards on either side of the Whitehorse to Mayo to Dawson Highway.

(4) The prohibitions contained in this section shall not apply to a game guardian or to a person who owns land in any area herein described if such person hunts, traps, kills or molests wildlife or discharges firearms in such area for the protection of livestock or of gardens or of other property from predatory animals and birds or rodents.

(5) On the prosecution of any person, other than a game guardian, charged with committing a violation of the provisions of this section the burden of proving that his action was necessary for the protection of his livestock, gardens or other property shall be upon the person accused.

Regulations

75. (1) The Commissioner may make such regulations and orders not inconsistent with this Ordinance as are necessary to carry out its provisions according to their obvious intent or to meet any cases which arise and for which no provision is made in this Ordinance, and such regulations and orders shall be part of this Ordinance; and, without restricting the generality of the foregoing, may make regulations:

- (a) For the appointment of such officers, servants and other persons whose assistance may be deemed requisite for the purposes of the Ordinance and Regulations, and for their remuneration;

- (b) Conferring upon certain officers by special appointment the powers of Justices of the Peace for the purposes of the Ordinances and of the Regulations;
- (c) Providing that every person holding any lease or licence issued under this Ordinance shall keep such records and make such reports and returns as may be prescribed;
- (d) Governing the issue of licences and permits prescribing the terms and conditions thereof, the period for which the same shall be in force, and the fees payable in respect thereof;
- (e) For granting, without fee, a special permit to enable a guest of the Yukon Territory to hunt therein;
- (f) The granting, with or without fee to a licensed trapper or to a bona fide prospector residing or operating in such remote or outlying districts of the Territory as the Commissioner may designate, a special permit enabling the trapper or prospector to take or hunt game for food for his own use at specified seasons of the year;
- (g) Designating certain parts of the Yukon Territory as Territorial game preserves or sanctuaries in which it shall be unlawful to hunt any game at any time of the year; subject to such exceptions as may be deemed advisable;
- (h) Designating any portion of lands owned or controlled by the Government as a district to be known as a registered trap line district or as a fur rehabilitation block and pro-

hibiting trapping or trespassing therein unless the person holds a permit to trap therein;

- (i) Providing for the control and management of trapping in game preserves, registered trap line districts and fur rehabilitation blocks including, without restricting the generality of the foregoing; the setting of the seasons for trapping in those areas, limiting the number of permits to be issued to trap therein, and the number of pelts that may be taken under the authority of any permit issued, providing for the handling, marketing and sale of pelts taken by permit holders, setting the share of the proceeds to be retained by the Territory therefrom, and providing for the distribution of the balance of the moneys to permit holders in such manner as may be considered advisable;
- (j) Authorizing and regulating the sale of game imported into the Territory and lawfully hunted, killed or procured according to the law of the province, state or country in which the same was killed or procured;
- (k) Authorizing and regulating the fur or game farming or fur or game ranching industries and the breeding or propagating of game;
- (l) Prohibiting from time to time the hunting and possession in the Yukon Territory or any section thereof, of any game birds, non-game bird or any insectivorous birds, whether migratory or non-migratory, which may

appear to require further protection than is afforded by this Ordinance;

- (m) Prohibiting from time to time in the whole or any part of the Yukon Territory, the hunting or trapping of fur-bearing animals, or of any particular species thereof, which may appear to require further protection than is afforded by this Ordinance;
- (n) Varying or closing any open season, as by this Ordinance or any Regulation prescribed, in any part of the Yukon Territory where local or climatic conditions may so require;
- (o) Varying the close season as by this Ordinance or the Regulations prescribed, including the setting of different seasons for different parts or portions of the Yukon Territory;
- (p) Limiting the number of game birds which may be hunted or taken by any person during the open season;
- (q) Designating areas, including the road allowances contained therein or adjacent thereto, in which no one shall trap or hunt for fur-bearing animals except as in this paragraph provided: and providing for the issue of special permits to trappers resident on land adjacent to or deemed by the Commissioner to lie in the vicinity of, any such area, authorizing the permit holders to trap or hunt fur-bearing animals therein, and fixing the term and conditions subject to which a special permit shall be issued;

- (r) Prohibiting or regulating the possession of firearms in any part of the Yukon Territory in which it may appear that it is desirable to take special means to prevent violation of this Ordinance;
- (s) Prohibiting persons assisting hunters or hunting parties from acting as guides, except under the authority of a licence or permit;
- (t) Requiring non-resident holders of hunting licences to employ licensed guides while hunting big game;
- (u) Containing such further and other provisions as may be deemed necessary or desirable for the administration and enforcement of this Ordinance and of the Regulations.

(2) Every order or regulation so made shall have force and effect only after the same has been published in the Yukon Gazette, and all such orders and regulations shall be laid before the Territorial Council within fifteen (15) days after the first day of meeting thereof.

Commissioner may enter into Agreements

76. The Commissioner, subject to the approval of the council, may, on behalf of the Territorial Government, enter into an agreement or agreements with the Government of Canada in connection with the development of fur rehabilitation blocks or registered trap line districts where such development will be beneficial to Indians, as defined in the Indian Act (Canada), resident in the area or areas to be developed: and such agreement or agreements may provide, among other matters, for

contributions by the Government of Canada toward the cost of developing and administration of such fur rehabilitation blocks or registered trap line districts.

Kluane Game Sanctuary

77. (1) The following area is set aside as a game sanctuary to be known as "The Kluane Game Sanctuary":

Commencing at the point of intersection of the International Boundary between Yukon Territory and the Territory of Alaska with the middle of the main channel of White River in approximate North Latitude sixty-one degrees and forty-five minutes thence south and easterly following the said International boundary to its intersection with the northern boundary of the Province of British Columbia; thence easterly following the said northern boundary of British Columbia to its intersection with the western boundary of the right of way of the Haines Highway, thence north and westerly following the said westerly and southerly boundary of the highway right of way to its intersection with the south boundary of the Alaska Highway; thence northerly and westerly following the southerly and westerly boundary of the right of way of the Alaska Highway to the middle of the main channel of White River; thence southwesterly along the middle of said channel to the point of commencement, the said described land containing an area of approximately ten thousand one hundred and thirty (10,130) square miles more or less.

McArthur Game Sanctuary

(2) The following area is set aside as a Game Sanctuary to be known as "The McArthur Game Sanctuary":

Commencing at the junction of the northwest and northeast branches of Kalzas River at approximately north latitude $62^{\circ} 52'$ west longitude $135^{\circ} 25'$ thence northwest along the northwest branch via the south bank of Kalzas Lake to the height of land at Woodburn Lake; thence northwest along Woodburn Creek to its junction with the south branch of Crooked Creek; thence northwest along the south branch of Crooked Creek to its junction with the north branch of Crooked Creek; thence northeast along the north branch of Crooked Creek to the height of land; thence northeast along the southwest branch of Avalanche Creek to its junction with the southeastern branch of Avalanche Creek; thence southeast along the southeast branch of Avalanche Creek to the height of land; thence southeast to the northeast branch of Kalzas River; thence southwest along Kalzas River to the point of commencement.

No Person to Hunt or Trap in a Game Sanctuary

(3) No person, unless authorized by the Commissioner, may hunt, trap, take, kill, shoot at, wound, injure, or molest any game, or take, destroy or molest the eggs or nests of birds in any game sanctuary at any time of the year. The possession of game or the nests or eggs of birds by any person within a game sanctuary shall be prima facie evidence of the guilt of such person and the onus of proof to the contrary shall rest upon him.

Firearms to be Sealed Within a Game Sanctuary

78. (1) No person residing in, travelling through or within any Territorial Game Sanctuary, except a salaried or appointed Game Guardian or others for which provision is hereinafter made, shall have in his possession or carry any rifle, shotgun,

airgun or other gun, firearm or any device for trapping, capturing or destroying game, unless the same shall have been sealed by a Game Guardian or other officer authorized to do so by the Commissioner and such seal shall not be broken within a Territorial Game Sanctuary except under extreme necessity for the protection of life and property. It shall be the responsibility of any person unsealing a firearm within a Territorial Game Sanctuary to report such action as soon as possible to the nearest Game Guardian giving a full statement of why such action was necessary and, in cases where in the opinion of the Game Guardian any doubt exists, proof of such necessary action may be required.

Guides Responsible

(2) Every Chief Guide or Guide employed by any party travelling through or within any Territorial Game Sanctuary shall be held responsible for seeing that all firearms in the party are sealed and that such seals are kept unbroken within the limits of such Sanctuary.

Firearms May be Seized

(3) Any unsealed rifle, shotgun, airgun, or other gun or firearm, found within any Territorial Game Sanctuary, except as herein provided, may be seized by a Game Guardian or other officer appointed by the Commissioner, for delivery to a Justice of the Peace, who may order such firearms to be held pending the payment of any penalty for the offence committed.

The Commissioner May Issue Permits

(4) The Commissioner may issue permits for the carrying of unsealed firearms within a Territorial Game Sanctuary to qualified persons requiring specimens for scientific purposes.

(5) Any person violating the provisions of this Section shall upon summary conviction be liable to a penalty as set forth under Section 68, subsection (2) paragraph (b).

Repeal

79. The Yukon Game Ordinance, being Chapter 3 of the Ordinances of the Yukon Territory, 1947, and amendments thereto, are hereby repealed.

Come into Force

80. This Ordinance shall come into force on the first day of January, A.D. 1952.

REGULATIONS FOR TRAPPING OF BEAVER

The Commissioner of the Yukon Territory pursuant to the provisions of the Yukon Game Ordinance, being Chapter 11 of the Ordinances of the Yukon Territory, 1951 (Second Session), is pleased to order and doth hereby order that the following Regulations shall be effective on and after the first day of January, A.D. 1952:

1. Subject to the conditions set out in these Regulations, the trapping of beaver is permitted during the period from the first day of March to the thirty-first day of May, both days inclusive, in each year to the holder of a Registered Trapline Permit allowing the holder thereof to take not more than fifteen (15) beaver within such Registered Trapline area.

2. As soon as practicable, and not later than the thirtieth day of June following the issue of a Permit under these Regulations, the holder of the Permit shall deliver all beaver pelts taken by him under said Permit to a Game Guardian to be sealed and recorded by such Guardian on a form as provided by the Department.

3. (1) The Commissioner shall furnish every Game Guardian with seals of a design approved by the Commissioner for the purpose of sealing all beaver pelts taken under these Regulations.

(2) No person, other than a Game Guardian, shall have in his possession seals of a design the same as or similar to that furnished to Game Guardians under these Regulations.

(3) No person, other than a Game Guardian, shall mark with a seal beaver pelts in the manner required by these Regulations.

4. No person other than the holder of a Permit to take beaver issued under these Regulations may have in his possession the pelt of any beaver which has not been sealed by a Game Guardian.

5. The holder of a Permit to take beaver who violates any of these Regulations shall have his Permit cancelled forthwith.

6. All Regulations for the Trapping of Beaver heretofore made and published are repealed on, from and after the first day of January, A.D. 1952.

REGISTERED TRAPLINE REGULATIONS

The Commissioner of the Yukon Territory, pursuant to the provisions of the Yukon Game Ordinance, being Chapter 11 of the Ordinances of the Yukon Territory, 1951 (Second Session), is pleased to order and doth hereby order that the following Regulations shall be effective on and after the first day of January, A.D. 1952:

1. The Commissioner of the Yukon Territory may authorize the issue of registered trapline permits in any area designated by regulation as a

registered trapline district, to persons who, upon investigation, are found entitled thereto.

2. (1) The applicant for a trapline permit shall make application therefor to the Department, or to the nearest Territorial Agent or Game Officer, or to the Indian Agent, for transmission to the Department.

(2) The approval of the application and the allotting of a trapping area shall be in the discretion of the Director.

(3) Permits shall be subject to renewal in the discretion of the Director on such terms and conditions and on payment of such dues or other charges as may be in force from time to time.

(4) The fee for such permit shall be the sum of \$10.00.

(5) The fee for the renewal of such permit shall be \$5.00.

3. (1) The application shall be made on the form prescribed and shall furnish information under the following headings:

- (a) Full name;
- (b) Full address;
- (c) Nationality, racial origin, and if applicable, the number of Citizenship Certificate;
- (d) Occupation;
- (e) Length of residence in the Territory immediately preceding date of application;
- (f) Complete description of trapping area, showing location and sufficiently defining said area by reference to the nearest known natural and geographical points;

- (g) A sketch map of the trapping area which it is desired to register must be presented by each applicant, showing the location of cabins, shelter, or trails, and any other information that may from time to time be requested by the Director.
- (h) The number of years the applicant has trapped the said area;
- (i) Particulars as to marks, blazes, or signs set out denoting the boundaries of the said area.

(2) Where in the opinion of the Director the area covered by the application produces fur sufficient for two or more trappers, he may in his discretion, divide the area into two or more areas, or may vary the boundaries, or may stipulate for a share of the crop over and above a specified amount.

4. All trapline permits shall expire on the 30th day of June following the date of issue.

5. A permit covering a registered trapline shall authorize the holder thereof to trap fur-bearing animals in the area described in his permit or more particularly shown on a plan attached thereto during the period or periods set by the Yukon Game Ordinance or Regulations made thereunder; provided that the Commissioner may, in his discretion authorize the trapping of fur-bearing animals in a registered trapline district during periods other than those set by the Ordinance or Regulations, where in his opinion, such trapping is necessary or advisable. Such authorization may be general or may be by special permit directing that the holder of a registered trapline permit may be authorized to take a specified number of animals of any given species.

6. No person shall be granted more than one registered trapline permit provided that if it is established to the satisfaction of the Director

that the area for which the permit was issued is unproductive, the holder thereof may be permitted to surrender such a permit and make application for another area.

7. (1) No person, except the holder of a registered trapline permit shall trap, or take fur-bearing animals on the area described in the permit or more particularly shown on a plan attached thereto. Provided that in the absence of the holder of the permit through illness or other causes, the Director may authorize another party to trap on or over the said area for and on behalf of the said permit holder.

(2) No person, except the holder of a registered trapline permit, or the holder of a special permit, shall trap or take fur-bearing animals in an area designated as a registered trapline district.

(3) The holder of a registered trapline permit shall not employ or allow any person to trap, or take fur-bearing animals on or over the area described in his permit, except with the consent in writing of the Director.

8. The holder of a registered trapline permit shall not trap fur-bearing animals outside the area covered by his permit.

9. The permittee shall pay such tax as is in force under the Yukon Fur Export Tax Ordinance on all pelts or skins taken on the area covered by his permit.

10. The permit shall be subject at all times to the right of the Commissioner to prohibit trapping over the area covered by the permit if in the opinion of the Commissioner said prohibition is necessary for the conservation of breeding stock; provided that when such an area is again opened for trapping the holder at the time of such prohibition

shall have the first opportunity to apply for the area.

11. The holder of a registered trapline permit shall make application for a renewal thereof on or before the first day of September in each year, and if he neglects or refuses to so apply other applications for the area covered by this permit may, on or after the first day of October following, be considered and a permit may be issued to such other applicant as may be selected.

12. In the event of a breach by the holder of a registered trapline permit of the Yukon Game Ordinance or any Regulation made thereunder, including these regulations or of any of the conditions set forth in or attached to his permit, such permit may be cancelled by a thirty day notice forwarded by registered mail to the address given in the original application or any renewal thereof.

13. A trapline permit shall not be transferred or assigned except with the written consent of the Director.

14. The holder of a registered trapline permit shall fully occupy the area described in his permit during the period of the lawful trapping season and neglect or refusal so to occupy the area shall be sufficient grounds for cancellation of the permit in accordance with the provisions of Section 12 hereof.

15. On the termination of the registered trapline permit, either by cancellation or expiration, all improvements made thereon except a permanent residence which has been used as such by the holder of the permit, shall vest in the Crown in the right of the Yukon Territory.

16. Where an area in a registered trapline district is not taken up under registered trapline

permits, the Director may issue a special permit or permits authorizing trapping in such areas on such terms as he considers fair and reasonable.

17. The Commissioner may, notwithstanding anything contained in these Regulations, hold in good standing without the need of annual registration, as set forth in these Regulations, the right of registration over any trapping area where the registered holder thereof has enlisted in and is on active duty in any branch of His Majesty's Armed Forces.

18. Every holder of a registered trapline permit shall, immediately upon expiration of his licence to trap fur-bearing animals, submit a true and complete report on the form prescribed showing the number and species of fur-bearing animals trapped or taken in the area described in his permit during the preceding twelve month period. Every such licensed trapper having beaver in or on his trapping area must include in the report or return referred to an estimate of the number of beaver left on his trapline.

19. The whole of the Yukon Territory is hereby designated as a registered trapline district.

20. All Trapline Regulations heretofore made and published are repealed on from and after the first day of January, A.D. 1952.

FUR EXPORT TAX ORDINANCE
(Office Consolidation, January 1, 1952)

Short Title

1. This Ordinance may be cited as "The Fur Export Tax Ordinance."

Interpretation

2. In this Ordinance, unless the context otherwise requires:

- (a) "Department" means Department of Game and Publicity for the Yukon Territory.
- (b) "Package" shall include any box, bale, trunk, bag or other receptacle containing or used for the purpose of carrying freight, baggage, or other effects.
- (c) "Permit" shall mean and include the permit issued hereunder.
- (d) "Tax" shall mean and include the tax imposed and authorized hereby.
- (e) "Game Guardian" means a Game Guardian appointed under the provisions of the "Yukon Game Ordinance".

No Raw Fur or Certain Animals to be Exported Without Permit

3. No person, corporation, railway company, express company, or other common carrier, except in pursuance and by virtue of a permit as herein provided, shall at any time or in any manner export or cause to be exported or carried out of the limits of the Territory, without having first obtained such permit, any raw fur being the pelt or skin of any weasel, muskrat, lynx, wolverine, bear, otter, marten, mink, fox, wolf, coyote, beaver, fisher or squirrel.

Who May Grant Permits on Payment of Tax

4. Permits for the exportation of any pelts or skins may be granted and issued by the Department or by any person appointed for such purpose by the Commissioner, upon payment of the tax hereby imposed and as set forth in Schedule "A" hereto.

Authority to Open and Inspect Packages

5. (1) Every person authorized hereby to grant any such permit and any Game Guardian shall have the right to open and inspect any package as well after as before consignment, which he may have reason to think or may suspect contains any pelt or skin of any fur-bearing animal described in Section 3 hereof, and, if the same has been delivered to or is in the possession of any transportation company or other common carrier or on board any outgoing vessel or on any railway train, aircraft or vehicle for the purpose of exportation beyond the Territory, and, if no permit therefor has been issued as herein provided, the same may be seized on view by such person or Game Guardian.

(2) Any person or Game Guardian who seizes any pelt or skin under the provisions of sub-section (1) hereof shall forthwith deliver the same to a Justice of the Peace and make complaint to him, and upon summary conviction of the offender, the Justice of the Peace shall declare any such pelt or skin forfeit to the Yukon Territory to be disposed of as the Commissioner directs and such forfeiture shall be in addition to any other penalty which shall be imposed on the offender in respect of such pelt or skin or the possession thereof under the provisions of this Ordinance.

(3) The proceeds of any disposition of pelts or skins directed by the Commissioner under the provisions of this section shall be paid to the Territorial Treasurer for the use of the Territory and shall form part of the Consolidated Revenue Fund of the Yukon Territory.

Penalty for Refusing or Hindering Inspection

(4) Any person and any company or other common carrier who may refuse, prevent or attempt to prevent any such inspection, or who may in any

way assist in any attempt to prevent any such inspection, shall be guilty of an offence against this Ordinance, and, upon summary conviction therefor, shall be liable to a penalty of not less than Twenty (\$20.00) Dollars and not exceeding One Hundred (\$100.00) Dollars for every such offence.

Marking of Receptacles

6. All receptacles, including bags, boxes, baskets, crates, hand-baggage, trunks, packages and parcels of every kind in which the skins of fur-bearing animals or the skins or pelts of protected animals or game are packed for transportation shall be plainly marked on the outside in such manner as to give a list and description of the contents, and the name and address of the consignee and consignor, and this applies to pelts or skins when being transported by hand or otherwise and skins or pelts of fur-bearing animals shall only be exported in such manner as may be prescribed by Regulations.

Form of Permit

7. The permit to be issued shall be in the Form "B" in the Schedule hereto or to the like effect, and shall be delivered by the person shipping the pelts to the carrier by or upon whose conveyance the pelts are to be carried and every such carrier or his agent shall forthwith complete and sign the certificate endorsed upon the permit and shall state in such certificate whether such pelts were exported by post or how otherwise, and return the same to the Department.

Amount of Tax

8. The tax to be paid before the issue of any such permit shall be as set forth in said Schedule "A" hereto.

Five Per Cent to Collectors

9. The persons authorized under the provisions of this Ordinance to grant any such permit and receive the tax shall be entitled to retain for his services five per centum of all sums paid to him, but this provision shall not apply to an employee of the Government of the Yukon Territory.

Returns to be Made Monthly to Territorial Treasurer

10. Every person appointed hereunder to grant permits and receive the tax shall, not later than the fifth day of each month, make return to the Treasurer of all permits granted and all moneys received by them respectively during the preceding month and shall with such return pay over to the Territorial Treasurer all moneys so received, less the amount which they may respectively be entitled to retain for commission, as above provided. Such return shall show the number and date of each permit, the name of the person to whom it is issued, the description of the pelts and the amount of the tax paid as set out in the permit, and shall be signed by a person authorized to issue such permit.

Penalties

11. Every person, corporation, railway company, express company, and other common carrier violating or neglecting to obey any provision hereof, other than as provided by subsection 4 of Section 5 hereof, shall be guilty of an offence against this Ordinance, and liable on summary conviction therefor to a penalty not exceeding One Hundred (\$100.00) Dollars.

Tax to be Paid to Treasurer, for the Use of the Territory

12. All amounts received in payment of the tax hereby imposed shall be paid to the Territorial

Treasurer for the use of the Territory and shall form part of the Consolidated Revenue Fund of the Territory.

13. This Ordinance shall come into force on the first day of January, 1952.

Repeal

14. The "Fur Export Tax Ordinance", being Chapter 8 of the Ordinances of the Yukon Territory, 1919, and amendments thereto, are hereby repealed.

SCHEDULE "A"
(Section 4)

On each bear, white or polar	\$ 1.00
On each bear, not specified	.25
On each beaver	1.00
On each fisher	2.00
On each fox, black	.50
On each fox, blue	.50
On each fox, cross	.50
On each fox, red	.25
On each fox, silver	1.00
On each fox, white	.50
On each lynx	.50
On each marten	.75
On each mink	.75
On each muskrat (musquash)	.10
On each otter	1.50
On each weasel (ermine)	.10
On each wolverine	.50
On each squirrel	.01
On each wolf	.25
On each coyote	.25

SCHEDULE "B"
(Section 6)

No.....

PERMIT
FUR EXPORT TAX ORDINANCE..

Chap. 12, 1951

Permission is hereby given to.....
of.....to export from the Yukon
Territory the following described raw furs or pelts:

.....Bear, white, @.....	.....	.....
.....Bear, otter, @.....	.....	.....
.....Beaver, @.....	.....	.....
.....Fisher, @.....	.....	.....
.....Fox, black, @.....	.....	.....
.....Fox, blue, @.....	.....	.....
.....Fox, cross, @.....	.....	.....
.....Fox, red, @.....	.....	.....
.....Fox, silver, @.....	.....	.....
.....Fox, white, @.....	.....	.....
.....Lynx, @.....	.....	.....
.....Marten, @.....	.....	.....
.....Mink, @.....	.....	.....
.....Muskrat, @.....	.....	.....
.....Otter, @.....	.....	.....
.....Weasel, @.....	.....	.....
.....Wolverine, @.....	.....	.....
.....Wolf, @.....	.....	.....
.....Coyote, @.....	.....	.....
.....Total .....	.....	.....

Number of Bales or Packages

Examined by

The said.....having paid the
required fees and complied with the Ordinance.

Dated at, in the
Yukon Territory thisday of.....
19.....

.....
Issuer

Original - See instructions at back.

CERTIFICATE TO BE ENDORSED ON PERMIT
(Reverse Side of Permit Form)

This certificate below is required to be filled out and signed by the Agent of Railway, Steamship or Express Companies, Postmasters or Game Wardens and forwarded to the Department of Game and Publicity, Whitehorse, Y.T.

I
(Agent, Purser, Conductor, Postmaster,
Game Warden, etc.),

do hereby declare that the within described furs or pelts have been exported from the Yukon Territory by the within described person or firm, by
(state whether by post or how otherwise)

DATED at
this.....day of....., 19

(Agent, Purser, Conductor,
Postmaster, Game Warden, etc.)

OFFICE
STAMP.

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