

## ARTICLE 30

### COMMERCIAL FISHING AND AQUATIC PLANT GATHERING OFFSHORE LABRADOR

#### PART 30.1: DEFINITIONS

30.1.1 “*area adjacent to the fishing area*” means those Canadian fisheries waters within that portion of Northwest Atlantic Fisheries Organization Division 2G above the 58<sup>th</sup> parallel adjoining and lying due east of the fishing area.

“*fishing area*” means that portion of Northwest Atlantic Fisheries Organization Division 2G above the 58<sup>th</sup> parallel extending between 12 and 40 nautical miles from the limit as defined in the Territorial Sea Geographical Coordinates Order pursuant to the *Oceans Act*, as amended from time to time.

#### PART 30.2: COMMERCIAL FISHING AND AQUATIC PLANT GATHERING

30.2.1 Subject to section 30.2.8, if in any calendar year after the effective date, the Minister decides to issue more commercial fishing licences for scallops, Atlantic salmon and arctic char in the fishing area than the number available for issuance in the year of the Agreement, the Minister shall offer to issue 10% of additional licences to Nunavik Inuit.

30.2.2 Subject to section 30.2.8, if in any calendar year after the effective date, the Minister decides to issue more commercial fishing licences to fish in the fishing area for species or stock of fish listed in schedule 30-1 than the number available for issuance in the year of the Agreement, the Minister shall offer to issue 10% of the additional licences to Nunavik Inuit.

30.2.3 Subject to section 30.2.8, if in any calendar year after the effective date, the Minister decides to issue more commercial fishing licences to fish for species or stock of fish listed in schedule 30-2 in that area adjacent to the fishing area than the number available for issuance in the year of the Agreement, the Minister shall offer to issue 10% of the additional licences to Nunavik Inuit.

30.2.4 Subject to section 30.2.8, if after the effective date the Minister decides to issue commercial fishing licences to fish in the fishing area for a species or stock of fish listed in schedule 30-1 that was not subject to commercial licensing on the effective date, the Minister shall offer 10% of the licences to Nunavik Inuit.

- 30.2.5 Subject to section 30.2.8, if after the effective date the Minister decides to issue commercial fishing licences to fish in the area adjacent to the fishing area for a species or stock of fish listed in schedule 30-2 that was not subject to commercial licensing on the effective date, the Minister shall offer to issue 10% of the licences to Nunavik Inuit.
- 30.2.6 If in any calendar year after the effective date, the Minister decides to issue more commercial fishing licences to fish for shrimp in the area adjacent to the fishing area than the number available for issuance in the year of the Agreement, the Minister shall offer access to Nunavik Inuit through an additional commercial fishing licence issued to Nunavik Inuit or by some other means to 8.8% of the quantity available to be harvested under those licences.
- 30.2.7 Subject to section 30.2.8, if after the effective date, the Minister decides to issue commercial licences to harvest in the fishing area and the area adjacent to the fishing area an aquatic plant that was not subject to commercial licensing on the effective date, the Minister shall offer to issue 10% of the licences to Nunavik Inuit.
- 30.2.8 If the system for allocating commercial opportunities in relation to a species or stock of fish or aquatic plant changes from the system existing on the effective date, the Minister shall offer to Nunavik Inuit participation under the new system that is at least as favourable as that set out under sections 30.2.1 through 30.2.7 in relation to that species or stock of fish or aquatic plant.
- 30.2.9 Nothing in this part prevents the Minister from continuing to issue commercial fishing licences available for issuance on the effective date.
- 30.2.10 All licences issued to Makivik under this part shall be subject to laws of general application governing any other similar licence.
- 30.2.11 For purposes of calculating the number of licences available for issuance in sections 30.2.1, 30.2.2, 30.2.3 and 30.2.6, a licence is deemed to be available for issuance if a person is eligible to be issued the licence in accordance with the then existing federal policy for the issuance of commercial fishing licences.

## SCHEDULE 30-1

|              |                  |
|--------------|------------------|
| GREY SEAL    | WOLF FISH        |
| HARP SEAL    | BROOK            |
|              | TROUT            |
| RINGED SEAL  | LAKE TROUT       |
| HARBOUR SEAL |                  |
|              | OUANANICHE       |
| HOODED SEAL  | NORTHERN         |
|              | PIKE             |
| BEARDED SEAL | WHITEFISH        |
| WALRUS       |                  |
|              | LANDLOCKED       |
|              | CHAR             |
| CLAM         | BURBOT           |
| MUSSEL       | SKATE            |
| SQUID        | SUCKERS          |
| WHELK        | SHARK            |
| SHRIMP       | ARCTIC COD       |
|              | (POLAR COD)      |
| SEA URCHIN   | GRENADIER        |
| SEA CUCUMBER | ATLANTIC         |
|              | HALIBUT          |
| STAR FISH    | FLOUNDER         |
| LUMP FISH    | SOLE             |
| ROCK COD     | PLAICE           |
| TOM COD      | REDFISH          |
| SCULPIN      | ROCK CRAB        |
| SMELT        | TOAD CRAB        |
| CAPELIN      | SNOW CRAB        |
| EEL          | PORCUPINE        |
|              | CRAB             |
| SAND LANCE   | STONE CRAB       |
| MACKEREL     | SPINY CRAB       |
| HERRING      | SEA TROUT        |
|              | GREENLAND        |
|              | HALIBUT (TURBOT) |

The list in this schedule is subject to the addition of further species or stocks of Fish as agreed to by Makivik and the Minister.

## **SCHEDULE 30-2**

HARP SEAL  
HOODED SEAL  
TOAD CRAB  
SNOW CRAB  
SEA CUCUMBER  
SAND LANCE  
WOLF FISH  
PORCUPINE CRAB  
SHARK  
ARCTIC COD (POLAR COD)  
GRENADIER  
ATLANTIC HALIBUT  
FLOUNDER  
SOLE  
PLAICE  
STONE CRAB  
SPINY CRAB  
CAPELIN  
SQUID  
SKATE  
REDFISH  
GREENLAND HALIBUT (TURBOT)

The list in this schedule is subject to the addition of further species or stocks of Fish as agreed to by Makivik and the Minister.

**SIGNATORIES TO THE AGREEMENT**

**SIGNED at** \_\_\_\_\_, **on the** \_\_\_\_\_ **day of** \_\_\_\_\_, **200\_\_.**

**FOR:**

**FOR:**

**HER MAJESTY THE QUEEN  
IN RIGHT OF CANADA**

**THE NUNAVIK INUIT**

**On Behalf of the Government of Canada**

**On Behalf of Makivik Corporation**

\_\_\_\_\_  
**Witness:**

\_\_\_\_\_  
**Witness:**

\_\_\_\_\_  
**On Behalf of the Government of Nunavut**

\_\_\_\_\_  
**Witness:**

\_\_\_\_\_