

Western Arctic (Inuvialuit) Claims Settlement Act

1984, c. 24

[Assented to June 28, 1984]

An Act to approve, give effect to and declare valid the Agreement between the Committee for Original Peoples' Entitlement, representing the Inuvialuit of the Inuvialuit Settlement Region, and the Government of Canada and to amend the National Parks Act in consequence thereof

WHEREAS the Committee for Original Peoples' Entitlement and the Government of Canada have entered into an Agreement respecting certain lands in the Northwest Territories and Yukon in and to which the Inuvialuit have claimed an interest based on traditional use and occupancy;

AND WHEREAS, in exchange for the surrender of that interest, the Government of Canada has assumed certain obligations under the Agreement in favour of the Inuvialuit of the Inuvialuit Settlement Region;

AND WHEREAS the Agreement provides, among other things, for the grant to or the setting aside for the Inuvialuit of certain lands in the Inuvialuit Settlement Region, for the right of the Inuvialuit to hunt, fish, trap and carry on commercial activity within the Inuvialuit Settlement Region in accordance with the regimes established therein, for measures to preserve Inuvialuit cultural identity and values within a changing northern society, to enable the Inuvialuit to be equal and meaningful participants in the northern and national economy and society and to protect and preserve the Arctic wildlife, environment and biological productivity and for the payment to the Inuvialuit of certain compensation;

AND WHEREAS the Agreement further provides, in consideration of the rights and benefits set forth therein, for the surrender by the Inuvialuit of all their native claims, rights, title and interests, whatever they may be, in and to the Territory;

AND WHEREAS the Governments of the Northwest Territories and Yukon Territory have been consulted and have participated in discussions concerning matters affecting them and over which they have jurisdiction in relation to the Agreement;

AND WHEREAS it is expedient that Parliament approve, give effect to and declare valid the Agreement;

NOW, THEREFORE, Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1984, c. 24, Preamble; 2002, c. 7, s. 249.

SHORT TITLE

Short title 1. This Act may be cited as the *Western Arctic (Inuvialuit) Claims Settlement Act*.

INTERPRETATION

Definitions 2. In this Act,

"Agreement"
« *Convention* » "Agreement" means the agreement between the Committee for Original Peoples' Entitlement, representing the Inuvialuit of the Inuvialuit Settlement Region, and the Government of Canada dated June 5, 1984, tabled in the House of Commons for the Minister of Indian Affairs and Northern Development on June 19, 1984 and recorded as document number 322-7/20 and includes an Amending Agreement;

"Amending Agreement"
« *Convention modificative* » "Amending Agreement" means
(a) the Amending Agreement between the Inuvialuit Regional Corporation, representing the Inuvialuit, and the Government of Canada, approved by Order in Council P.C. 1985-1144, tabled in the House of Commons for the Minister of Indian Affairs and Northern Development on December 14, 1987 and recorded as document number 332-4/43,
(b) the Amending Agreement between the Inuvialuit Regional Corporation, representing the Inuvialuit, and the Government of Canada, approved by Order in Council P.C. 1987-26, tabled in the House of Commons for the Minister of Indian Affairs and Northern Development on December 14, 1987 and

recorded as document number 332-4/43A,

(c) the Amending Agreement between the Inuvialuit Regional Corporation, representing the Inuvialuit, and the Government of Canada, dated May 11, 1987, tabled in the House of Commons for the Minister of Indian Affairs and Northern Development on December 14, 1987 and recorded as document number 332-4/43B, and

(d) any other Amending Agreement made pursuant to subsection 3(13) of the Agreement;

“Territory”
« *Territoire* »

“Territory” means the Northwest Territories, Yukon and adjacent offshore areas, not forming part of the Northwest Territories or Yukon, within the sovereignty or jurisdiction of Canada.

1984, c. 24, s. 2; 1988, c. 16, s. 1; 1993, c. 34, s. 137(F); 2002, c. 7, s. 250.

AGREEMENT

Agreement
approved

3. (1) The Agreement is hereby approved, given effect and declared valid.

Conferral of
rights and
benefits

(2) On the extinguishment of the native claims, rights, title and interests referred to in subsection (3), the beneficiaries under the Agreement shall have the rights, privileges and benefits set out in the Agreement, including the land title provided by subsections 7(1) and (2) of the Agreement.

Extinguishment
of claims

(3) All native claims, rights, title and interests, whatever they may be, in and to the Territory, of all Inuvialuit, wherever they may be, are hereby extinguished, but nothing in this Act prejudices the rights of such persons as Canadian citizens and they shall continue to be entitled to all of the rights and benefits of all other citizens as well as to those resulting from their status as aboriginal people of Canada and from other legislation applicable to them from time to time.

Exemption from
taxation

(4) The financial compensation provided by the Government of Canada pursuant to section 15 of the Agreement and the funds provided by the Government of Canada pursuant to subsections 16(8) and 17(3) of the Agreement are exempt from taxation in the manner and to the extent set out in that section and those subsections, respectively.

Regulations

(5) The Governor in Council may make such regulations as are necessary for the purpose of carrying out the Agreement or for giving effect to any of the provisions thereof.

CONSTRUCTION

Inconsistency or
conflict

4. Where there is any inconsistency or conflict between this Act or the Agreement and the provisions of any other law applying to the Territory, this Act or the Agreement prevails to the extent of the inconsistency or conflict.

Construction

5. Nothing in this Act or the Agreement shall be interpreted as granting any rights, privileges or benefits in respect of any area beyond the limits of the sovereignty or jurisdiction of Canada.

APPROPRIATION

Payments out of
C.R.F.

6. There shall be paid out of the Consolidated Revenue Fund such sums as may be required to meet the monetary obligations of Canada under section 15 and subsections 16(8) and 17(3) of the Agreement.

CONSEQUENTIAL AMENDMENT

7. [Amendment to another Act]

COMMENCEMENT

Coming into
force

* 8. This Act shall come into force on a day to be fixed by Proclamation.

* [Note: Act in force July 25, 1984, see SI/84-165.]