

Chapter 19

AN ACT TO AMEND THE SCIENTISTS ACT

(Assented to June 9, 2011)

The Commissioner of Nunavut, by and with the advice and consent of the Legislative Assembly, enacts as follows:

1. **The *Scientists Act* is amended by this Act.**
2. **Paragraph 2(b) is amended by striking out "the *Northwest Territories Act* (Canada)" and by substituting "subsection 51(1) of the *Nunavut Act* (Canada)".**
3. **The following is added after section 2:**

Appointment of science advisor

- 2.1.** (1) The Minister may appoint a science advisor for Nunavut.

Powers and duties of science advisor

(2) The science advisor is, on behalf of the Minister, responsible for the administration of the Act and, for that purpose, may exercise the powers and shall perform the duties of the Minister under the Act.

Limitation

(3) Despite subsection (2), the science advisor may not exercise the powers of the Minister under section 8 of the Act.

Appointment of science administrator

- 2.2.** (1) The Minister may appoint a science administrator for Nunavut.

Powers and duties of science administrator

(2) The science administrator is, by virtue of his or her office, the deputy science advisor and the science administrator may exercise the powers and shall perform the duties of the science advisor where the science advisor is absent, ill or otherwise unable to do so.

Submissions

- 2.3.** Where a person is required to submit any statement, information, report or specimen to the Minister, the statement, information, report or specimen may be submitted to the science advisor or the science administrator.

4. Subsection 3(2) is repealed and the following substituted:

Time of issuing licences

(2) The Minister shall issue a licence within one year after the receipt of the application for a licence unless:

- (a) in the opinion of the Minister, the research proposed to be carried out could be injurious to or unduly interfere with the natural or social environment of Nunavut; and
- (b) the Minister provides written reasons for the opinion.

5. Each provision listed in Column 1 of the Schedule of this Act is amended by striking out the words set out in the same row of Column 2 and substituting the words set out in the same row of Column 3.

TRANSITIONAL

6. Any licence issued, pursuant to the *Scientists Act Administration Regulations – Nunavut*, registered under the *Statutory Instruments Act* (Northwest Territories) as regulation numbered R-174-96, as duplicated for Nunavut by section 29 of the *Nunavut Act* (Canada), as they read immediately before their repeal, or pursuant to the *Administration Regulations*, registered as regulation numbered R-005-2009, before the coming into force of this Act, is conclusively deemed to have been validly issued.

SCHEDULE

(Section 5)

Provisions Amended	Word or Words Struck Out	Word or Words Substituted
<ul style="list-style-type: none"> • section 2; • subsections 3(1) 	"the Territories"	"Nunavut"
<ul style="list-style-type: none"> • subsection 3(1); • subsections 4(1), (2); • paragraph 5(1)(b); • subsection 5(2); • section 6 	"Commissioner"	"Minister"
<ul style="list-style-type: none"> • subsection 3(3) 	"The Commissioner may at any time, for any cause that to the Commissioner seems sufficient"	"The Minister may at any time, for any reason that the Minister considers appropriate"
<ul style="list-style-type: none"> • subsection 4(2); • section 6 	"a person designated by the Commissioner"	"the science advisor"
<ul style="list-style-type: none"> • that portion of subsection 5(1) preceding paragraph (a) 	"furnish in duplicate to the Commissioner or a person designated by the Commissioner"	"provide in duplicate to the Minister or the science advisor"
<ul style="list-style-type: none"> • subsection 5(2) 	"sees fit"	"considers appropriate"