

Chapter 18

AN ACT TO AMEND THE LEGISLATIVE ASSEMBLY AND EXECUTIVE COUNCIL ACT

(Assented to May 16, 2013)

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

1. The *Legislative Assembly and Executive Council Act* is amended by this Act.

2. The following is added after paragraph 40(3)(f):

- (f.1) issue directives to independent officers of the Legislative Assembly respecting compliance with the provisions of the *Public Service Act*, the *Financial Administration Act*, regulations and policies made under those Acts, and other administrative matters;

3. The following is added after subsection 52(2):

Appointment and dismissal of employees

(2.1) The Management and Services Board may, at its absolute discretion, on the written recommendation of the Clerk, approve the appointment or dismissal of an employee of the Office of the Legislative Assembly.

4. Subsection 54(3) is amended by striking out “oaths that may be prescribed in the Acts under which they are appointed.” and substituting “oath of office in Form 5 of Schedule D in the presence of the Speaker or the Clerk.”.

5. Subsection 55(3) is repealed.

6. Schedule B is struck out and the Schedule to this Act substituted.

7. (1) This section amends Schedule C.

(2) Item 1 is amended by striking out "\$94,518" and by substituting "\$97,354".

(3) Item 2 is amended as follows:

- (a) in paragraph (a), by striking out "\$87,085" and by substituting "\$89,698";
- (b) in paragraph (b), by striking out "\$80,196" and by substituting "\$82,601";
- (c) in paragraph (c), by striking out "\$73,306" and by substituting "\$75,505";

- (d) in paragraph (d), by striking out "\$73,306" and by substituting "\$75,505";
- (e) in paragraph (e), by striking out "\$18,903" and by substituting "\$19,471";
- (f) in paragraph (f), by striking out "\$4,959" and by substituting "\$5,108";
- (g) in paragraph (g), by striking out "\$4,271" and by substituting "\$4,399";
- (h) in paragraph (h), by striking out "\$2,893" and by substituting "\$2,980".

(4) Item 3 is amended by striking out "\$317" and by substituting "\$326".

(5) Item 5 is amended by striking out "\$94,518" and by substituting "\$97,354".

(6) This section comes into force October 1, 2013.

8. Form 4 of Schedule D is struck out and the following substituted:

Form 4
OATH OF OFFICE

(Section 62)

"I,, do solemnly and sincerely promise and (swear *or* affirm) that I will duly and faithfully and to the best of my skill and knowledge execute the powers and trust reposed in me as a member of the Executive Council of Nunavut. I further (swear *or* affirm) that I will keep confidential all matters addressed in Executive Council or that come to my knowledge by reason of being a member of the Executive Council, and that I will not disclose any such matters to any person other than a member of the Executive Council, except as authorized by the Executive Council, or as required in the lawful execution of my duties. (So help me God.) (*Delete "So help me God" where the member chooses to promise and affirm.*)"

9. Schedule D is amended by adding the following after Form 4:

Form 5
OATH OF OFFICE – INDEPENDENT OFFICERS

(Subsection 54(3))

"I,, do solemnly and sincerely promise and (swear *or* affirm) to faithfully and impartially perform the duties of the office and not to disclose any information received in my capacity as (Information and Privacy Commissioner/Languages Commissioner/ Integrity Commissioner/Chief Electoral Officer) except in accordance with law."

Consequential Amendments

10. (1) The *Access to Information and Protection of Privacy Act* is amended by this section.

(2) Section 64 is repealed and the following substituted:

Oath of office

64. Before undertaking the duties of office, the Information and Privacy Commissioner shall take an oath or affirmation of office in the form specified in the *Legislative Assembly and Executive Council Act* for independent officers of the Assembly.

11. (1) The *Integrity Act* is amended by this section.

(2) Section 27 is repealed and the following substituted:

Oath of office

27. Before undertaking the duties of office, the Integrity Commissioner shall take an oath or affirmation of office in the form specified in the *Legislative Assembly and Executive Council Act* for independent officers of the Legislative Assembly.

12. (1) The *Nunavut Elections Act* is amended by this section.

(2) Subsection 188(3) is repealed and the following substituted:

Oath of office

(3) Before undertaking the duties of office, the Chief Electoral Officer shall take an oath or affirmation of office in the form specified in the *Legislative Assembly and Executive Council Act* for independent officers of the Legislative Assembly.

13. (1) The *Official Languages Act* is amended by this section.

(2) The following is added after subsection 16(2.1):

Oath of office

(2.2) Before undertaking the duties of office, the Languages Commissioner shall take an oath or affirmation of office in the form specified in the *Legislative Assembly and Executive Council Act* for independent officers of the Legislative Assembly.

14. This Act comes into force on the 1st day following the day the Third Legislative Assembly dissolves.

