

SUMMARY CONVICTION PROCEDURES ACT

R-008-2020

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SUMMARY CONVICTION PROCEDURES REGULATIONS, amendment

The Commissioner, on the recommendation of the Minister, under sections 8 and 12 of the *Summary Conviction Procedures Act* and every enabling power, makes the attached amendment to the *Summary Conviction Procedures Regulations*.

1. These regulations amend the *Summary Conviction Procedures Regulations*, N.W.T.Reg. R-014-92.

2. Paragraph 2(k) is amended by

- (a) **adding "or orders"after"the regulations";**
- (b) **replacing the semi-colon at the end of subparagraph (iv) with a comma and adding the following after subparagraph (iv):**
- (v) with respect to an order in effect during a state of public health emergency declared under section 40 of the *Public Health Act*, any public officer who is lawfully authorized to enforce the order;

3. Section 3 is amended by

- (a) **renumbering it as subsection 3(1); and**
- (b) **adding the following after subsection 3(1):**

(2) The offence of contravening or failing to comply with an order made under the *Public Health Act* is prescribed as an offence referred to in paragraph 8(a) of the Act and the *Public Health Act* and its orders are prescribed as enactments referred to in that paragraph.

4. Subsection 4(1) and section 9 are amended by adding "or subsection 3(2)"after"Schedule A" wherever it appears.

5. Subsection 5(1) is amended

- (a) **in paragraph (a) by**
 - (i) **adding", order"after the first instance of "regulations", and**
 - (ii) **adding", the order" after the second instance of "regulations"; and**
- (b) **in paragraph (b) by adding ", the order" after "the regulations".**

6. Section 6 is amended by replacing the period at the end of subparagraph (b)(iii) with a semi-colon and adding the following after subparagraph (b)(iii):

- (c) the offence referred to in subsection 3(2).

7. Subsection 7(1) is amended by deleting "or" at the end of paragraph (a), replacing the period at the end of paragraph (b) with "; or" and adding the following after paragraph (b):

- (c) for an offence referred to in subsection 3(2),
 - (i) for an individual, a specified penalty of \$575 composed of a fine of \$500 and a surcharge of \$75 established under subsection 12(1) of the *Victims of Crime Act*;
 - (ii) for a corporation, a specific penalty of \$2,875 composed of a fine of \$2,500 and a surcharge of \$375 established under subsection 12(1) of the *Victims of Crime Act*.

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