

Chapter 23

AN ACT TO AMEND THE SUMMARY CONVICTION PROCEDURES ACT

(Assented to September 16, 2021)

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

1. The following is added after subsection 2(2) of the *Summary Conviction Procedures Act*:

References to Attorney General

(3) For the purposes of this Act, a reference to the "Attorney General" in the *Criminal Code* is,

- (a) with respect to an offence created by an enactment, a reference to the Attorney General for Nunavut, including counsel or agent for the Attorney General for Nunavut; and
- (b) with respect to an offence created by a municipal by-law, a reference to counsel or agent for the municipality.

Agency agreements

(4) For greater certainty,

- (a) the Attorney General for Nunavut may enter into an agency agreement with the Attorney General of Canada for the purpose of conducting prosecutions, appeals and other proceedings related to offences created by an enactment; and
- (b) a municipality may enter into an agency agreement with the Attorney General for Nunavut or the Attorney General of Canada for the purpose of conducting prosecutions, appeals and other proceedings related to offences created by a municipal by-law.

Named party – Government of Nunavut

(5) The Government of Nunavut, and not the Crown, is a named party to every proceeding conducted under this Act by the Attorney General for Nunavut, including counsel or agent for the Attorney General for Nunavut, other than pursuant to an agency agreement referred to in paragraph (4)(b).

Named party – municipality

(6) A municipality, and not the Crown, is a named party to every proceeding conducted under this Act by counsel or agent for the municipality.