

## Chapter 17

### MISCELLANEOUS STATUTES AMENDMENT ACT, 2011, No. 3

(Assented to June 8, 2012)

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

#### *Adoption Act*

1. (1) **The *Adoption Act* is amended by this section.**  
  
(2) **The subheading "Delegation to Board of Management" preceding section 72 and section 72 are repealed.**

#### *Adoption of the French Version of Statutes and Statutory Instruments Act*

2. **The *Adoption of the French Version of Statutes and Statutory Instruments Act*, R.S.N.W.T. 1988, c.92 (Supp.), as duplicated for Nunavut by section 29 of the *Nunavut Act (Canada)*, is repealed.**

#### *Central Trust Company Act*

3. **The *Central Trust Company Act*, R.S.N.W.T. 1988, c.10 (Supp.), as duplicated for Nunavut by section 29 of the *Nunavut Act (Canada)*, is repealed.**

#### *Change of Name Act*

4. (1) **The *Change of Name Act* is amended by this section.**  
  
(2) **Subsection 5(1) is repealed and the following substituted:**

Application for change of name

5. (1) A person may make an application if the person has resided in Nunavut for at least one year before the date of the application and the person
  - (a) has attained the age of 19 years; or
  - (b) has not attained the age of 19 years and is married.

#### *Cities, Towns and Villages Act*

5. (1) **The *Cities, Towns and Villages Act* is amended by this section.**  
  
(2) **Section 1 is amended by adding the following definition in alphabetical order:**

"judge" means a judge of the Nunavut Court of Justice; (*juge*)

**(3) The heading "CONTRACTS" preceding section 130 is repealed.**

**(4) The heading "COMMUNITY AGREEMENTS" preceding section 130.1 is repealed.**

**(5) The heading "PROPERTY" preceding section 130.2 is repealed.**

**(6) The headings "PART V", "ENFORCEMENT" and "PROCEDURES" preceding section 171 are repealed and the heading "ENFORCEMENT PROCEDURES" substituted.**

**(7) The English version of the following provisions is amended by striking out the comma at the end of the paragraph and substituting a semi-colon:**

- (a) paragraphs .01(a), (b);**
- (b) paragraph 1.2(1)(a);**
- (c) paragraph 17(2)(a);**
- (d) paragraph 17(3)(a);**
- (e) paragraphs 31.2(2)(a), (b);**
- (f) paragraph 53.4(3)(a);**
- (g) paragraph 53.5(3)(a);**
- (h) paragraph 53.5(4)(a);**
- (i) paragraph 53.6(1)(a);**
- (j) paragraph 53.7(2)(a);**
- (k) paragraph 53.7(3)(a);**
- (l) paragraphs 53.7(4)(a), (b);**
- (m) paragraph 53.8(2)(a);**
- (n) paragraph 53.93(3)(a);**
- (o) paragraph 53.97(2)(a);**
- (p) paragraphs 64(2)(a)-(c);**
- (q) paragraph 64(3)(a);**
- (r) paragraph 64(4)(a);**
- (s) paragraphs 64.3(3)(a)-(f);**
- (t) paragraph 64.8(a);**
- (u) paragraph 170.2(1)(a);**
- (v) paragraph 170.5(a);**
- (w) paragraph 170.93(a);**
- (x) paragraph 170.94(1)(a);**
- (y) paragraph 170.94(7)(a);**
- (z) paragraph 170.95(a);**
- (z.1) paragraph 175.1(1)(a);**
- (z.2) paragraph 175.1(2)(a);**
- (z.3) paragraphs 187(a)-(d);**
- (z.4) paragraphs 191.1(1)(a), (b);**
- (z.5) paragraphs 191.7(a)-(c);**
- (z.6) paragraph 204 (1)(a).**

**(8) The English version of the following provisions is amended by striking out the semi-colon at the end of the subparagraph and substituting a comma:**

- (a) subparagraph 31.1(2)(d)(i);**
- (b) subparagraph 53.5(5)(b)(i);**
- (c) subparagraphs 54.3(g)(i)-(iv).**

**(9) Each provision listed in Column 1 of Schedule A 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.**

*Commissioner's Land Act*

**6. (1) The *Commissioner's Land Act* is amended by this section.**

**(2) Section 1 is amended by**

- (a) adding the following definition in alphabetical order:**

"Sheriff" means the Sheriff appointed under the *Judicature Act*; (*shérif*)

- (b) repealing the definition "judge" and substituting the following:**

"judge" means a judge of the Nunavut Court of Justice; (*juge*)

**(3) Section 2 is repealed and the following substituted:**

Lands to which Act applies

**2. (1) Subject to subsection (2), this Act applies in respect of the following:**

- (a) all roads, streets, lanes and trails on public lands;**
- (b) lands acquired by Nunavut with territorial funds or pursuant to tax sale proceedings;**
- (c) lands situated in Nunavut that had been acquired before April 1, 1999 by the Northwest Territories with territorial funds or pursuant to tax sales proceedings; and**
- (d) public lands situated in Nunavut whose administration and control had been transferred before April 1, 1999 by the Governor in Council to the Northwest Territories.**

Exception

**(2) This Act does not apply in respect of any mines or minerals under or within the lands described in subsection (1).**

**(4) Subsections 5(1) and (2) are repealed and the following substituted:**

Trespass

- (1) An application for a summons under subsection (1.1) may be made where
- (a) in the opinion of the Commissioner, a person is wrongfully or without lawful authority, using, possessing or occupying Commissioner's land; or
  - (b) the right of a person to use, possess or occupy Commissioner's land has been forfeited and the person continues to use, possess or occupy or fails to deliver up possession of the Commissioner's land.

Application for summons to vacate Commissioner's land

- (1.1) The Commissioner or a person authorized by the Commissioner may apply to a judge for a summons calling on the person described in subsection (1) to
- (a) vacate without delay or abandon and cease using, possessing or occupying the Commissioner's land; or
  - (b) within 30 days after service of the summons on that person, show cause why an order or warrant should not be made or issued for that person's removal from the Commissioner's land.

Order or warrant for summary removal

- (2) A judge may make an order or issue a warrant for the summary removal of the person named in the summons from the Commissioner's land where, within 30 days after the service of the summons, the person
- (a) has not vacated or abandoned and ceased using, possessing or occupying the Commissioner's land; or
  - (b) has not shown cause why he or she should remain in possession or occupation of the Commissioner's land.

**(5) Subsection 5(4) is amended by striking out "a sheriff, bailiff, constable" and substituting "the Sheriff, a bailiff or member of the Royal Canadian Mounted Police".**

*Dependants Relief Act*

**7. (1) The *Dependants Relief Act* is amended by this section.**

**(2) Subsection 13(1) is amended by striking out "after six months from" and substituting "more than six months after".**

*Disease Registries Act*

**8. (1) The *Disease Registries Act* is amended by this section.**

**(2) Subsection 16(2) is amended by striking out "the Yukon Territory" and substituting "territory".**

**(3) The following provisions are amended by striking out "the Territories" and substituting "Nunavut":**

- (a) the definition "health facility" in section 1;**
- (b) paragraphs 14(2)(a), (c) and (d);**
- (c) paragraph 18(3)(a).**

**(4) The following provisions are amended by striking out "Government of the Northwest Territories" and substituting "Government of Nunavut":**

- (a) section 12;**
- (b) subsections 16(1) and (2);**
- (c) subsection 17(1).**

*Evidence Act*

**9. (1) The *Evidence Act* is amended by this section.**

**(2) Section 13 is amended by repealing the definition "Board of Management".**

**(3) The definition "committee" in section 13 is amended by repealing that portion of paragraph (a) preceding subparagraph (i) and substituting the following:**

- (a) a committee established or designated by the Minister responsible for the *Medical Profession Act* that, for the purpose of improving medical or hospital care or medical practice in a hospital,**

**(4) Subparagraph (a)(ii) of the definition "committee" in section 13 is amended by striking out ", and" and substituting "; or".**

**(5) Paragraph (a) of the definition "legal proceedings" in section 13 is repealed.**

**(6) Paragraph 15(2)(b) is repealed.**

**(7) Paragraphs 18(a) and (b) are repealed and the following substituted:**

- (a) has been found to have a mental disorder under any law in force in Nunavut,**
- (b) has a mental disorder and has been admitted to a hospital, or**

*Family Law Act*

**10. (1) The *Family Law Act* is amended by this section.**

**(2) Subsection 38(4) is repealed.**

**(3) Each provision listed in Column 1 of Schedule B 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.**

*Fatal Accidents Act*

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

**(2) Subsection 6(2) is amended by striking out "after two years from" and substituting "more than two years after".**

*Forest Management Act*

**12. (1) The *Forest Management Act* is amended by this section.**

**(2) Section 52 is amended by striking out "after one year from" and substituting "more than one year after".**

*Guardianship and Trusteeship Act*

**13. (1) The *Guardianship and Trusteeship Act* is amended by this section.**

**(2) Subsection 1(1) is amended by**

**(a) adding the following definition in alphabetical order:**

"Clerk" means the Clerk of the Nunavut Court of Justice appointed under the *Judicature Act*; (*greffier*)

**(b) repealing the definition "Court" and substituting the following:**

"Court" means the Nunavut Court of Justice; (*Cour*)

**(3) Subsections 44(4) and (5) are amended by striking out "*Probate Rules*" and substituting "*Probate and Administration Rules of the Nunavut Court of Justice*".**

**(4) The English version of subsection 60(2) is amended by**

**(a) striking out "and" at the end of paragraph (c); and**

**(b) adding "and" after paragraph (e).**

**(5) Each provision listed in Column 1 of Schedule C 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.**

*Interpretation Act*

**14. (1) The *Interpretation Act* is amended by this section.**

**(2) Paragraph 12(b) is repealed.**

**(3) The definition "holiday" in subsection 28(1) is repealed and the following substituted:**

"holiday" includes Sunday, New Year's Day, Good Friday, Easter Monday, Victoria Day, Canada Day, the first Monday in August, Labour Day, Thanksgiving Day, Remembrance Day, Christmas Day, Boxing Day and any day appointed as a general holiday by an Act in force in Nunavut or by proclamation of the Governor General or the Commissioner, and whenever a holiday falls on a Saturday or Sunday, the word "holiday" includes the following Monday; (*jour férié*)

**(4) Paragraph 30(1)(b) is amended by striking out "of Our Lord or the regnal year".**

**(5) The following is added after subsection 30(1):**

"S.Nu."

(1.1) The abbreviation "S.Nu." may be used in the citation of an Act that is included in an annual volume of the statutes.

**(6) Subsections 30(2) and (3) are repealed and the following substituted:**

"R.S.N.W.T. 1988"

(2) The abbreviation "R.S.N.W.T. 1988" may be used in the citation of an Act that was enacted by the Legislative Assembly of the Northwest Territories, included in the 1988 statute revision and, on April 1, 1999,

- (a) duplicated for Nunavut by section 29 of the *Nunavut Act* (Canada);
- or
- (b) amended for Nunavut pursuant to section 76.05 of the *Nunavut Act* (Canada).

"S.N.W.T."

(3) The abbreviation "S.N.W.T." may be used in the citation of an Act that was enacted by the Legislative Assembly of the Northwest Territories after December 31, 1987 and, on April 1, 1999,

- (a) duplicated for Nunavut by section 29 of the *Nunavut Act* (Canada);
- (b) amended for Nunavut pursuant to 76.05 of the *Nunavut Act* (Canada); or
- (c) enacted for Nunavut pursuant to section 76.05 of the *Nunavut Act* (Canada).

**(7) The following is added after section 30:**

Citation of regulations

**30.1.** (1) In an enactment or document, a regulation of Nunavut may be cited by reference to

- (a) its title;
- (b) its registration number, following the abbreviation "Nu.Reg." or "N.W.T.Reg."; or
- (c) the number of the chapter of the Revised Regulations.

"Nu.Reg."

(1.1) The abbreviation "Nu.Reg." may be used in the citation of a regulation that is registered.

"R.R.N.W.T. 1990"

(2) The abbreviation "R.R.N.W.T. 1990" may be used in the citation of a regulation that was made in the Northwest Territories, included in the 1990 regulation revision and, on April 1, 1999, duplicated for Nunavut by section 29 of the *Nunavut Act* (Canada).

"N.W.T.Reg."

(3) The abbreviation "N.W.T.Reg." may be used in the citation of a regulation that was made and registered in the Northwest Territories after December 31, 1989 and, on April 1, 1999, duplicated for Nunavut by section 29 of the *Nunavut Act* (Canada).

*Legal Profession Act*

**15. (1) The *Legal Profession Act* is amended by this section.**

**(2) Subsection 71(2) is amended by striking out "after two years from" and substituting "more than two years after".**



*Local Authorities Elections Act*

**16. (1) The *Local Authorities Elections Act* is amended by this section.**

**(2) Section 1 is amended by repealing the definition "judge" and substituting the following:**

"judge" means a judge of the Nunavut Court of Justice; (*juge*)

**(3) Subsection 4(2) is amended by striking out "Government of the Northwest Territories" and substituting "Government of Nunavut".**

**(4) Subsection 89(2) is amended by striking out "the Supreme Court" and substituting "the Nunavut Court of Justice".**

**(5) Section 105 is amended by striking out "Rules of the Supreme Court" and substituting "Rules of the Nunavut Court of Justice".**

**(6) Section 113 is amended by striking out "after two years from" and substituting "more than two years after".**

*Marriage Act*

**17. (1) The *Marriage Act* is amended by this section.**

**(2) Section 55 is amended by striking out "after two years from" and substituting "more than two years after".**

*Medical Profession Act*

**18. (1) The *Medical Profession Act* is amended by this Act.**

**(2) Section 1 is amended by**

**(a) repealing the definition "Court" and substituting the following:**

"Court" means the Nunavut Court of Justice; (*Cour*)

**(b) repealing the definition "judge" and substituting the following:**

"judge" means a judge of the Nunavut Court of Justice; (*juge*)

**(3) Each provision listed in Column 1 of Schedule D 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.**

*Mental Health Act*

**19. (1) The *Mental Health Act* is amended by this section.**

**(2) Section 1 is amended by adding the following definition in alphabetical order:**

"judge" means a judge of the Nunavut Court of Justice; (*judge*)

**(3) Section 2 is repealed and the following substituted:**

Agreements with provinces and territories

**2.** The Minister may, on behalf of the Government of Nunavut, enter into agreements with the government of a province or territory for the admission of a person who has a mental disorder to a hospital in that province or territory.

**(4) Subsection 8(1) is repealed and the following substituted:**

Order for psychiatric assessment

**8.** (1) A medical practitioner may order the detention of a person at a hospital within Nunavut for the purpose of undergoing a psychiatric assessment where

- (a) after examining the person, the medical practitioner has reasonable cause to believe that the person
  - (i) has threatened or attempted or is threatening or attempting to cause bodily harm to himself or herself,
  - (ii) has behaved or is behaving violently towards another person or has caused or is causing another person to fear bodily harm from him or her, or
  - (iii) has shown or is showing a lack of competence to care for himself or herself;
- (b) the medical practitioner requires more time to gather information before forming an opinion as to whether the person has a mental disorder of a nature or quality that will likely result in
  - (i) serious bodily harm to that person or another person, or
  - (ii) imminent and serious physical impairment of that person;and
- (c) the person refuses to undergo a psychiatric assessment or is not mentally competent to give a valid consent to undergo a psychiatric assessment.

**(5) Subparagraphs 9(2)(c)(i) and (ii) are repealed and the following substituted:**

- (i) serious bodily harm to that person or another person, or

**(6) Subsection 9(6) is repealed and the following substituted:**

Order for psychiatric assessment

(6) A justice or judge may issue an order in the prescribed form authorizing the psychiatric assessment of the person who is the subject of the application if the justice or judge, based on the available information, is of the opinion that the person apparently has a mental disorder of a nature or quality that will likely result in

- (a) serious bodily harm to that person or another person, or
- (b) imminent and serious physical impairment of that person.

**(7) Subsection 10(1) is repealed and the following substituted:**

Action by psychologist

**10.** (1) A psychologist may take a person into custody and then without delay to a medical practitioner or a hospital within Nunavut for the purpose of undergoing a psychiatric assessment where

- (a) the psychologist has reasonable and probable cause to believe that the person
  - (i) has threatened or attempted or is threatening or attempting to cause bodily harm to himself or herself,
  - (ii) has behaved or is behaving violently towards another person or has caused or is causing another person to fear bodily harm from him or her, or
  - (iii) has shown or is showing a lack of competence to care for himself or herself;
- (b) the psychologist, based on the available information, is of the opinion that the person apparently has a mental disorder of a nature or quality that will likely result in
  - (i) serious bodily harm to that person or another person, or
  - (ii) imminent and serious physical impairment of that person;and
- (c) proceeding under section 9 would be unreasonable in the circumstances or would result in a delay that would likely result in
  - (i) serious bodily harm to that person or another person, or
  - (ii) imminent and serious physical impairment of that person.

**(8) Subsection 11(1) is repealed and the following substituted:**

Action by peace officer

**11.** (1) A peace officer may take a person into custody and then without delay to a medical practitioner or a hospital within Nunavut for the purpose of undergoing a psychiatric assessment where

- (a) the peace officer has reasonable and probable cause to believe that the person
  - (i) has threatened or attempted or is threatening or attempting to cause bodily harm to himself or herself,

- (ii) has behaved or is behaving violently towards another person or has caused or is causing another person to fear bodily harm from him or her, or
  - (iii) has shown or is showing a lack of competence to care for himself or herself;
- (b) the peace officer, based on the available information, is of the opinion that the person apparently has a mental disorder of a nature or quality that will likely result in
  - (i) serious bodily harm to that person or another person, or
  - (ii) imminent and serious physical impairment of that person; and
- (c) proceeding under section 9 would be unreasonable in the circumstances or would result in a delay that would likely result in
  - (i) serious bodily harm to that person or another person, or
  - (ii) imminent and serious physical impairment of that person.

**(9) Subsection 12(1) is repealed and the following substituted:**

Action by private person

**12.** (1) A person, other than a peace officer, may take another person into custody and then without delay to a medical practitioner or a hospital within Nunavut for the purpose of undergoing a psychiatric assessment where

- (a) the person has reasonable and probable cause to believe that the other person
  - (i) has threatened or attempted or is threatening or attempting to cause bodily harm to himself or herself,
  - (ii) has behaved or is behaving violently towards another person or has caused or is causing another person to fear bodily harm from him or her, or
  - (iii) has shown or is showing a lack of competence to care for himself or herself;
- (b) the person, based on the available information, is of the opinion that the other person apparently has a mental disorder of a nature or quality that will likely result in
  - (i) serious bodily harm to that other person or another person, or
  - (ii) imminent and serious physical impairment of that other person;
- (c) proceeding under section 9 would be unreasonable in the circumstances or would result in a delay that would likely result in
  - (i) serious bodily harm to that other person or another person, or
  - (ii) imminent and serious physical impairment of that person; and

- (d) a peace officer is not available and it would be unreasonable in the circumstances to delay until a peace officer is available to proceed under section 11.

**(10) Section 13 is repealed and the following substituted:**

Examination and admission

**13.** (1) A medical practitioner shall admit a person as a voluntary patient to a hospital in accordance with section 6 where

- (a) after examining the person, the medical practitioner has reasonable cause to believe that the person
  - (i) has threatened or attempted or is threatening or attempting to cause bodily harm to himself or herself,
  - (ii) has behaved or is behaving violently towards another person or has caused or is causing another person to fear bodily harm from him or her, or
  - (iii) has shown or is showing a lack of competence to care for himself or herself; and
- (b) the medical practitioner, based on the available information, is of the opinion that the person apparently has a mental disorder of a nature or quality that will likely result in
  - (i) serious bodily harm to that person or another person, or
  - (ii) imminent and serious physical impairment of that person, unless the person remains in the custody of a hospital.

Examination and application for involuntary admission

(2) Where the criteria set out in subsection (1) are satisfied, but a medical practitioner is of the opinion that the person is not suitable for admission as a voluntary patient, the medical practitioner shall apply to admit the person as an involuntary patient to a hospital by completing and filing with the Minister an application for a certificate of involuntary admission as set out in section 15.

**(13) Subparagraphs 14(c)(i) and (ii) are repealed and the following substituted:**

- (i) serious bodily harm to that person or another person, or

**(14) Clauses 23(5)(b)(i)(A) and (B) are repealed and the following substituted:**

- (A) serious bodily harm to the patient or another person, or

**(15) Clauses 23.2(3)(a)(i)(A) and (B) are repealed and the following substituted:**

- (A) serious bodily harm to the patient or another person,  
or

**(16) Deleted, Standing Committee on Legislation, 3<sup>rd</sup> Legislative Assembly, February 22, 2012.**

**(17) Subsection 49(4) is amended by striking out "subsection (1) or (2)" and substituting "subsection (1) or (2.1) or paragraph 3.1(a)".**

**(18) Paragraphs 49(5)(b) and (c) are repealed and the following substituted:**

- (b) where the patient is not mentally competent to give a valid consent, with the consent of the substitute consent giver;
- (c) where the action or proceeding is before a court, the court determines that the disclosure is essential in the interests of justice;  
or
- (d) where the action or proceeding is not already before a court, a court of competent jurisdiction, after a hearing from which the public is excluded and that is held on reasonable notice to the patient or, where the patient is not mentally competent to give a valid consent, to the substitute consent giver, determines that the disclosure is essential in the interests of justice.

**(19) Section 57 is repealed and the following substituted:**

Service of documents

**57.** Where an action or proceeding is brought or taken against the estate of a person with a mental disorder

- (a) who has been admitted to a hospital, and
- (b) for whose estate a trustee has not been appointed,  
the originating notice and any other document requiring personal service must be
- (c) endorsed with the name of the hospital of which that person is a patient, and
- (d) served on
  - (i) the Public Trustee, and
  - (ii) the person or, where the medical practitioner is of the opinion that personal service on the person would cause or would be likely to cause serious harm to that person by reason of his or her mental condition, the person in charge of the hospital.

**(20) Each provision listed in Column 1 of Schedule E 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.**

*Mine Health and Safety Act*

**20. (1) The *Mine Health and Safety Act* is amended by this section.**

**(2) Each provision listed in Column 1 of Schedule F 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.**

*Nunavut Elections Act*

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

**(2) Paragraph 240(1)(a) is amended by striking out "after one year from" and substituting "more than one year after".**

**(3) Paragraph 240(2)(c) is amended by striking out "after six months from" and substituting "more than six months after".**

*Nunavut Housing Corporation Act*

**22. (1) The *Nunavut Housing Corporation Act* is amended by this section.**

**(2) Subsection 6(1) is amended by striking out "recommendations" and substituting "recommendation".**

**(3) Section 50 is amended by striking out "and" at the end of paragraph (a) and adding "and" at the end of paragraph (a.1).**

*NWT Energy Corporation Ltd. Loan Guarantee Act*

**23. (1) The *NWT Energy Corporation Ltd. Loan Guarantee Act* is amended by this section.**

**(2) The following provisions are amended by striking out "Government of the Northwest Territories" and substituting "Government of Nunavut":**

- (a) subsection 1(1);**
- (b) section 2.**

*Pharmacy Act*

**24. (1) The *Pharmacy Act* is amended by this section.**

**(2) Section 25 is amended by striking out "after one year from" and substituting "more than one year after".**

*Social Assistance Act*

**25. (1) The *Social Assistance Act* is amended by this section.**

**(2) The definition "local authority" in section 1 is amended by**  
**(a) adding "or" at the end of paragraph (b); and**  
**(b) repealing paragraph (c).**

**(3) Section 4 is amended by striking out "any person in the Territories to be".**

**(4) Section 10 is repealed and the following substituted:**

Recovery of assistance

**10.** Any amount of assistance to which a person is not eligible and any amount in excess of the amount of assistance to which a person is eligible may be recovered from the recipient at any time as a debt due to the Government of Nunavut.

**(5) Paragraph 12.1(2)(c) is amended by striking out "the government of a province or the Yukon Territory" and substituting "the government of a province or territory".**

**(6) Subsections 17(3) and (4) are repealed.**

**(7) Each provision listed in Column 1 of Schedule G 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.**

*Statute Revision Act*

**26. The *Statute Revision Act*, S.N.W.T. 1987(1), c.32, as duplicated for Nunavut by section 29 of the *Nunavut Act* (Canada), is repealed.**

*Summary Conviction Procedures Act*

**27. (1) The *Summary Conviction Procedures Act* is amended by this section.**

**(2) Section 3 is amended by striking out "after six months from" and substituting "more than six months after".**



*Veterinary Profession Act*

**28. (1) The *Veterinary Profession Act* is amended by this section.**

**(2) Section 10 is amended by striking out "after one year from" and substituting "more than one year after".**

*Vital Statistics Act*

**29. (1) The *Vital Statistics Act* is amended by this section.**

**(2) Section 1 is is amended by**

- (a) repealing the definition "Indian"; and**
- (b) adding the following definition in alphabetical order:**

"Clerk" means the Clerk of the Nunavut Court of Justice appointed under the *Judicature Act*; (*greffier*)

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

Plural births

- (4) Where a pregnancy results in the delivery of more than one child:
  - (a) a separate statement shall be completed for each child; and
  - (b) each statement must indicate the number of children born and their order of birth.

**(4) Subsection 2(6) is repealed and the following substituted:**

Continuing liability to complete statement

(6) Every person referred to in subsection (2) who does not complete and deliver or mail a statement of birth within the required 30 days

- (a) remains liable to register the birth of the child; and
- (b) is guilty of a contravention of this Act for each successive period of seven days after the expiration of the required time during which that person neglects or fails to complete and deliver or mail the statement.

**(5) Section 7 is repealed and the following substituted:**

Registration of birth by Registrar General

**7.** Where a birth is not registered within one year after the day of birth or the district registrar has referred the matter to the Registrar General under subsection 2(5),

- (a) the Registrar General shall sign the statement of birth if

- (i) the Registrar General is satisfied as to the truth and sufficiency of the matters stated in the application and that the application was made in good faith, and
  - (ii) the application is made in the prescribed form, verified by statutory declaration and is accompanied by a statement respecting the birth and any other fee or evidence that may be prescribed; and
- (b) upon signing by the Registrar General, the statement constitutes registration of the birth.

**(6) Subsection 11(1) is repealed and the following substituted:**

Eligibility to be registered as resident of Nunavut at birth

**11.** (1) A person born outside Nunavut is eligible to be registered as being a resident of Nunavut at birth if

- (a) the person is ordinarily resident in Nunavut ; and
- (b) at least one of his or her parents was ordinarily resident in Nunavut immediately before and after the birth.

**(7) Section 15 is repealed and the following substituted:**

Certificate of registration after adoption

**15.** Where a child born in Nunavut is adopted pursuant to the laws of Nunavut or of a province, territory, state or country and a new registration has been made pursuant to section 13, any certificate of birth of that child subsequently issued by the Registrar General

- (a) must be in accordance with the new registration, and where parentage is shown, indicate the legal parents in accordance with section 37 of the *Adoption Act*; and
- (b) may not contain anything that would disclose that the child is an adopted child.

**(8) Subsection 18(5) is repealed and the following substituted:**

Marriage performed in province or territory

(5) Where a marriage solemnized in a province or territory is dissolved or annulled in Nunavut, the Registrar General on receipt of the statement respecting the dissolution or annulment shall transmit a certified copy of the order, judgment or decree to the person having charge of registration of marriages in the province or territory in which the marriage was solemnized.

**(9) Section 60 is amended by**

- (a) **striking out "after one year from" from paragraph (l) and substituting "more than one year after";**
- (b) **adding "and" at the end of the paragraph (m); and**
- (c) **repealing paragraphs (n) and (o).**

**(10) Each provision listed in Column 1 of Schedule H 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.**

*Young Offenders Act*

**30. (1) The *Young Offenders Act* is amended by this section.**

**(2) Subsection 9(2) is amended by striking out "the Territories, Canada, a province or the Yukon Territory" and substituting "Nunavut, Canada, a province or territory".**

**(3) The subheading "Transitional" preceding section 96 and section 96 are repealed.**

**(4) The English version of the following provisions is amended by striking out "the the Government" and substituting "the Government":**

- (a) subsection 68(1);**
- (b) subsection 92(1).**

*Young Offenders Act and other Acts in consequence, An Act to Amend the*

**31. (1) *An Act to Amend the Young Offenders Act and other Acts in consequence, S.Nu. 2003, c.4*, is amended by this section.**

**(2) Subsection 22(2) is amended by striking out "subparagraphs 119(a)(i) and (ii)" and substituting "subparagraph 119(a)(i)".**

**(3) This section is deemed to have come into force March 28, 2003.**

Miscellaneous Regulations

**32. (1) The *Adoption Regulations*, made under the *Adoption Act*, are amended by this section.**

**(2) Paragraphs 18(1)(a) and 30(1)(a) are amended by striking out "a Board of Management established under the *Hospital Insurance and Health and Social Services Administration Act* or".**

**33. (1) The *Territorial Hospital Insurance Services Regulations*, made under the *Hospital Insurance and Health and Social Services Administration Act*, are amended by this section.**

**(2) Schedule A to the regulations is repealed and Schedule A set out in Schedule I to this Act substituted.**

**34. The *Proclamation of Holidays*, R.R.N.W.T. 1990, c.I-6, made under the *Interpretation Act*, and duplicated for Nunavut under section 29 of the *Nunavut Act* (Canada), is repealed.**

**35. (1) The *Reciprocating Jurisdictions Order, amendment*, made under the *Labour Standards Act*, and registered as regulation numbered R-003-2011, is amended by this section.**

**(2) The English version of section 3 is amended by striking out "of the Province of Quebec" and substituting "du Québec".**

**(3) The French version of section 3 is amended by striking out "de la province".**

**36. (1) The *Elections Regulations, amendment*, made under the *Nunavut Elections Act*, and registered as regulation numbered R-022-2010, is deemed to have been made by the Management and Services Board.**

**(2) This section is deemed to have come into force November 9, 2010.**

**37. The *Administration Regulations*, made under the *Scientists Act*, and registered as regulation numbered R-005-2009, are repealed.**

**38. (1) The *Vital Statistics Fees Regulation*, made under the *Vital Statistics Act*, are amended by this section.**

**(2) Item 7 of the Schedule is repealed.**

**SCHEDULE A***(Section 5)**Cities, Towns and Villages Act*

<b>Provisions Amended</b>	<b>Word or Words Struck Out</b>	<b>Word or Words Substituted</b>
<ul style="list-style-type: none"> <li>the English version of paragraph 9.1(b)</li> </ul>	"carried out;"	"carried out; and"
<ul style="list-style-type: none"> <li>the English version of paragraph 31.1(2)(f)</li> </ul>	" <i>Business Corporations Act</i> ;"	" <i>Business Corporations Act</i> ; or"
<ul style="list-style-type: none"> <li>the English version of paragraph 31.2(2)(b)</li> </ul>	"senior administrative officer;"	"senior administrative officer; or"
<ul style="list-style-type: none"> <li>the English version of paragraph 32.1(d)</li> </ul>	"held in public; and"	"held in public;"
<ul style="list-style-type: none"> <li>section 53;</li> <li>subsection 178(6)</li> </ul>	"the Territories"	"Nunavut"
<ul style="list-style-type: none"> <li>the English version of paragraph 53.6(1)(a)</li> </ul>	"beyond 5 years; and"	"beyond 5 years;"
<ul style="list-style-type: none"> <li>the English version of paragraph 54.2(g)</li> </ul>	"relation to them; and"	"relation to them;"
<ul style="list-style-type: none"> <li>the English version of subparagraph 54.3(g)(v)</li> </ul>	"specified in the by-law;"	"specified in the by-law; or"
<ul style="list-style-type: none"> <li>subsection 54.6(10)</li> </ul>	"judge of the Nunavut Court of Justice"	"judge"
<ul style="list-style-type: none"> <li>the English version of paragraph 55(2)(j)</li> </ul>	"private partnership agreement; or"	"private partnership agreement;"
<ul style="list-style-type: none"> <li>subsection 68(1);</li> <li>subsection 147(3);</li> <li>subsection 180(1);</li> <li>paragraph 180(3)(b)</li> </ul>	"judge of the Supreme Court"	"judge"
<ul style="list-style-type: none"> <li>subsection 68(2);</li> <li>subsection 180(1)</li> </ul>	"Rules of the Supreme Court"	"Rules of the Nunavut Court of Justice"
<ul style="list-style-type: none"> <li>paragraph 69(1)(d)</li> </ul>	"water course;"	"water course."
<ul style="list-style-type: none"> <li>paragraph 101(b);</li> <li>subsections 156(2), (3);</li> <li>section 208;</li> <li>section 209</li> </ul>	"Government of the Northwest Territories"	"Government of Nunavut"
<ul style="list-style-type: none"> <li>the English version of section 118;</li> <li>the English version</li> </ul>	"Notwithstanding"	"Despite"

<ul style="list-style-type: none"> <li>• of subsection 134(2);</li> <li>• the English version of subsection 139(2);</li> <li>• the English version of subsection 141(3);</li> <li>• the English version of subsection 164(1.1)</li> </ul>		
<ul style="list-style-type: none"> <li>• the English version of section 128</li> </ul>	"by by-law,,"	"by by-law,"
<ul style="list-style-type: none"> <li>• section 148</li> </ul>	" <i>Northwest Territories Housing Corporation Act</i> "	" <i>Nunavut Housing Corporation Act</i> "
<ul style="list-style-type: none"> <li>• subsection 175.1(3)</li> </ul>	"public health or safety"	"public health and safety"
<ul style="list-style-type: none"> <li>• the English version of paragraph 187(d)</li> </ul>	"municipal administrator; or"	"municipal administrator;"
<ul style="list-style-type: none"> <li>• the English version of paragraph 189(c)</li> </ul>	"operations; and"	"operations;"

**SCHEDULE B***(Section 10)**Family Law Act*

<b>Provisions Amended</b>	<b>Word or Words Struck Out</b>	<b>Word or Words Substituted</b>
<ul style="list-style-type: none"> <li>• paragraphs 12(a)-(c);</li> <li>• subsection 27(3);</li> <li>• section 28;</li> <li>• section 47;</li> <li>• subsection 49(1)</li> </ul>	"the Territories"	"Nunavut"
<ul style="list-style-type: none"> <li>• subsection 27(6);</li> <li>• paragraph 49(3)(a)</li> </ul>	"Government of the Northwest Territories"	"Government of Nunavut"
<ul style="list-style-type: none"> <li>• the English version of subsection 37(8)</li> </ul>	" <i>Interstate Succession Act</i> "	" <i>Intestate Succession Act</i> "
<ul style="list-style-type: none"> <li>• the English version of subsection 37(10)</li> </ul>	" <i>Dependant's Relief Act</i> "	" <i>Dependants Relief Act</i> "
<ul style="list-style-type: none"> <li>• the English version of paragraph 39(c)</li> </ul>	"subsection"	"subsections"
<ul style="list-style-type: none"> <li>• subsection 40(4)</li> </ul>	"paragraph (1)(c)"	"subparagraph (1)(a)(iii)"
<ul style="list-style-type: none"> <li>• paragraph 49(3)(b)</li> </ul>	" <i>Northwest Territories Housing Corporation Act</i> "	" <i>Nunavut Housing Corporation Act</i> "
<ul style="list-style-type: none"> <li>• section 62</li> </ul>	"Rules of the Supreme Court"	"Rules of the Nunavut Court of Justice"

**SCHEDULE C***(Section 13)****Guardianship and Trusteeship Act***

<b>Provisions Amended</b>	<b>Word or Words Struck Out</b>	<b>Word or Words Substituted</b>
<ul style="list-style-type: none"> <li>• subsection 1(1), the definitions "extra-territorial order" and "residence";</li> <li>• subparagraph 8(1)(a)(vi);</li> <li>• paragraphs 15(3)(a) and (c);</li> <li>• paragraph 18(4)(f);</li> <li>• subparagraph 32(1)(a)(v);</li> <li>• paragraph 48(4)(g)</li> </ul>	"the Territories"	"Nunavut"
<ul style="list-style-type: none"> <li>• paragraph 4(4)(a)</li> </ul>	"the Yukon Territory"	"territory"
<ul style="list-style-type: none"> <li>• subsection 17(3);</li> <li>• subsection 19(2);</li> <li>• subsection 39(3);</li> <li>• paragraph 44(1)(a);</li> <li>• paragraph 44(3)(a);</li> <li>• section 51</li> </ul>	"Clerk of the Supreme Court"	"Clerk"
<ul style="list-style-type: none"> <li>• subparagraph 57(a)(iii)</li> </ul>	"Government of the Northwest Territories"	"Government of Nunavut"

**SCHEDULE D***(Section 18)****Medical Profession Act***

<b>Provisions Amended</b>	<b>Word or Words Struck Out</b>	<b>Word or Words Substituted</b>
<ul style="list-style-type: none"> <li>• section 1, the definitions "license", "medical practitioner", and "permit";</li> <li>• section 2;</li> <li>• paragraphs 8(1)(a) and (b);</li> <li>• subsection 11(1);</li> </ul>	"the Territories"	"Nunavut"

<ul style="list-style-type: none"> <li>• paragraphs 13(a) and (b);</li> <li>• subsections 14(2), (3), (4), and (7);</li> <li>• subsection 16(2);</li> <li>• subsections 17(1) and (3);</li> <li>• paragraphs 21(4)(a) and (c);</li> <li>• subsection 29(3);</li> <li>• section 44;</li> <li>• paragraphs 46(a), (f), (g) and (h);</li> <li>• subsection 48(1);</li> <li>• section 50</li> </ul>		
<ul style="list-style-type: none"> <li>• the English version of subsection 10(4);</li> <li>• the English version of subsection 11(1);</li> <li>• the English version of section 23;</li> <li>• the English version of section 42</li> </ul>	"Notwithstanding"	"Despite"
<ul style="list-style-type: none"> <li>• section 22</li> </ul>	"Government of the Northwest Territories"	"Government of Nunavut"
<ul style="list-style-type: none"> <li>• subsection 29(3);</li> <li>• section 32;</li> <li>• section 33;</li> <li>• subsection 38(2)</li> </ul>	"Rules of the Supreme Court"	"Rules of the Nunavut Court of Justice"
<ul style="list-style-type: none"> <li>• section 49</li> </ul>	"after two years from"	"more than two years after"



**SCHEDULE E***(Section 19)****Mental Health Act***

<b>Provisions Amended</b>	<b>Word or Words Struck Out</b>	<b>Word or Words Substituted</b>
<ul style="list-style-type: none"> <li>• <b>preamble;</b></li> <li>• <b>section 1, the definitions "hospital" and "psychologist";</b></li> <li>• <b>paragraphs 3(a), (c);</b></li> <li>• <b>section 4;</b></li> <li>• <b>paragraphs 5(a), (b);</b></li> <li>• <b>subsection 7(4);</b></li> <li>• <b>subsection 8(2);</b></li> <li>• <b>subsections 9(7)-(9);</b></li> <li>• <b>paragraph 15(1)(d);</b></li> <li>• <b>subsections 15(3), (4);</b></li> <li>• <b>subsections 16(5), (6);</b></li> <li>• <b>section 18;</b></li> <li>• <b>subsection 18.1(1);</b></li> <li>• <b>subsections 19(2), (3);</b></li> <li>• <b>subsection 23(1);</b></li> <li>• <b>subsection 23.2(1);</b></li> <li>• <b>section 23.3;</b></li> <li>• <b>subsection 23.4(7);</b></li> <li>• <b>subsection 26(2);</b></li> <li>• <b>subsection 30(1)</b></li> </ul>	"the Territories"	"Nunavut"
<ul style="list-style-type: none"> <li>• <b>preamble;</b></li> <li>• <b>paragraph 6(a);</b></li> <li>• <b>paragraph 8(4)(a);</b></li> <li>• <b>paragraph 14(c);</b></li> <li>• <b>subparagraph 23(5)(b)(i);</b></li> <li>• <b>subparagraph 23.2(3)(a)(i)</b></li> </ul>	"is suffering from"	"has"
<ul style="list-style-type: none"> <li>• <b>the English version of section 1, the definition "mental disorder"</b></li> </ul>	"behavior"	"behaviour"
<ul style="list-style-type: none"> <li>• <b>section 3;</b></li> <li>• <b>subsection 50(1)</b></li> </ul>	"Government of the Northwest Territories"	"Government of Nunavut"
<ul style="list-style-type: none"> <li>• <b>section 3;</b></li> </ul>	"the Yukon Territory,"	"territory,"

<ul style="list-style-type: none"> <li>• subsection 48(1), the definition "medical practitioner"</li> </ul>		
<ul style="list-style-type: none"> <li>• the English version of section 5;</li> <li>• the English version of subsection 19(3);</li> <li>• the English version of subsection 19.4(2);</li> <li>• the English version of subsection 23.1(2);</li> <li>• the English version of subsection 35(4)</li> </ul>	"Notwithstanding"	"Despite"
<ul style="list-style-type: none"> <li>• section 6;</li> <li>• subsection 40(3)</li> </ul>	"who is suffering from"	"with"
<ul style="list-style-type: none"> <li>• paragraph 9(2)(c)</li> </ul>	"is apparently suffering from"	"apparently has"
<ul style="list-style-type: none"> <li>• paragraph 14(a)</li> </ul>	"is not suffering from"	"does not have"
<ul style="list-style-type: none"> <li>• subsections 15(1)-(3);</li> <li>• subsections 16(1), (4), (6)</li> </ul>	"paragraph 13(h) or 14(c)"	"subsection 13(2) or paragraph 14(c)"
<ul style="list-style-type: none"> <li>• the English version of subsection 16(6)</li> </ul>	"or 14(c),"	"or 14(c)"
<ul style="list-style-type: none"> <li>• paragraph 19(3)(a);</li> <li>• subsection 19.3(1);</li> <li>• subsection 26(1);</li> <li>• subsections 26.1(1), (2);</li> <li>• paragraphs 26.1(3)(a), (b);</li> <li>• paragraph 28(1)(b);</li> <li>• subsections 29(1), (3);</li> <li>• paragraph 29(4)(a), (b);</li> <li>• paragraph 35(2)(b);</li> <li>• paragraph 44(1)(b);</li> <li>• paragraph 49(2)(g);</li> <li>• paragraph 49(5)(c)</li> </ul>	"Supreme Court"	"Nunavut Court of Justice"
<ul style="list-style-type: none"> <li>• the English version of clause 23(5)(b)(i)(C)</li> </ul>	"serious bodily impairment"	"serious physical impairment"
<ul style="list-style-type: none"> <li>• subsection 31(1)</li> </ul>	"suffers from"	"has"
<ul style="list-style-type: none"> <li>• subsections 41(1), (2)</li> </ul>	"suffered from"	"had"
<ul style="list-style-type: none"> <li>• paragraph 44(1)(a)</li> </ul>	"is no longer suffering from"	"no longer has"

• <b>the English version of section 46</b>	"to be suffering from"	"to have"
• <b>the English version of subsection 60(1)</b>	"after two years from"	"more than two years after"
• <b>subsection 60(2)</b>	"no longer suffers from"	"no longer has"

**SCHEDULE F**

(Section 20)

*Mine Health and Safety Act*

<b>Provisions Amended</b>	<b>Word or Words Struck Out</b>	<b>Word or Words Substituted</b>
<ul style="list-style-type: none"> <li>• <b>subsection 31(2);</b></li> <li>• <b>subsections 33(1), (2) and (4)-(6);</b></li> <li>• <b>paragraph 35(2)(a)</b></li> </ul>	"the Supreme Court"	"the Nunavut Court of Justice"
• <b>subsection 37(2)</b>	"Government of the Northwest Territories"	"Government of Nunavut"
• <b>subsection 46(1)</b>	"the Territories"	"Nunavut"
• <b>subsection 46(3)</b>	" <i>Northwest Territories Gazette</i> "	" <i>Nunavut Gazette</i> "
• <b>the English version of subsection 48(4)</b>	"Notwithstanding"	"Despite"

**SCHEDULE G**

(Section 25)

*Social Assistance Act*

<b>Provisions Amended</b>	<b>Word or Words Struck Out</b>	<b>Word or Words Substituted</b>
<ul style="list-style-type: none"> <li>• <b>section 1, the definition "Director";</b></li> <li>• <b>section 2;</b></li> <li>• <b>subsections 5(1), (2);</b></li> <li>• <b>section 11;</b></li> <li>• <b>paragraph 16(o)</b></li> </ul>	"the Territories"	"Nunavut"
• <b>section 10</b>	"Government of the Northwest Territories"	"Government of Nunavut"

**SCHEDULE H***(Section 29)**Vital Statistics Act*

<b>Provisions Amended</b>	<b>Word or Words Struck Out</b>	<b>Word or Words Substituted</b>
<ul style="list-style-type: none"> <li>• <b>section 1, definition "incapable";</b></li> <li>• <b>subsection 2(1);</b></li> <li>• <b>subsections 11(3), (5);</b></li> <li>• <b>subsection 12(1);</b></li> <li>• <b>subsection 13(4);</b></li> <li>• <b>subsections 16(1), (2);</b></li> <li>• <b>subsection 18(1);</b></li> <li>• <b>subsection 19(1);</b></li> <li>• <b>paragraph 22(2)(a);</b></li> <li>• <b>section 24;</b></li> <li>• <b>section 25;</b></li> <li>• <b>paragraphs 26(1)(a), (b);</b></li> <li>• <b>subsection 32(1);</b></li> <li>• <b>section 36;</b></li> <li>• <b>subsection 40(3);</b></li> <li>• <b>subsection 56(2)</b></li> </ul>	"the Territories"	"Nunavut"
<ul style="list-style-type: none"> <li>• <b>subsection 13(3)</b></li> </ul>	"a province, the Yukon Territory, a state"	"a province, territory, state"
<ul style="list-style-type: none"> <li>• <b>subsection 13(4)</b></li> </ul>	"the province, state or country where the person was born or the Yukon Territory, if the person was born in the Yukon Territory"	"the province, territory, state or country where the person was born"
<ul style="list-style-type: none"> <li>• <b>subsection 14(3);</b></li> <li>• <b>paragraph 30(3)(c);</b></li> <li>• <b>paragraph 31(3)(c);</b></li> <li>• <b>paragraph 33(3)(b);</b></li> <li>• <b>paragraph 33(4)(b);</b></li> <li>• <b>subsections 39(1), (3), (5), (6);</b></li> </ul>	"a judge of the Supreme Court"	"a judge of the Nunavut Court of Justice"
<ul style="list-style-type: none"> <li>• <b>subsection 18(3);</b></li> <li>• <b>subsection 26(1);</b></li> <li>• <b>subparagraph 26(1)(b)(i)</b></li> </ul>	"province or the Yukon Territory"	"province or territory"

<ul style="list-style-type: none"> <li>• <b>subsections 39(2), (4)</b></li> </ul>	"Clerk of the Supreme Court"	"Clerk"
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**SCHEDULE I**

*(Section 33)*

**SCHEDULE A**

*(Subsection 1(1))*

**PART I**

Location

Name of Hospital

Iqaluit

Qikiqtani General Hospital

**PART II**

Location

Name of Hospital

Arctic Bay

Arctic Bay Health Center

Arviat

Arviat Health Center

Baker Lake

Baker Lake Health Center

Cambridge Bay

Kitikmeot Health Center

Cape Dorset

Cape Dorset Health Center

Chesterfield Inlet

Chesterfield Inlet Health Center

Clyde River

Clyde River Health Center

Coral Harbour

Coral Harbour Health Center

Gjoa Haven

Gjoa Haven Health Center

Grise Fiord

Grise Fiord Health Center

Hall Beach

Hall Beach Health Center

Igloolik

Igloolik Health Center

Kimmirut

Kimmirut Health Center

Kugaaruk

Kugaaruk Health Center

Kugluktuk

Kugluktuk Health Center

Pangnirtung

Pangnirtung Health Center

Pond Inlet

Pond Inlet Health Center

Qikiqtarjuaq

Qikiqtarjuaq Health Center

Rankin Inlet

Kivalliq Health Center

Repulse Bay

Repulse Bay Health Center

Resolute Bay

Resolute Bay Health Center

Sanikiluaq

Sanikiluaq Health Center

Taloyoak

Taloyoak Health Center

Whale Cove

Whale Cove Health Center

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