

Chapter 10

MISCELLANEOUS STATUTES AMENDMENT ACT, 2006

(Assented to June 15, 2006)

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

Federation of Nunavut Teachers Act, Public Service Act

1. (1) **The *Federation of Nunavut Teachers Act* is amended by this section.**
 - (2) **The following are amended by striking out "FEDERATION OF NUNAVUT TEACHERS" and substituting "NUNAVUT TEACHERS ASSOCIATION":**
 - (a) **the title of the Act;**
 - (b) **the heading preceding section 2.**
 - (3) **Section 1 is amended by repealing the definition "Federation" and adding the following definition in alphabetical order:**

"Association" means the Nunavut Teachers Association referred to in subsection 2(1);

- (4) **Subsection 2(1) is repealed and the following is substituted:**

Association

2. (1) The corporation established as the Federation of Nunavut Teachers is renamed, and shall be known as, the "Nunavut Teachers Association".

- (5) **The Act is amended by striking out "Federation" wherever it appears and substituting "Association".**

- (6) **The heading preceding section 32 and sections 32 and 33 are repealed.**

2. **Subsection 41(1.6) of the *Public Service Act* is amended by striking out "Federation of Nunavut Teachers" and substituting "Nunavut Teachers Association".**

Interpretation Act

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

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

(3) The following is added after section 8:

Aboriginal and treaty rights

8.1. No enactment abrogates or derogates from the existing Aboriginal and treaty rights of the Aboriginal peoples of Canada that are recognized and affirmed by section 35 of the *Constitution Act, 1982*.

(4) The following is added after subsection 26(4):

Power to prescribe fees

(5) A power conferred by an enactment to make regulations prescribing fees includes the power to make regulations setting out the manner of calculating or otherwise determining fees.

(5) Subsection 28(1) is amended by

- (a) **striking out, in the definition "municipal by-law", "*Charter Communities Act*,";**
- (b) **repealing the definition "territoire" in the French version and substituting the following:**

« territoire » S'agissant d'une partie du Canada autre que le Nunavut, s'entend des Territoires du Nord-Ouest et du territoire du Yukon. (*territory*)

- (c) **repealing the definitions "Act" or "statute", "Consolidated Revenue Fund", "Legislative Assembly", "Seal" and "Territories"; and**
- (d) **adding the following definitions in alphabetical order:**

"Act" or "statute" means a law made by the Legislature under the *Nunavut Act* (Canada), including an ordinance of the Northwest Territories that is deemed to be a law of the Legislature by section 29 or 76.05 of the *Nunavut Act* (Canada); (*loi*)

"Consolidated Revenue Fund" means the Nunavut Consolidated Revenue Fund established by section 39 of the *Nunavut Act* (Canada); (*Trésor*)

"Legislative Assembly" means the Legislative Assembly of Nunavut established by section 13 of the *Nunavut Act* (Canada); (*Assemblée législative*)

"Nunavut Land Claims Agreement" means the land claims agreement between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in right of Canada that was ratified by the Inuit and ratified, given effect and declared valid by the *Nunavut Land Claims Agreement Act* (Canada), which came into force on July 9, 1993, and includes any amendments to that agreement; (*Accord sur les revendications territoriales du Nunavut*)

"Seal" means the Seal of Nunavut featuring the Armorial Bearings granted for Nunavut by the Governor General on March 31, 1999; (*sceau*)

"Territories" means Nunavut; (*Territoires* or *territoires*)

(6) Subsection 28(3) is amended by striking out "*Charter Communities Act*," and "charter communities,".

Legislative Assembly and Executive Council Act

4. (1) The *Legislative Assembly and Executive Council Act* is amended by this section.

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

(3) The heading "COMMISSIONER'S ASSENT TO BILLS" is added immediately after section 58.

Legislative Assembly Retiring Allowances Act

5. (1) The *Legislative Assembly Retiring Allowances Act* is amended by this section.

(2) That portion of the French version of subsection 18(2) preceding paragraph (a) is amended by striking out "produit de la" and substituting "produit de la".

(3) The heading "TRANSITIONAL" following section 22 is repealed.

Reciprocal Enforcement of Judgments Act

6. (1) The *Reciprocal Enforcement of Judgments Act* is amended by this section.

(2) The English version of subsection 2(5) is amended by striking out "in which the order was made".

(3) Each provision listed in Column 1 of Schedule C is amended by striking out the words set out in the same row of Column 2, wherever they appear, and substituting the words set out in the same row of Column 3.

Supplementary Appropriation (Operations and Maintenance) Act, No. 4, 2004-2005

7. (1) The French version of the *Supplementary Appropriation (Operations and Maintenance) Act, No. 4, 2004-2005* is amended by repealing the Schedule and substituting the schedule set out in Schedule D of this Act.

(2) This section is deemed to have come into force December 2, 2005.

Miscellaneous Regulations

8. (1) The amendment to the *Contract of Indemnification Exemption Regulations*, made under the *Financial Administration Act*, that was registered in the Regulations Register on February 10, 2004 under registration number R-003-2004 is amended by repealing the French version of section 4 and substituting the following:

4. Le même règlement est modifié par insertion, après le paragraphe 1(2), de ce qui suit :

(3) Le ministre des Finances ou son représentant peut conclure et exécuter, au nom du gouvernement du Nunavut, un contrat ou une entente qui comporte le paiement d'une indemnité à une personne ou à un organisme mentionné aux alinéas (1)c) et d).

(4) Sur la recommandation du Conseil de gestion financière, en vertu de l'article 67.2 de la *Loi sur la gestion des finances publiques*, le ministre des Finances ou son représentant peut conclure et exécuter, au nom du gouvernement du Nunavut, un contrat ou une entente qui comporte le paiement d'une indemnité à une personne ou à un organisme mentionné à l'alinéa (1)d).

(2) This section is deemed to have come into force February 10, 2004.

9. (1) The *Elections Regulations*, made under the *Nunavut Elections Act*, that were registered under the *Statutory Instruments Act* on November 27, 2003 under registration number R-025-2003 are deemed to have included the Schedule, containing Forms 1 to 7, as published in the *Nunavut Gazette*, Vol. 5, No. 12.

(2) This section is deemed to have come into force November 27, 2003.

SCHEDULE A

Interpretation Act

Column 1	Column 2	Column 3
<ul style="list-style-type: none"> • the heading preceding section 3 • sections 3, 38 and 39 • in subsection 28(1), the definitions "Commissioner", "Deputy Minister" and "Executive Council" 	"the Northwest Territories"	"Nunavut"
<ul style="list-style-type: none"> • in subsection 28(1), the definitions "holiday", "medical practitioner" and "public service" • subsection 36(3) • the English version of section 39 	"the Territories"	"Nunavut"
<ul style="list-style-type: none"> • subsection 30(1) • section 31 	"the Territories, Canada, a province or the Yukon Territory"	"Nunavut, Canada, a province or other territory"
<ul style="list-style-type: none"> • the French version of paragraph 30(3)(a) 	"a été édicté"	"a été édictée"
<ul style="list-style-type: none"> • subsection 36(3) 	"Canada, a province or the Yukon Territory"	"Canada, a province or other territory"
<ul style="list-style-type: none"> • the French version of section 39 	"ou excutée"	"ou exécutée"

SCHEDULE B*Legislative Assembly and Executive Council Act*

Column 1	Column 2	Column 3
• the English version of subsection 2(3)	"referred to in (1)"	"referred to in subsection (1)"
• the French version of subsection 2(3), paragraph 16(2)(d), subsection 40(7)	"Qaujimajatuqangit inuit"	"Inuit Qaujimajatuqangit"
• the French version of subsection 20(1)	"dommages-intérêts"	"dommages-intérêts"
• the French version of subsection 20(1)	"de ses actes, quiconque"	"de ses actes quiconque"
• the French version of subsection 20(2)	"Bénéficie de l'immunité, quiconque"	"Bénéficie de l'immunité quiconque"
• the portion of the French version of section 21 preceding paragraph (a)	"Bureau de l'Assemblée législative, et les personnes comparissant"	"Bureau de l'Assemblée législative et les personnes comparissant"
• the portion of the French version of section 21 preceding paragraph (a)	"leurs comités respectifs, sont exemptés"	"leurs comités respectifs sont exemptés"
• the French version of section 69	"dissolution de l'Assemblée législative, demeure en poste"	"dissolution de l'Assemblée législative demeure en poste"
• the English version of paragraph 73(a)	"section 6.1"	"subsection 6.1(2)"

SCHEDULE C

Reciprocal Enforcement of Judgments Act

Column 1	Column 2	Column 3
<ul style="list-style-type: none">• subsections 2(1), (2), (4) and (5) and 6(2)• that portion of section 4 preceding paragraph (a)	"Supreme Court"	"Nunavut Court of Justice"
<ul style="list-style-type: none">• subsection 8(1)	"the Territories"	"Nunavut"

SCHEDULE D

ANNEXE

**CRÉDITS SUPPLÉMENTAIRES AFFECTÉS À L'EXERCICE
SE TERMINANT LE 31 MARS 2005**

CRÉDIT N° 1 : FONCTIONNEMENT ET ENTRETIEN

<u>POSTE</u> <u>N°</u>	OBJET	MONTANT
1.	Assemblée législative	<u>504 000 \$</u>
FONCTIONNEMENT ET ENTRETIEN : TOTAL		<u>504 000 \$</u>
CRÉDITS SUPPLÉMENTAIRES : TOTAL		<u>504 000 \$</u>