

Chapter 19

MISCELLANEOUS JUSTICE STATUTES AMENDMENT ACT, 2008

(Assented to September 18, 2008)

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

Exemptions Act

1. (1) The *Exemptions 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.

Interjurisdictional Support Orders Act

2. The *Interjurisdictional Support Orders Act* is amended as described in Schedule B.

Interpretation Act

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

(2) The French version of section 8.1 is repealed and the following is substituted:

8.1. Aucun texte ne porte atteinte aux droits existants – ancestraux ou issus de traités – des peuples autochtones du Canada, reconnus et confirmés par l'article 35 de la *Loi constitutionnelle de 1982*.

Judicature Act

4. (1) The *Judicature Act* is amended by this section.

(2) Paragraph 4(1)(a) is amended by striking out "Chief Justice" and by substituting "senior judge".

(3) On the day on which section 3 of *An Act to Amend the Judicature Act and Other Acts in Relation to Judges*, S.Nu.2000,c.3, comes into force, paragraph 4(1)(a) is amended by striking out "senior judge" and by substituting "Chief Justice".

(4) Subsection (2) shall be deemed to have come into force August 18, 2008.

Jury Act

5. (1) The *Jury Act* is amended by this section.

(2) Section 1 is amended by

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

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

- (b) **in the English version, striking out the period at the end of the definition "judge" and substituting a semi-colon; and**
(c) **adding the following definition in alphabetical order:**

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

(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 and substituting the words set out in the same row of Column 3.

Justices of the Peace Act

6. (1) The *Justices of the Peace Act* is amended by this section.

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

Powers of Attorney Act

7. (1) The *Powers of Attorney Act* is amended by this section.

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

Securities Act

8. (1) The *Securities Act*, S.Nu.2008,c.12, is amended by this section.

(2) Each provision listed in Column 1 of Schedule F 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 English version of section 178 is amended by striking out,**
- (a) in subsection (2), the comma before "commenced by the Registrar"; and**
 - (b) in that part of subsection (4) preceding paragraph (a), the comma after "subsection (2)".**
- (4) This section is deemed to have come into force June 4, 2008.**

SCHEDULE A
Exemptions Act

(Section 1)

Column 1 Provisions Amended	Column 2 Word or Words Struck Out	Column 3 Word or Words Substituted
• the French version of section 1	"à la présente loi :"	"à la présente loi."
• the French version of paragraph 2(2)(b)	"la Synode générale de l'Église anglicane du Canada"	"le Synode général de l'Église anglicane du Canada"
• the French version of section 3	"dans l'un ou l'autre des cas suivants"	"dans les cas suivants"
• the French version of subsection 7(2)	"a droit"	"a le droit"
• the French version of subsection 9(4)	"le personne"	"la personne"

SCHEDULE B

Interjurisdictional Support Orders Act

(Section 2)

Item	Amendment
1.	The English version of paragraph 4(2)(d) is amended by striking out the semi-colons at the end of subparagraphs (i) to (iv) and substituting commas.
2.	The English version of the definitions "extra-provincial order" and "foreign order" in section 15 is amended by (a) striking out the semi-colons at the end of paragraphs (a) and (b) and substituting commas; and (b) adding a comma at the end of each paragraph (c).
3.	The English version of paragraph 22(2)(e) is amended by (a) striking out the semi-colons at the end of subparagraphs (i) to (iii) and substituting commas; and (b) striking out the semi-colons in clause (A) and (B) and substituting commas.
4.	The French version of paragraph 25(3)(a) is amended by striking out the comma and substituting a semi-colon.
5.	The English version of subparagraph 27(1)(b)(i) is amended by striking out the semi-colon and substituting a comma.
6.	The English version of subparagraph 39(b)(i) is amended by striking out the semi-colon and substituting a comma.

SCHEDULE C
Jury Act

(Section 5)

Column 1 Provisions Amended	Column 2 Word or Words Struck Out	Column 3 Word or Words Substituted
• paragraph 3(1)(b) and section 33	"Supreme Court"	"Nunavut Court of Justice"
• that portion of section 4 following paragraph (c)	"the Territories"	"Nunavut"
• paragraph 6(n)	"the Northwest Territories"	"Nunavut"
• subsection 12(2)	"the notice"	"the precept,"

SCHEDULE D
Justices of the Peace Act

(Section 6)

Column 1 Provisions Amended	Column 2 Word or Words Struck Out	Column 3 Word or Words Substituted
• the French version of paragraph 4(2)(b)	"commissaire"	"commissaire"
• the French version of subsection 12(2)	"prendre des mesures"	"de prendre des mesures"

SCHEDULE E
Powers of Attorney Act

(Section 7)

Column 1 Provisions Amended	Column 2 Word or Words Struck Out	Column 3 Word or Words Substituted
• the French version of that portion of subsection 10(1) preceding paragraph (a)	"dix-neuf"	"19"
• the French version of subparagraph 10(1)(e)(i)	"d'un éventualité précisée"	"d'une éventualité précisée"

• the English version of subsection 27(1)	"On an application"	"On application"
• the English version of paragraph 27(1)(j)	"or in case of hardship"	"or, in case of hardship, "

SCHEDULE F
Securities Act

(Section 8)

Column 1 Provisions Amended	Column 2 Word or Words Struck Out	Column 3 Word or Words Substituted
• paragraphs 168(a) and (b)	"the Minister"	"the Superintendent"
• section 171	"The Minister"	"The Superintendent"