

## Chapter 4

### AN ACT TO AMEND THE BOARDS OF MANAGEMENT DISSOLUTION ACT

(Assented to March 31, 2000)

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

**1. The *Boards of Management Dissolution Act* is amended by this Act.**

**2. Section 1 is repealed and the following substituted:**

Interpretation

**1.** In this Act,

"Board of Management" means a Board of Management within the meaning of the *Hospital Insurance and Health and Social Services Administration Act*, that exists immediately before April 1, 2000; (*conseil d'administration*)

"health facility" means a health facility within the meaning of the *Hospital Insurance and Health and Social Services Administration Act*. (*établissement de santé*)

**3. The following sections are added after section 4:**

Members deemed to have resigned

**5.** The members of each Board of Management shall be deemed to have resigned from the Board of Management effective March 31, 2000.

Amalgamation

**6.** (1) On April 1, 2000 the Boards of Management shall be deemed to be amalgamated with the Government of Nunavut.

Consequences of amalgamation

- (2) For greater certainty, under subsection (1),
- (a) the assets and liabilities of the Boards of Management become assets and liabilities of the Government of Nunavut;
  - (b) obligations owed to a Board of Management become obligations owed to the Government of Nunavut;
  - (c) obligations owed by a Board of Management become obligations owed by the Government of Nunavut;
  - (d) employees of a Board of Management become employees of the Government of Nunavut, and their employment with the Board of Management shall be deemed to have been employment with the Government of Nunavut.

#### Terms and conditions of employment

(3) Subject to subsection (4), and to any specific agreement entered into between the employee and the Government of Nunavut, where an employee of a Board of Management becomes an employee of the Government of Nunavut under paragraph (2)(d), and a conflict exists between the terms and conditions of employment applicable to employees of the Board of Management and the terms and conditions of employment applicable to employees of the Government of Nunavut, the terms and conditions applicable to employees of the Government of Nunavut prevail.

#### Medical practitioners

(4) Nothing in paragraph (2)(d) shall be interpreted as conflicting with section 14.1 of the *Hospital Insurance and Health and Social Services Administration Act*.

#### Powers of Minister

**7.** (1) Every power, right, duty or responsibility of a Board of Management becomes a power, right, duty or responsibility of the Minister.

#### Guidelines and policies

- (2) For the purposes of subsection (1) the Minister may
- (a) issue any guidelines or policies that the Minister considers necessary or desirable, including guidelines or policies that adopt or adopt with modifications a by-law of a Board of Management, and
  - (b) designate one or more employees of the Government of Nunavut to do anything that may be done by the Minister under subsection (1).

#### Minister may enter into agreements

(3) For greater certainty, for the purposes of exercising any power, right, duty or responsibility of the Minister concerning health care or social services, the Minister may enter into agreements

- (a) with any municipality or with any organization that is designated by the council of a municipality as having functions concerning health care or social services within the municipality; or
- (b) with respect to an unincorporated community, with any organization that has functions concerning health care or social services within the unincorporated community.

#### Other agreements

(4) Nothing in subsection (3) prevents the Minister from entering into agreements with organizations not mentioned in that subsection.

**4. This Act comes into force on April 1, 2000.**

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