

**CONSOLIDATION OF NUNAVUT POWER CORPORATION UTILITY ASSETS
TRANSFER CONFIRMATION ACT**

S.Nu. 2001,c.5

In force March 29, 2001

(Current to: February 27, 2006)

AS AMENDED BY:

This consolidation is not an official statement of the law. It is an office consolidation prepared for convenience only. The authoritative text of statutes can be ascertained from the *Revised Statutes of the Northwest Territories, 1988* and the Annual Volumes of the Statutes of the Northwest Territories (for statutes passed before April 1, 1999) and the Statutes of Nunavut (for statutes passed on or after April 1, 1999).

A copy of a statute of Nunavut can be obtained from the Territorial Printer at the address below. The Annual Volumes of the Statutes of Nunavut and this consolidation are also available online at <http://www.justice.gov.nu.ca/english/legislation.html> but are not official statements of the law.

Any certified Bills not yet included in the Annual Volumes of the Statutes of Nunavut can be obtained through the Office of the Clerk of the Legislative Assembly.

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GLOSSARY OF TERMS USED IN CONSOLIDATIONS

Miscellaneous

- c. means "chapter".
- CIF means "comes into force".
- NIF means "not in force".
- s. means "section" or "sections", "subsection" or "subsections", "paragraph" or "paragraphs".
- Sch. means "schedule".
- SI-005-98 means the instrument registered as SI-005-98 in 1998. (*Note: This is a Northwest Territories statutory instrument if it is made before April 1, 1999, and a Nunavut statutory instrument if it is made on or after April 1, 1999 and before January 1, 2000.*)
- SI-012-2003 means the instrument registered as SI-012-2003 in 2003. (*Note: This is a Nunavut statutory instrument made on or after January 1, 2000.*)

Citation of Acts

- R.S.N.W.T. 1988,c.D-22 means Chapter D-22 of the *Revised Statutes of the Northwest Territories, 1988*.
- R.S.N.W.T. 1988,c.10(Supp.) means Chapter 10 of the Supplement to the *Revised Statutes of the Northwest Territories, 1988* (*Note: The Supplement is in three volumes*).
- S.N.W.T. 1996,c.26 means Chapter 26 of the 1996 Annual Volume of the Statutes of the Northwest Territories.
- S.Nu. 2002,c.14 means Chapter 14 of the 2002 Annual Volume of the Statutes of Nunavut.

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NUNAVUT POWER CORPORATION UTILITY ASSETS TRANSFER CONFIRMATION ACT

Minister may make an order

1. The Minister may make an order where the Minister is of the opinion that to do so is necessary or desirable to facilitate the transfer of assets from the Northwest Territories Power Corporation to the Nunavut Power Corporation.

Deemed acquisition of assets

2. (1) Where the Minister makes an order under section 1, all assets of the Northwest Territories Power Corporation located in Nunavut immediately before the coming into force of the order, and all rights and interests to property located in Nunavut that were held by the Northwest Territories Power Corporation immediately before the coming into force of the order, are deemed to be assets, rights and interests of the Nunavut Power Corporation.

Greater certainty

(2) For greater certainty, and without restricting the generality of subsection (1), that subsection applies to both real and personal property, and both registered and unregistered interests.

Contracts

3. Where the Minister makes an order under section 1, every contract or agreement for the supply of power, water or sewerage service that was in place between the Northwest Territories Power Corporation and a customer in Nunavut immediately before the coming into force of the order is deemed to be a contract or agreement entered into between the Nunavut Power Corporation and the customer, with any necessary modification.

Franchises

4. Where the Northwest Territories Power Corporation immediately before the coming into force of an order made under section 1 held any rights or responsibilities under a franchise granted by a municipality in Nunavut, the Nunavut Power Corporation is deemed to hold the same rights and responsibilities.

Registration

5. (1) Any office of the Government of Nunavut where interests in property are registered or recorded may amend its records and issue new instruments of registration to show that the Nunavut Power Corporation is the holder of any interest that would have been held by the Northwest Territories Power Corporation but for an order made under section 1.

Fees waived

(2) No fee is payable by the Nunavut Power Corporation for anything done pursuant to subsection (1).

Greater certainty

(3) For greater certainty, and without restricting the generality of anything else in this section, this section applies to interests that are registered or recorded under the *Land Titles Act*, the *Motor Vehicles Act*, and the *Corporation Securities Registration Act*.

No liability

6. Notwithstanding any other Act or law, no proceeding in law or equity, or by virtue of any enactment, may be commenced against the Nunavut Power Corporation or any of its employees, directors or officers, the Government of Nunavut or any of its employees, or any other person for taking any action with regard to assets, rights, interests, contracts or agreements, franchises or records or registrations in compliance or purported compliance with this Act or an order made by the Minister under section 1.

Liabilities

7. Nothing in this Act reduces the responsibility of the Nunavut Power Corporation, the Government of Nunavut or any other government or person for any liability for which it is responsible by virtue of an agreement for the division of assets and liabilities of the Northwest Territories Power Corporation:

- (a) entered into between the Interim Commissioner of Nunavut and the Government of the Northwest Territories; or
- (b) entered into under the authority of section 41 of the *Nunavut Power Utilities Act*.

Repeal

8. This Act, or any provision of this Act, may be repealed by order of the Commissioner.