

CONSOLIDATION OF LEGAL QUESTIONS ACT

R.S.N.W.T. 1988,c.L-3

(Current to: July 12, 2013)

AS AMENDED BY THE FOLLOWING NORTHWEST TERRITORIES STATUTES:

S.N.W.T. 1995,c.11

AS AMENDED BY NUNAVUT STATUTES:

S.Nu. 2011,c.10,s.21

s.21 in force March 10, 2011

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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LEGAL QUESTIONS ACT

Reference of questions

1. The Minister may refer to the Nunavut Court of Justice for hearing and consideration any matter that the Minister thinks fit to refer, and the Nunavut Court of Justice shall hear and consider the matter referred to it. S.Nu. 2011,c.10,s.21.

Opinion of Nunavut Court of Justice

2. The Nunavut Court of Justice shall certify to the Minister its opinion on the matter referred, with the reasons for the opinion, and the opinion shall be given in the same manner as in the case of a judgment in an ordinary action. S.Nu. 2011,c.10,s.21.

Notice to Attorney General of Canada

3. Where the matter relates to the validity of an Act or any provision of an Act, whether enacted before, on or after March 5, 1982, the Minister shall notify the Attorney General of Canada of the hearing in order that the Attorney General may be heard if the Attorney General sees fit.

Notice to interested parties

4. The Nunavut Court of Justice may direct that

- (a) any person interested, or
- (b) where there is a class of persons interested, any one or more persons as representatives of that class,

shall be notified of the hearing, and those persons shall be entitled to be heard. S.Nu. 2011,c.10,s.21.

Status of opinion

5. The opinion of the Nunavut Court of Justice shall be deemed to be a judgment of the Nunavut Court of Justice and an appeal lies from the opinion as in the case of a judgment in an action. S.Nu. 2011,c.10,s.21.

Agreement to refer questions

6. (1) Where a matter to be referred to the Nunavut Court of Justice under this Act relates to questions arising out of an agreement between the Government of Canada and the Government of Nunavut that provides for a reference to the Nunavut Court of Justice to hear, consider and determine questions arising out of the agreement, the form and terms of reference shall be determined as provided in the agreement, and if no such provision is made, the form and terms of reference shall be

- (a) those that are agreed upon by the parties to the agreement, or
- (b) where the parties cannot agree, those that are determined by the Nunavut Court of Justice on the application of either party.

Attorney General of Canada and of provinces

(2) The Attorney General of Canada and the Attorney General of any province that has entered into an agreement of a similar nature and having similar purposes to the agreement referred to in subsection (1) may appear before the Nunavut Court of Justice

and be heard as a party in respect of any matter referred under this Act under the agreement referred to in subsection (1). S.Nu. 2011,c.10,s.21.

Income Tax Collection Agreement Questions Act

7. Despite sections 1 to 6 of this Act, the *Income Tax Collection Agreement Questions Act* remains in force in respect of any matter that relates to questions arising out of the collection agreement between the Government of Canada and the Government of Nunavut entered into under the *Income Tax Act* and no such matter shall be referred to the Nunavut Court of Justice by virtue of this Act. S.Nu. 2011,c.10,s.21.