

LEGISLATION ACT

R-032-2021

Registered with the Chief Legislative Counsel

2021-06-29

LEGISLATION REGULATIONS

The Minister under section 81 of the *Legislation Act* and every enabling power, makes the annexed *Legislation Regulations*.

NUNAVUT GAZETTE

Parts of the *Nunavut Gazette*

1. The *Nunavut Gazette* is comprised of the following two Parts:

- (a) Part I, containing
 - (i) instruments made by a Minister or the Commissioner under an enactment appointing any person to an office or position or revoking such an appointment, other than instruments referred to in subsection 29(10) of the Act, and
 - (ii) notices and documents referred to in paragraphs 75(1)(c) and (d) and subsection 75(2) of the Act;
- (b) Part II, containing
 - (i) regulations required to be published under subsection 58(1) of the Act, and
 - (ii) statements required to be published under subsection 54(2) of the Act or requested to be published under subsection 54(3) of the Act.

Editing Part I of the Gazette

2. (1) Subject to the direction of the Chief Legislative Counsel, the Territorial Printer may edit instruments published in Part I of the *Nunavut Gazette* in such a manner as, in the opinion of the Territorial Printer, gives the essential details of each instrument.

Editing Part II of the Gazette

(2) Part II of the *Nunavut Gazette* must contain the full text of instruments and statements requiring publication in that Part, as corrected, altered or added to under subsection 58(2) of the Act, but the Territorial Printer may edit the following details of an instrument:

- (a) the registration number;
- (b) the date;
- (c) the identity of the signatory;
- (d) the place of signing;
- (e) the title of any enabling statute.

Inuit societal values statements

(3) The Territorial Printer must indicate on statements published in Part II of the *Nunavut Gazette* under subsections 54(2) or (3) of the Act that they are not official statements of the law and are intended to inform members of the public.

Handbook on editorial policies

(4) The Territorial Printer may produce a handbook explaining the editorial policies relating to the *Nunavut Gazette* and may, with the approval of the Chief Legislative Counsel, publish the handbook in the *Nunavut Gazette* or on the Nunavut Legislation website.

Exemption from publication – Rules of Court

3. Rules made under the *Judicature Act* are exempt from publication under section 58 of the Act.

OFFICIAL COPIES

Identifying official copy

- 4.** A document published on the Nunavut Legislation website is an official copy if it
- (a) is accessed on the Nunavut Legislation website;
 - (b) is in Portable Document Format (PDF); and
 - (c) contains the phrase "This is an official copy published by the authority of the Territorial Printer".

EXEMPTED REGULATIONS

Non-application of Parts 3 to 5

- 5.** Parts 3 to 5 of the Act do not apply to any instrument made with respect to a specified individual under the *Mental Health Act*.

ELECTRONIC TRANSMISSION AND REGISTRATION OF REGULATIONS

Electronic transmission

- 6.** (1) A copy of a regulation in electronic format is deemed to be certified copy for the purposes of section 55 of the Act if
- (a) it has been signed by the person authorized to make the regulation, or, in the case of a body, a person authorized to certify that the body made the regulation;
 - (b) it is in Portable Document Format (PDF), or in another format acceptable to the Chief Legislative Counsel; and
 - (c) it is transmitted to the Chief Legislative Counsel by electronic mail and the Chief Legislative Counsel is satisfied that the electronic mail thread was initiated by
 - (i) the person authorized to make the regulation, or, in the case of a body, a person authorized to certify that the body made the regulation,
 - (ii) in the case of a regulation made or certified by the Commissioner, the Commissioner's executive assistant,
 - (iii) in the case of a regulation made or certified by a Minister, their executive assistant or the deputy head of the department or public agency that administers the enactment under which the regulation is made,
 - (iv) in the case of a regulation made or certified by the Speaker of the Legislative Assembly, the Clerk of the Legislative Assembly, or
 - (v) any other person, if the Chief Legislative Counsel is able to reasonably establish that the person received the regulation directly from a person referred to in paragraph (a) for the purpose of transmission to the Chief Legislative Counsel.

Electronic registration

- (2) On receipt of a regulation transmitted in accordance with subsection (1), the Chief Legislative Counsel must
- (a) register the regulation;
 - (b) confirm the registration by electronic mail to the person who sent the electronic mail referred to in paragraph (1)(c);
 - (c) maintain a record of the electronic mail thread referred to in paragraph (1)(c); and
 - (d) as soon as practicable, create and certify a paper record of the regulation and its registration number.

No delay in registration

- (3) A delay in creating and certifying a paper record of a regulation transmitted in accordance with subsection (1) does not affect the validity of its registration.

Legislation Regulations

Notice of no registration

(4) If the Chief Legislative Counsel receives an electronic version of a regulation for registration that does not conform to requirements subsection (1), the Chief Legislative Counsel must notify the sender of the inability to register the regulation.

Coming into force

7. These regulations come into force on the same day as section 81 of the Act.