

**TRAVEL AND TOURISM ACT**  
R-012-2014  
Registered with the Registrar of Regulations  
2014-04-22

**TOURIST ESTABLISHMENT REGULATIONS, amendment**

The Commissioner, on the recommendation of the Minister, under section 14 of the *Travel and Tourism Act* and every enabling power, makes the annexed amendment to the *Tourist Establishment Regulations*, R.R.N.W.T. 1990, c.T-17, as duplicated for Nunavut by section 29 of the *Nunavut Act* (Canada).

**1. The *Tourist Establishment Regulations*, R.R.N.W.T. 1990, c.T-17, as duplicated for Nunavut by section 29 of the *Nunavut Act* (Canada), are amended by these regulations.**

**2. (1) Section 1 is amended by adding the following definition in alphabetical order:**

“bed and breakfast” means a tourist establishment that is a private residence where

- (a) certain bedrooms are reserved for the exclusive use of guests,
- (b) hospitality is provided directly by the operator, and
- (c) a breakfast is provided for each guest; (*gîte touristique*)

**(2) The definition of “guest” in section 1 is amended by striking out “accommodated” and substituting “accommodated for compensation”.**

**(3) The definition of “tourist home” in section 1 is struck out and the following substituted in alphabetical order:**

“home stay” means a private home or dwelling in which a room or rooms are offered for rent to the travelling and vacationing public but are not reserved for that purpose; (*domicile d’accueil*)

**(4) The English version of the definition of “tent camp” in section 1 is amended by striking out “,” and substituting “.”.**

**3. Section 2 is amended by striking out “the Territories” and substituting “Nunavut”.**

**4. (1) Paragraph 3(h) is repealed and the following substituted:**

- (h) home stay;

**(2) The following is added after paragraph 3(h):**

- (i) bed and breakfast.

**5. (1) Subsection 4(2) is amended by repealing paragraphs (a), (b) and (c) and substituting the following:**

- (a) a copy of a permit issued under section 6 of the *Building Code Act*; and

**(2) This section comes into force on the date that section 6 of the *Building Code Act* comes into force.**

**6. (1) Paragraph 5(1)(a) is amended by striking out “3(c), (e) or (h)” and substituting “3(c), (e), (h) or (i)”.**

**(2) Subsection 5(2) is amended by striking out “Unless” and substituting “Unless the proposal is in respect of a lodge or”.**

**(3) Paragraph 5(2)(b) is amended by striking out “aboriginal interests” and substituting “Inuit or non-Inuit aboriginal interests”.**

**7. The following is added after section 5:**

**5.1.** (1) Pursuant to Schedule 5-6 of the *Nunavut Land Claims Agreement*, where a proposal has been made under subsection 5(1) in respect of a lodge, the tourism officer shall notify the Designated Inuit Organization of the application.

(2) The Designated Inuit Organization may, within 120 days after receipt of a notice under subsection (1), notify the tourism officer in writing whether it intends to exercise the right of first refusal provided by Article 5.8.1 of the *Nunavut Land Claims Agreement*.

(3) The tourism officer shall notify the applicant of the Designated Inuit Organization’s intentions within 21 days from receipt of written notice from the Designated Inuit Organization.

(4) The Designated Inuit Organization may submit an alternate proposal containing the information required by Schedule C with the tourism officer within 120 days of providing notice under subsection (2).

(5) The tourism officer shall approve the proposal, with or without conditions, or reject the application within 60 days of submission.

(6) If the proposal is approved, the Designated Inuit Organization shall acquire a building permit within 230 days of approval under subsection (5).

(7) The Designated Inuit Organization must complete all construction and secure the approval of the appropriate building inspection agencies within 590 days after acquiring the building permit.

(8) The Minister may extend any time period referred to in this section.

**5.2.** A tourism officer shall not issue a building permit or licence for a lodge unless

- (a) the Designated Inuit Organization has declined in writing to exercise its right of first refusal under subsection 5.1(2);
- (b) the Designated Inuit Organization has not responded or acted within the times specified in section 5.1 and any extensions granted by the Minister; or
- (c) the proposal of the Designated Inuit Organization has been rejected under subsection 5.1(5).

**8. (1) Section 6 is amended by striking out “the *National Building Code of Canada*” and substituting “the *Building Code Act*”.**

**(2) This section comes into force on the date that section 6 of the *Building Code Act* comes into force.**

**9. (1) Subsection 9(1) is amended by striking out “must be in form 3 of Schedule B” and substituting “must be submitted to a tourism officer and must be in Form 3 of Schedule B”.**

**(2) Paragraph 9(2)(d) is amended by striking out “section 15.2” and substituting “section 19”.**

**10. Section 11 is amended by striking out “local aboriginal persons” and substituting “local Inuit or non-Inuit aboriginal persons”.**

**11. (1) Section 19 is amended by striking out “\$1,000,000” and substituting “\$2,000,000”.**

**(2) This section comes into force on January 1, 2015.**

12. (1) Paragraph 15(1)(b) is amended by striking out “section 15.2” and substituting “section 19”.
- (2) Subparagraph 15(1)(c)(ii) is amended by striking out “the *Fire Prevention Act*” and substituting “the *Building Code Act*, the *Fire Prevention Act*”.
13. (1) Form 1 of Schedule B is amended by striking out “Tourist Home” and substituting “Bed and Breakfast”.
- (2) Item 3 of Form 1 of Schedule B is amended by striking out “N.W.T.” and substituting “Nunavut”.
- (3) Item 4(a) of Form 1 of Schedule B is amended by striking out “Northwest Territories” and substituting “Nunavut”.
- (4) Item 9 of Form 1 of Schedule B is amended by striking out “Government of the Northwest Territories” and substituting “Government of Nunavut”.
- (5) Form 1 of Schedule B is amended by striking out “19....” and substituting “20....”.
14. (1) Item 8 of Form 1 of Schedule B is repealed and the following substituted:
8. A copy of a permit issued under section 6 of the *Building Code Act* is attached.
- (2) This section comes into force on the date that section 6 of the *Building Code Act* comes into force.
15. Form 2 of Schedule B is amended
- (a) by striking out “the Northwest Territories” and substituting “Nunavut”;
- (b) by striking out “19....” wherever it appears and substituting “20....”.
16. Form 3 of Schedule B is amended
- (a) by striking out “Tourist Home” and substituting “Home Stay”;
- (b) by adding a field entitled “Bed and Breakfast” following the field for “Home Stay”;
- (c) by striking out “Government of the Northwest Territories” in Item 4(a) and Item 12 and substituting “Government of Nunavut”;
- (d) by striking out “19....” and substituting “20....”.
17. Form 4 of Schedule B is amended
- (a) by striking out “the Northwest Territories” and substituting “Nunavut”;
- (b) by striking out “19....” wherever it appears and substituting “20....”.
18. Item 1(1) of Schedule C is amended
- (a) in paragraph (i) by striking out “Northwest Territories” and substituting “Nunavut”;
- (b) in paragraph (k) by striking out “the Department of Indian Affairs and Northern Development (Canada)” and substituting “the Department of Aboriginal Affairs and Northern Development (Canada)”.
- (c) in paragraph (r) by striking out “the Northwest Territories” and substituting “Nunavut”.