

CHILD AND FAMILY SERVICES ACT

**CONSOLIDATION OF
CHILD AND FAMILY SERVICES REGULATIONS**

R-142-98

In force October 30, 1998

(Current to: February 21, 2020)

AS AMENDED BY NUNAVUT REGULATIONS AND STATUTES:

S.Nu. 2011,c.15,s.17

s.17 in force June 9, 2011

S.Nu. 2013,c.20,s.42

s.42 in force May 16, 2013

This consolidation is not an official statement of the law. It is an office consolidation prepared for convenience only. The authoritative text of regulations can be ascertained from the *Revised Regulations of the Northwest Territories, 1990* and the monthly publication of Part II of the *Northwest Territories Gazette* (for regulations made before April 1, 1999) and Part II of the *Nunavut Gazette* (for regulations made on or after April 1, 1999).

A copy of a regulation of Nunavut can be obtained from the Territorial Printer at the address below. The *Nunavut Gazette* and this consolidation are also available online at <http://nunavutlegislation.ca> but are not official statements of the law.

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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".

Citation of Acts

R.S.N.W.T. 1988,c.D-22	means Chapter D-22 of the <i>Revised Statutes of the Northwest Territories, 1988</i> .
R.S.N.W.T. 1988,c.10(Supp.)	means Chapter 10 of the Supplement to the <i>Revised Statutes of the Northwest Territories, 1988</i> . (<i>Note: The Supplement is in three volumes.</i>)
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.

Citation of Regulations and other Statutory Instruments

R.R.N.W.T. 1990,c.A-1	means Chapter A-1 of the <i>Revised Regulations of the Northwest Territories, 1990</i> .
R-005-98	means the regulation registered as R-005-98 in 1998. (<i>Note: This is a Northwest Territories regulation if it is made before April 1, 1999, and a Nunavut regulation if it is made on or after April 1, 1999 and before January 1, 2000.</i>)
R-012-2003	means the regulation registered as R-012-2003 in 2003. (<i>Note: This is a Nunavut regulation made on or after January 1, 2000.</i>)
SI-005-98	means the instrument registered as SI-005-98 in 1998. (<i>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.</i>)
SI-012-2003	means the instrument registered as SI-012-2003 in 2003. (<i>Note: This is a Nunavut statutory instrument made on or after January 1, 2000.</i>)

CHILD AND FAMILY SERVICES REGULATIONS

INTERPRETATION

1. In these regulations,

"Act" means the *Child and Family Services Act*; (*Loi*)

"additional member" means a member invited under subsection 15(3.1) of the Act; (*membre supplémentaire*)

"chairperson" means the chairperson of a plan of care committee; (*président*)

"child member", "Child and Family Services Committee member" and "Child Protection Worker member" means a member listed in paragraphs 15(2)(b), (c) and (d) of the Act respectively; (*membre enfant, membre faisant partie du comité des services à l'enfance et à la famille, membre préposé à la protection de l'enfance*)

"lawful custody member" means a member listed in paragraph 15(2)(a) of the Act; (*membre ayant la garde légale*)

"member" means a member of a plan of care committee unless otherwise specified. (*membre*)

PLAN OF CARE COMMITTEE

Core Members

2. Where a Child and Family Services Committee is endeavouring to establish a plan of care committee,

- (a) the Child and Family Services Committee shall invite every person who has lawful custody of the child to sit as a member, if their identities and whereabouts are known;
- (b) if the child has attained the age of 12 years, the Child and Family Services Committee shall invite the child to sit as a member;
- (c) the Child and Family Services Committee shall select and invite one of its members to sit as the Child and Family Services Committee member of the plan of care committee; and
- (d) the Child Protection Worker who referred the matter to the Child and Family Services Committee under paragraph 16(1)(a) of the Act shall sit as the Child Protection Worker member.

3. (1) Where a Child Protection Worker is endeavouring to establish a plan of care committee,

- (a) the Child Protection Worker shall invite every person who has lawful custody of the child to sit as a member if their identities and whereabouts are known;

- (b) if the child has attained the age of 12 years, the Child Protection Worker shall invite the child to sit as a member;
- (c) if there is a Child and Family Services Committee in the child's community, the Child Protection Worker shall invite the person selected under subsection (2) to sit as the Child and Family Services Committee member; and
- (d) the Child Protection Worker shall sit as the Child Protection Worker member.

(2) At the request of a Child Protection Worker endeavouring to establish a plan of care committee, the Child and Family Services Committee in the child's community shall select one of its members to sit as the Child and Family Services Committee member of the plan of care committee.

4. Where the identity and whereabouts of a person who has lawful custody of the child become known after a plan of care committee is established, the Child and Family Services Committee or Child Protection Worker that established the plan of care committee shall invite that person to sit as a member.

Additional Members

5. A plan of care committee shall ascertain or take steps to ascertain whether a member of the child's extended family lives in the child's community and is suitable to be a member
- (a) at the first meeting of the plan of care committee; and
 - (b) at the first meeting of the plan of care committee after the seat of an additional member referred to in paragraph 15(3.1)(a) of the Act becomes vacant.
6. An invitation under subsection 15(3.1) of the Act shall be made by the chairperson on behalf of a majority of the members referred to in that subsection.

Invitation

7. (1) Before a person accepts an invitation to sit as a lawful custody member, the child member or the Child and Family Services Committee member, the Child and Family Services Committee or Child Protection Worker endeavouring to establish, or that established the plan of care committee, shall explain to that person
- (a) the purpose, powers and duties of a plan of care committee;
 - (b) subsections 17(1) and (2) of the Act respecting ineligibility to sit as a member; and
 - (c) sections 71 to 73 of the Act respecting confidentiality as those sections apply to a member.
- (2) Before a person accepts an invitation to sit as an additional member, the chairperson shall explain to that person
- (a) the purpose, powers and duties of a plan of care committee;

- (b) subsections 17(1) and (2) of the Act respecting ineligibility to sit as a member; and
- (c) sections 71 to 73 of the Act respecting confidentiality as those sections apply to a member.

Ascertaining Ineligibility

8. In sections 9 to 11, "ineligible" means ineligible under subsection 17(1) of the Act to sit as a member.

9. (1) In this section, "Child Protection Worker" means the Child Protection Worker who is endeavouring to establish the plan of care committee or, where a Child and Family Services Committee is endeavouring to establish a plan of care committee or a plan of care committee is established, the Child Protection Worker member.

(2) Before a person is invited to sit as a member, the Child Protection Worker shall make every reasonable effort to ascertain whether the person is ineligible.

(3) Where the Child Protection Worker ascertains under subsection (2) that the only person who has lawful custody of the child whose identity and whereabouts are known is ineligible, the Child Protection Worker shall, without delay, notify that person that he or she is ineligible.

(4) Where the ineligibility of a person to be invited cannot be ascertained under subsection (2) before the person is invited to sit as a member, the Child Protection Worker shall ascertain whether the person is ineligible as soon as possible after the person sits as a member.

10. Before a Child Protection Worker sits as a member, the supervisor of Child Protection Workers for the child's community shall ascertain whether the Child Protection Worker is ineligible.

11. (1) Where a question of the ineligibility of a member arises,

- (a) if the member is not the Child Protection Worker member, the Child Protection Worker member shall ascertain whether the member is ineligible; and
- (b) if the member is the Child Protection Worker member, the supervisor of the Child Protection Workers for the child's community shall ascertain whether the Child Protection Worker member is ineligible.

(2) The Child Protection Worker member or the supervisor, as the case may be, shall, without delay, notify the chairperson of any member who is ineligible.

(3) After receiving notice from the Child Protection Worker member or the supervisor, as the case may be, that a member is ineligible, the chairperson shall, without delay, notify the member of his or her ineligibility, and notify

- (a) the Child and Family Services Committee that established the plan of care committee; or
- (b) the Child Protection Worker who established the plan of care committee if he or she is not the Child Protection Worker member.

Removal of Members

12. (1) In this section, "meeting" includes a meeting of a plan of care committee that cannot be held because a lawful custody member fails to attend.

(2) Where a lawful custody member, the Child and Family Services Committee member or an additional member does not attend a meeting of the plan of care committee, the chairperson shall advise the member that he or she may be removed if the member does not attend a second meeting.

(3) The Child and Family Services Committee or Child Protection Worker that established the plan of care committee, after consultation with the members of the plan of care committee and where a majority of the members agree, may remove a lawful custody member or the Child and Family Services Committee member if he or she has not attended two or more meetings of the plan of care committee.

(4) For greater certainty, it is not necessary that the majority of members referred to in subsection (3) include every lawful custody member and the Child Protection Worker member.

(5) A plan of care committee may remove an additional member who has not attended two or more meetings of the plan of care committee.

(6) A reference in the Act or these regulations to a member who is unable or unwilling to sit as a member shall be deemed to include a member who is removed under this section.

Substitution of Members

13. (1) A member who is unable or unwilling to continue to sit as a member shall, without delay, notify the chairperson of that in writing.

(2) Subsection (1) does not apply where the member is removed under section 12 or is ascertained to be ineligible under subsection 11(1).

(3) Where the chairperson receives notice under subsection (1) from a lawful custody member, the Child and Family Services Committee member or the Child Protection Worker member, the chairperson shall, without delay, notify the Child and Family Services Committee or Child Protection Worker that established the plan of care committee of the notice.

14. Where a lawful custody member is unable or unwilling to continue to sit as a member, or is ineligible under subsection 17(1) of the Act to sit as a member, the Child and Family Services Committee or Child Protection Worker that established the plan of care committee shall invite

another person who has lawful custody of the child to sit as a member, if his or her whereabouts are known, who

- (a) previously refused an invitation to sit as a member; or
- (b) is a former member.

15. (1) Where the Child and Family Services Committee member is unable or unwilling to continue to sit as a member, or is ineligible under subsection 17(1) of the Act to sit as a member,

- (a) the Child and Family Services Committee shall select one of its members to be substituted as the Child and Family Services Committee member of the plan of care committee; and
- (b) the Child and Family Services Committee member shall, without delay, notify the chairperson in writing of the name of the person selected under paragraph (a) as his or her substitute.

(2) The chairperson shall, without delay, notify the Child and Family Services Committee or Child Protection Worker that established the plan of care committee of the person selected by the Child and Family Services Committee to be substituted as the Child and Family Services Committee member.

(3) The Child and Family Services Committee or Child Protection Worker that established the plan of care committee shall invite, under subsection 15(3) or 17(3) of the Act, the member who is selected by the Child and Family Services Committee under paragraph (1)(a) as the substituted Child and Family Services Committee member.

16. (1) Where the Child Protection Worker member is unable or unwilling to continue to sit as a member, or is ineligible under subsection 17(1) of the Act to sit as a member,

- (a) the supervisor of the Child Protection Workers for the child's community shall select a Child Protection Worker to be substituted as the Child Protection Worker member; and
- (b) the Child Protection Worker member shall, without delay, notify the chairperson in writing of the name of the person selected under paragraph (a) as his or her substitute.

(2) The chairperson shall, without delay, notify the Child and Family Services Committee or Child Protection Worker that established the plan of care committee of the person selected by the supervisor to be substituted as the Child Protection Worker member.

(3) The Child and Family Services Committee or Child Protection Worker that established the plan of care committee shall invite, under subsection 15(3) or 17(3) of the Act, the Child Protection Worker who is selected by the supervisor under paragraph (1)(a) as the substituted Child Protection Worker member.

Chairperson

- 17.** The chairperson shall
- (a) chair the meetings of the plan of care committee;
 - (b) set the time and place for the meetings of the plan of care committee after the first meeting;
 - (c) give notice of the time and place of the meetings of the plan of care committee after the first meeting to all members in the form and manner decided by the plan of care committee;
 - (d) at the first meeting of the plan of care committee and at the first meeting that a member who did not attend the first meeting of the plan of care committee attends, explain to the plan of care committee or member
 - (i) the purpose, powers and duties of a plan of care committee,
 - (ii) subsections 17(1) and (2) of the Act respecting ineligibility to sit as a member, and
 - (iii) sections 71 to 73 of the Act respecting confidentiality as those sections apply to a member;
 - (e) at the first meeting of the plan of care committee and at the first meeting that a member who did not attend the first meeting of the plan of care committee attends, review, or request the Child Protection Worker member to review, with the plan of care committee or member, the principles set out in section 2 of the Act that apply to the development of a plan of care;
 - (f) explain to a person invited under subsection 23(1), an interpreter attending under section 24 or an adult accompanying the child or child member or a parent or lawful custody member under subsection 85(1) of the Act to a meeting of the plan of care committee, the purpose of his or her attendance at the meeting and sections 71 to 73 of the Act respecting confidentiality as those sections apply to that person;
 - (g) if there is a child member, encourage the child member to attend and to participate in the meetings of the plan of care committee; and
 - (h) perform any other duty imposed on the chairperson by these regulations.
- 18.** Where the chairperson is absent or unable to act, the members attending the meeting of the plan of care committee shall select a member as acting chairperson for the meeting.

Meetings

- 19.** (1) The Child and Family Services Committee or Child Protection Worker that established the plan of care committee shall set the time and place for the first meeting of the plan of care committee and give notice of the time and place of the meeting to all members.
- (2) Notice under subsection (1) must be in accordance with the guidelines of the Minister.

20. (1) A meeting of a plan of care committee may be held only where a majority of the members attend in person, by teleconference, videoconference, or other electronic means.

(2) The majority of members referred to in subsection (1) must include the following members:

- (a) every lawful custody member;
 - (b) the Child Protection Worker member.
- S.Nu. 2013,c.20,s.42(2).

21. Where a person is unable to attend a meeting of a plan of care committee in person, he or she may attend the meeting by teleconference, videoconference, or other electronic means.

S.Nu. 2013,c.20,s.42(3).

22. At the first meeting of a plan of care committee that a member attends, the member shall take and subscribe the oath set out in Form 1 of Schedule A before sitting as a member.

23. (1) A plan of care committee may invite any person to attend a meeting of the plan of care committee and provide information to assist the committee.

(2) A person invited to attend a plan of care committee meeting under subsection (1) may attend the meeting and provide information to assist the committee.

24. (1) At the request of a member or a person invited under subsection 23(1) or an adult accompanying the child or child member or a parent or lawful custody member under subsection 85(1) of the Act to a meeting of a plan of care committee, an interpreter selected by that member or person may attend and interpret for that member or person.

(2) Notwithstanding subsection (1), a plan of care committee shall not allow an interpreter to attend a meeting of the plan of care committee under subsection (1)

- (a) if he or she is a subject of a report or investigation concerning another matter that is being dealt with under the Act or in respect of which a plan of care agreement or order is in effect; or
- (b) where, in the opinion of the plan of care committee, it is not in the best interests of the child who is the subject of the plan of care or the plan of care agreement, if there is one, to allow that interpreter to attend.

25. A person invited under subsection 23(1), an interpreter attending under section 24 and an adult accompanying the child or child member or a parent or lawful custody member under subsection 85(1) of the Act to a meeting of a plan of care committee, shall take and subscribe the oath set out in Form 1 of Schedule A at the beginning of the meeting that he or she attends.

26. Written confidential information may be circulated at a meeting of a plan of care committee only in the meeting room and must be returned to the person who brought the information before the end of the meeting.

Decisions

27. (1) Except as otherwise provided in the Act, a decision of a plan of care committee is made with the agreement of a majority of the members.

(2) The majority of members referred to in subsection (1) must include the following members:

- (a) every lawful custody member;
- (b) the Child Protection Worker member.

28. (1) The Child Protection Worker member shall keep a record of decisions made by the plan of care committee

- (a) on the matters or things to be included in a plan of care for the child, any subsequent changes to those decisions and the reasons for the decisions or changes to those decisions; and
- (b) to extend the term of the plan of care agreement or to modify any term or condition of the plan of care agreement and the reasons for the extension or modification.

(2) The record may be in writing or on audio tape as the plan of care committee decides.

(3) The plan of care committee shall review the record to ensure that it accurately reflects the decisions of the committee and approve the record with any changes agreed to by the committee.

(4) The Child Protection Worker member shall keep the record in his or her file on the child and make the record available to members at each meeting of the plan of care committee.

Plan of Care

29. In developing a plan of care for the child, the plan of care committee

- (a) shall consider what matters or things are necessary and in the best interests of the child to include and may consider the matters and things set out in paragraphs 19(1)(a) to (i) of the Act; and
- (b) shall decide, or designate a member to decide, how the plan of care or any aspect of it shall be implemented.

30. A plan of care must be in writing.

31. The Child Protection Worker member shall keep the plan of care in his or her file on the child.

Plan of Care Agreement

32. The Child Protection Worker member shall prepare, in accordance with the guidelines of the Minister, a plan of care agreement to give effect to the plan of care agreed to by the plan of care committee.

33. The Child Protection Worker member shall keep the signed plan of care agreement and all extensions of and modifications to the agreement in his or her file on the child and shall provide the Director with a copy of the agreement and all extensions of and modifications to the agreement.

34. A plan of care committee shall assign the responsibility for making the arrangements necessary for implementing the plan of care agreement or any provision of it to one or more members.

35. A plan of care committee shall review the plan of care agreement under subsection 20(1) of the Act in accordance with the guidelines of the Minister.

36. The Child Protection Worker member shall inform the plan of care committee of the date for review of the plan of care agreement under subsection 20(2) of the Act and the plan of care committee shall review the plan of care agreement under that subsection in accordance with the guidelines of the Minister.

37. (1) Where a plan of care agreement has expired, the Child Protection Worker member of the plan of care committee that made the plan of care agreement may, or if requested by a member of that committee shall, call a meeting of that committee or contact the members individually to determine the views of the members on whether or not it is in the best interests of the child to extend the agreement.

(2) A written agreement to extend the plan of care agreement under subsection 20(4) of the Act shall be in a form approved by the Director.

38. Notice of termination of a plan of care agreement for the purposes of subsection 22(1) of the Act shall be in a form approved by the Director.

Dissolution or Termination of Plan of Care Committee

39. A Child Protection Worker referred to in subsection 13(2) of the Act who is of the opinion that the child who is the subject of the investigation does not need protection, shall, without delay, notify the following persons that the plan of care committee is dissolved:

- (a) all members;
- (b) all persons involved in the implementation of the plan of care agreement;
- (c) any person who, in the opinion of the Child Protection Worker, has an interest in knowing that the plan of care committee is dissolved.

40. The Child Protection Worker member shall record in his or her file on the child the date on which the plan of care committee is terminated under subsection 15(7) of the Act and the reason for the termination.

41. Repealed, S.Nu. 2011,c.15,s.17(2).

ANNUAL REPORT

42. (1) An annual report must be for the period beginning on April 1 in one year and ending on March 31 in the following year.

(2) The annual report must be in writing and include the following:

- (a) a report on the administration of the Act and these regulations;
- (b) statistics compiled on the Territories as a whole and, where the Director considers it appropriate, on parts of the Territories or on any other basis that the Director determines, pertaining to
 - (i) children placed in the temporary or permanent custody of the Director under Part I of the Act,
 - (ii) children placed in the permanent custody of the Director for the purpose of adoption under Part II of the Act,
 - (iii) children who are the subject of a plan of care agreement made by a plan of care committee, and
 - (iv) agreements under sections 5 and 6 of the Act;
- (c) an analysis of the statistics referred to in paragraph (b);
- (d) initiatives in child and family services at the territorial and community level, and at any other level that the Director determines;
- (e) any other information the Minister requests the Director to include in the annual report.

43. The Director shall submit the annual report to the Minister not later than October 1 in each year for the period ending on March 31 of the same year.

MINIMUM COMMUNITY STANDARDS

44. The minimum community standards to be used in determining the level of care adequate to meet a child's needs under paragraph 2(m) of the Act are the following:

- (a) the child shall be provided with living accommodation that gives the child adequate protection from the elements and conforms to applicable health and safety standards established by law;
- (b) the child shall be provided with adequate food to sustain good health and growth;
- (c) the child shall be provided with adequate clothing suitable for the season;
- (d) the child shall enjoy freedom from abuse and harm, and from the threat of abuse and harm, in care;
- (e) the child shall be provided with medical care or treatment where the child requires it;

- (f) the child shall be provided with supervision, appropriate to his or her level of development, to protect the child from harm;
- (g) the child shall be provided with access to education;
- (h) the development of the child shall be nurtured and the child's emotional and spiritual or religious needs shall be met adequately.

45. The minimum community standard to be used in determining whether or not a child needs protection under subsection 7(3) of the Act is the standard that a Child Protection Worker would apply to establish that he or she has reasonable grounds to believe that a child needs protection.

CHILD CARE FACILITIES AND FOSTER HOMES

46. (1) The Minister may establish standards or requirements for child care facilities and foster homes, including different standards or requirements for different categories of child care facilities and foster homes.

(2) The Director shall provide a child care facility or foster home with the standards and requirements established by the Minister under subsection (1) that apply to it on approving the child care facility or foster home under subsection 62(1) or (3) of the Act and subsequently when any changes to those standards or requirements are made.

47. A child care facility and foster home shall comply with the standards and requirements established by the Minister under subsection 46(1) that apply to it.

DISCLOSURE OF INFORMATION

48. (1) Before the Director discloses information or a record of information under section 74 of the Act, the Director shall satisfy himself or herself that

- (a) the person or agency requesting the information in that province or territory performs substantially the same functions as the Director; and
- (b) the information or record of information is reasonably required by that person or agency in order to
 - (i) provide services to the person who is the subject of the information, or
 - (ii) to protect a child.

(2) The Director may disclose

- (a) information, or the contents of all or part of a record of information, orally to the person requesting it;
- (b) information, or the contents of all or part of a record of information, as a written summary; or
- (c) a copy of a record of information, or a part of it, in the form determined by the Director.

MISCELLANEOUS

49. A prescribed community referred to in the definition "community" in section 1 of the Act is one that is listed in Schedule C.

50. The validity of a decision of a plan of care committee or a plan of care agreement is not affected by the fact that a member was ineligible, under subsection 17(1) of the Act, to sit as a member at the time the decision or agreement was made.

51. (1) Unless otherwise specified in these regulations, notice under these regulations shall be oral notice but must be followed by written notice as soon as is reasonably practicable.

(2) The validity of any action taken or proceeding commenced under the Act or these regulations is not affected where the person who is to give notice under these regulations is unable, after making a reasonable effort, to give notice in accordance with these regulations.

52. The consent of a parent referred to in subsection 39(1) of the Act must be in Form 2 of Schedule A.

53. The Director may approve the forms referred to in these regulations that are to be approved by the Director.

54. These regulations come into force on the day on which the *Child and Family Services Act*, S.N.W.T. 1997, c.13, comes into force.

SCHEDULE A

FORM 1

(Sections 22 and 25)

OATH

I,, solemnly and sincerely swear that I will not, without due
(name)

authority, disclose or make known any matter that comes to my knowledge by reason of
(my membership on) *(for members)* (my attendance at) *(for all others)* the plan of care
committee established in respect of
(name of child)

FORM 2

(Section 52)

IN THE SUPREME (or TERRITORIAL) COURT OF THE NORTHWEST TERRITORIES

IN THE MATTER of the *Child and Family Services Act*;

AND IN THE MATTER of an application for an order under subsection 38(1) of the *Child and Family Services Act* that
(full name of child)

(in this Consent referred to as "the child"), be placed in the permanent custody of the Director of Child and Family Services (in this Consent referred to as the "permanent custody order").

CONSENT

(Subsection 39(1) of the *Child And Family Services Act*)

I, of
(full name) (community)

Northwest Territories, CERTIFY THAT,

1. I am the of
(mother or father) (full name of child)
a child, who was born at
(sex of child) (community)
.....on.....
(province or territory) (month, day, year)
.....
(date and serial number of the registration of the birth, if known)

2. I consent to an order under subsection 38(1) of the *Child and Family Services Act* that
..... be placed in the permanent
(full name of child)
custody of the Director of Child and Family Services.

3. I understand that
(a) the Director of Child and Family Services has the rights and responsibilities of a parent in respect of the person of the child from the time of the delivery of the child to a Child Protection Worker for the purpose of adoption until the permanent custody order is made but that the rights are limited until the consents required by Part II of the *Child and Family Services Act* have been provided to the Director or a Child Protection Worker;
(b) the Director of Child and Family Services may delegate any of the rights or responsibilities referred to in paragraph (a) to an assistant Director and that a Child Protection Worker may act on behalf of the Director or an assistant Director, where the

Director has made a delegation, in respect of any of these rights or responsibilities where authorized to do so by the Director or the assistant Director;

- (c) before the permanent custody order is made, an Adoption Worker will endeavour to meet with me to explain the purpose of the Adoption Registry and to describe, advise me of or explain the other matters set out in subsection 56(2) of the *Adoption Act*;
- (d) when the permanent custody order is made, subject to section 20 of the *Adoption Act*, the Director of Child and Family Services has the rights and responsibilities of a parent in respect of the person of the child until
 - (i) the child attains the age of 16 years or, where the order is extended beyond the day on which the child attains the age of 16 years, until the period of custody set out in the order expires or the child attains the age of majority,
 - (ii) the child is adopted under the *Adoption Act*, or
 - (iii) a court, under section 49 of the *Child and Family Services Act*, discharges the permanent custody order;
- (e) the Director of Child and Family Services may delegate any of the rights or responsibilities referred to in paragraph (d) to an assistant Director and that a Child Protection Worker may act on behalf of the Director or an assistant Director, where the Director has made a delegation, in respect of any of these rights or responsibilities where authorized to do so by the Director or the assistant Director;
- (f) I or may , on application, be
(the other parent)
granted access to the child in the permanent custody order on the terms and conditions that the court considers appropriate.

4. I understand that when the permanent custody order is made

- (a) the Director of Adoptions has the power to place the child for the purpose of adoption and on placement, the person with whom the child is placed has the rights and responsibilities of a parent in respect of the person of the child from the time of placement until
 - (i) the court orders otherwise,
 - (ii) the return of the child after the Director of Child and Family Services revokes his or her consent to the adoption, or
 - (iii) an adoption order is made;
- (b) the Director of Child and Family Services has the power to consent to an adoption order in respect of the child; and
- (c) I will not be given notice of the petition to adopt the child.

5. I understand that when the adoption order is made in respect of the child, I or

..... may, on application, be granted access to the child in a further
(the other parent)

order on the terms and conditions that the court considers appropriate if I am or

.....is granted access to the child in the permanent custody order.
(the other parent)

6., a Child Protection Worker, has
(name of Child Protection Worker)
- (a) provided me with information on the services available to me and to the child if the child remains with me or
(the other parent)
 or if a permanent custody order is made;
 - (b) explained the effect of the permanent custody order, and when my consent or the consent of may be given or revoked;
(the other parent)
 - (c) advised me to obtain legal advice before I give my consent;
 - (d) advised me that I may appear at the hearing, and it is my decision:
 ___ to attend the hearing
 ___ not to attend the hearing

7. I give my consent freely and voluntarily.

SIGNED by me at , Northwest Territories,
(community)

on
(month, day, year)

SIGNED IN THE PRESENCE OF

..... <i>(signature of witness)</i> <i>(signature of parent)</i>
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.....
(signature of interpreter)

SCHEDULE B

(Section 41)

Repealed, S.Nu. 2011,c.15,s.17(3).

SCHEDULE C

(Section 49)

PRESCRIBED COMMUNITIES

Dettah
Hay River Reserve
Jean Marie River
Kakisa
Lutsel K'e
Nahanni Butte
Nanisivik
Ndilo
Rae Lakes
Snare Lakes
Trout Lake
Wrigley