

**CONSUMER PROTECTION ACT**  
R-004-2025  
Registered with the Chief Legislative Counsel  
2025-02-20

**CONSUMER PROTECTION REGULATIONS, amendment**

The Minister, under section 112 of the *Consumer Protection Act* and every enabling power, makes the annexed amendments to the *Consumer Protection Regulations*.

**1. These regulations amend the *Consumer Protection Regulations*, R.R.N.W.T. 1990,c.C-16.**

**2. The definition of "Act" in section 1 is repealed.**

**3. Section 8.3 is repealed and replaced by:**

8.3. If a buyer is unable to find an address for the vendor or direct seller referred to in subsections 77.2(5) and (6) of the Act, the buyer may send or deliver the notice of cancellation to the office of the Director of Consumer Services.

**4. Section 9 is amended by replacing "set out in" with "described in".**

**5. Section 11 is amended by replacing "set out in" with "described in".**

**6. The following is added after section 11:**

Forms

12. The Minister may, for the purposes of the Act,  
(a) approve the forms that are described in Schedule B; and  
(b) include on the forms any additional instructions for the benefit of those who are filling out the forms.

**7. Schedule B is repealed and replaced with Schedule B in the Appendix to these regulations.**

**APPENDIX**

*(Section 7)*

**SCHEDULE B**

*(Sections 9 and 11)*

**FORM 1**

*(Section 9)*

**APPLICATION FOR LICENCE**

1. The form for the application for licence must
  - (a) provide for the following information to be entered:
    - (i) whether the application is for an initial licence or for the renewal of an existing licence,
    - (ii) whether the application is for a vendor licence, direct seller licence, or collection agent licence,
    - (iii) if the applicant is an individual, the applicant's name and addresses of residence for the last three years,
    - (iv) if the applicant is a partnership, each partner's name and each partner's addresses of residence for the last three years,
    - (v) if the applicant is an individual or a partnership, the employment history of the individual or of each partner, for the past three years for applications for vendor or collection agent licences, or for the past five years for applications for direct seller licences, including the following information for each previous position:
      - (A) name of the employer,
      - (B) mailing address of the employer,
      - (C) position held by the applicant,
      - (D) the date on which the applicant began working in the position,
      - (E) the date on which the applicant ceased working in the position,
    - (vi) if the applicant is a corporation, the corporate name,
    - (vii) if the applicant is a corporation, the following information for each director of the corporation:
      - (A) name,
      - (B) mailing address,
      - (C) length of time directorship has been held,
    - (viii) if the application is for a vendor or collection agent licence,
      - (A) the business name,
      - (B) the mailing address and phone number for the head office,
      - (C) the address and phone number for the principal place of business in Nunavut,
      - (D) the addresses and phone numbers of branch offices in Nunavut, and

- (E) the mailing address in Nunavut for service of notices under the *Consumer Protection Act*, and the associated phone number, with the instruction that if the mailing address does not contain a street address where notices may be served personally, the applicant must also set out a street address,
- (ix) if the application is for a vendor licence, a description of the goods or services intended to be sold in Nunavut,
- (x) if the application is for a direct seller licence
  - (A) the name and mailing address of the applicant's vendor,
  - (B) the estimated amount of average retail sale or retail hire-purchase to be made under the licence applied for, in dollars,
  - (C) whether the applicant is presently selling goods or services in Nunavut for vendors other than the vendor described, and if so, the name and mailing address of the other vendors,
  - (D) a description of the goods and services sold, and
  - (E) the approximate amount of average retail sale or retail hire-purchase made for the vendor, in dollars,
- (xi) if the applicant is an individual or a partnership, information for two people who can be contacted for a business reference for the individual or for each partner, including each reference's
  - (A) name,
  - (B) business or occupation,
  - (C) mailing address, and
  - (D) phone number,
- (xii) whether the applicant is presently licensed outside Nunavut as a vendor, direct seller, or collection agent, and if so, the jurisdictions in which the applicant is licensed and the licence type,
- (xiii) whether any of the applicants, or any director or manager of a corporate applicant, has been convicted of any offence for which they have not been pardoned under the *Criminal Code*, under the *Consumer Protection Act* of a province or territory or any other law of Canada or a province or territory that involves a dishonest act or intent on the part of the offender, and if so, the particulars,
- (xiv) whether any of the applicants, or any director or manager of a corporate applicant, is an undischarged bankrupt, and if so, the particulars,
- (xv) whether any of the applicants, or any director or manager of a corporate applicant, has been, within the preceding 10 years, a bankrupt or a director of a corporation that became bankrupt while they were director if, in each case, the creditors in the bankruptcy have not been paid in full, and if so, the particulars,
- (xvi) whether any of the applicants, or any director or manager of a corporate applicant, has had a licence issued under the *Consumer*

- Protection Act* cancelled or a current licence issued under the Act suspended, and if so, the particulars,
- (xvii) if the application is for a vendor or collection agent licence, whether a judgment has been issued against any of the applicants or any director or manager of a corporate applicant, that has not been satisfied, and if so, the particulars,
  - (xviii) if the application is for a vendor licence, whether the goods or services the applicant intends to sell in Nunavut have been sold by the applicant in Nunavut before, and if so,
    - (A) the number of years the applicant has sold those goods or services in Nunavut,
    - (B) the start date and end date of the applicant's last fiscal year of sales,
    - (C) whether the applicant's total retail sales in Nunavut for the last fiscal year fell between
      - (I) \$0 to \$49,999,
      - (II) \$50,000 to \$149,999,
      - (III) \$150,000 to \$249,999,
      - (IV) \$250,000 to \$499,999, or
      - (V) \$500,000 or more,
  - (xix) if the application is for a vendor licence, and if desired by the applicant, a list of people that have authority to indicate to the Director that an applicant for a direct seller licence is authorized to represent the vendor, including the name, mailing address, and specimen signature of each listed individual;
- (b) require the applicant's signature, as follows:
    - (i) if the applicant is an individual, the individual's signature and the date signed,
    - (ii) if the applicant is a partnership, the signature of each partner and the date signed,
    - (iii) if the applicant is a corporation, the signatures of authorized signing officers, the corporate seal, and the date signed;
  - (c) if the applicant is a corporation, require the applicant to provide a certificate of status from the Registrar of Corporations;
  - (d) if the application is for a vendor or collection agent licence, include an affidavit for the applicants to swear or affirm, which must
    - (i) provide for the affiant's name, city of residence, and province or territory of residence to be entered,
    - (ii) indicate that the affiant swears or affirms that
      - (A) the affiant is an applicant or an officer or director of a corporation that is an applicant named in the application; and
      - (B) to the best of the affiant's knowledge, the information set out in the application is true and correct,
    - (iii) provide for the affiant's signature to be entered,

- (iv) provide for the location at which the affidavit was sworn or affirmed to be entered,
- (v) provide for the date on which the affidavit was sworn or affirmed to be entered, and
- (vi) include the instruction that the affidavit must be sworn or affirmed before a person authorized to administer oaths by the *Evidence Act*;
- (e) if the application is for a vendor or collection agent licence, require the applicant to attach the bond required by section 102 or 103 of the *Consumer Protection Act*;
- (f) if the application is for a renewal of an existing licence,
  - (i) indicate which sections of the application must be completed,
  - (ii) indicate that the applicant must complete the affidavit, and
  - (iii) indicate that the applicant must provide any changes of information from the previous year's application;
- (g) include the instruction that the affiant must complete the application in duplicate, retain a copy for reference when applying for a renewal of licence, and submit the original along with the prescribed fee; and
- (h) include the address to which the completed application should be sent.

FORM 2

(Section 11)

PENAL BOND

1. The form for penal bond must
  - (a) indicate that by the instrument, the applicant for a vendor licence, as Principal, and the body corporate authorized to do business in Nunavut, as Surety, are, together with their assigns and successors, jointly and severally bound to pay to the Government of Nunavut a sum of money;
  - (b) provide for the following information to be entered:
    - (i) the name, city of residence, and province or territory of residence of the applicant for vendor licence,
    - (ii) the name of the corporation, and
    - (iii) the sum of money, in dollars;
  - (c) indicate that the obligation contained in paragraph (a) is void from the date of the instrument, unless:
    - (i) any of the following occur:
      - (A) the Principal, or any representative, agent or salesperson of the Principal, is convicted of
        - (I) an offence under the *Consumer Protection Act* or any regulation made under that Act, or
        - (II) an offence involving fraud, theft or conspiracy to commit an offence involving fraud or theft under the *Criminal Code*,
      - (B) a judgment in respect of a claim arising out of a sale to which Part VII of the *Consumer Protection Act* applies is given against the Principal or against any representative, agent or salesperson of the Principal,
      - (C) the Principal commits an act of bankruptcy, whether or not proceedings have been taken under the *Bankruptcy and Insolvency Act* (Canada),
      - (D) a decision is rendered by the Director in writing stating in effect that after consideration and investigation of a complaint, the Director is satisfied that the Principal, or any representative, agent or salesperson of the Principal,
        - (I) has contravened the *Consumer Protection Act* or has failed to comply with any of the terms, conditions or restrictions to which his or her licence is subject or is in breach of contract, and
        - (II) has departed from Nunavut or being out of Nunavut remains out of Nunavut, or departs from their dwelling or otherwise absents themselves, and
    - (ii) any conviction, judgment, order or decision referred to in subparagraphs (i)(A) to (D) has become final by reason of lapse of

- time or of having been confirmed by the highest court to which any appeal may be taken;
- (d) indicate that a party intending to cancel the bond must give the Director written notice of the cancellation;
  - (e) provide the address at which the notice may be sent to the Director;
  - (f) indicate that if written notice of cancellation has been given, the bond has no effect with respect to any act or thing occurring 90 days after the day that the Director receives the notice;
  - (g) indicate that the Director may give notice of forfeiture of the bond within two years of the right of forfeiture arising; and
  - (h) provide for the following to be entered:
    - (i) the signature of the principal,
    - (ii) the name of the surety,
    - (iii) a seal and corporate seal,
    - (iv) the date of signature, and
    - (v) the signatures of two witnesses.