

Chapter 22

AN ACT TO AMEND THE INUIT LANGUAGE PROTECTION ACT AND THE OFFICIAL LANGUAGES ACT

(Assented to September 18, 2025)

The Commissioner, by and with the advice and consent of the Legislative Assembly, enacts as follows:

PART 1 INUIT LANGUAGE PROTECTION ACT

1. This Part amends the *Inuit Language Protection Act*.
2. The Act is renamed the *Inuktitut Protection Act*.
3. Subsection 1(1) is amended by repealing the definitions of "Inuit Uqausinginnik Taiguusiliuqtiit" and "public agency" and adding the following definition in alphabetical order:

"Inuit Uqausinginnik Taiguusiliuqtiit" means the Inuktitut language authority established by section 15; (*Inuit Uqausinginnik Taiguusiliuqtiit*)

4. The portion of subsection 3(5) preceding paragraph (a) is amended as follows:

Accommodation for private sector body

(5) The Languages Commissioner, after receiving a submission or a complaint ~~an application~~ under Part 4, and the Nunavut Court of Justice, after receiving an application under Part 4, may relieve a private sector body of an obligation that would otherwise be required under this section and substitute a less onerous requirement for communication or services in Inuktitut ~~the Inuit Language~~, if

5. Section 15 is repealed and replaced by:

Establishment

15. An Inuktitut language authority called the Inuit Uqausinginnik Taiguusiliuqtiit is established for Nunavut.

6. (1) Subsection 20(1) is amended as follows:

Membership

20. (1) The Inuit Uqausinginnik Taiguusiliuqtiit consists of ~~at least~~ between five and nine members appointed by the Commissioner in Executive Council, on the recommendation of the Minister.

(2) Subsection 20(4) is amended as follows:

Term

(4) A member of the Inuit Uqausinginnik Taiguusiliuqtiit ~~shall hold~~ holds office for a renewable term of three years, ~~except that the first members appointed shall hold office for a renewable term of three to five years as expressed in their appointments.~~

(3) Subsection 20(6) is repealed and replaced by:

Termination

- (6) The appointment of a member of the Inuit Uqausinginnik Taiguusiliuqtiit
- (a) must not be terminated except for cause during their term of appointment; but
 - (b) may be terminated without cause while continuing to hold office following the expiration of their term of appointment.

(4) Subsection 20(8) is amended as follows:

Continuation after expiry

(8) Except as otherwise provided in this section, a member continues to hold office after the expiry of the term referred to in subsection (4) until reappointed, or until their appointment is terminated under paragraph (6)(b) ~~a successor is appointed.~~

(5) Subsection 20(8.1) is repealed and replaced by:

Vacancy

(8.1) If there are fewer than five members of the Inuit Uqausinginnik Taiguusiliuqtiit, the Commissioner in Executive Council

- (a) must, within 180 days, appoint another individual to the Inuit Uqausinginnik Taiguusiliuqtiit; and
- (b) may appoint another individual to the Inuit Uqausinginnik Taiguusiliuqtiit if, after the expiry of 90 days, a nomination has not been made pursuant to paragraph (3)(a) or a committee has not provided advice under paragraph (3)(b).

(6) The following is added after subsection 20(8.1):

Term of appointment

(8.2) Despite subsections (4) and (5), a member of the Inuit Uqausinginnik Taiguusiliuqtiit appointed under subsection (8.1) without the advice of a committee holds office for a non-renewable term of one year.

Regular appointment

(8.3) For greater certainty, a member of the Inuit Uqausinginnik Taiguusiliuqtiit appointed under subsection (8.1) for a non-renewable term of one year is eligible for re-appointment in accordance with subsection (3).

7. Section 22 is repealed and replaced by:

Executive Director and other employees

22. (1) The Inuit Uqausinginnik Taiguusiliuqtiit may appoint, following a competition, an Executive Director and other employees necessary for the proper conduct of its duties, despite the *Public Service Act*.

Exception

(2) Despite subsection (1), the Inuit Uqausinginnik Taiguusiliuqtiit may appoint an Executive Director or other employees without a competition with the approval of the Executive Council.

Inuit employment policies and merit-based criteria

(3) Section 9 of the *Public Service Act* and directives issued under subsection 6(3) of that Act apply, with the necessary modifications, to the appointment of the Executive Director and other employees under this section.

Public Service Act

(4) The Executive Director and other employees appointed under this section are members of the public service as defined in the *Public Service Act*.

Chief executive officer

(5) With respect to employees appointed under this section, the Executive Director is the chief executive officer for the purposes of the *Public Service Act*.

8. Subsection 27.1(1) is amended by replacing the period at the end of paragraph (f) with a semi-colon and adding the following after paragraph (f):

- (g) *Pilimmaksarniq* or *Pijariuqsarniq* (the development of skills through practice, effort and action);
- (h) *Avatittinnik Kamatsiarniq* (respect and care for the land, animals and the environment).

9. Subsection 30(5) is amended as follows:

Inform complainant

(5) If the Languages Commissioner refuses to investigate or discontinues an investigation under subsection (4), the Languages Commissioner shall

- (a) inform the complainant ~~applicant~~ and such other affected persons as the Languages Commissioner considers appropriate of that decision at a time and in a manner that the Languages Commissioner considers appropriate; and
- (b) provide a written confirmation to the complainant ~~applicant~~
 - (i) that the Languages Commissioner has refused to investigate or has discontinued an investigation under subsection (4), and

- (ii) the date when the information required by paragraph (a) was provided.

10. Section 31 and the heading preceding it are repealed and replaced by:

Investigation

Complaints

31. (1) A person may submit a complaint to the Languages Commissioner orally, or in another form that the Languages Commissioner considers to be satisfactory, for an investigation on the grounds that, in the administration of an organization to which this Act applies,

- (a) a provision of this or any other Act or regulation relating to the use, promotion or protection of Inuktitut is not being or has not been complied with; or
- (b) the spirit and intent of this Act is not being or has not been fulfilled.

Third parties may apply

(2) For greater certainty, a person with legal capacity need not be a parent, an employee, or in any way directly affected, in order to submit a complaint to the Languages Commissioner alleging that an organization to which this Act applies has not complied with the requirements of sections 8 to 12 or with the spirit and intent of this Act as it relates to those provisions.

Initiating investigation without complaint

(3) The Languages Commissioner may also commence an investigation relating to the grounds for complaint referred to in subsection (1) on the Languages Commissioner's own initiative, whether or not a complaint has been submitted with respect to the matter.

Territorial institutions and municipalities

(4) If an investigation commenced under this section relates to the administration of a territorial institution or a municipality, sections 25 to 36 of the *Official Languages Act* govern the Languages Commissioner's investigation and report.

11. Section 32 is repealed and replaced by:

Definitions

32. (1) In this section,

"facilitator" means a mediator or another third party that is tasked with facilitating a resolution to a complaint;

"party" means

- (a) the complainant, or
- (b) the authorized representative of the organization subject to the complaint.

Informal resolution process

- (2) Prior to or during an investigation, the Languages Commissioner may
- (a) engage an organization in the voluntary preparation or amendment of an Inuktitut language plan;
 - (b) attempt to resolve the complaint through negotiation; or
 - (c) recommend or use an informal resolution process, including mediation, that is consistent with Inuit Qaujimajatuqangit to resolve a complaint,
 - (i) in the case of a complaint relating to the administration of a territorial institution or a municipality, in accordance with section 30 of the *Official Languages Act*, or
 - (ii) in the case of any other organization, in accordance with subsections (3) to (10).

Commencing informal resolution process

(3) Prior to recommending or using an informal resolution process, the Languages Commissioner must

- (a) consult with the parties respecting
 - (i) the type of informal resolution process, including whether or not a facilitator will be used, and
 - (ii) if a facilitator will be used, the choice of facilitator;
- (b) obtain consent to the informal resolution process and an undertaking respecting the confidentiality requirements of subsection (10) from the parties;
- (c) identify the issues that can be resolved through the informal resolution process; and
- (d) if a facilitator will be used, appoint a facilitator following the consultations under subparagraph (a)(ii).

Attempt to resolve

(4) If a facilitator is appointed for an informal resolution process, the facilitator must, in an impartial manner, assist the parties to resolve the complaint to their mutual satisfaction.

Settlement

(5) If a complaint is settled through the informal resolution process, the facilitator or, if there is no facilitator, one of the parties must provide the Languages Commissioner with a copy of the settlement agreement signed by the parties.

Approval or refusal of settlement

- (6) The Languages Commissioner must,
- (a) approve the settlement agreement;
 - (b) with the consent of the parties, amend the terms of the settlement agreement and then approve it; or
 - (c) refuse to approve the settlement agreement if the Languages Commissioner determines that doing so is necessary

- (i) to prevent continued non-compliance with any provision of this Act or any other enactment relating to the status, use or protection of an Official Language,
- (ii) to prevent continued non-fulfilment of the spirit and intent of this Act, or
- (iii) to otherwise protect the public interest.

Effective date

(7) A settlement of a complaint does not come into effect unless the Languages Commissioner approves the settlement agreement under subsection (6).

Unresolved complaint – facilitator

(8) The facilitator must terminate an informal resolution process and refer the complaint back to the Languages Commissioner for investigation if

- (a) the termination of the informal resolution process is requested by a party; or
- (b) the facilitator determines that there is no reasonable prospect that the complaint will be settled through the informal resolution process.

Initiating or continuing investigation

(9) The Languages Commissioner must initiate or continue the investigation

- (a) following a referral under subsection (8); or
- (b) in the case of an informal resolution process without a facilitator, when
 - (i) the termination of the informal resolution process is requested by a party, or
 - (ii) the Languages Commissioner determines that there is no reasonable prospect that the complaint will be settled through the informal resolution process.

Confidentiality

(10) Communications and evidence arising from anything said or produced during the course of an informal resolution process under this Act are confidential, and are not admissible in any investigation or proceedings under this Act, or in any action, matter or other proceeding, without the written consent of all parties.

12. Subsection 33(1) is amended as follows:

Protection for involved persons

33. (1) ~~No person shall~~ A person must not discharge, suspend, expel, intimidate, coerce, evict, impose a pecuniary or other penalty on or otherwise discriminate against a person because that person submits a complaint ~~applies for an investigation~~, gives evidence or assists in an investigation or ~~the reporting of a concern~~ submission of a complaint to the Languages Commissioner.

13. Sections 33.1 to 33.7 and the heading preceding them are repealed.

14. Section 34 is repealed and replaced by:

Complaint concerning other organization

34. (1) On receipt of a complaint regarding the administration of an organization that is not a territorial institution or a municipality, the Languages Commissioner must evaluate the complaint and proceed in accordance with this section and sections 35 to 42.

Reasonable grounds to investigate

(2) If, after initial review of the complaint, the Languages Commissioner is satisfied that there are reasonable grounds to investigate, the Languages Commissioner must investigate.

Combining investigations

(3) The Languages Commissioner may conduct a single investigation of two or more complaints, or combine the investigation of one or more complaints with an investigation commenced on the Languages Commissioner's own initiative, after considering

- (a) the significance of the affected Official Language rights;
- (b) the frequency of
 - (i) the non-compliance a provision of this or any other Act or regulation relating to the use, promotion or protection of Inuktitut, or
 - (ii) the non-fulfilment of the spirit and intent of this Act;
- (c) any past recommendation made by the Languages Commissioner; and
- (d) whether it is fair and reasonable in the circumstances to conduct a single investigation.

Notice

(4) On commencing an investigation, the Languages Commissioner must provide a notice of the investigation to an organization whose communications with or services to the public or other conduct are to be investigated.

15. Section 35 is repealed and replaced by:

Absence of reasonable grounds

35. (1) The Languages Commissioner must refuse to investigate or must discontinue an investigation if, after initial review of a complaint received under subsection 31(1), the Languages Commissioner determines that there are no reasonable grounds to investigate.

Refuse or discontinue investigation

(2) The Languages Commissioner may refuse to investigate or may discontinue an investigation if, in the opinion of the Languages Commissioner, any of the following situations exist:

- (a) the conduct identified primarily affects an individual or individuals other than the complainant, and the directly affected individual or individuals do not wish to proceed;

- (b) all or part of the conduct identified in the complaint may be dealt with and remedied, adequately and appropriately, under another Act or using another available procedure;
- (c) the complaint is frivolous, vexatious, not made in good faith or concerns a trivial matter;
- (d) the complaint is not within the jurisdiction of the Languages Commissioner;
- (e) the complainant has withdrawn or abandoned the application;
- (f) the conduct identified in the complaint has been remedied.

Considerations

(3) Before making a determination under subsection (1) or (2), the Languages Commissioner must consider all relevant circumstances, including the possibility that a complainant or a directly affected individual may be reluctant to proceed or that a complaint may have been withdrawn, abandoned or represented as having been resolved because of an abuse or imbalance of power.

Inform complainant

(4) If the Languages Commissioner refuses to investigate or discontinues an investigation, the Languages Commissioner must

- (a) inform the complainant and such other affected persons as the Languages Commissioner considers appropriate of that decision at a time and in a manner that the Languages Commissioner considers appropriate; and
- (b) provide a written confirmation to the complainant
 - (i) that the Languages Commissioner has refused to investigate or has discontinued an investigation under subsection (1) or (2), and
 - (ii) the date when the information required by paragraph (a) was provided.

16. (1) Paragraph 36(1)(c) is amended as follows:

- (c) request and examine information, records and objects, make or require copies or take photographs that the Languages Commissioner considers relevant to the ~~concerns under~~ investigation;

(2) Paragraph 36(2)(d) is amended as follows:

- (d) compel a person to produce documents and things in the person's possession or control that the Languages Commissioner considers relevant to the ~~concerns under~~ investigation, at a time and place the Languages Commissioner specifies.

(3) The following is added after subsection 36(3):

Paramountcy

(4) If there is an inconsistency or conflict between this section and the *Access to Information and Protection of Privacy Act* or the regulations made under that Act, this section prevails to the extent of the inconsistency or conflict.

17. (1) The portion of subsection 37(1) preceding paragraph (a) is amended as follows:

Powers of the Languages Commissioner if complaint or concern substantiated

37. (1) If, after carrying out an investigation regarding the administration of an organization that is not a territorial institution or a municipality, the Languages Commissioner considers that a complaint or concern under investigation is substantiated, the Languages Commissioner may

18. Paragraphs 37(2)(a) and (b) are amended as follows:

- (a) at a time and in a manner that the Languages Commissioner's considers appropriate and consistent with section 38, inform the complainant ~~applicant~~ and such other affected persons as the Languages Commissioner considers appropriate of the Languages Commissioner's findings and the powers exercised under subsection (1); and
- (b) confirm in writing to the complainant ~~applicant~~ and such other affected persons as the Languages Commissioner considers appropriate
 - (i) that the Languages Commissioner has concluded the investigation, and
 - (ii) the date when the information required by paragraph (a) was provided.

19. Subsections 39(1) and (2) are amended as follows:

Enforcement application

39. (1) An application may be made to the Nunavut Court of Justice for a remedy that the Court considers appropriate and just in the circumstances by a complainant ~~person who has applied to the Languages Commissioner under subsection 31(1)~~ or a person who is directly affected by an outcome of an investigation under this Act if

- (a) the Languages Commissioner has refused or discontinued an investigation under subsection 30(4), 35(1) or (2);
- (b) the Languages Commissioner has informed the applicant about powers exercised under subsection 37(1); or
- (c) more than one year has passed since the day the complaint was submitted and the applicant has not been informed that an investigation has been refused or discontinued or of the progress or outcome of the investigation.

Limitation period

(2) Subject to subsection (3), an application may not be made under subsection (1)

- (a) more than one year after the day on which the complainant ~~applicant~~

- (i) is informed, under subsection 30(5) or 35(4)(3), of the Languages Commissioner's decision to refuse or discontinue an investigation, or
- (ii) is informed, under subsection 37(2), of the discretion exercised by the Languages Commissioner; or
- (b) more than two years after the date of the initial complaint ~~application~~ to the Languages Commissioner, if the applicant has not received the information referred to in paragraph (a) after the expiry of one year.

20. (1) Paragraph 40(1)(a) is amended as follows:

- (a) apply to the Nunavut Court of Justice for a remedy within the time limit established by subparagraph 39(2)(a)(ii) only after obtaining, in writing, the consent of a complainant ~~an applicant~~;

(2) Subsection 40(2) is amended as follows:

Complainant ~~Applicant~~ may appear

(2) If the Languages Commissioner makes an application under paragraph (1)(a), a complainant ~~an applicant~~ may appear as a party in the proceedings.

21. The following is added after paragraph 44(1)(f):

- (g) respecting the obligations of the Minister of Languages in seeking compliance with this Act by federal departments, agencies and institutions, including identifying federal departments, agencies and institutions that the Minister of Languages must prioritize;

22. Paragraphs 44(1)(g.1) is repealed.

23. Section 44.2 is repealed and replaced by:

Consultation register

44.2. (1) The register established and maintained under section 39 of the *Official Languages Act* applies to consultations in relation to

- (a) section 44; and
- (b) other consultation or collaborative work required by this Act on the part of the Minister or Government of Nunavut.

Use of register

(2) The Minister must consult with every person or organization duly entered in the register for the purposes prescribed by the regulations made under the *Official Languages Act*.

PART 2 OFFICIAL LANGUAGES ACT

24. This Part amends the *Official Languages Act*.

25. The first instance of "Inuit Language" in the preamble is replaced with "Inuktit language".

26. Section 1 is amended by repealing the definitions of "Inuit Language", "judicial or quasi-judicial body" and "public agency" and adding the following definitions in alphabetical order:

"Inuktitut" means Inuktitut as defined in the *Inuktitut Protection Act*; (*inuktitut*)

"judicial or quasi-judicial body" means

- (a) the Nunavut Court of Justice,
- (b) the Court of Appeal,
- (c) all bodies established by the laws of Nunavut for the exercise of an adjudicative function, and
- (d) all bodies established by the laws of another jurisdiction, but only when exercising an adjudicative function under an Act of Nunavut; (*organisme judiciaire ou quasi judiciaire*)

27. Section 7 and the heading preceding it are repealed and replaced by:

NUNAVUT GAZETTE AND REGULATIONS

Publication in *Nunavut Gazette*

7. (1) Instruments required by law to be published in the *Nunavut Gazette*, other than regulations registered under the *Legislation Act*, are of no force or effect if they are not published in Inuktitut, English and French.

Regulations

(2) Regulations registered under the *Legislation Act* are of no force or effect if they are not made, registered and published in English and French.

Inuktitut translation

- (3) The Commissioner in Executive Council may, by order,
- (a) require the publication, in the *Nunavut Gazette*, of an Inuinnaqtun version of one of more instruments required by law to be published in the *Nunavut Gazette*;
 - (b) provide that an Inuinnaqtun version of one or more instruments required by law to be published in the *Nunavut Gazette* is authoritative;
 - (c) require the publication of an Inuktitut version of a regulation registered under the *Legislation Act*; and

- (d) provide that an Inuktitut version of a regulation registered under the *Legislation Act* is authoritative.

28. Section 13.1 is repealed.

29. (1) The following is added after subsection 15(1):

Responses to Languages Commissioner's recommendations

(2) The Minister's annual report must include a reply to each recommendation made by the Languages Commissioner to the Government of Nunavut during the fiscal year.

(2) Subsection 15(2.1) is repealed.

30. Subsection 22.1(1) is amended by replacing the period at the end of paragraph (f) with a semi-colon and adding the following after paragraph (f):

- (g) *Pilimmaksarniq* or *Pijariuqsarniq* (the development of skills through practice, effort and action);
- (h) *Avatittinnik Kamatsiarniq* (respect and care for the land, animals and the environment).

31. Paragraph 24(1)(b) is repealed and replaced by:

- (b) a description of the number and type of complaints submitted and requests made under this Act and under the *Inuktitut Protection Act*, the status or resolution of the complaints or requests that were active during the preceding fiscal year and
 - (i) information about any instances where recommendations made by the Languages Commissioner after an investigation have not been followed, and
 - (ii) an overview of responsive actions taken following recommendations made by the Languages Commissioner after investigations; and

32. Section 26 is repealed and replaced by:

Complaints

26. (1) A person may submit a complaint to the Languages Commissioner orally, or in another form that the Languages Commissioner considers to be satisfactory, for an investigation on the grounds that, in the administration of the affairs of a territorial institution or municipality,

- (a) the status of an Official Language is not being or has not been recognized;
- (b) a provision of this or any other Act or regulation relating to the status, use or protection of an Official Language is not being or has not been complied with; or
- (c) the spirit and intent of this Act or the *Inuktitut Protection Act* is not being or has not been fulfilled.

Initiating investigation without complaint

(2) The Languages Commissioner may also commence an investigation on the grounds for complaint referred to in subsection (1)

- (a) at the request of
 - (i) a territorial institution,
 - (ii) a municipality, or
 - (iii) a member or committee of the Legislative Assembly; or
- (b) on the Languages Commissioner's own initiative, whether or not a complaint or request has been made with respect to the matter.

Investigation

(3) On receipt of a complaint or a request made under this section, the Languages Commissioner must evaluate the complaint or request and, subject to subsection 28(1), must investigate.

Combining investigations

(4) The Languages Commissioner may conduct a single investigation of two or more complaints or requests, or combine the investigation of one or more complaints or requests with an investigation commenced on the Languages Commissioner's own initiative, after considering

- (a) the significance of the affected Official Language rights;
- (b) the frequency of
 - (i) the non-compliance with a provision of this or any other Act or regulation relating to the use, promotion or protection of an Official Language, or
 - (ii) the non-fulfilment of the spirit and intent of this Act or the *Inuktitut Protection Act*;
- (c) any past recommendation made by the Languages Commissioner; and
- (d) whether it is fair and reasonable in the circumstances to conduct a single investigation.

33. Subsection 27(1) is amended as follows:

Protection for involved persons

27. (1) ~~No person shall~~ A person must not discharge, suspend, expel, intimidate, coerce, evict, impose a pecuniary or other penalty on or otherwise discriminate against a person because that person submits a complaint ~~applies for~~ or requests an investigation, gives evidence or assists in an investigation, inquiry or submission of a complaint or request ~~reporting of a concern~~ to the Languages Commissioner.

34. Section 28 is repealed and replaced by:

Refuse or discontinue investigation

28. (1) The Languages Commissioner may refuse to investigate or may discontinue an investigation if, in the opinion of the Languages Commissioner, any of the following situations exist:

- (a) the conduct identified primarily affects an individual or individuals other than the complainant or party requesting an investigation, and the directly affected individual or individuals do not wish to proceed;
- (b) all or part of the conduct identified in the complaint or request may be dealt with and remedied, adequately and appropriately, under another Act or using another available procedure;
- (c) the complaint or request is frivolous, vexatious, not made in good faith or concerns a trivial matter;
- (d) the complainant or party requesting an investigation has withdrawn or abandoned the complaint or request;
- (e) the conduct identified in the complaint or request has been remedied.

Considerations

(2) Before making a determination under subsection (1), the Languages Commissioner must consider all relevant circumstances, including the possibility that a directly affected individual, a complainant or a party who requested the investigation may be reluctant to proceed or a complaint or request may have been withdrawn, abandoned or represented as having been resolved because of an abuse or imbalance of power.

Inform affected persons

(3) If the Languages Commissioner refuses to investigate or discontinues an investigation under subsection (1), the Languages Commissioner must

- (a) inform the complainant or party who requested the investigation and such other affected persons as the Languages Commissioner considers appropriate of that decision at a time and in a manner that the Languages Commissioner considers appropriate; and
- (b) provide a written confirmation to the complainant or party who requested the investigation and such other affected persons as the Languages Commissioner considers appropriate
 - (i) that the Languages Commissioner has refused to investigate or has discontinued an investigation under subsection (1), and
 - (ii) the date when the information required by paragraph (a) was provided.

35. Section 30 is repealed and replaced by:

Definition

30. (1) In this section,

"facilitator" means a mediator or another third party that is tasked with facilitating a resolution to a complaint or request;

"party" means

- (a) the complainant or the party who requested the investigation, or

- (b) the administrative head of the territorial institution or municipality that is subject to the complaint or request, or an authorized representative of the administrative head.

Informal resolution process

- (2) Prior to or during an investigation, the Languages Commissioner may
 - (a) attempt to resolve the complaint through negotiation; or
 - (b) recommend or use an informal resolution process, including mediation, that is consistent with Inuit Qaujimajatuqangit to resolve a complaint or a request for investigation.

Commencing informal resolution process

(3) Prior to recommending or using an informal resolution process, the Languages Commissioner must

- (a) consult with the parties respecting
 - (i) the type of informal resolution process, including whether or not a facilitator will be used, and
 - (ii) if a facilitator will be used, the choice of facilitator;
- (b) obtain consent to the informal resolution process and an undertaking respecting the confidentiality requirements of subsection (10) from the parties;
- (c) identify the issues that can be resolved through the informal resolution process; and
- (d) if a facilitator will be used, appoint a facilitator following the consultations under subparagraph (a)(ii).

Attempt to resolve

(4) If a facilitator is appointed for an informal resolution process, the facilitator must, in an impartial manner, assist the parties to resolve the complaint to their mutual satisfaction.

Settlement

(5) If a complaint is settled through the informal resolution process, the facilitator or, if there is no facilitator, one of the parties must provide the Languages Commissioner with a copy of the settlement agreement signed by the parties.

Approval or refusal of settlement

- (6) The Languages Commissioner must,
 - (a) approve the settlement agreement;
 - (b) with the consent of the parties, amend the terms of the settlement agreement and then approve it; or
 - (c) refuse to approve the settlement agreement if the Languages Commissioner determines that doing so is necessary
 - (i) to prevent continued non-compliance with any provision of this Act or any other enactment relating to the status, use or protection of an Official Language,

- (ii) to prevent continued non-fulfilment of the spirit and intent of this Act or the *Inuktitut Protection Act*, or
- (iii) to otherwise protect the public interest.

Effective date

(7) A settlement of a complaint or request does not come into effect unless the Languages Commissioner approves the settlement agreement under subsection (6).

Unresolved complaint – facilitator

(8) The facilitator must terminate an informal resolution process and refer the complaint or request back to the Languages Commissioner for investigation if

- (a) the termination of the informal resolution process is requested by a party; or
- (b) the facilitator determines that there is no reasonable prospect that the complaint or request will be settled through the informal resolution process.

Initiating or continuing investigation

(9) The Languages Commissioner must initiate or continue the investigation

- (a) following a referral under subsection (8); or
- (b) in the case of an informal resolution process without a facilitator,
 - (i) the termination of the informal resolution process is requested by a party, or
 - (ii) the Languages Commissioner determines that there is no reasonable prospect that the complaint or request will be settled through the informal resolution process.

Confidentiality

(10) Communications and evidence arising from anything said or produced during the course of an informal resolution process under this Act are confidential, and are not admissible in any investigation or proceedings under this Act, or in any action, matter or other proceeding, without the written consent of all parties.

36. The following is added after subsection 31(5):

Paramountcy

(6) If there is an inconsistency or conflict between this section and the *Access to Information and Protection of Privacy Act* or the regulations made under that Act, this section prevails to the extent of the inconsistency or conflict.

37. Subsection 32(3) is amended as follows:

Report and reply

(3) In a report under subsection (1), the Languages Commissioner may make the recommendations that he or she considers appropriate, and may request that the administrative head of the territorial institution or municipality in question reply to the recommendations of the

Languages Commissioner within 90 days, or such later time as may be specified by the Languages Commissioner, ~~a specified time~~ indicating

- (a) the action that has been or is proposed to be taken to give effect to the recommendations; and
- (b) if no action has been or is proposed to be taken, the reasons for not following that recommendation.

38. Paragraphs 33(a) and (b) are amended as follows:

- (a) at a time and in a manner that the Languages Commissioner considers appropriate and consistent with section 25, inform the complainant ~~applicant~~ or party who requested the investigation, and such other affected persons as the Languages Commissioner considers appropriate, of the result of the investigation, the recommendations made and the actions taken or proposed; and
- (b) confirm in writing to the complainant ~~applicant~~ or party who requested the investigation and such other affected persons as the Languages Commissioner considers appropriate
 - (i) that the Languages Commissioner has concluded the investigation, and
 - (ii) the date when the information required by paragraph (a) was provided.

39. Subsections 35(1) and (2) are amended as follows:

Enforcement application

35. (1) An application may be made to the Nunavut Court of Justice for a remedy that the Court considers appropriate and just in the circumstances by a complainant ~~person who has applied to the Languages Commissioner under subsection 26(1)~~, by a territorial institution, a municipality or member or committee of the Legislative Assembly that has requested the investigation under subsection 26(2) or by an individual directly affected by a complaint ~~an application~~ or request made under subsection 26(1) or (2), if

- (a) the Languages Commissioner has refused or discontinued an investigation under subsection 28(1);
- (b) the Languages Commissioner has informed the complainant ~~applicant~~ or party who requested the investigation of the results of the investigation as required by paragraph 33(a); or
- (c) more than six months have passed since the day the complaint ~~application~~ or request was made and the complainant ~~applicant~~ or party who requested the investigation has not been informed that the investigation has been refused or discontinued or of any results of the investigation.

Limitation period

- (2) Subject to subsection (3), an application may not be made under subsection (1)
 - (a) more than six months after the day on which the complainant ~~applicant~~ or party who requested the investigation

- (i) is informed, under subsection 28(3)(2), of the Languages Commissioner's decision to refuse or discontinue an investigation, or
- (ii) is informed of the results of investigation as required by paragraph 33(a); or
- (b) more than one year after the date of the initial complaint ~~application~~ or request made under subsection 26(1) or (2), if the complainant ~~applicant~~ or party who requested the investigation has not received the information referred to in paragraph (a) after the expiry of six months.

40. (1) Subparagraph 36(1)(a)(ii) is amended as follows:

- (ii) obtaining, in writing, the consent of a complainant ~~an applicant~~ or party who requested the related investigation;

(2) Subsection 36(2) is amended as follows:

Complainant ~~Applicant~~ may appear

(2) If the Languages Commissioner makes an application under paragraph (1)(a), a complainant ~~an applicant~~ or party who requested the investigation may appear as a party in the proceedings.

41. (1) Paragraph 38(1)(f) is amended as follows:

- (f) respecting evidence or criteria to be considered when assessing significant demand for the purposes of subsections 12(3) and (8);

(2) Paragraph 38(1)(i.1) is repealed.

42. (1) Subsection 39(1) is amended by deleting "or" and replacing paragraph (b) with the following:

- (b) section 44 of the *Inuktitut Protection Act*; or
- (c) other consultation or collaborative work required by this Act or the *Inuktitut Protection Act* on the part of the Minister or Government of Nunavut.

PART 3 FINAL PROVISIONS

Transitional

Official Languages Promotion Fund disestablished

43. The Official Languages Promotion Fund is disestablished as a special account in the Consolidated Revenue Fund and all monies in the Official Languages Promotion Fund on the coming into force of this section are maintained in the Consolidated Revenue Fund without any conditions or restrictions as to purpose.

Applications – organizations other than territorial institutions and municipalities

44. (1) The provisions of the *Inuktitut Protection Act* respecting complaints apply to any application made under that Act, as it read prior to the coming into force of this Act, with respect to concerns regarding the administration of an organization that is not a territorial institution or a municipality that were submitted under section 31 of that Act.

Applications – territorial institutions and municipalities

(2) The provisions of the *Official Languages Act* respecting complaints apply to any application made under that Act or the *Inuit Language Protection Act*, as they read prior to the coming into force of this Act, with respect to concerns regarding the administration of a territorial institution or a municipality that were submitted under section 26 of that Act or section 31 of the *Inuit Language Protection Act*.

Consequential amendments

45. (1) Except as otherwise provided under this Act, each of the following Acts listed in column 1 is amended in each provision listed in column 2, by replacing "the Inuit Language", "The Inuit Language", "the Inuit language" and, in any other context, "Inuit Language" wherever they appear with "Inuktitut":

Column 1	Column 2
<i>Corrections Act</i>	Paragraph 33(3)(a)
<i>Education Act</i>	All provisions
<i>Interjurisdictional Support Orders Act</i>	Subsection 37(3), including paragraph (a)
<i>Inuit Language Protection Act</i>	All provisions
<i>Justices of the Peace Act</i>	Paragraph 2.2(2)(b)
<i>Mental Health Act</i> , R.S.N.W.T. 1988,c.M-10	Paragraph 7(2)(d)
<i>Mental Health Act</i> , S.Nu. 2021,c.19	Subparagraph 64(14)(c)(ii)
<i>Official Languages Act</i>	All provisions
<i>Public Service Act</i>	Paragraph 5(2)(f) and 10(2)(d)
<i>Wildlife Act</i>	Subsection 3(2)

(2) The definition of "Inuit Language" in subsection 3(1) of the *Education Act* is repealed and replaced by:

"Inuktitut" means Inuktitut as defined in the *Inuktitut Protection Act*; (*inuktitut*)

(3) Paragraph 82(b) of the *Education Act* is repealed and replaced by:

(b) their translation into Inuktitut, English or French;

(4) The Schedule to the *Education Act* is amended by replacing "Inuit Language Arts" wherever it appears with "Inuktitut Language Arts".

(5) The heading preceding section 29 of the Inuit Language Protection Act is amended by replacing "Inuit" with "Inuktitut".

(6) The following provisions of the *Inuit Language Protection Act* are amended by replacing "Inuit Language plan" wherever it appears with "Inuktitut language plan":

- (a) subsections 29(1) and (2);**
- (b) subsections 30(2) and (4);**
- (c) paragraph 41(a);**
- (d) paragraph 42(c).**

(7) The definition of "Inuit Language" in section 1 of the *Mental Health Act*, R.S.N.W.T. 1988,c.M-10, is repealed and replaced by:

"Inuktitut" means Inuktitut as defined in the *Inuktitut Protection Act*; (*inuktitut*)

46. Each of the following Acts listed in column 1 is amended in each provision listed in column 2, by replacing "*Inuit Language Protection Act*" wherever it appears with "*Inuktitut Protection Act*":

Column 1	Column 2
<i>Education Act</i>	Subsection 25(1), paragraphs 25(7)(f) and 28(3)(d), subsection 28(5), Schedule
<i>Financial Administration Act</i>	Schedule A
<i>Inuit Language Protection Act</i>	Preamble
<i>Official Languages Act</i>	Subparagraphs 13(3)(b)(iii) and (iv), paragraphs 24(1)(c) and subsections 25(3) and (4)
<i>Public Service Act</i>	Schedules A and B

47. Section 47 of the *Nursing Professions Act* is repealed.

48. In the French version, each of the following Acts listed in column 1 is amended in each provision listed in column 2, by replacing "commissaire en conseil" wherever it appears with "commissaire en Conseil exécutif":

Column 1	Column 2
<i>Inuit Language Protection Act</i>	Subsection 1(2), paragraph 3(2)(c), paragraph 3(3)(c), paragraph 6(e), subsections 20(2.1), (3), (8.1) and (9), paragraph 20(3)(c), subsections 44(1), (2) and (4)
<i>Official Languages Act</i>	Paragraph 5(3), paragraph 12(5), paragraph 13(2)(d), subsections 38(1), (2) and (4)

Coming into force

49. (1) Subject to subsection (2), this Act comes into force on Assent.

(2) Section 27 comes into force on the earlier of July 1, 2026 and a day to be fixed by order of the Commissioner in Executive Council.