

CONSOLIDATION OF BOARDS OF MANAGEMENT DISSOLUTION ACT

S.Nu. 1999,c.3

In force June 3, 1999

(Current to: March 16, 2006)

AS AMENDED BY:

S.Nu. 2000,c.4

In force April 1, 2000

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Any certified Bills not yet included in the Annual Volumes of the Statutes of Nunavut can be obtained through the Office of the Clerk of the Legislative Assembly.

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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".
- SI-005-98 means the instrument registered as SI-005-98 in 1998. (*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.*)
- SI-012-2003 means the instrument registered as SI-012-2003 in 2003. (*Note: This is a Nunavut statutory instrument made on or after January 1, 2000.*)

Citation of Acts

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

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BOARDS OF MANAGEMENT DISSOLUTION ACT

Interpretation

1. In this Act,

"Board of Management" means a Board of Management within the meaning of the *Hospital Insurance and Health and Social Services Administration Act*, that exists immediately before April 1, 2000; (*conseil d'administration*)

"health facility" means a health facility within the meaning of the *Hospital Insurance and Health and Social Services Administration Act*. (*établissement de santé*)
S.Nu. 2000,c.4,s.2.

Dissolution of Board of Management

2. On April 1, 2000, each Board of Management is dissolved.

Interim trustee

3. (1) Before April 1, 2000, the Minister may, with the approval of the Executive Council, appoint an interim trustee for a Board of Management if the Minister is of the opinion that it is advisable for the purposes of facilitating the dissolution of the Board.

Powers and duties

(2) The interim trustee for a Board of Management may exercise the powers of the Board and shall perform the duties of the Board and may allow the Board to exercise any or all of those powers or perform any or all of those duties, subject to the supervision of the interim trustee.

Liability of interim trustee

(3) An interim trustee is not liable for loss or damage caused by anything done or not done by him or her in good faith in the exercise of his or her powers or the performance of his or her duties.

Restriction on Boards incurring obligations

4. Except with the Minister's approval, a Board of Management shall not incur an obligation that extends, or may extend, beyond March 31, 2000.

Members deemed to have resigned

5. The members of each Board of Management shall be deemed to have resigned from the Board of Management effective March 31, 2000. S.Nu. 2000,c.4,s.3.

Amalgamation

6. (1) On April 1, 2000 the Boards of Management shall be deemed to be amalgamated with the Government of Nunavut.

Consequences of amalgamation

- (2) For greater certainty, under subsection (1),
- (a) the assets and liabilities of the Boards of Management become assets and liabilities of the Government of Nunavut;
 - (b) obligations owed to a Board of Management become obligations owed to the Government of Nunavut;
 - (c) obligations owed by a Board of Management become obligations owed by the Government of Nunavut;
 - (d) employees of a Board of Management become employees of the Government of Nunavut, and their employment with the Board of Management shall be deemed to have been employment with the Government of Nunavut.

Terms and conditions of employment

(3) Subject to subsection (4), and to any specific agreement entered into between the employee and the Government of Nunavut, where an employee of a Board of Management becomes an employee of the Government of Nunavut under paragraph (2)(d), and a conflict exists between the terms and conditions of employment applicable to employees of the Board of Management and the terms and conditions of employment applicable to employees of the Government of Nunavut, the terms and conditions applicable to employees of the Government of Nunavut prevail.

Medical practitioners

(4) Nothing in paragraph (2)(d) shall be interpreted as conflicting with section 14.1 of the *Hospital Insurance and Health and Social Services Administration Act*. S.Nu. 2000,c.4,s.3.

Powers of Minister

7. (1) Every power, right, duty or responsibility of a Board of Management becomes a power, right, duty or responsibility of the Minister.

Guidelines and policies

- (2) For the purposes of subsection (1) the Minister may
- (a) issue any guidelines or policies that the Minister considers necessary or desirable, including guidelines or policies that adopt or adopt with modifications a by-law of a Board of Management, and
 - (b) designate one or more employees of the Government of Nunavut to do anything that may be done by the Minister under subsection (1).

Minister may enter into agreements

(3) For greater certainty, for the purposes of exercising any power, right, duty or responsibility of the Minister concerning health care or social services, the Minister may enter into agreements

- (a) with any municipality or with any organization that is designated by the council of a municipality as having functions concerning health care or social services within the municipality; or
- (b) with respect to an unincorporated community, with any organization that has functions concerning health care or social services within the unincorporated community.

Other agreements

(4) Nothing in subsection (3) prevents the Minister from entering into agreements with organizations not mentioned in that subsection. S.Nu. 2000,c.4,s.3.