

CONSOLIDATION OF CAMPS HEALTH SERVICES ACT
R.S.N.W.T. 1988,c.P-12

(Current to: December 19, 2019)

AS AMENDED BY NORTHWEST TERRITORIES STATUTES:

S.N.W.T. 1998,c.5

AS AMENDED BY NUNAVUT STATUTES:

S.Nu. 2007,c.15,s.177(Sch.,s.13)

s.177(Sch.,s.13) in force April 1, 2008: SI-003-2008

S.Nu. 2016,c.13,s.97

s.97 in force January 1, 2020: SI-003-2019

S.Nu. 2018,c.8,s.10

s.10 in force October 17, 2018

This consolidation is not an official statement of the law. It is an office consolidation prepared for convenience only. The authoritative text of statutes can be ascertained from the *Revised Statutes of the Northwest Territories, 1988* and the Annual Volumes of the Statutes of the Northwest Territories (for statutes passed before April 1, 1999) and the Statutes of Nunavut (for statutes passed on or after April 1, 1999).

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

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.

Territorial Printer
Legislation Division
Department of Justice
Government of Nunavut
P.O. Box 1000, Station 550
Iqaluit, NU X0A 0H0

Tel.: (867) 975-6305
Fax: (867) 975-6189
Email: Territorial.Printer@gov.nu.ca

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.

TABLE OF CONTENTS**INTERPRETATION**

| | | |
|--|----|-----|
| Definitions | 1 | |
| Repealed | 2 | |
| Repealed | 3 | |
| Repealed | 4 | |
| Repealed | 5 | |
| Repealed | 6 | |
| Repealed | 7 | |
| Repealed | 8 | |
| Repealed | 9 | |
| Repealed | 10 | |
| Repealed | 11 | |
| Repealed | 12 | |
| Repealed | 13 | |
| Repealed | 14 | |
| Medical and surgical care where less than 50 employees | 15 | |
| Medical and surgical care where 50 or more employees | 16 | |
| Limitation of liability | 17 | |
| Hospital care where more than 10 and less than 50 employees | 18 | (1) |
| Hospital care where 50 or more employees | | (2) |
| Accommodation | | (3) |

ENFORCEMENT, OFFENCES AND PUNISHMENT

| | | |
|----------------------------|----|-----|
| Right to enter and examine | 19 | |
| Repealed | 20 | |
| Repealed | 21 | |
| Powers of Health Officer | 22 | (1) |
| Assistance | | (2) |
| Offences and punishment | 23 | |

ORDERS

| | |
|--------------------|----|
| Exemption from Act | 24 |
| Repealed | 25 |

CAMPS HEALTH SERVICES ACT

INTERPRETATION

Definitions

1. In this Act,

"camp" includes a mining, prospecting, fishing, lumber, dredging or construction or other camp in which any skilled or unskilled labour is employed; (*camp*)

"environmental health officer" means an environmental health officer as defined in the *Public Health Act*. (*agent en hygiène de l'environnement*)

S.Nu. 2016,c.13,s.97(a),(b).

2. Repealed, S.Nu. 2016,c.13,s.97(b).

3. Repealed, S.Nu. 2016,c.13,s.97(b).

4. Repealed, S.Nu. 2016,c.13,s.97(b).

5. Repealed, S.Nu. 2016,c.13,s.97(b).

6. Repealed, S.Nu. 2016,c.13,s.97(b).

7. Repealed, S.Nu. 2016,c.13,s.97(b).

8. Repealed, S.Nu. 2016,c.13,s.97(b).

9. Repealed, S.Nu. 2016,c.13,s.97(b).

10. Repealed, S.Nu. 2016,c.13,s.97(b).

11. Repealed, S.Nu. 2016,c.13,s.97(b).

12. Repealed, S.Nu. 2016,c.13,s.97(b).

13. Repealed, S.Nu. 2016,c.13,s.97(b).

14. Repealed, S.Nu. 2016,c.13,s.97(c).

Medical and surgical care where less than 50 employees

15. The following provisions respecting medical and surgical care apply in respect of camps having less than 50 employees, namely,

- (a) the employer shall provide reasonably adequate first aid equipment, medicines and supplies;
 - (b) in camps having 10 or more employees, the employer shall appoint a fully qualified first aid person possessing a St. John Ambulance First Aid Certificate, or a British Columbia Industrial First Aid Certificate, or possessing qualifications and experience satisfactory to a medical health officer as defined in the *Public Health Act*, whose duties in part, but not necessarily in whole, shall relate to matters of first aid, sickness and sanitation; and
 - (c) in camps having more than 15 but less than 50 employees, the employer is responsible for all necessary medical and surgical care including necessary medicines and hospitalization for his or her employees, and shall, in respect of each employee, pay all expenses incurred in providing such care for a period not exceeding 90 days together with the cost of transportation to the nearest hospital where illness or injury may be treated.
- S.Nu. 2016,c.13,s.97(d).

Medical and surgical care where 50 or more employees

16. The following provisions respecting medical and surgical care apply in respect of camps having 50 or more employees, namely,

- (a) the employer
 - (i) shall contract with one or more medical practitioner for the medical and surgical care of his or her employees, and
 - (ii) may deduct from the pay of each employee for the payment of the service referred to in subparagraph (i) an amount not exceeding six cents for each day that the employee is in camp, except that the total deduction for the service from the pay of any one employee must not exceed \$1.50 per month;
- (b) the employer shall pay all amounts deducted under paragraph (a) without rebate or deduction to the medical practitioner or practitioners with whom the employer has entered into a contract under paragraph (a), who shall render medical and surgical services and give professional advice and prescribe all necessary medicines, which medicines shall be provided by the employer without cost to the employee;
- (c) the obligation of a medical practitioner under this section to perform operations is confined to operations that the medical practitioner is able to perform in the hospital provided, having regard to its facilities;
- (d) a medical practitioner who has entered into a contract under paragraph (a) shall locate his or her residence so that under normal travel conditions the medical practitioner is within two hours travelling time from the camp where his or her services are employed;

- (e) where
 - (i) a medical practitioner advises an employee who is suffering from an illness to obtain the advice or service of a specialist, or services or treatment that the medical practitioner is unable to give in existing circumstances at the local hospital, or
 - (ii) an employee is discharged or sent from camp as a result of an illness or injury that cannot be treated satisfactorily at the local hospital,
 the employer shall provide without cost to the employee transportation for the employee to the nearest hospital where the special services and treatment may be obtained and is liable for medical, surgical or hospital expenses incurred in respect of the services or treatment for a period not exceeding 90 days;
 - (f) where a medical practitioner has undertaken the care of more than 1,000 employees, he or she shall secure the services of another medical practitioner as his or her assistant; and
 - (g) every medical practitioner who has a contract with an employer under paragraph (a) shall supervise the sanitation of the camp or camps where his or her services are employed.
- S.Nu. 2016,c.13,s.97(e).

Limitation of liability

17. No liability exists under section 15 or 16 in respect of medical, surgical or hospital expenses incurred in connection with venereal disease, insanity, cancer or tuberculosis, or in connection with any disease or injury resulting from the use of intoxicants or drugs, or in connection with industrial diseases or injuries for which provision is made in the *Workers' Compensation Act*.

Hospital care where more than 10 and less than 50 employees

18. (1) The following provisions respecting hospital care apply in respect of camps having more than 10 and less than 50 employees, namely,

- (a) in camps having 11 to 25 employees, the employer shall provide reasonable accommodation for accident or sickness cases; and
- (b) in camps having more than 25 employees, the employer shall provide a separate first aid or emergency hospital quarters containing not less than two beds and shall provide, in addition to a first aid person, such extra nursing staff as the circumstances require.

Hospital care where 50 or more employees

(2) The following provisions respecting hospital care apply in respect of camps having 50 or more employees, namely,

- (a) subject to paragraphs (b) and (c), the employer shall provide a suitable hospital with the accommodation, equipment and staff that is specified in this Act or an order;

- (b) where
 - (i) there is a hospital established and in operation within 250 km by air from the camp, and
 - (ii) in the opinion of the Commissioner, suitable accommodation, equipment, staff and transportation facilities are available,
 the employer may make arrangements with that hospital for the care of his or her employees and provide the necessary transportation for employees to the hospital and return instead of providing a hospital at the camp;
- (c) where
 - (i) within a radius of 250 km, more than one camp exists, and
 - (ii) suitable transportation facilities are available,
 the employers may jointly provide a hospital as described in paragraph (a), but in no case shall the hospital be more than 250 km from any one of the participating camps;
- (d) the employer may deduct from the pay of each of his or her employees an amount not exceeding \$2 per month, and in return shall
 - (i) adequately staff the hospital referred to in paragraph (a) or (c) with fully qualified nurses,
 - (ii) equip and maintain the hospital with medicines, dressings and medical and surgical supplies for all normal and reasonable requirements, having regard to hospitals of a similar size, and
 - (iii) without further charge, receive and treat in the hospital all sick employees according to their needs, or, in any case where an arrangement has been made with any hospital referred to in paragraph (b), provide for the payment of all amounts payable by the employer by virtue of having entered into that arrangement.

Accommodation

(3) There shall be provided in any hospital referred to in paragraph (2)(a) or (c), one hospital bed for every 100 employees but in no case shall the hospital have less than four beds. S.Nu. 2018,c.8,s.10; S.Nu. 2016,c.13,s.97(f).

ENFORCEMENT, OFFENCES AND PUNISHMENT

Right to enter and examine

19. An environmental health officer may, at any reasonable time, enter any place and examine the place for any purpose relating to the enforcement of this Act or an order. S.Nu. 2016,c.13,s.97(g).

20. Repealed, S.Nu. 2016,c.13,s.97(h).

21. Repealed, S.Nu. 2016,c.13,s.97(h).

Powers of environmental health officer

22. (1) An environmental health officer has, for any purpose relating to the enforcement of this Act or an order, all the powers of a peace officer while acting in his or her capacity as environmental health officer and in the performance of his or her duties under this Act or an order.

Assistance

(2) Where an environmental health officer is obstructed in the performance of a duty referred to in subsection (1), the environmental health officer may call to his or her assistance a peace officer or other person that the environmental health officer thinks fit, who shall give the environmental health officer all reasonable assistance in his or her power. S.Nu. 2016,c.13,s.97(i),(j).

Offences and punishment

23. Every person who,

- (a) contravenes this Act or an order,
- (b) obstructs an environmental health officer in the exercise of his or her powers or in the performance of his or her duties under this Act or an order, or
- (c) **repealed, S.Nu. 2016,c.13,s.97(k)(iv).**
- (d) **repealed, S.Nu. 2016,c.13,s.97(k)(iv).**
- (e) owns, constructs, operates or maintains any installation, building, place or thing mentioned in this Act or the regulations that does not comply with the requirements of this Act or an order,

is guilty of an offence and liable on summary conviction to a fine not exceeding \$500 or to imprisonment for a term not exceeding six months or to both. S.Nu. 2016,c.13,s.97(k).

ORDERS

Exemption from Act

24. The Commissioner may, by order, exempt any person or thing from all or any of the provisions of this Act on the terms and conditions that may be specified by the Commissioner. S.Nu. 2016,c.13,s.97(l),(m).

25. Repealed, S.Nu. 2016,c.13,s.97(n).