

Chapter 3

MISCELLANEOUS STATUTES AMENDMENT ACT, 2005

(Assented to March 22, 2005)

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

Access to Information and Protection of Privacy Act

1. (1) The *Access to Information and Protection of Privacy Act* is amended by this section.

(2) The Act is amended by striking out "the Northwest Territories" wherever it appears and by substituting "Nunavut".

(3) The Act is amended by striking out "the Territories" wherever it appears and by substituting "Nunavut".

(4) The Act is amended by striking out "Supreme Court" wherever it appears and by substituting "Nunavut Court of Justice".

(5) The French version of subsection 9(2)(b) is amended by striking out "constituerait" and by substituting "constituerait".

(6) Subparagraph 16(1)(a)(i) is amended by striking out "the Yukon Territory" and by substituting "territory".

(7) The French version of paragraph 23(4)(c) is amended by striking out "territoriale ou fédérale" and by substituting "du Nunavut ou du Canada".

(8) The French version of paragraph 24(2)(b) is amended by striking out "territorial ou fédéral" and by substituting "du Nunavut ou du Canada".

(9) The English version of subsection 69(3) is amended by striking out "exercice" and by substituting "exercise".

(10) The French version of subsection 71(1) is amended by striking out "exercice" and by substituting "exercice".

Co-operative Associations Act

2. (1) The *Co-operative Associations Act* is amended by this section.

(2) Subsection 2(2) is amended by striking out "Resources, Wildlife and Economic Development" and by substituting "economic development".

(3) Subsection 7(1) is amended by striking out "the Territories" wherever it appears and by substituting "Nunavut".

(4) Section 48 is amended by striking out "the Supreme Court for disposal as the Supreme Court considers fit" and by substituting "the Nunavut Court of Justice for disposal as the Court considers fit".

Financial Administration Act

3. (1) The *Financial Administration Act* is amended by this section.

(2) Each provision listed in Column 1 of the Schedule to this Act is amended by striking out the words set out in the same row of Column 2 and substituting the words set out in the same row of Column 3.

(3) Schedule A is amended by

(a) adding the following after item 4:

4.1. The Human Rights Tribunal established by the *Human Rights Act*

(b) repealing item 6 and by substituting the following:

6. The Legal Services Board of Nunavut established by the *Legal Services Act*

(c) repealing item 8.1 and by substituting the following:

8.1. The Qullit Nunavut Status of Women Council continued by the *Qullit Nunavut Status of Women Council Act*

(4) Schedule B is amended by repealing items 3 to 5 and by substituting the following:

3. The Nunavut Housing Corporation continued by the *Nunavut Housing Corporation Act*.

4. The Nunavut Development Corporation continued by the *Nunavut Development Corporation Act*.

5. The Nunavut Business Credit Corporation established by the *Nunavut Business Credit Corporation Act*.

Flag of Nunavut Act

4. (1) The *Flag of Nunavut Act* is amended by this section.

(2) The French version of section 1 is amended by striking out "trés" and by substituting "très".

Interpretation Act

5. (1) The *Interpretation Act* is amended by this section.

(2) The French version of the definition "Minister" in subsection 28(1) is amended by striking out "de la direction du ministère" and by substituting "du ministère".

An Act to Amend the Judicature Act and Other Acts in Relation to Judges, Judicature Act

6. (1) If, on the day this Bill is assented to, section 2 of *An Act to Amend the Judicature Act and Other Acts in Relation to Judges, S.Nu. 2000,c.3*, is not in force, that section is repealed and the following substituted:

2. Paragraph 4(1)(a) is repealed and the following substituted:

- (a) the Chief Justice and other judges appointed by the Governor in Council;

(2) If, on the day this Bill is assented to, section 2 of *An Act to Amend the Judicature Act and Other Acts in Relation to Judges, S.Nu. 2000,c.3*, is in force, paragraph 4(1)(a) of the *Judicature Act* is repealed and the following substituted:

- (a) the Chief Justice and other judges appointed by the Governor in Council;

Labour Standards Act

7. (1) The *Labour Standards Act* is amended by this section.

(2) The Act is amended by striking out "the Territories" wherever it appears and by substituting "Nunavut".

(3) The Act is amended by striking out "Supreme Court" wherever it appears and by substituting "Nunavut Court of Justice".

(4) The Act is amended by striking out "Government of the Northwest Territories" wherever it appears and by substituting "Government of Nunavut".

(5) That portion of subsection 67.1(2) preceding paragraph (a) and paragraph 67.1(2)(a.1) are amended by striking out "section 36, 37 or 38" and by substituting "section 36, 37, 38 or 39.7".

An Act to Amend the Legal Profession Act

8. (1) *An Act to Amend the Legal Profession Act*, S.Nu. 2004,c.9, is amended by this section.

(2) The English version of the Schedule is amended by striking out "7(q)" in the first box in Column 1 and by substituting "8(q)".

(3) This section is deemed to have come into force December 1, 2004.

Northwest Territories Development Corporation Act

9. (1) The *Northwest Territories Development Corporation Act* is amended by this section.

(2) The title of the Act is amended by striking out "NORTHWEST TERRITORIES" and by substituting "NUNAVUT".

(3) The definition "Corporation" in subsection 1(1) is repealed and the following substituted:

"Corporation" means the Nunavut Development Corporation continued by subsection 2(1); (*Société*)

(4) The heading preceding section 2 is amended by striking out "NORTHWEST TERRITORIES" and by substituting "NUNAVUT".

(5) Subsection 2(1) is repealed and the following is substituted:

Continuation of Corporation

2. (1) The public body called the Northwest Territories Development Corporation in the *Northwest Territories Development Corporation Act*, as duplicated by section 29 of the *Nunavut Act* (Canada), is continued under the name "Nunavut Development Corporation".

(6) The Act is amended by striking out "the Territories" wherever it appears and by substituting "Nunavut".

(7) The Act is amended by striking out "Government of the Northwest Territories" wherever it appears and by substituting "Government of Nunavut".

Northwest Territories Housing Corporation Act

10. (1) The *Northwest Territories Housing Corporation Act* is amended by this section.

(2) The title of the Act is amended by striking out "NORTHWEST TERRITORIES" and by substituting "NUNAVUT".

(3) The definition "Corporation" in section 1 is repealed and the following substituted:

"Corporation" means the Nunavut Housing Corporation continued by subsection 2(1);
(*Société*)

(4) The heading preceding section 2 is amended by striking out "NORTHWEST TERRITORIES" and by substituting "NUNAVUT".

(5) Subsection 2(1) is repealed and the following is substituted:

Continuation of Corporation

2. (1) The public body called the Northwest Territories Housing Corporation in the *Northwest Territories Housing Corporation Act*, as duplicated by section 29 of the *Nunavut Act* (Canada), is continued under the name "Nunavut Housing Corporation".

(6) The Act is amended by striking out "the Territories" wherever it appears and by substituting "Nunavut".

(7) The Act is amended by striking out "Government of the Northwest Territories" wherever it appears and by substituting "Government of Nunavut".

(8) Paragraphs 19(1)(a) and (b) are amended by striking out "government of a province or the Yukon Territory" and by substituting "government of a province or territory".

Nunavut Elections Act

11. (1) The *Nunavut Elections Act* is amended by this section.

(2) The English version of subsection 231(5) is amended by renumbering the last paragraph as paragraph (b).

Public Service Act

12. (1) The *Public Service Act* is amended by this section.

(2) The Act is amended by striking out "the Territories" wherever it appears and by substituting "Nunavut".

(3) The Act is amended by striking out "Government of the Northwest Territories" wherever it appears, except in subsection 50(3), and by substituting "Government of Nunavut".

(4) Paragraph 34(2)(e) is amended by striking out "territorial, federal, provincial or Yukon Territory" and by substituting "Nunavut, federal, provincial or territorial".

(5) Subsection 34(9) is amended by striking out "the Yukon Territory" and by substituting "another territory".

(6) The Act is amended by striking out "Supreme Court" wherever it appears and by substituting "Nunavut Court of Justice".

(7) Items (e) and (f) of Schedule A are repealed and the following substituted:

- (e) Nunavut Housing Corporation continued by the *Nunavut Housing Corporation Act*, except with respect to the President appointed under that Act;
- (f) Qulliq Energy Corporation established by the *Qulliq Energy Corporation Act* and its subsidiaries.

(8) Schedule B is amended by

- (a) **striking out "Northwest Territories Housing Corporation Act" in item (g) and by substituting "Nunavut Housing Corporation Act";**
- (b) **repealing item (i); and**
- (c) **repealing both versions of item (k) and by substituting the following:**
 - (k) the Workers' Compensation Board of the Northwest Territories continued under the *Workers' Compensation Act* (Northwest Territories);
 - (l) the Northwest Territories Power Corporation, established by the *Northwest Territories Power Corporation Act* (Northwest Territories).

Status of Women Council Act

13. (1) The *Status of Women Council Act* is amended by this section.

(2) The title of the Act is repealed and the following substituted:

QULLIIT NUNAVUT STATUS OF WOMEN COUNCIL ACT

(3) The definition "Council" in section 1 is repealed and the following substituted:

"Council" means the Qullit Nunavut Status of Women Council continued by section 2;
(*Conseil*)

(4) Section 2 is repealed and the following is substituted:

Continuation of Council

2. The public body called the Status of Women Council of the Northwest Territories in the *Status of Women Council Act*, as duplicated by section 29 of the *Nunavut Act* (Canada), is continued under the name "Qullit Nunavut Status of Women Council".

(5) Paragraph 3(1)(c) is amended by striking out "the Northwest Territories" and by substituting "Nunavut".

(6) The Act is amended by striking out "the Territories" wherever it appears and by substituting "Nunavut".

(7) The English version of section 4 is amended by striking out "Territorial women's organizations" and by substituting "women's organizations in Nunavut".

Workers' Compensation Act

14. (1) The *Workers' Compensation Act* is amended by this section.

(2) The Act is amended by striking out "Supreme Court" wherever it appears and by substituting "Nunavut Court of Justice".

(3) Subsection 3(5) is amended by striking out "paragraph (1)(b)" and by substituting "paragraph (2)(b)".

(4) The English version of the Act is amended by striking out

(a) "Rules of Supreme Court" in subsection 7(7) and by substituting "Rules of the Nunavut Court of Justice"; and

(b) "Rules of the Supreme Court" wherever it appears and by substituting "Rules of the Nunavut Court of Justice".

(5) Section 25 is amended by striking out "established by section 7.1".

(6) Subsection 86(1) is amended by striking out "the Territories" and by substituting "Northwest Territories as it existed before April 1, 1999".

An Act to Amend the Workers' Compensation Act

15. (1) An Act to Amend the *Workers' Compensation Act*, S.Nu. 2003,c.14, is amended by this section.

(2) Subsection 37(1) is amended by striking out "of that Act" wherever it appears.

(3) This section is deemed to have come into force January 1, 2004.

SCHEDULE

Financial Administration Act

Column 1	Column 2	Column 3
Subsection 1(1), definition "Auditor General"	who is required to examine the accounts and financial transactions of the Territories under subsection 30(1) of the <i>Northwest Territories Act</i> (Canada)	pursuant to section 43 of the <i>Nunavut Act</i> (Canada)
Subsection 1(1), definition "Consolidated Revenue Fund"	Northwest Territories Consolidated Revenue Fund established by subsection 24(1) of the <i>Northwest Territories Act</i> (Canada)	Nunavut Consolidated Revenue Fund established by section 39 of the <i>Nunavut Act</i> (Canada)
Subsection 1(1), definition "Government"	"Government of the Northwest Territories"	"Government of Nunavut"
Subsection 1(1), definition "Public Accounts"	section 27 of the <i>Northwest Territories Act</i> (Canada)	section 44 of the <i>Nunavut Act</i> (Canada)
Subsection 1(1), paragraph (d) of the definition "revenue officer"	the Territories, Canada, a province or the Yukon Territory	Nunavut, Canada, a province or other territory
Section 29	section 25 of the <i>Northwest Territories Act</i> (Canada)	section 40 of the <i>Nunavut Act</i> (Canada)
Paragraph 52(1)(a)	in a bank designated under subsection 24(2) of the <i>Northwest Territories Act</i> (Canada)	established pursuant to subsection 39(2) of the <i>Nunavut Act</i> (Canada)
Paragraph 58(2)(a)	the Yukon Territory	territory
Subsection 67(1) and paragraph 87(1)(a)	Northwest Territories Housing Corporation	Nunavut Housing Corporation
Paragraph 73(h)	<i>Northwest Territories Act</i> (Canada)	<i>Nunavut Act</i> (Canada)
Subsection 80(2)	subsection 20(2) of the <i>Northwest Territories Act</i> (Canada)	subsection 27(2) of the <i>Nunavut Act</i> (Canada)