

## Chapter 7

### MISCELLANEOUS STATUTES AMENDMENT ACT, 2009

(Assented to June 16, 2009)

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

#### *Adoption Act*

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

(2) Subsection 1(1) is amended by

(a) adding the following definition in alphabetical order:

"Clerk" means the Clerk of the Nunavut Court of Justice appointed under the *Judicature Act*; (*greffier*)

(b) repealing the definition "court" and substituting the following:

"court" means the Nunavut Court of Justice; (*tribunal*)

(c) adding "(*registraire général*)" after the English version of the definition "Registrar General".

(d) striking out "(*registre des adoptions*)" and substituting "(*renseignements déposés*)" after the English version of the definition "registry information".

(3) Each provision listed in Column 1 of Schedule A 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.

#### *Family Abuse Intervention Act*

2. (1) The *Family Abuse Intervention Act* is amended by this section.

(2) Subsection 48(1) is amended by adding "or community intervention orders" after "emergency protection orders".

(3) This section is deemed to have come into force March 1, 2008.

*Financial Administration Act*

3. (1) The *Financial Administration Act* is amended by this section.
- (2) Items 2 and 4 of Schedule A to the Act are repealed.
- (3) Each provision listed in Column 1 of Schedule B 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.

*Planning Act*

4. (1) The *Planning Act* is amended by this section.
- (2) Section 11 is amended by striking out "Yellowknife" wherever it appears and substituting "Iqaluit".
- (3) Subsection 11(1) is amended by striking out "the Territories" and substituting "Nunavut".
- (4) Subsection 40(7) is amended by striking out "Government of the Northwest Territories" and substituting "Government of Nunavut".
- (5) Each provision listed in Column 1 of Schedule C 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.

*Public Service Act*

5. (1) The *Public Service Act* is amended by this section.
- (2) The definition "annual vacation leave" in subsection 1(1) is repealed.
- (3) Subsection 34(8) is amended by striking out "*Northwest Territories Gazette*" and substituting "*Nunavut Gazette*".
- (4) The following provisions are amended by striking out "Nunavut Power Corporation" wherever it appears and substituting "Qulliq Energy Corporation":
  - (a) paragraphs 41(1.4)(a) and (b);
  - (b) subsections 41(1.7) and (1.8).
- (5) Paragraphs (c) and (d) of Schedule A are repealed.
- (6) Paragraph (j) of Schedule B is repealed.

*Public Trustee Act*

**6. (1) The *Public Trustee Act* is amended by this section.**

**(2) Section 1 is amended by adding the following definitions in alphabetical order:**

"Clerk" means the Clerk of the Nunavut Court of Justice appointed under the *Judicature Act*; (*greffier*)

"court" means the Nunavut Court of Justice; (*tribunal*)

**(3) Subsection 28(2) is repealed and the following substituted:**

Power to appoint

(2) The court may by order appoint the Public Trustee a judicial trustee where, in the opinion of the court, it is expedient to do so.

**(4) Subsection 34(1) is repealed and the following substituted:**

Application to require passing of accounts

**34.** (1) The Public Trustee may, in the following circumstances, apply to the court to compel an administrator or executor acting in the affairs of an estate in which the Public Trustee is interested to pass his or her accounts:

- (a) at the expiration of two years after the date on which probate or letters of administration were issued; or
- (b) at any other time when the Public Trustee considers it advisable.

**(5) Each provision listed in Column 1 of Schedule D 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.**

**SCHEDULE A***(Section 1)**Adoption Act*

<b>Provisions Amended</b>	<b>Word or Words Struck Out</b>	<b>Word or Words Substituted</b>
<ul style="list-style-type: none"> <li>• subsection 5(2);</li> <li>• the subheading preceding section 6;</li> <li>• subsection 26(2);</li> <li>• paragraph 33(1)(b);</li> <li>• section 39;</li> <li>• the heading preceding section 42;</li> <li>• subsection 42(1);</li> <li>• subsection 43(1);</li> <li>• subsections 44(1) and (3);</li> <li>• paragraph 45(b);</li> <li>• subsection 70(1);</li> <li>• paragraph 76(1)(t.1).</li> </ul>	"the Territories"	"Nunavut"
<ul style="list-style-type: none"> <li>• subsection 7(12);</li> <li>• subsection 16(4)</li> </ul>	"Government of the Northwest Territories"	"Government of Nunavut"
<ul style="list-style-type: none"> <li>• the French version of clause 18(3)(a)(i)</li> </ul>	"l'enfants"	"l'enfant"
<ul style="list-style-type: none"> <li>• subsection 27(6);</li> <li>• section 45;</li> <li>• subsection 46(1);</li> <li>• subsection 47(1);</li> <li>• subsection 48(1)</li> </ul>	"Clerk of the Supreme Court"	"Clerk"
<ul style="list-style-type: none"> <li>• the French version of paragraph 33(1)(b)</li> </ul>	"à décidé"	"a décidé"
<ul style="list-style-type: none"> <li>• section 39</li> </ul>	"the Yukon Territory"	"a territory"
<ul style="list-style-type: none"> <li>• the French version of subsection 43(3)</li> </ul>	"Délai de submission a moins"	"Délai de soumission à moins"
<ul style="list-style-type: none"> <li>• the French version of subsection 51(3)</li> </ul>	"initialement"	"initialement"
<ul style="list-style-type: none"> <li>• the French version of subsection 60(4)</li> </ul>	"refusent" and "ces"	"refuse" and "ses"
<ul style="list-style-type: none"> <li>• the French version of subsection 63(2)</li> </ul>	"prettent"	"prêtent"
<ul style="list-style-type: none"> <li>• the French version of subsection 68(1)</li> </ul>	"s'enquérît"	"s'enquiert"
<ul style="list-style-type: none"> <li>• paragraph 73(2)(a)</li> </ul>	"Supreme Court"	"court"

<b>• the French version of paragraph 76(1)(b)</b>	"au paragraphe (3)"	"au paragraphe 6(3)"
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**SCHEDULE B***(Section 3)**Financial Administration Act*

<b>Provisions Amended</b>	<b>Word or Words Struck Out</b>	<b>Word or Words Substituted</b>
• the English version of subsection 6(1)	"provide, any information"	"provide any information"
• the French version of subsection 21(1), definition of "taxe"	"Sont assimilés à une taxe, un intérêt"	"Sont assimilés à une taxe un intérêt"
• the French version of subsection 33(5); • the French version of subsections 36(4); • the French version of subsections 37(4)	"crédits supplémentaire"	"crédits supplémentaires"
• the French version of section 35	"par ce dernier un état"	"par ce dernier, un état"
• the French version of subsection 51(1)	"rélevé"	"relevé"
• the French version of 54(4)	"elle a été faite la rembourse"	"elle a été faite, la rembourse"
• the French version of subsection 57(1), preceding paragraph (a)	"trésor"	"Trésor"
• the French version of paragraph 57.1(b)	"des contrats à terme et options sur marchandises"	"des contrats à terme et options sur marchandises;"
• the French version of subsection 66(2)	"engage pas"	"n'engage pas"
• the French version of section 67.1; • the French version of subsection 67.2(1)	"donner une promesse écrite d'indemniser"	"donner par écrit une promesse d'indemniser"
• the French version of paragraph 67.2(4)(a)	"maximum"	"minimum"
• the French version of section 82.2	"La radiation, de tout ou partie"	"La radiation de tout ou partie"
• the English version of subsection 93(4)	"businessess"	"businesses"
• the French version of section 104	"prevue"	"prévue"
• the French version of paragraph 107(1)	"causée"	"causées"

**SCHEDULE C***(Section 4)**Planning Act*

<b>Provisions Amended</b>	<b>Word or Words Struck Out</b>	<b>Word or Words Substituted</b>
• the French version of subsection 20(1)	"de affectation"	"de l'affectation"
• the French version of paragraph 23(1)(b)	"valatble"	"valable"
• the French version of section 31	"qui adopté"	"qui a adopté"
• the French version of subsection 44(1)	"l'exige"	"l'exigent"
• the French version of paragraph 52(c)	"annulle"	"annule"

**SCHEDULE D***(Section 6)****Public Trustee Act***

<b>Provisions Amended</b>	<b>Word or Words Struck Out</b>	<b>Word or Words Substituted</b>
<ul style="list-style-type: none"> <li>• subsection 2(1);</li> <li>• subsections 25(1) and (2);</li> <li>• subsection 26(1);</li> <li>• clause 27(1)(b)(ii)</li> </ul>	"the Territories"	"Nunavut"
<ul style="list-style-type: none"> <li>• the French version of subsection 2(1)</li> </ul>	"une personne compétente,"	"une personne compétente"
<ul style="list-style-type: none"> <li>• subsection 2(3);</li> <li>• subsections 9(1) and (2);</li> <li>• subsection 34(2)</li> </ul>	"judge of the Supreme Court"	"judge"
<ul style="list-style-type: none"> <li>• the French version of subsection 2(3)</li> </ul>	"qu'on juge"	"qu'un juge"
<ul style="list-style-type: none"> <li>• paragraph 3(c);</li> <li>• the English version of subsection 34(3)</li> </ul>	"an order of the Supreme Court"	"order of the court"
<ul style="list-style-type: none"> <li>• clause 3(i)(i);</li> </ul>	"Rules of the Supreme Court"	"Rules of the Nunavut Court of Justice"
<ul style="list-style-type: none"> <li>• clause 3(i) (ii);</li> <li>• paragraph 8(b);</li> <li>• subsections 10(1) and (2);</li> <li>• subsection 33(1)</li> </ul>	"order of a judge of the Supreme Court"	"order of the court"
<ul style="list-style-type: none"> <li>• subsections 4(3) and (4);</li> <li>• subsection 5(1);</li> <li>• subsections 7(1) and (2);</li> <li>• the English version of section 23;</li> <li>• paragraph 27(1)(a);</li> <li>• subsection 28(1);</li> <li>• subsection 33(3);</li> </ul>	"the Supreme Court"	"the court"
<ul style="list-style-type: none"> <li>• subsection 5(1)</li> </ul>	"Clerk of the Supreme Court"	"Clerk"
<ul style="list-style-type: none"> <li>• the French version of paragraph 5(1)(b)</li> </ul>	"la demandes"	"les demandes"



<ul style="list-style-type: none"> <li>• <b>the French version of paragraph 8(a)</b></li> </ul>	"bien-fonds"	"biens-fonds"
<ul style="list-style-type: none"> <li>• <b>section 23;</b></li> <li>• <b>section 36</b></li> </ul>	"the Supreme Court or a judge of the Supreme Court"	"the court"
<ul style="list-style-type: none"> <li>• <b>the French version of section 23</b></li> </ul>	« elle peut nommer »	« il peut nommer »
<ul style="list-style-type: none"> <li>• <b>the French version of subsection 25(4)</b></li> </ul>	"lettres d'administration,"	"lettres d'administration"
<ul style="list-style-type: none"> <li>• <b>subsection 32(2)</b></li> </ul>	"Government of the Northwest Territories"	"Government of Nunavut"
<ul style="list-style-type: none"> <li>• <b>subsection 34(3)</b></li> </ul>	"Rules of Supreme Court"	"Rules of the Nunavut Court of Justice"
<ul style="list-style-type: none"> <li>• <b>the French version of subsection 37.1(1)</b></li> </ul>	"celui-ci,"	"celui-ci"
<ul style="list-style-type: none"> <li>• <b>the French version of paragraph 39(1)(c)</b></li> </ul>	"barème"	"barème"