

**CONSOLIDATION OF LEGAL TREATMENT OF APOLOGIES ACT**

S.Nu. 2010,c.12  
In force June 10, 2010

*(Current to: February 2, 2011)*

**AS AMENDED BY:**

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.justice.gov.nu.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.

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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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## LEGAL TREATMENT OF APOLOGIES ACT

### Definitions

**1.** In this Act:

"action" means a civil proceeding, an administrative proceeding or an arbitration or any other quasi-judicial proceeding; (*action*)

"apology" means an expression of sympathy or regret, a statement that a person is sorry or any other words or acts indicating contrition or commiseration, whether or not the words or acts admit or imply an admission of fault in connection with the matter to which the words or acts relate; (*excuses*)

"offence" means any criminal or statutory offence, and includes the contravention of a municipal bylaw. (*infraction*)

### Effect of apology on civil liability

- 2.** (1) An apology made by or on behalf of a person in connection with any matter
- (a) does not, in any action, constitute an express or implied admission of fault or liability by the person in connection with that matter;
  - (b) does not constitute a confirmation of a cause of action or an acknowledgement of a claim in relation to that matter for the purposes of the *Limitation of Actions Act*;
  - (c) does not, despite any wording to the contrary in any indemnity or contract of insurance and despite any other enactment or law, void, impair or otherwise affect any indemnity or insurance coverage for any person in connection with that matter; and
  - (d) shall not, in any action, be taken into account in any determination of fault or liability in connection with that matter.

### Evidence of apology not admissible

(2) Despite any other enactment or law, evidence of an apology made by or on behalf of a person in connection with any matter is not admissible in any action as evidence of the fault or liability of the person in connection with that matter.

### No effect on prosecution or use of conviction

- 3.** Nothing in this Act affects
- (a) the admissibility of any evidence in the prosecution of an offence;  
or
  - (b) the use that may be made in any legal proceeding of a conviction for an offence.