



ORDINANCES
OF THE
YUKON TERRITORY

PASSED BY THE
YUKON COUNCIL

IN THE YEAR
1966
FIRST SESSION

G. R. CAMERON
COMMISSIONER

Printed and Published for the Government of Yukon Territory under
Authority of Chapter 93 of the Consolidated Ordinances of 1958.

BY

H. J. TAYLOR, Queen's Printer



ORDINANCES
OF THE
YUKON TERRITORY

PASSED BY THE
YUKON COUNCIL

IN THE YEAR

1966

FIRST SESSION

INDEX

1966 (FIRST SESSION)

Chap.	Name	Page
1.	An Ordinance Respecting the Immunity of Members of the Council of the Yukon Territory	1
2.	An Ordinance Respecting Securities	2
3.	An Ordinance Respecting Wages in the Yukon Territory	6
4.	An Ordinance to Authorize the Commissioner to purchase a Sewage Disposal System from the Municipal Corporation of the City of Dawson	12
5.	An Ordinance to Amend the School Ordinance	14
6.	An Ordinance to Amend the Municipal Ordinance	16
7.	An Ordinance to Amend the Low Cost Housing Ordinance	54
8.	An Ordinance to Amend the Elections Ordinance	55
9.	An Ordinance to Amend the Yukon Housing Ordinance	56
10.	An Ordinance to Amend the Companies Ordinance	57
11.	An Ordinance to Repeal the Loan Agreement Ordinance 1961 No. 1	58
12.	An Ordinance to Repeal the Whitehorse Land Sale and Loan Ordinance (1961)	59
13.	An Ordinance for Granting to the Commissioner Certain Sums of Money to Defray the Expenses of the Public Service of the Territory. (Interim Supply Appropriation Ordinance 1966)	60
14.	An Ordinance for Granting to the Commissioner Certain Sums of Money to Defray the Expenses of the Public Service of the Territory. (Interim Supply Appropriation Ordinance No. 2, 1966)	62
15.	An Ordinance for Granting to the Commissioner certain Sums of Money to Defray the Expenses of the Public Service of the Territory. (First Appropriation Ordinance 1966-67)	64
16.	An Ordinance for Granting to the Commissioner certain Sums of Money to Defray the Expenses of the Public Service of the Territory. (Second Appropriation Ordinance 1966-67)	65

APPENDIX

Table of Public Ordinances of the Yukon Territory
1958 to 1966 (1st)

Showing all the chapters of Revised Ordinances 1958 with amendments thereto up to and including 1966 (1st)

67

CHAPTER 1

ORDINANCES OF THE YUKON TERRITORY

1966 (First Session)

AN ORDINANCE RESPECTING THE IMMUNITY OF
MEMBERS OF THE COUNCIL OF THE
YUKON TERRITORY

(Assented to May 12th, 1966)

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

SHORT TITLE.

1. This Ordinance may be cited as the *Immunity of Members Ordinance*. Short title.

IMMUNITY FROM ACTION.

2. A member of the Council is not liable to any civil action or prosecution, arrest, imprisonment or damages by reason of any matter or thing brought by him by petition, bill, resolution, motion or otherwise, or said by him before the Council or a committee thereof. Immunity from action.

CHAPTER 2

ORDINANCES OF THE YUKON TERRITORY

1966 (First Session)

AN ORDINANCE RESPECTING SECURITIES

(Assented to May 12th, 1966)

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

SHORT TITLE.

Short title. 1. This Ordinance may be cited as the Securities Ordinance.

INTERPRETATION.

Definitions. 2. In this Ordinance, (a) "extra-territorial company" means a company other than a company incorporated under the laws of the Territory; (b) "Registrar" means the person appointed Registrar of Securities pursuant to section 11; and (c) "security" includes shares, debentures or obligations of a company issued or to be issued by the company.

FILING OF PROSPECTUS.

Sale of securities. 3. No person shall, either on his own account or on behalf of any other person, sell or offer for sale in the Territory any security issued by an extra-territorial company in the course of a primary distribution of that security to the public unless a prospectus relating to the security has been filed with and accepted by the Registrar and a receipt in writing therefor in prescribed form has been issued by the Registrar.

Prospectus filed with designated government or agency. 4. (1) Subject to subsection (2), a receipt in writing for a prospectus referred to in section 3 shall be issued by the

Registrar where he is satisfied that the prospectus has been filed with a designated government or government agency and

- (a) a receipt in writing or other evidence that the prospectus has been accepted for filing has been given by such government or agency; and
- (b) permission to sell or offer for sale the security described in the prospectus has been given by such government or agency and has not been withdrawn.

(2) The Registrar may, in any case where he deems it to be in the public interest, refuse to issue a receipt in writing for a prospectus filed in accordance with section 3 or may require the filing with him of further material relating to the company filing the prospectus and to the security.

Requirement of additional information.

APPEALS.

5. A notice of refusal by the Registrar to issue a receipt in writing for a prospectus filed in accordance with section 3 shall be sent by registered mail to the company filing the prospectus at its head office and to such other persons as may, in the opinion of the Registrar, be interested in the refusal.

Notice of refusal by Registrar.

6. (1) Any person to whom a notice of refusal is sent pursuant to section 5 or any other person who is directly affected by a refusal by the Registrar to issue a receipt in writing for a prospectus filed with the Registrar may appeal from such refusal to the Court.

Appeal to Court.

(2) Every appeal under this section shall be commenced by notice of motion served on the Registrar and filed with the Court within sixty days after the day of mailing of a notice of refusal to the person commencing the appeal.

Commencement of appeal.

(3) The Registrar shall file with the Court within ten days of receipt of a notice of appeal pursuant to this section his reasons for refusing to issue a receipt in writing for the prospectus referred to in the notice of appeal, a copy of the prospectus and such other material as the Court may direct.

Registrar to certify decision and submissions.

Order of Court. **7.** Where an appeal is taken under section 6, the Court may confirm the decision of the Registrar or may by order direct him to issue a receipt in writing in the form prescribed for the purposes of section 3.

No further appeal. **8.** An order of the Court is final but notwithstanding such order, the Registrar may accept a prospectus for filing on any new material presented to him or where there is, in his opinion, a material change in circumstances.

OFFENCES AND PENALTIES.

Offences. **9. (1)** Every person, including any officer, director, or employee of a company, who is knowingly responsible for

- (a) any fictitious or pretended trade in any security;
- (b) any course of conduct or business which is calculated or put forward with intent to deceive the public or the purchaser or the vendor of any security as to the nature of any transaction or as to the value of the security;
- (c) the making of any material false statement in any application, information, statement, material, or evidence submitted or given to the Registrar, or any person appointed to make an investigation or audit under this Ordinance or the regulations;
- (d) the furnishing of false information in any report, statement, return, balance-sheet, or other document required to be filed or furnished under this Ordinance or the regulations;
- (e) the commission of any act or failure to perform any act where such commission or failure constitutes a violation of any provision of this Ordinance or the regulations; or
- (f) failure to observe or comply with any order, direction, or other requirement made under this Ordinance or the regulations

is guilty of an offence and, on summary conviction, is liable to a penalty of not more than two thousand dollars or to imprisonment for a term of not more than one year, or both.

(2) Subsection (1) shall be deemed to apply, *mutatis mutandis*, to any company, save that the money penalties may be increased, in the discretion of the Court, to a sum of not more than twenty-five thousand dollars. Companies.

(3) Every person or company is a party to and guilty of an offence under this Ordinance who or that Parties to offences.

- (a) actually commits the offence;
- (b) does or omits an act for the purpose of aiding another person or company in the commission of the offence; or
- (c) abets another person or company in the commission of the offence.

GENERAL.

10. The Registrar shall, upon request made at any reasonable time during business hours and upon payment of the prescribed fees, produce for inspection any prospectus filed under this Ordinance and his record of documents filed pursuant to this Ordinance. Inspection of prospectus.

11. The Commissioner shall appoint such person as he thinks proper to be Registrar of Securities. Appointment of Registrar.

12. The Commissioner may make regulations Regulations.

- (a) designating governments and agencies of government for the purpose of subsection (1) of section 4;
- (b) prescribing such forms as are necessary for the purpose of this Ordinance;
- (c) prescribing the fees required to be paid to the Registrar; and
- (d) generally, for carrying out the purposes and provisions of this Ordinance.

CHAPTER 3

ORDINANCES OF THE YUKON TERRITORY

1966 (First Session)

AN ORDINANCE RESPECTING WAGES IN THE YUKON TERRITORY

(Assented to May 12th, 1966)

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

SHORT TITLE.

Short title. 1. This Ordinance may be cited as the Yukon Labour (Minimum Wages) Ordinance.

INTERPRETATION.

Interpretation. 2. In this Ordinance
"Employee." (a) "employee" means a person employed to do skilled or unskilled manual, clerical, technical, operational or administrative work;
"Employer." (b) "employer" means any person who employs one or more employees;
"Wages." (c) "wages" includes every form of remuneration for work performed but does not include tips, bonuses for staying to the end of a work season, and other gratuities;

APPLICATION.

3. (1) This Ordinance applies to and in respect of employees who are employed upon or in connection with the operation of any work, undertaking or business of a local or private nature in the Yukon Territory.
Excepted categories. (2) This Ordinance does not apply to or in respect of employees who are
(a) managers or superintendents or who exercise management functions;

- (b) members of such professions as may be designated by the regulations as professions to which this Ordinance does not apply.

4. (1) This Ordinance applies notwithstanding any other law or any custom, contract or arrangement, whether made before or after the commencement of this Ordinance, but nothing in this Ordinance shall be construed as affecting any rights or benefits of an employee under any law, custom, contract or arrangement that are more favourable to him than his rights or benefits under this Ordinance.

More favourable arrangements.

(2) Nothing in this Ordinance authorizes the doing of any work on Sunday that is prohibited by law.

MINIMUM WAGES.

5. (1) Except as otherwise provided in this Ordinance, an employer shall pay to each employee of the age of seventeen years and over a wage at the rate of not less than one dollar and twenty-five cents an hour or not less than the equivalent of that rate for the time worked by him where the wages of the employee are paid on any basis of time other than hourly.

Hourly rate.

(2) Where the wages of an employee are computed and paid on a basis other than time or on a combined basis of time and some other basis, the Commissioner may, by order,

- (a) fix a standard basis of work to which a minimum wage on a basis other than time may be applied, and
- (b) fix a minimum rate of wage that in his opinion is the equivalent of the minimum rate under subsection (1);

and except as otherwise provided by or under this Ordinance the employer shall pay to each employee who is paid on a basis other than time a wage at a rate not less than the minimum rate fixed by order under this subsection.

6. An employer may only employ a person under the age of seventeen years

Under 17 years.

- (a) in such occupations as may be specified by regulation, and

Commissioner
to research
and prepare
regulations.

- (b) subject to the conditions and at a wage of not less than the minimum wage prescribed by the regulations for the occupation in which such person is employed.

7. (1) The Commissioner may designate any person as an inspector under this Ordinance and the Inspector may, for the purpose of enforcing this Ordinance or the regulations, made thereunder, inspect all necessary books, pay-rolls and other records of an employer that in any way relate to the wages of an employee and take extracts and copies of such material.

(2) An inspector may at any reasonable time enter upon any place used in connection with a work, undertaking or business for the purpose of making an inspection authorized under subsection (1) and may, for such purpose, question any employee apart from the employer.

(3) An inspector shall be furnished by the Commissioner with a certificate of his authority and on entering any place used in connection with a work, undertaking or business shall, if so required, produce the certificate to the person in charge thereof.

(4) The person in charge of any work, undertaking or business and every person employed thereupon or in connection therewith shall give an inspector all reasonable assistance in his power to enable the inspector to carry out his duties under this Ordinance or the regulations.

Negotiated
agreement.

8. (1) Where an inspector finds that an employer has failed to pay an employee the minimum wage prescribed under this Ordinance, the inspector may determine the difference between the wages actually paid to the employee and the wages to which the employee is entitled, and, if the amount of the difference is agreed to in writing by the employer and the employee, the employer, shall within five days after the date of the agreement, pay that amount to the employee on the direction of the inspector or to the Commissioner who shall pay it over to the employee forthwith upon the receipt thereof by him.

(2) No prosecution for failure to pay an employee the full wages to which he was entitled under this Ordinance shall, without the written consent of the Commissioner, be

instituted against the employer when he has made payment of any amount of difference in wages in accordance with subsection (1).

9. (1) An employer shall, at the time of making any payment of wages to an employee, furnish to the employee a statement in writing setting out ^{Pay statements.}

- (a) the period for which the payment of wages is made;
- (b) the number of hours for which payment is made;
- (c) the rate of wages;
- (d) details of the deductions made from the wages; and
- (e) the actual sum being received by the employee.

(2) The Commissioner may, by order, exempt any employer from any or all of the requirements of subsection (1).

10. A person who ^{Offences.}

- (a) contravenes any provision of this Ordinance or the regulations, or any order made thereunder; or
- (b) discharges or threatens to discharge or otherwise discriminates against a person because that person
 - (i) has testified or is about to testify in any proceedings or inquiry had or taken under this Ordinance, or
 - (ii) has given any information to the Commissioner or an inspector regarding the wages, hours of work, annual vacation or conditions of work of the employee or any of his fellow employees in an industrial establishment;

is guilty of an offence punishable on summary conviction and is liable for a fine not exceeding one thousand dollars or to imprisonment for a term not exceeding one year or to both such fine and imprisonment. ^{Penalty.}

11. A complaint or information under this Ordinance may relate to one or more offences by one employer in respect of one or more of his employees.

Limitation.

12. Proceedings in respect of an offence under this Ordinance may be instituted at any time within *two* years after the time when the subject matter of the proceedings arose.

13. (1) Where an employer has been convicted of an offence under this Ordinance in respect of any employee, the convicting court may, in addition to any other penalty order the employer to pay the employee any wages to which the employee is entitled under this Ordinance the non-payment or insufficient payment of which constituted the offence for which the employer was convicted.

Refusal to comply.

(2) An employer who refuses or neglects to comply with an order of a convicting court made under this section is guilty of an offence punishable on summary conviction and is liable to a fine not exceeding fifty dollars for each day during which such refusal or failure continues.

Computation of hours.

(3) In determining the amount of wages for the purposes of subsection (1), if the convicting court finds that the employer has not kept accurate records as required by this Ordinance or the regulations, the employee affected shall be presumed to have been employed for the maximum number of hours a week allowed by law in the Territory and to be entitled to the full weekly wage therefor.

Identity of complainant.

14. Where a person who makes a complaint to the Commissioner requests that his name and identity be withheld, his name and identity shall not be disclosed by the Commissioner or his officials except where disclosure is necessary for the purposes of a prosecution or is considered by the Commissioner to be in the public interest.

15. No civil remedy of an employee against his employer for arrears of wages is suspended or affected by this Ordinance.

ANNUAL REPORT.

16. The Commissioner shall, within three months after the termination of each fiscal year, prepare an annual report on the administration of this Ordinance and cause the report to be laid before the next sitting of the Council.

REGULATIONS.

17. The Commissioner may make regulations for carrying out the purposes of this Ordinance and, without restricting the generality of the foregoing, may make regulations

- (a) requiring employers to keep records of wages ;
- (b) governing the production and inspection of records required to be kept by employers ;
- (c) for calculating and determining wages received by an employee in respect of his employment, including the monetary value of remuneration other than money and the regular rate of wages of employees who are not paid solely on a basis of time ;
- (d) providing for the payment of any wages of an employee to the Commissioner or to some other person in the event that the employee cannot be found or in any other case ;
- (e) providing for the establishment of consultative or advisory committees to advise the Commissioner on any matters arising in relation to the administration of this Ordinance ; and
- (f) for any other matter or purpose that under this Ordinance is required or permitted to be prescribed by regulation.

COMMENCEMENT.

18. This Ordinance, or any section, comes into force on a day to be fixed by Order of the Commissioner.

CHAPTER 4

ORDINANCES OF THE YUKON TERRITORY

1966 (First Session)

AN ORDINANCE TO AUTHORIZE THE
COMMISSIONER TO PURCHASE A SEWAGE
DISPOSAL SYSTEM FROM THE MUNICIPAL
CORPORATION OF THE CITY OF DAWSON*(Assented to May 12th, 1966)*

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

- Short title.** 1. This Ordinance may be cited as the *Dawson City Sewage Disposal System Sale Ordinance*.
- Purchase.** 2. The Commissioner is authorized to enter into and execute on behalf of the Yukon Territory an agreement with the Municipal Corporation of the City of Dawson for the purchase from the Municipal Corporation of the City of Dawson of all the sewage disposal system owned by the Municipal Corporation of the City of Dawson, together with all easements, licences, rights of entry and other privileges necessary for the proper operation of such sewage disposal system, at the price of \$1.00.
- Sale.** 3. The Municipal Corporation of the City of Dawson is authorized to enter into and execute an agreement with the Commissioner on behalf of the Yukon Territory for the sale to the Yukon Territory of all the sewage disposal system owned by the Municipal Corporation of the City of Dawson, together with all easements, licences, rights of entry and other privileges necessary for the proper operation of such sewage disposal system, at the price of \$1.00.
- Maximum.** 4. From and out of the Yukon Consolidated Revenue Fund there may be paid for the purchase of such sewage disposal system a sum not exceeding \$1.00 for the purpose of carrying out the agreement between the Commissioner and the Municipal Corporation of the City of Dawson.

5. Without limiting the extent of the sewage disposal system intended to be acquired pursuant to this Ordinance, the said sewage disposal system is described in the Schedule hereto. Extent.

6. The Commissioner is empowered to do every act and exercise every power for the purpose of implementing every obligation assumed by the Territory under this Ordinance. Implementing agreements.

SCHEDULE.

All that utility undertaking for sewage disposal lying in, upon and under those streets, roads and alleys in the City of Dawson, together with ancillary works wherever situated necessary for the proper operation and maintenance of the undertaking and all equipment used therefor.



CHAPTER 5

ORDINANCES OF THE YUKON TERRITORY

1966 (First Session)

AN ORDINANCE TO AMEND THE
SCHOOL ORDINANCE

(Assented to May 12th, 1966)

O.Y.T.
1962 (1st)
c.7;
1964 (1st)
c.7;
1965 (1st)
c.3.

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

1. Paragraphs (d) and (e) of section 93 of the School Ordinance are hereby repealed and the following substituted therefor:

"93. (d) pay to the parent, guardian or other person having the care or control of a child who in order to attend school is compelled to board away from his home such amount up to a maximum not exceeding sixty dollars per month as the Commissioner deems necessary to enable that child to attend school; and

(e) pay the actual cost of transporting pupils to and from their homes or other residence approved by the Commissioner for the purpose of this clause and the school they attend or pay such amounts as he may fix to the parent, guardian or other person having the care and control of the child for the transporting of that child to and from his home and the school and so far as practicable in fixing the payments under this clause the Commissioner shall, in the absence of any special circumstances related to the extreme youth or physical condition of a child pay transportation allowance only in respect of a pupil living two or more miles by nearest passable road from the school he is re-

quired to attend, and such transportation allowance shall be calculated at the rate of five cents per mile each such child is actually transported to his school by the shortest practicable route on a school day subject to a maximum payment of three dollars per day in respect of each such child”.

MUNICIPAL
CHAPTER 6

ORDINANCES OF THE YUKON TERRITORY
1966 (First Session)
AN ORDINANCE TO AMEND THE
MUNICIPAL ORDINANCE

(Assented to May 12th, 1966)

C.Y.T.
1959 (2nd)
c.1;
1960 (1st)
c.6;
1961 (1st)
c.6;
1961 (2nd)
cc.5; 9;
1961 (3rd)
c.2;
1962 (1st)
c.22;
1962 (5th)
cc.10;13;16;
1963 (1st)
c.5;
1964 (1st)
c.8;
1964 (2nd)
c.12.

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

1. (1) Paragraph (d) of section 2 of the *Municipal Ordinance* is repealed and the following substituted therefor:

“(d) “city” means any part of the Territory established as a city under this Ordinance.

(da) “city manager” means a person appointed as city manager pursuant to section 15;

(db) “clerk” means the clerk or acting clerk of a municipality;”

(2) Section 2 of the said Ordinance is further amended by adding thereto, immediately after paragraph (f) thereof, the following paragraph:

“(fa) “fiscal year” when used with respect to the government of a municipality, means the period beginning on and including the 1st day of April in one year and ending on and including the 31st day of March in the next year;”

(3) Paragraphs (i) and (j) of section 2 of the said Ordinance are repealed and the following substituted therefor:

“(i) “mayor” means the mayor of a city;

(j) “municipality” means any part of the Territory established as a city or village under this Ordinance;”

(4) Section 2 of the said Ordinance is further amended by adding thereto, immediately after paragraph (n) thereof, the following paragraph:

“(na) “reeve” means the reeve of the council of a village;”

(5) Section 2 of the said Ordinance is further amended by striking out the word “and” at the end of paragraph (o) thereof, by adding the word “and” at the end of paragraph (p) thereof and by adding thereto the following paragraph:

“(q) “village” means any part of the Territory established as a village under this Ordinance;”

2. Section 5 of the said Ordinance is repealed and the following substituted therefor:

“5. (1) Where it appears to the Commissioner that conditions of settlement in any part of the Territory make the establishment of a village desirable and he is satisfied that the proposed village will have not less than fifty ratepayers, he may place a resolution before the Territorial Council proposing the establishment of a village in that area.

Commissioner may propose the establishment of village.

(2) Where the Territorial Council approves a resolution placed before it pursuant to subsection (1), the Commissioner shall cause notices, stating that it is proposed to establish a village in that area, to be posted in at least three conspicuous places within the area to be established as a village and shall cause a notice to be published in a newspaper circulating in the area to be established as a village.

Territorial Council must approve.

(3) Where, within two weeks of the posting of the notices or the publishing of the notice referred to in subsection (2), whichever is the later, the Commissioner receives a petition of complaint containing the signatures of not less than twenty-five ratepayers of the area to be established as a village, the Commissioner shall refer the complaint to the Territorial Council for consideration.

Petition of complaint.

(4) Where the Commissioner receives no petition of complaint or where a petition of complaint has been referred to the Territorial Council and

Commissioner may establish village.

the Territorial Council has not by resolution withdrawn its approval of the proposed village, the Commissioner may, by order, establish a village, and fix the name and boundaries thereof.

Petition to establish village.

5A. (1) Where the Commissioner receives a petition containing the signatures of not less than one hundred persons residing in an area in the Territory requesting the establishment of a village and is satisfied that the proposed village will have not less than fifty ratepayers, he may cause notices to be posted in at least three conspicuous places within that area and shall cause a notice to be published in a newspaper circulating in that area stating that it is proposed to establish a village in that area.

Commissioner May establish village.

(2) Where the Commissioner receives no complaint or where he has received a complaint but is satisfied that the establishment of a village is desirable, he may, by order, establish a village and fix the name and boundaries thereof.

Commissioner may propose the establishment of village.

5B. (1) Where it appears to the Commissioner that conditions of settlement in any part of the Territory make the establishment of a city desirable and he is satisfied that the city will have not less than three hundred ratepayers, he may place a resolution before the Territorial Council proposing the establishment of a city in that area.

Territorial Council must approve.

(2) Where the Territorial Council approves a resolution placed before it pursuant to subsection (1), the Commissioner shall cause notices stating that it is proposed to establish a city in that area to be posted in at least three conspicuous places within the area to be established as a city and shall cause a notice to be published in a newspaper circulating in the area to be established as a city.

Petition of complaint.

(3) Where, within two weeks of the posting of the notices or the publishing of the notice referred to in subsection (2), whichever is the later, the Commissioner receives a petition of complaint containing the signatures of not less than one hundred

ratepayers of the area to be established as a city, the Commissioner shall refer the complaint to the Territorial Council.

(4) Where the Commissioner receives no petition of complaint or where a complaint has been referred to the Territorial Council and the Territorial Council has not by resolution withdrawn its approval of the proposed city, the Commissioner may, by order, establish a city and fix the name and boundaries thereof.

Commissioner
may establish
city.

5C. (1) Where the Commissioner receives a petition containing the signatures of not less than one hundred ratepayers residing in an area in the Territory requesting the establishment of a city and is satisfied that the proposed city will have not less than three hundred ratepayers, he may cause notices to be posted in at least three conspicuous places within that area and shall cause a notice to be published in a newspaper circulating in that area stating that it is proposed to establish a city in that area.

Petition
to establish
city.

(2) Where the Commissioner receives no complaint or where he has received a complaint but is satisfied that the establishment of a city is desirable, he may, by order, establish a city and fix the name and boundaries thereof.

Commissioner
may establish
city.

5D. (1) A petition for the incorporation of a city or village shall contain

Contents of
petition for
incorporation.

- (a) the proposed name of the municipality;
- (b) a description of the land sought to be included in the municipality;
- (c) a statement showing the total number of persons then resident in the area and the number of residents of the full age of twenty-one years;
- (d) a statement including that public notice of intention to apply for incorporation has been given once in

each week for two consecutive weeks in a newspaper published or circulated in the area sought to be included in the city or village; and

(e) such other information as the Commissioner may, from time to time, direct to be included therein.

Statutory declaration.

(2) A petition for incorporation shall be accomplished by a statutory declaration of one or more of the petitioners attesting to the best of his knowledge and belief the number of persons entitled to sign the petition, their names, the authenticity of their signatures, of the petition and of the publication of the notice of intention to apply for incorporation.”

3. Paragraph (b) of subsection (2) of section 7 of the said Ordinance is repealed and the following substituted therefore:

“(b) at least two-thirds of those residents of the area to be included in the municipality who have reached the age of twenty-one years and are owners of real property in the area.”

4. The said Ordinance is further amended by adding thereto, immediately after section 9 thereof, the following section :

Petition for change of city to village.

“9A. (1) Upon receipt of a petition signed by a majority of the electors of a city who are owners of real property within the city assessed at a value of more than one-half of the total assessed value for municipal purposes of taxable land and improvements in the city, the Commissioner may, by proclamation, published in the *Yukon Gazette*, proclaim that the municipality is no longer incorporated as a city but is incorporated as a village.

Mayor and aldermen continue in office.

(2) A proclamation issued under subsection (1) shall take effect on the date set out in the order and the mayor and aldermen of the city shall continue to hold office as the reeve and aldermen of

the village respectively until expiration of their terms of office.

(3) Where a proclamation is issued pursuant to subsection (1), the village, so incorporated, shall have all the assets and assume all the liabilities of the city so dissolved.

Village has assets and liabilities of city.

(4) The Commissioner may make such regulations as he deems necessary to carry out the provisions of this section."

Commissioner may make regulations.

5. Section 10 of the said Ordinance is repealed and the following substituted therefor:

"10. A corporation that is carrying on business with a municipality or an area that is sought to be incorporated as a municipality and is the owner of real property in that municipality or area is, for the purposes of section 5, 9 and 9A, a resident owner of real property, and the authority given by a corporation to its representative or agent to sign a petition under sections 5, 9 or 9A shall accompany the petition."

Certain corporations deemed resident owners of real property.

6. Subsection (1) of section 11 of the said Ordinance is repealed and the following substituted therefor:

"11. (1) Subject to this Ordinance, the council of a city shall consist of the mayor and three aldermen."

Membership of council of a city.

7. Subsection (1) of section 12 of the said Ordinance is repealed and the following substituted therefor:

"12. (1) On application of the council of a city, the Commissioner may, by proclamation, increase the number of aldermen of that council by one for every one thousand residents in excess of three thousand residents but no city shall have in excess of eight aldermen."

Increase of council of city by proclamation.

8. The said Ordinance is further amended by adding thereto immediately after section 12 thereof, the following section:

Membership of council of a village.

“12A. The council of a village shall consist of the reeve and three aldermen.”

9. Section 15 and 16 of the said Ordinance are repealed and the following substituted therefor:

City manager.

“15. (1) The council of a city may by by-law appoint a city manager who shall hold office during pleasure of the council.

Delegation to city manager.

(2) The council may delegate authority to the city manager to exercise any of the executive or administrative powers of the council except the power to borrow money or pass a by-law.

Power and duties of city manager.

(3) Where a city manager is appointed for a city he shall have all the powers and perform all the duties of

- (a) the mayor as set out in section 33, and
- (b) the clerk as set out in section 35.

Commissioner has power to appoint.

16. Where there are no candidates for the office of mayor or reeve or for the office of alderman, the Commissioner shall appoint a person who is qualified to be an alderman to be the mayor, reeve, or alderman, as the case may be.

Vacancy.

16A. Where a mayor, reeve or alderman dies, resigns or the office otherwise becomes vacant before the expiration of the term of office, the council of the city or village, as the case may be, shall appoint a person who is qualified to be an alderman to fill the vacancy, and the person so appointed shall hold office for the balance of the term of the former mayor, reeve or alderman, as the case may be.

Term of office.

16B. Subject to this Ordinance, the mayor and aldermen of a city, and the reeve and aldermen of a village shall hold office from 12 o'clock noon on the first Monday after the first day of January following their election or from the time of their swearing in, whichever is the later, until 12 o'clock noon of the first Monday after the first day of January two years later or, in the case of a mayor or reeve, until his successor is sworn in.

16C. Every person who is elected mayor, reeve or alderman shall, before taking his office, take the Oath of Office as set out in Form A of Schedule C and the Oath of Allegiance as set out in Form B of Schedule C before a judge, police magistrate, justice of the peace or clerk of the municipality, and shall procure from the person administering the oath the completed oath or a copy thereof which, before taking his seat on the council he shall deposit with the clerk.”

Oaths.

10. Subsection (1) of section 20 of the said Ordinance is repealed and the following substituted therefor:

“20. (1) The first meeting of the council following the first election held in a municipality shall be held within thirty days following the date of the election, at such time and place as may be fixed by the mayor or reeve, as the case may be.”

First meeting of council.

11. Subsection (1) of section 22 of the said Ordinance is repealed and the following substituted therefor:

“22. (1) A special meeting of the council shall be called by the clerk when he is requested in writing to do so by the mayor or reeve, as the case may be, or by any two aldermen.”

Special meetings.

12. Subsection (2) of section 24 of the said Ordinance is repealed and the following substituted therefor:

“(2) Where the votes of the members of the council present at a meeting thereof including the vote of the mayor or deputy mayor, or of the reeve or deputy reeve, as the case may be, are equal for or against a question, the question shall be deemed to have been decided in the negative.”

Tie in voting.

13. Sections 25 to 27 of the said Ordinance are repealed and the following substituted therefor:

“25. (1) The council of a city may by by-law provide for an allowance not exceeding in any one year the sum of two thousand five hundred dollars for a mayor and one thousand dollars for an alderman.

Allowance for city council.

(2) The council of a village may by by-law provide for an allowance not exceeding in any one year the sum of five hundred dollars for the reeve and two hundred and fifty dollars for an alderman.

Allowance for village council.

Portion for expenses.

(3) The council of a municipality may by by-law provide that a portion of the allowance to be paid to the mayor, reeve or aldermen shall be paid as remuneration for expenses necessarily incidental to the discharge of the duties of their offices.

Failure to attend meetings.

26. (1) Where a mayor, reeve or alderman fails to attend meetings of the council for a period of two consecutive months, his seat shall become vacant.

Permission to be absent.

(2) Subsection (1) does not apply where a mayor, reeve or alderman has received permission to absent himself from the council by a majority vote of the council at a regular meeting thereof, which permission shall in no case be for a period in excess of six months.

Resignation.

27. A mayor, reeve or alderman may resign from his office by submitting his resignation in writing to the clerk."

14. Subsection (2) of section 28 of the said Ordinance is repealed and the following substituted therefor:

Committee may exercise power of council.

"(2) A council may, by a majority vote of all its members, delegate authority to a committee to exercise any of the executive or administrative powers of the council except the powers to borrow money, pass a by-law, or to authorize the entering into a contract."

15. Section 29 of the said Ordinance is repealed and the following substituted therefor:

Summoning of witnesses.

"29. (1) The council, or any committee thereof, shall have the power under the signature of the mayor or reeve, as the case may be, and the seal of the municipality to summon witnesses for examination on oath as to any matters connected with or relating to the administration of the municipality.

Witness fees.

(2) Every witness served with a summons issued by a council or by a committee of a council and paid the witness fees and expenses prescribed by by-law of the council shall attend and give evidence to the council or any committee thereof.

(3) The council shall by by-law prescribe the fees and expenses that shall be paid to a witness served with a summons issued by the council or a committee thereof.

Council to prescribe fees.

(4) All evidence given before a council or a committee thereof shall be given under oath."

Evidence given under oath.

16. The heading immediately preceding section 30 and sections 30 and 31 of the said Ordinance are repealed and the following substituted therefor:

"MAYOR AND REEVE.

30. The mayor or reeve of a municipality shall be a member of the council, shall preside over all meetings of the council and shall be the head of chief executive officer of the municipality.

Mayor or reeve.

31. The Council may, by resolution, appoint from among its members a deputy mayor or deputy reeve, as the case may be, who shall, in the absence, illness or other inability of the mayor or reeve, have all of the powers and perform all the duties of the mayor or reeve."

Deputy mayor or deputy reeve.

17. (1) All that portion of subsection (1) of section 33 of the said Ordinance preceding paragraph (a) thereof is repealed and the following substituted therefor:

"33. (1) The mayor or reeve of a municipality shall"

Duties of mayor or reeve.

(2) Subsection (2) of section 33 of the said Ordinance is repealed and the following substituted therefor:

"(2) Where the mayor or reeve, as the case may be, suspend any officer or employee, notice thereof shall be reported to the council at its next meeting and the council may reinstate that officer or employee, confirm his suspension or dismiss him."

Suspension of municipal officer or employee.

18. Paragraph (f) of section 35 of the said Ordinance is repealed and the following substituted therefor:

"(f) administer oaths and take and receive affidavits and declarations within the municipality required to be taken under this Ordinance; and"

19. Paragraph (f) of section 37 of the said Ordinance is repealed and the following substituted therefor:

“(f) from time to time in accordance with directions received from council and in any event at least once a year prepare a financial statement of the municipality;”

20. Subsection (1) of section 39 of the said Ordinance is repealed and the following substituted therefor:

Acting treasurer.

“39. (1) In the absence of the treasurer, the clerk shall act as treasurer and shall have all the powers and perform all the duties of the treasurer.”

21. Paragraph (f) of subsection (1) of section 43 of the said Ordinance is repealed and the following substituted therefor:

“(f) send a copy of each report and statement to the Inspector of Municipalities and to the mayor or reeve, as the case may be.”

22. Subsection (2) of section 43 of the said Ordinance is repealed and the following substituted therefor:

Auditor's report to be submitted to council.

“(2) The mayor or reeve, as the case may be, shall submit each report and statement prepared by the auditor to the council at the meeting next following receipt thereof.”

23. Section 53 of the said Ordinance is repealed and the following substituted therefor:

Form of by-laws.

“53. Every by-law shall be in writing under the seal of the municipality and shall be signed by the person presiding at the meeting at which the by-law is passed and by the clerk.”

24. Section 62 of the said Ordinance is repealed and the following substituted therefor:

Raising of revenues.

“62. Subject to this Ordinance, the council may pass by-laws providing for the raising of revenue by the imposition and collection of a tax upon real property in the municipality and by the imposition and collection of a business tax.”

25. Subsection (1) of section 63 of the said Ordinance is repealed and the following substituted therefor:

"63. (1) The council may pass by-laws authorizing the mayor or reeve, as the case may be, and the clerk to borrow on behalf of the municipality such sums of money as may be required to meet the expenditures of the municipality until such time as the taxes levied therein can be collected, but not exceeding in the aggregate seventy-five per cent of the estimated revenue of the municipality for the then current fiscal year."

Powers to borrow.

26. Subsection (2) of section 71 of the said Ordinance is repealed and the following substituted therefor:

"(2) The debenture and interest coupons shall be in a form approved by the Commissioner and shall be signed by the mayor or reeve, as the case may be, and the clerk and sealed with the seal of the municipality."

Term of debenture and coupons.

27. (1) Subsection (1) of section 87 of the said Ordinance is amended by striking out the word "and" at the end of paragraph (g) thereof and by adding thereto the following paragraphs:

"(i) regulating, restricting or prohibiting in any area or zone the parking of automobiles, trucks, trailers or mobile homes; and

(j) regulating, restricting or prohibiting in any area or zone the location of motel units."

(2) Section 87 of the said Ordinance is further amended by adding thereto the following subsection:

"(5) A by-law passed pursuant to subsection (1) shall not be valid unless prior to the third reading thereof it has been submitted to and approved by the Commissioner."

Commissioner must approve.

28. Section 112 of the said Ordinance is repealed and the following substituted therefor:

"112. The council shall, by by-law prescribe the date for renewal of licences or registrations and shall prescribe the duration of licences and registrations."

Duration of licence.

29. The headings preceding section 121 and subsection (1) of section 121 of the said Ordinance are repealed and the following substituted therefor:

"PART IV.
MUNICIPAL TAXATION.

ESTIMATES.

Clerk shall prepare budget.

120A. The clerk shall prepare an annual budget estimating the expenditures of the municipality for the next ensuing fiscal year and shall present it before the first day of January each year to the council for consideration and approval.

Estimates of expenditure and revenue.

121. (1) The council shall as soon as possible after the first day of January each year prepare a detailed estimate of

- (a) the anticipated expenditures of the municipality for the next ensuing fiscal year, including
 - (i) the sum or sums necessary for municipal purposes to meet debenture instalments and interest payments falling due during the fiscal year.
 - (ii) such sums as may be necessary to meet the ordinary expenditures of the municipality, as determined by the council, and
 - (iii) such sums as may be necessary to meet the expenses of the Board of Health of the municipality and the municipality's share of the cost of providing public health services in the municipality; and
- (b) the anticipated revenues of the municipality for the next ensuing fiscal year derived from sources other than taxation and an estimate of taxes that may reasonably be expected to remain unpaid."

30. The heading preceding section 122, and section 122 of the said Ordinance are repealed and the following substituted therefor:

"121A. A council shall provide for all expenditures of municipal funds by by-law.

Council must provide funds by by-law.

LEVY OF REAL PROPERTY TAX.

122. On or before the first day of March in each year taxes shall be levied by by-laws of the municipality in accordance with this Ordinance at such uniform rate per dollar on the assessed value of all land in the municipality liable to taxation and upon such percentage, not less than fifty percent, of the assessed value of improvements as council deems necessary in order to provide for the raising of revenue of the municipality sufficient to meet the estimated expenditure of the municipality for the next ensuing fiscal year."

Levying of taxes.

30A. Section 135 of the said Ordinance is repealed and the following substituted therefor:

"135. Lands shall be assessed at their fair actual value and in determining the value of land an assessor shall have regard to:—

- (a) the advantages and disadvantages of location,
- (b) the quality of soil,
- (c) the annual rental value that in his opinion the lands are worth for any purpose to which they may reasonably be put,
- (d) the value of¹ any standing timber,
- (e) such matters as the municipal council may by by-law from time to time direct, and
- (f) such other considerations as the assessor may deem proper."

31. Section 136 of the said Ordinance is repealed and the following substituted therefor:

"136. (1) Improvements to lands shall be assessed in accordance with an assessment manual approved by the Commissioner.

Assessment of improvements.

(2) The assessor may, with the approval of the Commissioner, depart from the method of

Idem.

assessment set forth in the manual described in subsection (1) where the disadvantages of location or other circumstances affecting property value justify him so doing.”

32. Subsection (1) of section 138 of the said Ordinance is repealed and the following substituted therefor:

Assessment roll to be forwarded to council.

“138. (1) The assessor shall forward to the council the general assessment roll not later than the first day of September in the fiscal year preceding the fiscal year in which taxes are to be imposed on the assessment.”

33. Sections 146 to 148 of the said Ordinance are repealed and the following substituted therefor:

Court of Revision.

“146. (1) The council shall establish a Court of Revision for the municipality and shall appoint the members thereof who shall hold office during pleasure, but no member of the council and no employee of the municipality shall be a member of the Court of Revision.

At least three members.

(2) Not less than three persons shall be appointed as members of the Court of Revision and the council shall designate one of the members so appointed to be president of the Court.

Oath.

(3) Every member of the Court of Revision shall, before entering upon his duties, take and subscribe the oath or affirmation as set out in Form EA of Schedule C.

Fees.

(4) The council shall, by by-law, prescribe a fee to be paid to members of the Court of Revision, but the fee shall not exceed twenty-five dollars per member for each day the Court sits.

President.

147. (1) The Court shall be presided over by the president or in his absence by a chairman chosen from among the members present.

Clerk.

(2) The clerk of the municipality shall act as the clerk of the Court of Revision and shall record its proceedings and in his absence the Court may appoint another person to act as clerk.

(3) The attendance of all members is required to constitute a quorum and if after twenty minutes delay there is no quorum the Court shall adjourn to meet at the same place and time the next day. Quorum.

(4) If there shall be no quorum at such adjourned meeting the Council shall appoint sufficient new members to enable the Court to proceed with its work.

148. (1) The Court of Revision shall, before the fifteenth day of December in the fiscal year preceding the fiscal year in which taxes are to be imposed on an assessment, commence to hear any complaints respecting the assessment roll at such place in the municipality and at such time as is fixed by the Court and the Court shall give notice thereof. Court shall hear complaints.

(2) A complaint shall be decided by a majority vote of the members of the Court of Revision sitting and, in the event of a tie, the president or person acting as chairman shall have a casting vote. Majority vote.

(3) No person interested, directly or indirectly in any real property in connection with any assessment to which a complaint relates shall act as a member of the Court of Revision hearing and determining the complaint." Interested party shall not hear a complaint.

34. Section 156 of the said Ordinance is repealed and the following substituted therefor:

"156. The Court of Revision may hear all complaints arising out of the general assessment on the same day, or if deemed advisable, adjourn from time to time until all complaints have been heard and determined, but the hearing and determination of all such complaints shall be completed before the first day of January in each year." Adjournment.

35. Paragraph (i) of subsection (2) of section 164 of the said Ordinance is repealed and the following substituted therefor:

"(i) the appeal shall be heard at the time and place appointed therefor, and the hearing thereof may be adjourned from time

to time and judgment thereon may be reserved, but a return of the judgment shall be made to the clerk of the municipality before the first day of February of the fiscal year in which taxes are to be levied on the assessment."

36. Section 168 of the said Ordinance is repealed and the following substituted therefor:

Report to clerk.

"168. After the judge has heard and determined all the appeals, he shall, before the first day of February in each year, make a report to the clerk who shall forthwith make the changes, if any, ordered to be made in the assessment roll in red ink and initial each change and attach a copy of the report to the roll."

37. (1) Subsection (1) of section 174 of the said Ordinance is repealed and the following substituted therefor:

When taxes payable.

"174. (1) All real property taxes levied for any fiscal year shall be deemed to have been imposed and to be due and payable on the first day of April of that fiscal year."

(2) Subsections (4) and (5) of section 174 of the said Ordinance are repealed and the following substituted therefor:

Provision for penalties.

"(4) A municipality may, by by-law, provide that in the event of taxes remaining unpaid after the thirtieth day of April in the fiscal year following the fiscal year in which the taxes are imposed, there shall be added to such unpaid taxes by way of penalty an amount not exceeding one-half of one percent thereof in the next succeeding month, and in each succeeding month thereafter so long as the taxes remain unpaid.

When penalties to be added.

(5) Any penalty imposed in accordance with subsection (4) shall be added to the unpaid taxes in respect of which the penalty was imposed and shall for all purposes form part of the unpaid taxes."

38. Subsection (1) of section 175 of the said Ordinance is repealed and the following substituted therefor:

“175. (1) On or before the last day of February in each year, the clerk shall transmit by mail a demand for payment of the taxes payable under this Ordinance to each person liable therefor whose name appears on the tax roll, or to his agent if the address of the agent has been transmitted to the clerk.”

Demand
for taxes.

39. Section 181 of the said Ordinance is repealed and the following substituted therefor:

“181. (1) The Court of Revision established pursuant to section 146 shall sit before the fifteenth day of December in the fiscal year preceding the fiscal year in which taxes are to be imposed on an assessment to revise the business tax assessment roll of the municipality.

Court of
Revision.

(2) The Court of Revision may hear all complaints arising out of the business assessment on the same day, or if deemed advisable, adjourn from time to time until all complaints have been heard and determined, but the hearing and determination of all such complaints shall be completed before the first day of January in each fiscal year.

Determin-
ation of
complaints.

(3) The provisions of this Ordinance respecting the preparation, revision and adoption of the real property assessment roll and the making of complaints and the taking of appeals in respect thereof are applicable to the business assessment roll of the municipality.”

Procedure
same as real
property
assessment.

40. Subsection (1) of section 183 of the said Ordinance is repealed and the following substituted therefor:

“183. (1) On or before the fifteenth day of March in each fiscal year, the clerk shall transmit by mail a demand for payment of the business tax payable to each person or partnership liable therefor whose name appears on the tax roll, or his agent, if the address of the agent has been transmitted to the clerk.”

Demand for
business tax.

41. Section 185 of the said Ordinance is repealed and the following substituted therefor:

Premises
occupied
part of
year.

“185. (1) Where a person or partnership liable for business tax in a municipality carries on a business, trade or profession and occupies the buildings or premises in respect of which liability has been incurred for only a portion of the fiscal year for which the tax is payable, that person or partnership is liable only for that proportion of the total tax for the fiscal year that the number of days in which the business, trade or profession was carried on and the buildings or premises were occupied is in relation to the whole fiscal year.

Right to
refund.

(2) Where under the circumstances referred to in subsection (1) a person or partnership has paid to the municipality the whole of the tax payable by him for the fiscal year, he is entitled to a refund equal to the amount by which the total tax so paid exceeds the amount thereof for which he is liable as determined under subsection (1).

Additions to
business
assessment
roll.

(3) Any person or partnership that commences to carry on any business, trade or profession and to occupy any buildings or premises in the municipality for the carrying on thereof at any time during a fiscal year after the business assessment roll for that fiscal year has been finally revised and adopted shall be added to the business assessment roll immediately upon such commencement or as soon thereafter as may be possible and shall thereupon become liable, subject to this section, for the full tax for that fiscal year.”

42. (1) Subsection (1) of section 186 of the said Ordinance is repealed and the following substituted therefor:

When
payable.

“186. (1) The business tax levied in and for any fiscal year shall be deemed to have been unpaid and to be due and payable at the time when the name of the person or partnership liable to pay the same is added to the business assessment roll, and shall constitute a debt due to the municipality which may be recovered upon filing with the clerk of the Court a certificate in a form approved by the Commissioner as a judgment of the Court.”

(2) Subsection (3) and (4) of section 186 of the said Ordinance are repealed and the following substituted therefor:

“(3) A municipality may, by by-law, provide that in the event of business taxes remaining unpaid after the thirtieth day of April in the fiscal year following the fiscal year in which the taxes are imposed, there shall be added to such unpaid taxes by way of penalty an amount not exceeding one-half of one percent thereof in the next succeeding month and in each succeeding month thereafter so long as the taxes remain unpaid.”

Provision
for
penalties.

(4) Any penalty imposed in accordance with subsection (3) shall be added to the unpaid taxes in respect of which the penalty was imposed and shall for all purposes form part of the unpaid taxes.”

When
penalties
to be
added.

43. The heading preceding section 189 and sections 189 to 193 of the said Ordinance are repealed.

44. Section 195 of the said Ordinance is repealed and the following substituted therefor:

“195. The school rate to be levied in each municipality shall be set by the Commissioner on or before the last day of February of the fiscal year preceding the fiscal year in which such levy is to be imposed and collected.”

Rate to
be set
annually.

45. Subsection (1) of section 213 of the said Ordinance is repealed and the following substituted therefor:

“213. (1) Where the whole or any portion of the taxes payable in respect of any real property in a municipality remain due and unpaid for more than one year after the first day of May of the fiscal year in which such taxes were imposed, the real property shall, subject to this Ordinance, be sold by the municipality for arrears of taxes accrued and unpaid thereon up to the date of preparation of the tax list referred to in subsection (2).”

46. Section 214 of the said Ordinance is repealed and the following substituted therefor:

Warrant for tax sale.

“214. The mayor or reeve, as the case may be, shall sign the tax list and cause it to be affixed with the seal of the municipality and shall submit the same to the clerk with a warrant under the hand of the mayor or reeve, as the case may be, commanding him to hold a tax sale.”

47. Subsection (2) of section 217 of the said Ordinance is repealed and the following substituted therefor:

Time and place of sale.

“(2) The sale shall take place as advertised not later than the fifteenth day of July at such convenient public place in the municipality as the clerk selects.”

48. Paragraph (a) of section 241 of the said Ordinance is repealed and the following substituted therefor:

“(a) is an undischarged bankrupt, insolvent, surety for any officer or employee of the municipality, indebted to the municipality otherwise than in respect of unpaid taxes upon which a penalty is not due and payable, or judge of any court.”

49. (1) Subsection (2) of section 245 of the said Ordinance is repealed and the following substituted therefor:

Appointment of returning officer.

“(2) Subject to the provisions of this Ordinance, the returning officer shall be responsible for the administration of any election.”

(2) Subsections (4) and (5) of section 245 of the said Ordinance are repealed and the following substituted therefor:

Circumstances in which R.O. can vote.

“(4) Except as provided in subsection (5) and in section 298, a returning officer shall not vote.

Death of R.O.

(5) Where a person appointed by the council to act as a returning officer dies, neglects or refuses to act as such, the clerk shall act as returning officer and shall have all of the powers and perform all of the duties of a returning officer, including the right to cast the deciding vote in the event of a tie even where he may have already cast a vote before having to assume the duties of returning officer.”

50. Section 249 of the said Ordinance is repealed and the following substituted therefor:

“249. The returning officer or a deputy returning officer may appoint and swear in any number of Special constables and interpreters.

- (a) special constables to assist in maintaining the peace and order of an election, or at the voting on a submission, referendum or by-law; and
- (b) interpreters to assist at an election or at the voting on a submission or referendum.”

51. The said Ordinance is further amended by adding thereto, immediately after section 251 thereof, the following section:

“251A. The council shall, by by-law, prescribe the fees that shall be paid to the returning officer and to every deputy returning officer, poll clerk, interpreter and special constable. Fees to election officials.

52. Section 256 of the said Ordinance is repealed and the following substituted therefor:

“256. (1) The council shall establish a Board of Revision for the municipality and shall appoint the members thereof who shall hold office during pleasure, but no member of the council and no employee of the municipality shall be a member of the Board of Revision. Board of Revision.

(2) Not less than three persons shall be appointed as members of the Board of Revision and the council shall designate one of the members so appointed to be president of the Board. Members of Board.

(3) Every member of the Board of Revision shall, before entering upon his duties take and subscribe the oath or affirmation as set out in Form 1A of Schedule C. Oath.

(4) The council shall, by by-law, prescribe a fee to be paid to members of the Board of Revision but the fee shall not exceed twenty-five dollars per member for each day the Board sits. Fees.

President.

256A. (1) The Board shall be presided over by the president or in his absence by a chairman chosen from among the members present.

Clerk.

(2) The clerk of the municipality shall act as the clerk of the Board of Revision and shall record its proceedings and in his absence the Board may appoint another person to act as clerk.

Quorum.

(3) A majority of the members of the Board of Revision constitutes a quorum of the Board and if a quorum is not present the Board shall stand adjourned to the next day not a holiday and from day to day thereafter until there is a quorum.

Sittings of the Board.

(4) The Board of Revision shall sit on the last Wednesday in October of each year, and shall continue to sit from day to day if so required."

53. Subsection (1) of section 259 of the said Ordinance is repealed and the following substituted therefor:

Notice of application for revision.

"259 (1) Any person eligible to vote at an election who wishes to apply for revision of the preliminary list of electors under section 258 may make such application in person to a Board of Revision while the Board is sitting or may, before the last Wednesday of October, leave with the clerk notice in writing of his intention to make such application."

54. Subsection (2) of section 260 of the said Ordinance is repealed and the following substituted therefor:

Notice to person making application, etc.

"(2) The clerk shall give written notice to every person who has given notice of his intention to make an application to the Board of Revision, and to the persons in respect of whom notice of application is made, of the place and time fixed for the sittings of the Board."

55. Subsection (1) of section 262 of the said Ordinance is repealed and the following substituted therefor:

Revised list of electors.

"262. (1) All corrections and revisions made in the preliminary list of electors by the Board of Revision shall be shown thereon in red ink, and the preliminary list of electors so corrected and

revised shall be certified by the Board of Revision as being the revised list of electors for the municipality."

56. The said Ordinance is further amended by adding thereto, immediately after section 270 thereof, the following section:

"270A. (1) The returning officer shall refuse to accept a nomination paper that does not meet the requirements of section 270. R.O. shall not accept invalid nomination paper.

(2) Where the returning officer has refused to accept a nomination paper pursuant to subsection (1), he shall immediately notify the person for whom the nomination paper has been made and return the nomination paper stating the reasons why he has refused to accept it. R.O. must notify proposed candidate of refusal.

(3) A person whose nomination paper has been refused may appeal the refusal to a magistrate who may dismiss the appeal or order the returning officer to accept the nomination paper." Appeal.

57. The said Ordinance is further amended by adding thereto, immediately after section 276 thereof, the following section:

"276A. (1) The returning officer shall furnish to each deputy returning officer, at least two days before polling day, R.O. shall supply materials to D.R.O.

- (a) a sufficient number of ballot papers in the form required by section 279, for at least the number of electors on the official list of electors of the polling station of the deputy returning officer;
- (b) a statement showing the number of ballot papers so supplied, with their serial numbers;
- (c) an adequate supply of printed directions for voting and the materials necessary for electors to mark the ballot papers;
- (d) the revised list of electors for use at his polling station;

- (e) a ballot box ;
- (f) a blank poll book ; and
- (g) the necessary envelopes and such forms and other supplies as may be required by this Ordinance.

D.R.O. shall keep election materials safe.

(2) Until the opening of the poll the Deputy returning officer shall keep the blank poll book, list of electors, envelopes, ballot papers and other election supplies locked in the ballot box and shall take every precaution for their safekeeping and to prevent any person from having unlawful access to them."

58. Section 279 of the said Ordinance is repealed and the following substituted therefor :

Ballot to be alike.

"279. (1) All ballots shall be of the same description and as nearly alike as possible.

Form of ballot paper.

(2) The ballot of each elector shall be a printed paper and shall have a counterfoil and a stub and there shall be a line of perforations between the ballot paper and the counterfoil and between the counterfoil and the stub, the whole as in Form O of Schedule C.

Contents of ballot paper.

- (3) The ballot papers shall
 - (a) have printed thereon the names, addresses and occupations of the candidates alphabetically arranged in the order of their surnames exactly as such names, addresses and occupations are set out in the nomination papers ;
 - (b) be numbered on the back of the stub and the counterfoil, the same number being printed or written on the stub as on the counterfoil ;
 - (c) bear the name of the printer ; and
 - (d) be bound in books containing twenty-five, fifty or one hundred ballots as may be most suitable for supplying the polling stations proportionately to the number of voters in each.

(4) Any candidate may, within one hour after the close of nominations Candidate may change particulars.

- (a) supply in writing to the returning officer any particulars of his address or occupation which he considers to have been insufficiently or inaccurately given in his nomination paper; and
- (b) direct in writing the returning officer to omit any of his given names from the ballot paper or to indicate the same by initial only;

and the returning officer shall comply with any direction pursuant to paragraphs (a) and (b) and include in the ballot paper any additional or corrected particulars.

(5) The printer shall, upon delivering the ballot papers to the returning officer, deliver therewith an affidavit, as in Form P of Schedule C, setting forth Duty of printer.

- (a) the description of the ballot papers printed by him;
- (b) the number of ballot papers supplied to the returning officer; and
- (c) the fact that no other ballot papers have been supplied by him to any other person.

(6) The property in the ballot boxes, ballot papers, envelopes and marking instruments procured for or used in any election shall be in the municipality." Property of ballot boxes in municipality.

59. The said Ordinance is further amended by adding thereto, immediately after section 280 thereof, the following section:

"280A. Any person who campaigns either for himself or on behalf of a candidate in any municipal election in the twenty-four hours preceding the opening of polling stations on election day is guilty of an offence and liable on summary conviction to a fine not exceeding one hundred dollars or to imprisonment for a term not exceeding thirty days or to both such fine and imprisonment." Campaigning not to occur in final twenty-four hours.

60. The said Ordinance is further amended by adding thereto, immediately after section 290 thereof, the following section :

Reasonable time to vote.

“290A. (1) Every employer shall give every employee who is a qualified elector a reasonable time, while the polls are open on polling day at an election, to cast his vote.

No pay deduction or other penalty.

(2) No employer shall make any deduction from the pay of any employee nor impose upon or exact from him any penalty by reason of absence from his work, during a reasonable time, for the purpose of casting his vote.

Penalty.

(3) Any employer or other person who directly or indirectly, refuses, or by intimidation, undue influence or in another way interferes with the granting to any elector in his employ of reasonable time for voting is guilty of an offence and liable on summary conviction to a fine of one hundred dollars or to imprisonment for a term not exceeding thirty days or to both such fine and imprisonment.”

61. Subsection (3) of section 293 of the said Ordinance is repealed and the following substituted therefor :

Certificate of votes in a poll.

“(3) The deputy returning officer shall give to the returning officer, the clerk and each candidate a certificate as in Form S of Schedule C showing the number of votes cast for each candidate and the number of rejected ballot papers at his polling station.”

62. Paragraph (e) of section 294 of the said Ordinance is repealed and the following substituted therefor :

“(e) give the clerk and each candidate a certificate as in Form T of Schedule C showing the total number of votes cast and the number of rejected ballot papers and post a copy of the certificate in the municipal office.”

63. The said Ordinance is further amended by adding thereto, immediately after section 294 thereof, the following section :

"294A. (1) Every candidate, returning officer, deputy returning officer, special constable, interpreter, agent or other person in attendance at a polling station or at the counting of the votes shall maintain and aid in maintaining the secrecy of the voting. Secrecy of voting.

(2) No candidate, returning officer, deputy returning officer, special constable, interpreter, agent or other person shall, Duties of election officials to maintain.

- (a) at the polling station, interfere with or attempt to interfere with an elector when marking his ballot paper, or otherwise attempt to obtain information as to the candidate for whom any elector is about to vote or has voted;
- (b) at the counting of the votes, attempt to ascertain the number on the counterfoil of any ballot paper;
- (c) at any time, communicate any information as to the manner in which any ballot paper has been marked in his presence in the polling station;
- (d) at any time or place, directly or indirectly, induce or endeavour to induce any voter to show his ballot paper after he has marked it so as to make known to any person the name of the candidate for or against whom he has so cast his vote;
- (e) at any time, communicate to any person any information obtained at a polling station as to the candidate for whom any elector at such polling station is about to vote or has voted; or
- (f) at the counting of the votes attempt to obtain any information or communicate any information obtained at such counting as to the candidate for whom any vote is given in any particular ballot paper.

(2) Every person who violates any provision of this section is guilty of an offence and is liable Penalty.

on summary conviction to a fine not exceeding one hundred dollars or to imprisonment for a term not exceeding thirty days or to both such fine and imprisonment."

64. Section 296 of the said Ordinance is amended by adding thereto the following subsection:

Candidate
or agent
shall not
count votes.

"(2) The deputy returning officer shall not appoint or swear in any candidate or agent of a candidate to assist him in counting the votes."

65. Section 312 of the said Ordinance is amended by striking out the word "and" at the end paragraph (p) thereof and by adding thereto the following paragraphs:

- "(r) forges, counterfeits, fraudulently alters, defaces or destroys a ballot paper or the initials of the deputy returning officer signed thereon;
- (s) not being a person entitled under this Ordinance to be in possession of an official ballot paper or of any ballot paper, has such official ballot paper or any ballot paper in his possession;
- (t) being a deputy returning officer fraudulently puts, otherwise than as authorized by this Ordinance, his initials on the back of any paper purporting to be or capable of being used as a ballot paper at an election;
- (u) with fraudulent intent, prints any ballot paper or what purports to be or is capable of being used as a ballot paper at an election;
- (v) being authorized by the returning officer to print the ballot papers for an election, prints without authority more ballot papers than he is authorized to print;
- (w) being a deputy returning officer, places upon any ballot paper, except as authorized by this Ordinance, any writing, number or mark with intent that the

elector to whom such ballot paper is to be or has been given may be identified thereby; or

- (x) attempts to commit any offence specified in this section."

66. (1) Form A to C of Schedule C to the said Ordinance are repealed and the following substituted therefor:

SCHEDULE C.

FORM A
(Section 16C)

OATH OR AFFIRMATION OF OFFICE
(Mayor, Reeve and Aldermen)

I, _____, (Mayor-elect - Reeve-elect - Alderman-elect) for the municipality _____
_____do swear / or affirm

1. That I am a _____ :
(Canadian citizen or British subject)
2. That I am not in any way disqualified from holding the office of _____ :
(mayor, reeve or alderman)
3. That I have not, nor will I have while holding office, any interest, directly or indirectly, in any contract or services connected with the said municipality, except such as I may lawfully have under the provisions of the *Municipal Ordinance*;
4. That I have not, by myself or any other person, knowingly employed any bribery, corruption or intimidation to gain my election;
5. That I will not, without due authority in that behalf, disclose or make known any matter that comes to my knowledge by reason of my office; and
6. That I will faithfully perform the duties of my office, and will not allow any private interest to influence my conduct in public matters.

So help me God.

NOTE: Not used for Affirmation.

MUNICIPAL

FORM B

(Section 16c and 48)

OATH OR AFFIRMATION OF ALLEGIANCE

I, do swear/or affirm that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth the Second, her heirs and successors according to law.

So help me God.

NOTE: Not used for Affirmation.

FORM C

(Section 48)

OATH OR AFFIRMATION OF OFFICE

(Municipal Employee)

I, do swear/or affirm

1. That I will truly, faithfully, impartially and to the best of my knowledge and ability execute the office of to which I have been appointed for the municipality of ;

2. That I have not received any payment or reward or promise of such for the exercise of any partiality, neglect or other undue exercise of the said office;

3. That I have not myself, or on behalf of any other person, either directly or indirectly, any interest in any contract with or on behalf of the said municipality; and

4. That I will not, without due authority in that behalf, disclose or make known any matter that comes to my knowledge by reason of my employment as a municipal employee.

So Help me God.

Note: Not used for Affirmation.

66. (2) Schedule C to the said Ordinance is further amended by adding thereto, immediately after Form E thereof, the following form:

**“FORM EA
(Section 146(3))**

**OATH OR AFFIRMATION OF MEMBER OF
COURT OF REVISION**

I, _____, do solemnly swear/or affirm that I, as a member of the Court of Revision of the municipality of _____ will decide honestly, to the best of my judgment and ability and without fear, favour or partiality the complaints which may be brought before the said Court.

So Help me God.”

Note: Not used for Affirmation.

66. (3) Schedule C to the said Ordinance is further amended by adding thereto, immediately after Form I thereof the following form:

**“FORM IA
(Section 256 (3))**

**OATH OR AFFIRMATION OF MEMBER OF
BOARD OF REVISION**

I, _____, do solemnly swear/or affirm that I, as a member of the Board of Revision of the municipality of _____, will decide honestly, to the best of my judgment and ability and without fear, favour or partiality the applications that may be brought before the said Board.

So Help me God.”

Note: Not used for Affirmation.

66. (4) Forms O and P of Schedule C to the said Ordinance are repealed and the following substituted therefor:

FORM O

(Section 279 (2))

BALLOT PAPER FOR ELECTION OF MAYOR,
REEVE OR ALDERMAN

Front

<p>DOE, William R., Main Street, Whitehorse, Barrister.</p>
<p>DOE, Frank Arthur, Wood Street, Whitehorse, Prospector</p>
<p>DOE, Joseph, Main Street, Whitehorse, Carpenter</p>
<p>DOE, John Thomas, Steel Street, Whitehorse, Trapper.</p>

Back

No. (Line of perforations here.)

No. (Line of perforations here.)

<p>Space for initials of D.R.O.</p>

MUNICIPAL ORDINANCE

19.....

ELECTION OF
(MAYOR, REEVE, ALDERMAN)
(NAME OF MUNICIPALITY)

(Date)

Printed by (*name of printer*
address of printer)

FORM P

(Section 279 (5))

AFFIDAVIT OF PRINTER

I,,
the, of,
(occupation)

....., make oath (or affirm) and say:

1. That I am (Insert "the sole member"
or "one of the members of the firm of" or "the
of the Co. Ltd.", as the case may be.) hereinafter
called "the printer" pending election in the municipal-
ity offor (mayor, reeve, aldermen).

2. That, the number of ballot papers properly
printed and delivered to the said returning officer
was and that no other ballot papers
have been supplied to any other person.

3. That the ballot papers printed and delivered
to the said returning officer were in the form required
by subsection (2) of section 279 of the *Municipal Ordinance*
of the Yukon Territory.

Sworn (*or affirmed*)
before me at,
in the Territory of,
this day of, 19....

Returning Officer
(or as the case may be)

(Signature of Printer)

66. (5) Schedule C to the said Ordinance is further amended by adding thereto, immediately after Form R thereof, the following forms:

FORM S

STATEMENT OF THE POLL AFTER COUNTING THE BALLOTS

(293(3))

Municipality of Polling Station No.....

Number of ballot papers received from the returning officer

Number of ballot papers cast for

“ “ “ “ “ “

“ “ “ “ “ “

“ “ “ “ “ “

“ “ “ “ “ “

“ “ “ “ “ “

“ “ “ “ “ “

Number of *REJECTED ballot papers

(*A REJECTED ballot paper means a ballot paper which has been handed by the deputy returning officer to an elector to cast his vote but which, at the close of the poll, has been found in the ballot box unmarked or so improperly marked that it cannot be counted.)

Total number of ballot papers found in box

Number of unused ballot papers undetached from the books

Number of **SPOILED ballot papers

(**A SPOILED ballot paper means a ballot paper which, on polling day, has not been deposited in the ballot box, but has been found by the deputy returning officer to be soiled or improperly printed, or which has been handed by the deputy returning officer to an elector to cast his vote, and (a) has been spoiled in marking by the elector, and (b) has been handed back to the deputy returning officer and exchanged for another.)

Total	

Number of names on official list electors used at the poll

I hereby certify that the above statement is correct.

Dated at
(Deputy Returning Officer)

this day of, 19.....

FORM T
STATEMENT OF THE POLLS AFTER COUNTING
THE BALLOTS

(294(e))

Municipality of



Number of ballot papers received from the clerk		
Number of ballot papers cast for		
" " " " " "		
" " " " " "		
" " " " " "		
" " " " " "		
" " " " " "		
Number of *REJECTED ballot paper		
(*A REJECTED ballot paper means a ballot paper which has been handed by the deputy returning officer to an elector to cast his vote but which, at the close of the poll, has been found in the ballot box unmarked or so improperly marked that it cannot be counted.)		
<hr/>		
Total number of ballot papers found in boxes		
Number of unused ballot papers undetached from the books		
Number of **SPOILED ballot papers		
(**A SPOILED ballot paper means a ballot paper which, on polling day, has not been deposited in the ballot box, but has been found by the deputy returning officer to be soiled or improperly printed, or which has been handed by the deputy returning officer to an elector to cast his vote, and (a) has been spoiled in marking by the elector, and (b) has been handed back to the deputy returning officer and exchanged for another.)		
Total		

Number of names on official list of
electors used at the polls

I hereby certify that the above
statement is correct.

Dated at

Returning Officer.

this day of, 19.....

CHAPTER 7

ORDINANCES OF THE YUKON TERRITORY

1966 (First Session)

AN ORDINANCE TO AMEND THE LOW COST
HOUSING ORDINANCE

(Assented to May 12th, 1966)

O.Y.T.
1962 (1st)
c.1.
1963 (1st)
c.8.

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

1. Paragraph (c) of subsection (3) of section 3 of the *Low Cost Housing Ordinance* is repealed and the following substituted therefor:

“(C) bear interest at a rate of seven and three-quarters per cent per annum.”

CHAPTER 8

ORDINANCES OF THE YUKON TERRITORY

1966 (First Session)

AN ORDINANCE TO AMEND THE
ELECTIONS ORDINANCE*(Assented to May 12th, 1966)*

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

R.O.Y.T.
1958, c.34;
1960 (3rd)
c.4.

Section 8 of the *Elections Ordinance* is repealed and the following substituted therefor:

- "8. (1) Subject to section 9, any person who is qualified to vote at an election is eligible to be nominated and elected as a member of the Council for an electoral district notwithstanding he or she is not ordinarily resident in that electoral district.
- (2) No person may be nominated as a candidate for election in more than one electoral district at the same election."

CHAPTER 9

ORDINANCES OF THE YUKON TERRITORY

1966 (First Session)

AN ORDINANCE TO AMEND THE YUKON
HOUSING ORDINANCE

(Assented to May 12th, 1966)

O.Y.T.
1961 (2nd)
c.3;
1962 (1st)
c.12;
1964 (1st)
c.2.

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

1. Paragraph (b) of subsection (3) of section 3 of the *Yukon Housing Ordinance* is repealed and the following substituted therefor:-

“(b) bear interest at a rate of seven and three-quarters per cent per annum;”

CHAPTER 10

ORDINANCES OF THE YUKON TERRITORY

1966 (First Session)

AN ORDINANCE TO AMEND THE
COMPANIES ORDINANCE*(Assented to May 12th, 1966)*

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

R.O.Y.T.
1958, c.19;
1962 (1st)
c.18;
1964 (2nd)
c.11.

1. Section 130 of the *Companies Ordinance* is hereby amended by the addition thereto of the following:

“130. (4) Where a private company

- (i) has more than 50 members, exclusive of persons who are in the employment of the company; or
- (ii) offers an invitation to the public to subscribe for any shares or debenture of the company,

every director or officer of the company knowingly contravening, permitting or authorizing such act is, without prejudice to any other liability, liable to a fine not exceeding Two Hundred and Fifty Dollars for every day during which the contravention continues.”

CHAPTER 11

ORDINANCES OF THE YUKON TERRITORY

1966 (First Session)

AN ORDINANCE TO REPEAL THE LOAN
AGREEMENT ORDINANCE 1961 No. 1

(Assented to May 12th, 1966)

O.Y.T.
1961 (2nd)
c.2.

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

1. The *Loan Agreement Ordinance 1961 No. 1* is hereby repealed.
-

CHAPTER 12

ORDINANCES OF THE YUKON TERRITORY

1966 (First Session)

AN ORDINANCE TO REPEAL THE WHITEHORSE
LAND SALE AND LOAN ORDINANCE (1961)

(Assented to May 12th, 1966)

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

O.Y.T.
1961 (2nd)
c.1.

1. The *Whitehorse Land Sale and Loan Ordinance (1961)* is hereby repealed.

CHAPTER 13

ORDINANCES OF THE YUKON TERRITORY

1966 (First Session)

AN ORDINANCE FOR GRANTING TO THE COMMISSIONER CERTAIN SUMS OF MONEY TO DEFRAY THE EXPENSES OF THE PUBLIC SERVICE OF THE TERRITORY

(Assented to March 18th, 1966)

WHEREAS it appears by message from Gordon Robertson Cameron, Esq., Commissioner of the Yukon Territory, and in the estimates accompanying the same, that the sums hereinafter mentioned in Schedule "A" of this Ordinance are required to defray certain expenses of the Public Service of the Yukon Territory and for the purposes relating thereto, for the one month ending 30th April, 1966.

Therefore the Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

Short title.

1. This Ordinance may be cited as the *Interim Supply Appropriation Ordinance—1966*.

Amount Granted.

2. From and out of the Yukon Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole nine hundred and thirty-four thousand, one hundred and twenty-nine dollars for defraying the several charges and expenses of the public Service of the Yukon Territory for the one month ending 30th April, 1966, as set forth in Schedule "A" of this Ordinance and such sum shall be paid and applied only in accordance with the votes and items of the estimates upon which this schedule is based.

Monies to be accounted for.

3. The due application of all monies expended pursuant to Section 2 shall be accounted for.

SCHEDULE "A".

Yukon Council	\$ 3,680.00
Territorial Treasurer and Collector of Taxes..	22,382.00
Education	175,260.00

INTERIM SUPPLY APPROPRIATION - 1966

CHAP. 13

Territorial Secretary and Tax Assessor	7,220.00
Health	29,453.00
Municipal and Area Development	
Administration	34,930.00
Game	3,167.00
General	49,670.00
Roads, Bridges and Public Works	168,419.00
Vocational Training	32,512.00
Yukon Hospital Insurance Service	59,064.00
Travel and Publicity	8,942.00
Yukon Regional Library	6,265.00
Welfare	49,903.00
Public Administrator	1,187.00
Capital-Project and Loan	215,035.00
Loan Amortization	67,040.00
	<u>\$934,129.00</u>

CHAPTER 14

ORDINANCES OF THE YUKON TERRITORY

1966 (First Session)

AN ORDINANCE FOR GRANTING TO THE
 COMMISSIONER CERTAIN SUMS OF MONEY
 TO DEFRAY THE EXPENSES OF THE
 PUBLIC SERVICE OF THE TERRITORY

(Assented to April 22nd, 1966)

WHEREAS it appears by message from Gordon Robertson Cameron, Esq., Commissioner of the Yukon Territory, and in the estimates accompanying the same, that the sums hereinafter mentioned in Schedule "A" of this Ordinance are required to defray certain expenses of the Public Service of the Yukon Territory and for the purposes relating thereto, for the one month ending 31st May, 1966.

Therefore the Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory enacts as follows:

- | | |
|-----------------------------|---|
| Short title. | 1. This Ordinance may be cited as the <i>Interim Supply Appropriation Ordinance No. 2 - 1966</i> . |
| Amount Granted. | 2. From and out of the Yukon Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole nine hundred and thirty-four thousand, one hundred and twenty-nine dollars for defraying the several charges and expenses of the Public Service of the Yukon Territory for the one month ending 31st May, 1966, as set forth in Schedule "A" of this Ordinance and such sum shall be paid and applied only in accordance with the votes and items of the estimates upon which this schedule is based. |
| Monies to be accounted for. | 3. The due application of all monies expended pursuant to Section 2 shall be accounted for. |

SCHEDULE "A"

Yukon Council	\$ 3,680.00
Territorial Treasurer and Collector of Taxes..	22,382.00
Education	175,260.00
Territorial Secretary and Tax Assessor	7,220.00
Health	29,453.00
Municipal and Area Development	
Administration	34,930.00
Game	3,167.00
General	49,670.00
Roads, Bridges and Public Works	168,419.00
Vocational Training	32,512.00
Yukon Hospital Insurance Service	59,064.00
Travel and Publicity	8,942.00
Yukon Regional Library	6,265.00
Welfare	49,903.00
Public Administrator	1,187.00
Capital - Project and Loan	215,035.00
Loan Amortization	67,040.00
	<u>\$934,129.00</u>

CHAPTER 15

ORDINANCES OF THE YUKON TERRITORY

1966 (First Session)

AN ORDINANCE FOR GRANTING TO THE
COMMISSIONER CERTAIN SUMS OF MONEY
TO DEFRAY THE EXPENSES OF THE
PUBLIC SERVICE OF THE TERRITORY

(Assented to March 18th, 1966)

WHEREAS it appears by message from Gordon Robertson Cameron, Esq., Commissioner of the Yukon Territory, and in the estimates accompanying the same, that the sums hereinafter mentioned in Schedule "A" of this Ordinance are required to defray certain expenses of the Public Service of the Yukon Territory and for the purpose relating thereto, for the twelve months ending March 31, 1967.

Therefore, the Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

- | | |
|-----------------------------|---|
| Short title. | 1. This Ordinance may be cited as the <i>First Appropriation Ordinance 1966-67</i> . |
| Amount Granted. | 2. From and out of the Yukon Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole six hundred and sixty-three thousand, two hundred and eighty dollars for defraying the several charges and expenses of the Public Service of the Yukon Territory for the twelve months ending March 31, 1967, as set forth in Schedule "A" of this Ordinance and such sum shall be paid and applied only in accordance with the votes and items of the estimates upon which this schedule is based. |
| Monies to be accounted for. | 3. The due application of all monies expended pursuant to Section 2 shall be accounted for. |

SCHEDULE "A".

Capital-Project	\$663,280.00
	<u> </u>

CHAPTER 16

ORDINANCES OF THE YUKON TERRITORY
1966 (First Session)

AN ORDINANCE FOR GRANTING TO THE
COMMISSIONER CERTAIN SUMS OF MONEY
TO DEFRAY THE EXPENSES OF THE
PUBLIC SERVICE OF THE TERRITORY

(Assented to May 12th, 1966)

WHEREAS it appears by message from Gordon Robertson Cameron, Esq., Commissioner of the Yukon Territory, and in the estimates accompanying the same, that the sums hereinafter mentioned in Schedule "A" of this Ordinance are required to defray certain expenses of the Public Service of the Yukon Territory and for the purpose relating thereto, for the twelve months ending March 31, 1967.

Therefore, the Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

1. This Ordinance may be cited as the *Second Appropriation Ordinance 1966-67.* Short title.

2. From and out of the Yukon Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole eleven million, six hundred and sixty-four thousand, four hundred and ninety-one dollars and thirty-seven cents for defraying the several charges and expenses of the Public Service of the Yukon Territory for the twelve months ending March 31, 1967, as set forth in Schedule "A" of this Ordinance and such sum shall be paid and applied only in accordance with the votes and items of the estimates upon which this schedule is based. Amount Granted.

3. The due application of all monies expended pursuant to Section 2 shall be accounted for. Monies to be accounted for.

SCHEDULE "A".

Yukon Council	\$ 44,152.00
Territorial Treasurer and Collector of Taxes	268,581.00
Education	2,103,120.00
Territorial Secretary and Tax Assessor	86,654.00
Health	353,433.00
Municipal and Area Development Administration	419,154.00
Game	38,007.00
General	596,031.00
Roads, Bridges and Public Works	2,021,032.00
Vocational Training	390,140.00
Yukon Hospital Insurance Service	708,764.00
Travel and Publicity	107,309.00
Yukon Regional Library	75,177.00
Welfare	598,839.00
Public Administrator	14,246.00
Department of Corrections	506,362.00
Capital - Project and Loan	2,529,002.00
Loan Amortization	804,488.37
	<hr/>
	\$ 11,664,491.37
	<hr/> <hr/>

**TABLE OF PUBLIC ORDINANCES
OF THE YUKON TERRITORY**

1958 to 1966 (First Session)

Showing all the chapters of the Revised Ordinances 1958 with amendments thereto up to and including 1966 (First Session).

SUBJECT MATTER	R.O. 1958 Chapter No.	AMENDMENTS
Adoption	1	
Agisters and Livery Stable Keepers	2	
Amusement Tax	3	
Annual Vacations	4	
Annuity Plan	5	
Apprentice Training	new	1964 (2nd) c.1
Arbitration	6	
Area Development	7	1963 (2nd) c.8-s.4
Assignment of Book Debts	8	
Bills of Sale	9	1964 (1st) c.5-s.5; 35
Blasting	10	
Bulk Sales	11	
Business Licence	12	1960 (1st) c.7-s.5(2); 9(2) added 1961 (1st) c.3-s.15 added Sched. 1962 (1st) c.11
Cancer Diagnosis & Treatment	new	
Cemeteries	13	
Change of Name	14	
Chiropractic	15	
Choses in Action	16	
Citizenship Instruction Agreement	17	
City Frontage Tax (Whitehorse)	new	1960 (1st) c.3
City Frontage Tax (Dawson)	new	1964 (1st) c.1
Collection	18	
Companies	19	1962 (1st) c.13-s.298(3) 1964 (2nd) c.11-s.97A added; 101; 106; 111A added. 1966 (1st) c.10-s.130(4)
Conditional Sales	20	1964 (2nd) c.9-s.2(ba) added; 2(g) added; 3(1)(2); 3(4)(5); 3A added; 7(1); 8; 12; 14; 14A added; 16 & 17 added.
Contributory Negligence	21	
Controverted Elections	22	
Co-operative Associations	23	
Cornea Transplant	new	1962 (5) c.2
Coroners	24	
Corporation Securities	new	1963 (1st) c.3 1963 (2nd) c.6-s.13
Credit Unions	25	1965 (2nd) c.2-s.3
Credit Relief	26	
Curfew	27	
Dawson City Sewage Disposal System Sale	new	1963 (2nd) c.10-s.4 1966 (1st) c.4

TABLE OF PUBLIC ORDINANCES

SUBJECT MATTER	R.O. 1958 Chapter No.	AMENDMENTS
Defamation	28	
Dental Profession	29	1964 (2nd) c.10-s.22A, 22B added; 23, 25, 26, 27 added.
Dependents Relief	new	1962 (1st) c.9
Devolution of Real Property	30	
Disabled Persons Allowance	31	1962 (1st) c.16-s.3.(1); 4(a) 1964 (1st) c.4-s.3(1); 4(a)
Distress	32	
Dog	33	
Elections	34	1960 (3rd) c.4-s.4; 5(b)(c); 8 Sched.
Employment Agencies	35	1966 (1st) c.8-s.8
Engineering Profession	36	1961 (1st) c.8-s.2(bb)(i) added; 8; 12(i)(d)(e)(f); 12(2'(3)(4) (5); 13; 14(1); 16; 17(1) (2); 18; 20; 22; 25(2) added; 26(1)(3);31;32. 1963 (1st) c.7-s.17A added. 1965 (1st) c.2-s.12
Evidence	37	1965 (2nd) c.4-s.68
Exemptions	38	
Factors	39	
Fair Practices	new	1963 (2nd) c.3
Fatal Accidents	40	
Ferries	41	
Financial Administration	42	1963 (1st) c.10-s.21 1964 (2nd) c.7-s.29; 30; 30A added.
Financial Agreement	43	
Financial Agreement 1962	new	1962 (1st) c.4
Fire Investigation	44	Repealed by 1962 (5th) c.3
Fire Prevention	45	Repealed by 1962 (5th) c.3
Fire Prevention	new	1962 (5th) c.3
Fitness & Amateur Sport	new	1962 (5th) c.1
Floral Emblem	46	
Forest Protection	47	1963 (1st) c.11-s.11; 16(1)(a) 1st of July 1963.
Franchises:		
Mayo Utilities — Telephone		1952 (1st) c.6-1953 (1st) c.11- s.1; 2.
Electrical—Whitehorse		1954 (2nd) c.2
" Haines Junction		1958 (1st) c.13
" Watson Lake		1959 (2nd) c.3
" Carcross		1960 (3rd) c.1-1964 (2nd) c.5-s.2 added.
" Carmacks		1961 (1st) c.1-1964 (2nd) c.4-s.2 added.
" Teslin		1963 (1st) c.1-1963 (2nd) c.11-s.2; 3 added. 1964 (1st) c.13 Assent Reserved.
Frustrated Contracts	48	
Fuel Oil Tax	new	1962 (1st) c.6 1962 (5th) c.15-s.3

TABLE OF PUBLIC ORDINANCES

SUBJECT MATTER	R.O. 1958 Chapter No.	AMENDMENTS
Fuel Oil Tax (cont'd)		1964 (2nd) c.6-s.3(3); (3a) added.
Fur Export	49	1961 (2nd) c.11-Sched.A.
Game	50	1959 (1st) c.3-s.2(1); 8; 9A & 9B added; 14A added; 25(2); 27(1); 34(1); 36; 42(2); 49(1); 74(3)(4)(5); 81(b) 1959 (2nd) c.4-s.39(1) 1961 (2nd) c.10-s.78(3)(4) added; Sched. A; 9A added. 1964 (1st) c.10-Sched. A 1965 (1st) c.5-s.42
Garage Keepers	51	
Garnishee	51	1965 (2nd) c.1-s.17
Hospital Aid	53	Repealed by 1959 (1st) c.1
Hospital	new	1959 (1st) c.1 1960 (1st) c.4-s.2(b); 6. Repealed 1964 (2nd) c.13
Hotel Keepers	54	
Illegitimate Children	55	
Immunity of Members	new	1966 (1st) c.1
Insane Persons	56	
Insurance	57	1959 (1st) c.4-Part 111 repealed 1962 (5th) c.7-s.48 1963 (2nd) c.5-s.131A added
Interpretation	58	1959 (1st) c.5-s.37 added
Intestate Succession	59	1962 (1st) c.19-s.5 1965 (2nd) c.7-s.3; Part II added
Judicature	60	1960 (3rd) c.5-s.14; 51(1) 1961 (1st) c.7-s.51(1) 1964 (2nd) c.8-s.17(a); 37
Jury	61	1961 (3rd) c.1-s.9; 14(5); 19(2)
Labour Provision	62	1961 (3rd) c.3-s.3A added 1962 (1st) c.15-s.4;6 1962 (5th) c.9-s.10; 11 added 1963 (2nd) c.12-s.7
Landlord and Tenant	63	
Legal Profession	64	1962 (1st) c.14-s.26 added 1965 (1st) c.1
Legal Profession Accounts	new	
Legitimation	65	
Limitation of Actions	66	
Liquor	67	1959 (1st) c.6-s.12(1); 30(1); 30(3); 76(3) added 1961 (2nd) c.6-s.37(1) 1962 (1st) c.18-s.2(1)y; 9; 12A; 12B; 12C; 12D; 12E added, 12(2); 15(9)(10)(11)(13) added; 50(2); 31(1)(a)(b)(c); 31(2); 37(2); 76; 77.

TABLE OF PUBLIC ORDINANCES

SUBJECT MATTER	R.O. 1958 Chapter No.	AMENDMENTS
Liquor (cont'd)		1962 (5th) c.11-s.12A(1) 1962 (5th) c.14-s.8(2) 1963 (1st) c.9-s.12A(7)(9); 12B(7); 12D(4); 15. 1963 (1st) c.12-s.45 1964 (1st) c.12-s.7A added; 8; 9; 12; 12B; 12D; 14A added; 20; 31. 1965 1st)c.6-s.2(1); 9; 12(2); 12A(1)(2)(5)(9); 12B(1) (2)(5)(6)(9); 12C; 12D(3); 23; 24; 25; 29(3); 31; 45(2)(b); 48; 50(4); 51(2); 52A added 77 (6); 86(1)(e); 86(1)(f) added; Schedule. 1965 (2nd) c.3-s.9; 12C added; 19(1)(b); 24; 25; 31(1); 31(7); 34(3); 39; 86(1)(bb); 52A.
Loan Agreement (1961) No. 1	new	1961 (2nd) c.2 Repealed 1966 (1st) c.12
Loan Agreement (1961) No. 2	new	1961(2nd) c.4
Loan Agreement (1961)	new	1961 (3rd) c.4
Loan Agreement (1962) No. 1	new	1962 (1st) c.2
Local Improvement District		1965 2nd) c.1
Low Cost Housing	new	1962 (1st) c.1 1963 (1st) c.8-s.2; 3(2)(a); 3(2)(c); 3(3)(a); 3(3)(d); 4(1)(a) added 1966 (1st) c.7-s.3(3)(c)
Low Rental Housing Agreement	new	1962 (1st) c.3 1963 (1st) c.13 1963 (1st) c.13 Repealed
Lords Day (Yukon)	new	1962 (1st) c.8
Maintenance	68	
Marriage	69	
Married Womens Property	70	
Masters and Servants	71	Repealed (1963) (2nd) c.2
Mayo Seaplane Base Agreement	new	1963 (2nd) c.4
Mechanics Lien	72	
Medical Profession	73	
Miner's Lien	74	1963 (2nd) c.7-s.4; 7A added. 1964 (1st) c.11-s.7A
Mining Safety	75	
Motion Picture	76	
Motor Vehicles	77	1960 (3rd) c.3-s.5(2); 6(3)(6) (11)(12); 7(2); 8(1); 11(3); 13(c); 14(2); 15(2)(4); 19(1) (2); 22(1)(2)(6)(8); 27(2)(3) added; 29; 34(1); 34(3) added; 41(1)(4); 49A; 49B added; 138A added 163(2); Sched. A & B. 1961 (1st) c.5-s.2; 49B 1961 (2nd) c.7-s.76(2) 1962 (1st) c. 21-s.22(3); 22 (6) (7); s.3 of Sched. A. 1962 (5th) c.8-Sched. A 1 & 2 1963 (2nd) c.9-s.8; 25; 76; Sched. A

TABLE OF PUBLIC ORDINANCES

SUBJECT MATTER	R.O. 1958 Chapter No.	AMENDMENTS
Motor Vehicles (cont'd)		1964 (1st) c.9-s.151A added; 1965 (2nd) c.5-s.14(s); 20; 24(e); 25(4)(76)(3); 147(2); 151B added; 164
Motor Vehicle Fuel Tax	78	Repealed by 1962 (1st) c.6
Municipal	79	Repealed by 1959 (2nd) c.1
	new	1959 (2nd) c.1 1960 (1st) c.6-s.99(aa) added; 288; Sched. B(d); Sched. B(g) added 1961 (1st) c.6-s.109; 124(3); 133; 144; 238(b) 1961 (2nd) c.5-s.71(3) 1961 (2nd) c.9-s.122; 194 1961 (3rd) c.2-s.194 1962 (1st) c.22-s.194; 195; 228(1); 240. 1962 (5th) c.10-s.34; 118; 194 1962 (5th) c.13-s.97A added; 121. 1962 (5th) c.16-s.240(1) 1963 (1st) c.5-s.240 1964 (1st) c.8-s.232 1964 (2nd) c.12-s.194; 155 1966 (1st) c.6-s.2(d)(da)(db) added; (fa) added; (i)(j); (na) added; (q) added. 5; 5B; 5C; 5D; 7(2)(b)9A added 10; 11(1); 12(1); 12A added; 15; 16; 16A; 16B; 16C; 20(1); 22(1); 24(2); 25; 26; 27; 28(2); 29; 30; 31; 33(1) (2); 35(f); 37(f); 39(1); 43(1) (f); 43(2); 53; 62; 63(1); 71(2); 87(1)(i)(j)87(5); 112; 120A added; 121(1); 121A; 122; 135; 136; 138(1); 146; 147; 148; 156; 164(2)(i); 168; 174(1)(4)(5); 175(1); 181; 183(1); 185; 186(1)(3) (4); 189 to 193; 195; 213(1); 214; 217(2)241(a); 245(2) (4)(5); 249; 251A added; 256; 259(1); 260(2); 262 (1) 270A added; 276A added; 279; 280A added; 290A added; 293(3); 294(e); 294A added; 296(2); 312(r) (s)(t)(u)(v)(w)(x) Schedule C.
Newspaper	80	
Noise Prevention	81	
Old Age Assistance and Blind Persons Allowance	82	1961 (1st) c.2-s.4(c) 1962 (1st) c.17-s.3(1)(2); 4(a)(b) 1964 (1st) c.3-s.3(1)(2); 4(a)(b)

TABLE OF PUBLIC ORDINANCES

SUBJECT MATTER	R.O. 1958 Chapter No.	AMENDMENTS
Optometry	83	
Partnership	84	
Pawn Brokers and Second Hand Dealers	85	
Petroleum Products	86	
Pharmaceutical Chemists	87	
Police Magistrate's Courts	88	
Poll Tax	89	Repealed 1962 (1st) c.5
Pounds	90	
Presumption of Death	new	1962 (5th) c.5
Protection of Children	91	
Public Health	92	1959 (1st) c.8-s.2(g); 2(w) 3(x) added; Part II; 14; 17. 1961 (1st) c.9-Sched. A 1962 (5th) c.12-s.3; 5; 6; 7; 8; 9; 10; 10A; 10B; Heading before II.
Public Printing	93	
Public Service	94	1962 (1st) c.20-s.11; 12 1962 (1st) c.23-s.18(1)(2)(3) (4) 1964 (1st) c.6-s.19
Reciprocal Enforcement of Judgments	95	
Reciprocal Enforcement of Maintenance Orders	96	
Recording of Evidence by Sound	new	1963 (2nd)c.1
Royal Canadian Mounted Police Agreement	new	1964 (2nd) c.2
Scale of Certain Lands (Whitehorse)	new	1960 (1st) c.1
Sale of Goods	97	
Saw Logs Driving	98	
School	99	Repealed by 1962 (1st) c.7
	new	1962 (1st) c.7 1964 (1st) c.7-s.88 1965 (1st) c.3-s.88A added 1966 (1st) c.5-s.93(d)(e)
Scientists and Explorers	100	
Securities	new	1966 (1st) c.2
Societies	101	
Steam Boilers	102	
Survivorship	new	1962 (5th) c.4
Taxation	103	Repealed by 1959 (2nd) c.2
	new	1959 (2nd) c.2 1960 (1st) c.5s.3(f) 1961 (1st) c.4-s.2(g); 3(f) 3(j) added 1963 (1st) c.6-s.73(b)
Tenants in Common	104	
Territorial Employee Superannuation	new	1963 (1st) c.4
Trustee	105	
Unemployment Assistance Agreement	new	1959 (1st) c.2
Variation of Trusts	new	1962 (5th) c.6
Vital Statistics	106	1964 (2nd) c.3-s.28(1); 46(8) Sched.
Vocational Training Agreement	107	
Wages Recovery	new	1963 (2nd) c.2
Warehousemen's Lien	108	
Whitehorse Land Sale and Loan (1961)	new	1961 (2nd) c.1 Repealed 1966 (1st) c.12
Wills	109	
Woodmen's Lien	110	

TABLE OF PUBLIC ORDINANCES

SUBJECT MATTER	R.O. 1958 Chapter No.	AMENDMENTS
Workmen's Compensation	111	1959 (1st) c.9-s.13(1) 1961 (2nd) c.8-s.25(1)(a)(d) (e); 25(ea) added; (f) 1965 (1st) c.4-s.3A added
Yukon Hospital Insurance Services	new	1960 (1st) c.2
Yukon Housing (1961)	new	1961 (2nd) c.3 1962 (1st) c.12-s.3(3)(b) 1964 (1st) c.2-s.3(3)(b) 1965 (1st) c.8-s.5; 6 1966 (1st) c.9-s.3(3)(b)
Yukon Labour (Minimum Wages)	new	1966 (1st) c.3
Yukon Lands	112	
Yukon Social Services Society	new	1962 (1st) c.10



ORDINANCES
OF THE
YUKON TERRITORY

PASSED BY THE
YUKON COUNCIL

IN THE YEAR
1966
SECOND SESSION

J. SMITH
COMMISSIONER

Printed and Published for the Government of Yukon Territory under
Authority of Chapter 93 of the Consolidated Ordinances of 1958.

BY

H. J. TAYLOR, Queen's Printer



ORDINANCES
OF THE
YUKON TERRITORY

PASSED BY THE
YUKON COUNCIL

IN THE YEAR
1966
SECOND SESSION

INDEX

1966 (SECOND SESSION)

Chap.		Page
1.	An Ordinance Respecting Compensation To Be Paid As A Result Of Injuries Or Death Caused To Workmen In The Course Of Their Employment	1
2.	An Ordinance Respecting Territorial Gaols	51
3.	An Ordinance Respecting Civil Measures To Be Taken In The Yukon Territory To Deal With Any Peacetime Or War Emergency	52
4.	An Ordinance To Authorize The Commissioner To Lend Money To The City Of Whitehorse For The Construction Of Municipal Works	57
5.	An Ordinance To Amend The Companies Ordinance	61
6.	An Ordinance To Amend The Taxation Ordinance	62
7.	An Ordinance To Amend The Municipal Ordinance	64
8.	An Ordinance To Amend The Liquor Ordinance	66
9.	An Ordinance To Amend The School Ordinance	68
10.	An Ordinance To Amend The Coroners Ordinance	70
11.	An Ordinance To Amend The Low Cost Housing Ordinance	71
12.	An Ordinance To Amend The Fire Prevention Ordinance	72
13.	An Ordinance To Amend The Motor Vehicles Ordinance	73
14.	An Ordinance To Amend The Vital Statistics Ordinance	74
15.	An Ordinance to Amend The Recording of Evidence By Sound Apparatus Ordinance	76

CHAPTER 1

ORDINANCES OF THE YUKON TERRITORY

1966 (Second Session)

AN ORDINANCE RESPECTING COMPENSATION
TO BE PAID AS A RESULT OF INJURIES
OR DEATH CAUSED TO WORKMEN IN
THE COURSE OF THEIR EMPLOYMENT

(Assented to December 2, 1966)

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

SHORT TITLE.

1. This Ordinance may be cited as the *Workmen's Compensation Ordinance*. Short Title.

INTERPRETATION.

2. In this Ordinance, Definitions.
- (a) "Accident" includes, Accident.
- (i) a fortuitous event occasioned by a physical or or natural cause,
 - (ii) an event occasioned by a wilful and intentional act, or
 - (iii) the contraction of a disease caused by the conditions in a place where an industrial process, trade or occupation is carried on, if the fortuitous event, event or contraction of a disease arises out of and in the course of the employment of a workman;
- (b) "child" in respect of a workman includes Child.
- (i) an illegitimate child of the workman,
 - (ii) a child (including an illegitimate child) of any child of the workman,
 - (iii) a child by a former marriage of the spouse of the workman, and

- (iv) any person to whom the workman stands *in loco parentis*;
- Compensation. (c) "compensation" includes expenses relating to the provision of medical aid;
- Dependant. (d) "dependent" in respect of a workman means a member of the family of the workmen who is wholly or partially dependant on the workman's earnings for the ordinary necessities of life or who, but for the workman's incapacity due to an accident, would have been so dependant, and a reference to a dependant spouse, child or other member of a workman's family who is a dependant of the workman;
- Employer. (e) "employer" includes
- (i) every person having in his employment one or more workmen, and
 - (ii) the Government of the Yukon Territory, and,
 - (iii) in respect of a workman who is injured, disabled or dies as a result of an accident, means the employer by whom the workman was employed at the time of the accident;
- Employment. (f) "employment" means employment in an industry or in any part thereof;
- Industry. (g) "industry" includes every establishment, undertaking, trade or business in or being carried on in the Territory;
- Injury. (h) "injury" means personal injury;
- Insurer. (i) "insurer" means an insurer approved by the Commissioner;
- Invalid. (j) "invalid" means a person who is physically or mentally incapable of earning his living;
- Learner. (k) "learner" means any person who, although not under a contract of service or apprenticeship, becomes subject to the hazards of an industry in the course of undergoing training or probationary work as a preliminary to employment;
- Medical aid. (l) "medical aid" includes medical, surgical, and other services provided by a medical practitioner while

practising as such, nursing services, hospital services, drugs, dressings, x-ray treatment, special treatment, transportation for an injured workman and such other things as the employer or referee may authorize or provide as medical aid for an injured workman;

- (m) "medical practitioner" means a person who is authorized by law to practise medicine in the place where he is so practising and includes a person skilled in the art of healing who is authorized by law to practise the art of healing in the place where he is so practising; Medical Practitioner.
- (n) "member of a family" in respect of a workman means the workman's spouse, parent, grandparent, step-parent, child, grandchild, step-child, brother, sister, half-brother, half-sister, and a person who stands *in loco parentis* to the workman or to whom the workman stands *in loco parentis* (whether or not there is any degree of consanguinity between such person and the workman), and includes an illegitimate grandchild of the workman and the parents and grandparents of a workman who is an illegitimate child; Member of a family.
- (o) "mine rescue work" includes the repair of the equipment necessary for and the training necessary for such work; Mine Rescue Work.
- (p) "outworker" means a person to whom articles or materials are given to be made up, cleaned, washed altered, ornamented, finished, repaired or adapted for use or sale at his own home or at other premises not under the control or management of the person who gave him the articles or materials; Outworker.
- (q) "payroll" in respect of an employer means Payroll.
- (i) the total remuneration earned in a year, in the course of their employment with the employer in any industry not excepted or exempted from the application of subsection (1) of section 4, by all workmen employed by the employer in the Territory in the year, except workmen described in paragraphs (c) to (j) of subsection (1) of section 9,

minus

(ii) where the total remuneration earned in the year by any workman whose remuneration is required to be included for the purposes of subparagraph (i) exceeds five thousand six hundred dollars, the total of the amounts of such excesses for each such workman;

Permanent total disability.

- (r) "permanent total disability" includes
- (i) total and permanent loss of the sight of both eyes,
 - (ii) the loss of both feet at or above the ankle,
 - (iii) the loss of both hands at or above the wrist,
 - (iv) the loss of one hand at or above the wrist and one foot at or above the ankle.
 - (v) any injury to the spine resulting in permanent and complete paralysis of legs or arms or of one leg and one arm, and
 - (vi) any injury to the skull resulting in an incurable incapacitating mental disorder;

Prescribed.

(s) "prescribed" means prescribed by regulation;

Referee.

(t) "referee" means the person appointed as referee pursuant to section 12;

Regulation.

(u) "regulation" means a regulation made by the Commissioner;

Remuneration.

(v) "remuneration" includes salary, wages, commissions, tips, earnings for overtime, piece work and contract work, bonuses and allowances, the cash equivalent of board and lodging, store certificates, credits and any substitute for money;

Silicosis.

(w) "silicosis" means a fibrotic condition of the lungs of a workman

(i) caused by dust containing silica, and

(ii) evidenced by specific x-ray appearances or by the results of other scientific tests or examinations,

that has resulted in a substantially lessened capacity for work by the workman; and

- (x) "workman" means an individual who performs services for an employer under an express or implied contract of service or apprenticeship, and includes Workman.
- (i) any person engaged in training for mine rescue work and any person who, with the consent of the person charged with the management of a mine or of the person in charge of an authorized mine rescue crew, is doing rescue work at a mine after an accident, explosion or other catastrophe,
 - (ii) where a contractor enters into a contract with a person engaged in the mining industry for the performance of mining operations for such other person, the employees of the contractor who performs the operations and the contractor while actually performing them,
 - (iii) a learner, and
 - (iv) any individual who is deemed by any provision of this Ordinance or by any regulation to be a workman.

LIABILITY TO INSURE.

3. (1) Except as otherwise provided by this Ordinance or an order made pursuant to subsection (2), every employer to whom this Ordinance applies shall enter into with an insurer and maintain in force a contract of insurance in such form, containing such conditions and for such amount as may be prescribed providing for the payment of compensation Employer must insure.
- (a) to workmen of the employer in respect of injury to or disability of such workman caused by an accident, and
 - (b) where the workman of the employer dies as a result of an accident, to dependants of the workman,

in the circumstances in which and in the amount that the employer is required by this Ordinance to pay compensation.

Commissioner
may exempt
employer.

(2) The Commissioner may, subject to such conditions and the payment of such fee as he may prescribe by order, exempt from the application of this section, for any period not exceeding twelve months, any employer who has made other arrangements for the protection of his workmen that are considered by the Commissioner to be at least equivalent to those provided by this Ordinance.

Commissioner
may insure.

(3) The Commissioner may enter into such contracts of insurance as he considers necessary or advisable in order to make provision for the payment of compensation to workmen in the Territory whose employers fail to comply with subsection (1) and to dependants of such workmen.

Liability for
cost of
compensation.

(4) Where an employer to whom this Ordinance applies, other than an employer who is exempt from the application of this section by an order made pursuant to subsection (2),

- (a) fails to comply with subsection (1), and
- (b) fails to pay compensation, as required by section 9, to a workman who is injured, disabled or dies as a result of an accident that occurs during the period that the employer fails to comply with subsection (1) or to a dependant of such workman.

he shall, in addition to any penalty to which he may be liable, pay to the Commissioner an amount equal to

- (c) the total of all such compensation that he fails to pay, and
- (d) the amount of any assessment that he would have been liable to pay to the Commissioner pursuant to section 53 had he not failed to comply with subsection (1).

**APPLICATION OF ORDINANCE, EXEMPTIONS
AND INCLUSIONS.**

Application.

4. (1) This Ordinance applies to employers in respect of employment by them of workmen in all industries, except the industries of farming and ranching and any industry exempted from the application of this section by regulation made pursuant to subsection (2).

(2) The Commissioner may make regulations for including the industries of farming and ranching for the purposes of subsection (1) and for exempting any industry from the application of subsection (1).

Power of Commissioner.

(3) Where by reason of subsection (1) or (2) this Ordinance does not apply to an employer in respect of the employment by him of one or more workmen in an industry, the employer may mail to the Commissioner a written statement that he desires this Ordinance to apply to him in respect of such employment and, after he mails the written statement to the Commissioner, this Ordinance shall be deemed to apply to him in respect of such employment from the day the written statement is mailed.

Notice by employer for application of Ordinance.

(4) Where by reason of the operation of subsection (3) this Ordinance is deemed to apply to an employer in respect of employment by him of one or more workmen in an industry, it shall cease to apply to him in respect of such employment on January 1st next following the day on which the Commissioner is notified in writing by the employer that he no longer desires that this Ordinance apply to him in respect of such employment.

Notice by employer for withdrawal.

5. The Commissioner may by regulation exempt any area of the Territory from the application of this Ordinance.

Exemption of area.

6. (1) Where an employer who employs in the Territory on a temporary basis a workman

Exemption from application of Ordinance.

- (a) who is normally resident outside the Territory, and
- (b) who is protected, in respect of his employment in the Territory on a temporary basis, by a workmen's compensation scheme or other scheme that is considered by the Commissioner to be a scheme that provides protection to workmen and their dependants at least equal to that provided by this Ordinance,

the Commissioner may, on the filing of the statement described in subsection (2) and subject to such conditions and the payment of such fees as he may prescribe, by order, exempt the employer from the provisions of this Ordinance in respect of such workman.

Statement to be filed.

(2) Every employer described in subsection (1) who employs a workman described in subsection (1) and who desires to be exempt from the provisions of this Ordinance in respect of such workman shall file with the Commissioner or with a person designated by the Commissioner for the purpose, a statement in writing setting forth

- (a) the name and address of the employer ;
- (b) the name of the workman and the place where he is ordinarily resident ;
- (c) the nature and location of the work to be performed in the Territory by the workman ;
- (d) the estimated duration of the workman's employment in the Territory and the estimated weekly wages paid in the Territory to workmen for work of the nature of that to be performed in the Territory by the workman ; and
- (e) such other information as the Commissioner may require.

Fee payable.

(3) An employer who files a statement pursuant to this section in a year shall pay to the Commissioner or to a person designated by him as his agent in that behalf, a fee of ten dollars on the filing of the first such statement in the year.

Members of family of workman.

7. (1) Members of the family of an employer who are employed by the employer and living with him shall be deemed not to be workmen, unless they are specifically named in the employer's application for insurance as workmen of the employer and are on his payroll.

Employer deemed to be workman.

(2) An employer who is himself insured against injury or death by the terms of a contract of insurance entered into by him as required by this Ordinance shall be deemed to be a workman.

Amount to be included as employer's remuneration.

(3) Every employer who is deemed by subsection (2) to be a workman shall include in his payroll an amount equal to the lessor of

- (a) the amount of his remuneration by way of profit, salary or otherwise from the industry in which he is an employer, or

(b) five thousand six hundred dollars, and the amount so included shall, for the purposes of this Ordinance and any contract of insurance entered into by him as required by this Ordinance, be deemed to be his annual remuneration.

8. (1) For the purposes of this section "equipment" includes, trucks, tractors, bulldozers, teams, draglines, power shovels, boats, nets, snowmobiles, barges, canoes, any type of machine or equipment used in connection with the construction and maintenance of roads and such other equipment or apparatus as is prescribed. Equipment defined.

(2) Where a person enters into an arrangement for the supplying of equipment to an employer who is subject to this Ordinance (hereinafter in this subsection and in subsection (4) referred to as the "principal"), such person shall be deemed to be a workman of the principal if he When persons operating equipment deemed workman.

(a) operates the equipment himself or hires another person to operate it, and

(b) is paid or to be paid for the services of both equipment and operator,

unless the person supplying the equipment is himself insured pursuant to this Ordinance in respect of accidents resulting from the operation of the equipment, in which case the person operating the equipment shall not be deemed to be a workman of the principal, but, subject to subsection (1) of section 7, shall be deemed to be a workman of the person supplying the equipment.

(3) Where, in any case not coming within subsection (2), a person enters into an arrangement for the performance of work for an employer who is subject to this Ordinance (hereinafter in this subsection and in subsection (4) referred to as the "principal"), and, notwithstanding that the arrangement may also provide that he supply materials, equipment or other services, if the person undertaking to perform the work, Persons performing work deemed to be workman.

(a) performs the work himself,

(b) has another person perform the work for him, or

- (c) has another person assist him in the performance of the work,

the person performing and any person assisting in the performance of the work shall be deemed to be a workman of the principal, unless the person undertaking to perform the work is himself insured pursuant to this Ordinance in respect of accidents that occur in the performance of the work, in which case the person performing the work and any person assisting him shall not be deemed to be a workman of the principal, but, subject to subsection (1) of section 7, shall be deemed to be a workman of the person undertaking to perform the work.

Regulation.

(4) Notwithstanding subsections (2) and (3), where in the opinion of the Commissioner it is advisable to do so, the Commissioner may by regulation provide that any class of persons who but for this section would not be deemed to be workmen of a principal, shall not be deemed to be workmen of such principal.

EMPLOYER TO PAY COMPENSATION.

Employer to pay compensation.

9. (1) Every employer to whom this Ordinance applies shall pay compensation when and in the amount required by this Ordinance

- (a) to a workman of the employer in respect of injury or disability of such workman caused by an accident, or
- (b) where the death of a workman of the employer is caused by an accident, to dependants of the workman,

except where the workman is

- (c) employed in employment of a casual nature otherwise than for the purposes of the employer's industry
- (d) an outworker,
- (e) a domestic servant,
- (f) a member of the legal, medical, accounting or engineering professions or an office employee of a member of any such profession,

- (g) an employee of a financial, insurance, real estate, brokerage or agency firm,
- (h) an executive officer who has notified the Commissioner in writing that he wishes to be exempt from this Ordinance,
- (i) a person eligible to receive benefits under *the Government Employees Compensation Act*, or
- (j) any other prescribed person or a member of any prescribed class of persons.

(2) For the purposes of this section, "executive officer" means a person who is employed by a corporation and who has power to guide or control the policies or purposes of the corporation.

Executive Officer defined.

(3) Workmen who are employees of the Government of the Yukon Territory shall, for the purposes of this Ordinance, be deemed not to be workmen described in paragraph (c), (d), (f) or (h) of subsection (1).

Employees of Territory.

10. (1) Where a workman of an employer to whom this Ordinance applies is injured, disabled or dies as a result of an accident that occurs out of the Territory in circumstances that would entitle the workman or his dependants to compensation under this Ordinance if the accident had occurred in the Territory, the workman or his dependants, as the case may be, are entitled to compensation under this Ordinance if

Accident elsewhere than in Territory.

- (a) the nature of the employment is such that it is required to be performed both within and without the Territory;
- (b) the employment out of the Territory has immediately followed employment by the same employer within the Territory;
- (c) the employment out of the Territory has lasted less than six months; and
- (d) he or his dependants are not entitled to claim compensation in respect of the injury, disability or death under workmen's compensation laws in force in the place where the accident occurs.

Notice of
Accident.

(2) Where a workman of an employer to whom this Ordinance applies is injured, disabled or dies as a result of an accident that occurs out of the Territory and the workman or his dependants, as the case may be, are entitled under workmen's compensation laws in force in the place where the accident occurs to compensation in respect of the injury, disability or death, the workman or a dependent of the workman, as the case may be, shall give notice of the accident and of the circumstances thereof to the workman's employer within six months of the happening of the accident.

Compensation
to workman
when not
payable.

11. (1) A workman who is injured or disabled as a result of an accident is not entitled to compensation if

- (a) the accident is attributable solely to the serious and wilful misconduct of the workman, and death or serious disability does not result from it; or
- (b) the accident occurs as a direct result of enemy action or of action taken in combatting an enemy force or in an attempt to repel a real or apprehended attack by such force.

When
disease
partly due to
employment.

(2) Where, except in the case of silicosis, the injury, disability or death of a workman employed by an employer to whom this Ordinance applies

- (a) is due to an accident of the kind described in subparagraph (iii) of paragraph (a) of section 2, and
- (b) the accident was caused partly by conditions encountered by the employee while in the employment of the employer and partly by conditions not so encountered,

the employer is required to pay compensation in accordance with this Ordinance only in an amount that is in proportion to the extent to which the accident was due to conditions encountered by the employee while in the employment of the employer.

Presumption
of death.

(3) Where a workman is found dead at a place where he had a right to be in the course of his employment, his death shall be presumed to be the result of an accident arising out of and in the course of his employment, unless there is evidence sufficient to rebut the presumption.

(4) Unless the contrary is shown, a fortuitous event or contraction of a disease referred to in paragraph (a) of section 2 .

Presumption that accident occurred in course of employment or out of employment.

- (a) that arises out of the employment of a workman shall be presumed to occur in the course of such employment, and
- (b) that occurs in the course of the employment of a workman shall be presumed to arise out of such employment.

(5) Where a workman is disabled as a result of an accident of the kind described in subparagraph (iii) of paragraph (a) of section 2, the first day of his disablement shall be deemed to be the date of the accident.

(6) Where a workman involved in an accident is disabled by the accident only on the day thereof, he is entitled to no compensation other than medical aid, but if he is disabled for more than one day he is entitled to compensation on and from the day following the day of the accident.

Compensation payable where workman disabled longer than one day.

REFEREE.

12. The Commissioner may designate a person to act as referee.

Commissioner may appoint referee.

13. (1) Except as otherwise provided by this Ordinance, the referee has exclusive jurisdiction to examine, inquire into, hear and determine all matters and questions arising under this Ordinance and referred to him by the Commissioner, and the action or decision of the referee thereon is final and conclusive and is not open to question or review in any court, and no proceedings by or before the referee shall be restrained by injunction, prohibition or other process or proceedings in any court or be removable by *certiorari* or otherwise into any court, nor shall any action be maintained or brought against the referee in respect of any act or decision done or made by him in the honest belief that the same was within his jurisdiction.

Powers and jurisdiction of referee.

(2) Without restricting the generality of subsection (1), the exclusive jurisdiction of the referee extends to examining, inquiring into, hearing and determining

Exclusive jurisdiction of referee.

- (a) whether an accident is an accident within the meaning of this Ordinance;

- (b) whether disability exists by reason of an accident and the degree of such disability;
- (c) the duration of disability by reason of an accident;
- (d) whether earning capacity has been impaired by reason of an accident and the degree by which it has been impaired;
- (e) the amount of average earnings;
- (f) whether a person is a member of the family of an employer or workman, as the case may be;
- (g) whether dependency exists;
- (h) whether an industry or any part thereof is within the scope of this Ordinance;
- (i) whether any person or aggregation of persons is an employer within the meaning of this Ordinance;
- (j) whether a person is a workman within the meaning of this Ordinance; and
- (k) whether a workman or a dependant is entitled to compensation under this Ordinance.

Power to reconsider decisions.

(3) The referee has power to examine, inquire into and hear any matter that has been dealt with by him previously and on such examination, inquiry or hearing has the power to rescind or vary any decision or order previously made by him.

Referee not bound.

(4) The referee is not bound by his own previous rulings or decisions, and all rulings and decisions that he makes shall be upon the merits and justice of the case before him.

Attendance of witnesses.

(5) The referee has the same powers as the Court for compelling the attendance of witnesses, examining witnesses under oath and compelling the production and inspection of books, papers, documents and things.

Evidence.

(6) The referee may cause depositions of witnesses residing within or without the Territory to be taken before any person appointed by him in a manner similar to that prescribed by the Rules of Court.

(7) The referee may appoint any person to inquire into and report upon any matter that the referee has authority under this Ordinance to examine or inquire into and may act upon the report of such person.

Referee may appoint.

(8) Any person appointed by the referee pursuant to subsection (7) to inquire into and report upon any matter has the same powers as the referee would have in inquiring into that matter.

Power of person appointed.

(9) Every person aggrieved by a decision of the referee, an employer or an insurer, may appeal to the Commissioner who may refer the matter to the referee or back to the referee, as the case may be.

Appeals to Commissioner.

14. (1) The referee may in any case where he deems it necessary and shall on the application of an employer, workman or dependant of a workman interested in any order, ruling or decision of the referee, issue a certificate embodying the substance of any such order, ruling or decision.

Issuance of certificate embodying substance of order.

(2) If any amount awarded as compensation by the referee is not paid within sixty days of the day on which the award was made or within sixty days of the day on which the referee award required it to be paid, whichever is applicable, the workman or any dependant of the workman in whose favour the award was made may file the certificate of the referee referred to in subsection (1) with the clerk of the Court, and such certificate shall be deemed to have the same effect as if it were a judgment of the Court, and execution against the employer, the insurer or both of them may be issued thereon.

Enforcement of order by execution.

NO CONTRIBUTION, WAIVER OR ASSIGNMENT BY WORKMAN.

15. (1) Except as authorized by this Ordinance, no employer shall

Prohibition of unauthorized deduction of amount from workman's wages.

- (a) either directly or indirectly deduct from the remuneration of any workman employed by him any part of the insurance premium that he is or may become liable to pay, or
- (b) require or permit any workman employed by him to indemnify him or to contribute in any manner towards indemnifying him against

any liability that he has incurred or may incur under this Ordinance.

Waiver of right of compensation invalid.

(2) An agreement by a workman to waive or give up any benefit or any part thereof to which he or his dependants are or may become entitled under this Ordinance is void.

Unassignability, etc. of compensation.

(3) Except as otherwise provided in this Ordinance no amount payable as or on account of compensation

(a) is capable of being assigned, charged or attached, and

(b) no claim is capable of being set-off against such amount,

without the prior approval of the Commissioner.

RECOVERY BY EMPLOYER.

Recovery of overpaid compensation.

16. Where an employer pays to any person, in purported compliance with this Ordinance, any amount as or on account of compensation to which that person is not entitled, such amount may be recovered by the employer

(a) as a debt due to him by that person,

(b) by way of set-off against any amount that is or becomes payable to that person as or on account of compensation, or

(c) partly as in paragraph (a) and partly as in paragraph (b)

DETERMINATION OF CLAIM FOR COMPENSATION.

Permanent disability to be determined by referee.

17. (1) A claim by a workman for compensation in respect of a permanent disability shall be referred to the Commissioner to the referee and shall be determined by the referee.

Temporary disability.

(2) A claim by a workman for compensation in respect of a temporary disability shall be determined in accordance with this Ordinance by the employer's insurer or by a person designated for the purpose by the Commissioner.

Appeal by workman.

(3) If a workman who has been awarded or refused compensation for a temporary total or partial disability by the insurer or other person referred to in subsection (2)

notifies the Commissioner that he is dissatisfied with the disposition of his claim, such claim shall be referred by the Commissioner to the referee who shall review it and make such disposition of it as, having regard to the provisions of this Ordinance, he deems just.

RIGHTS OF ACTION AND SUBROGATION.

18. (1) Where a workman or any dependant of the workman is entitled to compensation under this Ordinance in respect of injury to or disability or death of, the workman as a result of an accident, neither the workman, any dependant of the workman nor his legal personal representative has any right of action or claims against

Rights of action.

- (a) the employer by whom he was employed at the time of the accident or
- (b) any workman in the employment of such employer at the time of the accident,

in respect of the injury to or disability or death of the workman, except a claim under this Ordinance for compensation.

(2) Where a workman is injured, disabled or dies as a result of an accident in circumstances that give rise to a right of action by the workman, any dependant of the workman or his legal personal representative against any person, other than a person described in paragraph (a) or (b) of subsection (1), the workman, his dependant or legal personal representative, as the case may be, shall, not later than four months after

Commencement of action.

- (a) the day of the accident, or
- (b) if the workman dies as a result of the accident, the day on which he dies,

either commence such action or claim compensation, and if he fails to do so, no person shall thereafter be entitled to make any claim under this Ordinance for compensation in respect of the injury, disability or death.

(3) Where the workman, a dependant of the workman or the workman's legal personal representative, as the case may be, commences an action within the time required by subsection (2), no settlement of the action shall be made

Approval of employer required for settlement.

without the prior written approval of the terms of the settlement by the employer.

Employer to
make up
deficiency.

(4) Where the amount received and collected by the workman, a dependant of the workman or his legal personal representative, as the case may be, in an action commenced within the time required by subsection (2), or by a settlement of such action made after the written approval of the terms of the settlement by the employer had been obtained, is less than the amount of compensation that would have been payable pursuant to this Ordinance in respect of the injury, disability or death if, in lieu of commencement of the action, compensation has been claimed within the time required by subsection (2), the employer is liable to pay as compensation only the amount by which the amount so recovered and collected is less than the amount that would have been payable as compensation if, in lieu of commencement of the action, compensation had been claimed within the time required by subsection (2).

Subrogation
of employer.

(5) Where a workman is injured, disabled or dies as a result of an accident in circumstances that give rise to a right of action by the workman, a dependant of the workman or his legal personal representative against any person, other than a person described in paragraph (a) or (b) of subsection (1) and the workman or a dependant of the workman, as the case may be, claims compensation pursuant to this Ordinance within the time required by subsection (2), the employer, as of the day on which the claim for compensation is made, is subrogated to any such right of action against any such person and the employer may

- (a) commence and carry on the action in his own name or in the name of the workman or the workman's dependants, and
- (b) with the prior written approval of the Commissioner, settle the right of action or any action commenced by him pursuant to paragraph (a).

Workman to
receive
excess over
benefits.

(6) Where by reason of an action or settlement referred to in subsection (5) the employer becomes entitled to and receives an amount that exceeds the capitalized value of all amounts paid or payable as compensation to the workman or his dependants in respect of the injury, disability or

death resulting from the accident out of which the cause of action arose, the amount of the excess, minus such costs as the Commissioner may approve, shall be paid to the workman, his dependants or his legal personal representatives as the case may be, upon the furnishing to the employer by the person or persons to whom it is to be paid of a release of the employer from any claim for additional compensation in respect of the injury, disability or death, except from a claim for additional compensation based on circumstances that were not taken into account in computing the amount of any compensation previously awarded.

NOTICE OF ACCIDENT.

19. (1) Where a workman, employed by an employer to whom this Ordinance applies, other than a workman described in any of paragraphs (c) to (j) of subsection (1) of section 9, is injured, disabled or dies as a result of an accident, the workman or, if he dies as a result of the accident, a dependant of the workman shall, as soon as practicable after the accident occurs, give written notice of the accident to the employer of the workman.

Notice to employer of accident.

(2) The written notice referred to in subsection (1) shall give the name and address of the workman and of the person giving the notice and shall state the details and consequences of the accident and the place where it occurred.

Contents of notice.

(3) Failure to give written notice in accordance with subsections (1) and (2) is a bar to any claims for compensation under this Ordinance in respect of the injury to, or disability or death of, the workman resulting from the accident, unless the failure is excused by order of the Commissioner on the ground that

Failure to give notice a bar to claim unless excused on certain grounds.

- (a) in his judgment, notice in accordance with subsection (1) could not reasonably have been given in the circumstances;
- (b) the employer or his superintendent or agent in charge of the work where the accident occurred knew at the time it occurred, or should have known, of the injury, disability or death of the workman as a result of the accident; or

- (c) the Commissioner is of the opinion that the claim is a just one and ought not to be barred by this section.

NOTICES OF CLAIM.

Time limit for making claim.

20. (1) No compensation is payable in respect of a claim unless notice of the claim is given to the employer against whom the claim is made or to the Commissioner

- (a) in the case of an accident other than an accident described in subparagraph (iii) of paragraph (a) of section 2, by the workman within twelve months of the day of the accident, or where the death of the workman results from the accident, by a dependant of the workman within twelve months of the day of such death;
- (b) in the case of disability of a workman due to the contraction of a disease (other than silicosis) caused by the conditions in a place where an industrial process, trade or occupation is carried on by the workman within twelve months of the day on which he was last exposed to such conditions in such place prior to becoming disabled or, where the death of the workman results from the disease, by a dependant of the workman within twenty-four months from the day on which the workman was last so exposed; or
- (c) in the case of disability of a workman due to the contraction of silicosis caused by the conditions in a place where an industrial process, trade or occupation is carried on, by the workman within twelve months of the day on which he is found to have been so disabled or, where the death of the workman results from silicosis, by a dependant of the workman within twelve months from the day of such death.

Referee may award compensation where time limit missed.

(2) Notwithstanding subsection (2) of section 17 or subsection (1), where proof that a workman was injured, disabled or died as a result of an accident is filed with the workman's employer or with the Commissioner within three

years after the day of the accident, the referee may award compensation to the workman or to dependants of the workman, as the case may be, if

- (a) notice of the accident was given in accordance with section 19 or the failure to give such notice is excused by the Commissioner pursuant to that section, and
- (b) in the opinion of the Commissioner, the claim is a just one and ought not to be barred by this section.

REPORTS BY EMPLOYER AND ATTENDING PHYSICIAN.

21. (1) Every employer to whom this Ordinance applies who has knowledge or notice of the occurrence of an accident, or of the allegation of the occurrence of an accident, in which a workman of the employer was injured shall, forthwith after he has such knowledge or notice,

Notice of accident to Commissioner by employer.

- (a) forward to the Commissioner and to the employer's insurer written notification of the happening of the accident or of the allegation thereof, and
- (b) forward a copy of the notice referred to in paragraph (a) to the workman or, in the event of the workman's death, to a dependant of the workman,

and, if the injured workman or the allegedly injured workman returns to his work or is able to return to his work, the employer shall forward to the Commissioner and to the employer's insurer, within twenty-four hours after the fact of the return or ability to return comes to his knowledge, notification thereof and make such further and other reports respecting the accident or alleged accident respecting the workman as may be required by the Commissioner.

(2) Every employer who fails to make a report required by subsection (1), unless the failure is excused by the Commissioner on the ground that the report, for some reason considered by him to be sufficient, could not have been made, is guilty of a separate offence for each day that such failure continues after the expiration of three days following serv-

Failure of employer to make report of an offence.

ice upon him of a demand by the Commissioner for such report, and is liable upon summary conviction to a penalty not exceeding fifty dollars and costs for each offence, and in default of payment of the penalty to imprisonment for a period not exceeding three months in respect of one offence or six months in the aggregate.

Special investigation of accident by commissioner.

(3) In any case where an employer fails to make a report required by subsection (1), the Commissioner may make a special investigation of the accident and of the facts and circumstances surrounding it and may recover the cost of such investigation from the employer as a debt due to him from the employer.

Report of accident by attending physician.

22. (1) Where a medical practitioner attends a workman who is injured in an accident, the medical practitioner shall forward to the Commissioner, in duplicate,

- (a) a written report within two days after the day of his first attendance on the workman ;
- (b) a progress report on the first and fifteenth days of each month while the injured workman is unable to work as a result of his injuries ;
- (c) a final report within three days after the day on which he first is of the opinion that the workman is able to resume work ; and
- (d) other reports as prescribed and in prescribed form

Physician to give information, advice and assistance.

(2) The medical practitioner referred to in subsection (1) shall, without any charge therefor, give all reasonable and necessary information, advice and assistance to the injured workman or his dependants with respect to a claim for compensation, including such medical certificates and proofs as may be required in connection with the claim.

Payments not to constitute making of claim.

(3) Payment by an employer of the account of a medical practitioner for services rendered to a workman who is injured in an accident does not of itself constitute the making of a claim for compensation by the workman or the acceptance by the employer of a claim for compensation by the workman.

MEDICAL EXAMINATION.

23. (1) A workman who

Medical examination of workman.

- (a) claims compensation from an employer, or
- (b) is being paid or is entitled to be paid compensation by an employer,

pursuant to this Ordinance shall, unless the Commissioner otherwise directs, submit himself for examination by a medical practitioner at such time and place as the employer, the employer's insurer or the referee may require.

(2) If a workman does not submit himself for examination as required by subsection (1) or in any way prevents the medical practitioner from making a proper examination,

Failure to submit to examination.

- (a) his right to compensation is suspended until a proper examination is made; and
- (b) the condition of the workman found by the medical practitioner when he makes the proper examination referred to in paragraph (a) shall, unless the referee otherwise directs, be deemed to have been the condition of the workman on the day on which he was required pursuant to subsection (1) to submit himself for examination.

24. (1) Where a workman alleges that,

Nomination of medical practitioner.

- (a) he has greater disability than that which he has been found to have,
- (b) he has a right to continuation of compensation beyond the period for which compensation has been awarded,
- (c) an error, relating to his physical condition, was made in some feature or circumstance of the determination of his claim, or
- (d) the medical opinion upon which the determination of his claim was made is erroneous,

and makes a request in writing to the Commissioner for examination pursuant to the provisions of this section, the Commissioner shall refer the claim to the referee who, after

consultation with the workman's attending medical practitioner, if any, may nominate four or more duly qualified medical practitioners.

Two
selected.

(2) From the medical practitioners nominated pursuant to subsection (1) two shall be selected in the following manner:

- (a) the referee shall notify the workman and the employer's insurer by registered mail of the names and addresses of the medical practitioners nominated and workman and the employer's insurer may each select one medical practitioner from those so nominated such selection to be made and communicated in writing to the referee within thirty days after the mailing of the notice by the referee;
- (b) if either the workman or the employer's insurer fails to make a selection within the time provided or if both select the same medical practitioner, the referee shall select one other medical practitioner from those nominated; or
- (c) if both the workman and the employer's insurer fail to make a selection within the time provided, the referee shall select two medical practitioners from those nominated.

Examination
of workman.

(3) The two medical practitioners selected pursuant to subsection (2) shall examine the workman and certify to the referee with respect to

- (a) the condition of the workman;
- (b) his fitness for employment;
- (c) if he is unfit for employment, the cause of such unfitness;
- (d) the extent of his temporary or permanent disability by reason of the injury in respect of which he has claimed compensation; and
- (e) such other matters as may in their opinion or in the opinion of the referee be pertinent to the claim.

(4) If after examining the workman the two medical practitioners are unable to agree on the matters in respect of which their certificate is required, they shall select a third medical practitioner from the list of those nominated pursuant to subsection (1), or if they are unable to agree on a third medical practitioner, a third shall be selected by the referee from such list and the three medical practitioners shall examine the workman and the majority of them shall certify to the referee with respect to the matters set out in subsection (3).

Selection of third practitioner if disagreement.

(5) A certificate given pursuant to subsection (3) or (4) is conclusive as to the matters certified therein, unless the referee at any time directs otherwise.

Certificate conclusive.

(6) The referee may of his own motion or at the request of the employer or the employer's insurer require a workman to be examined under the provisions of this section and, where he so requires, the referee shall

Referee may require examination.

- (a) nominate four or more duly qualified medical practitioners, and
- (b) notify, in writing, the workman and the employer's insurer of the medical practitioners so nominated,

and thereafter the provisions of subsections (2) to (4) shall apply in respect of the examination.

(7) A reference in this section to an employer's insurer shall, in any case where the employer has no insurer, be construed as a reference to the employer.

GENERAL PROVISIONS WITH RESPECT TO COMPENSATION.

25. (1) Subject to subsection (2), where a workman to whom compensation is payable leaves Canada, he shall not thereafter be entitled to receive compensation until permission to reside outside of Canada is given by the insurer, the referee or, if the employer has been exempted from the application of section 3, by the employer.

Workman leaving Canada.

(2) Where a workman is entitled to periodic payments of compensation and in the opinion of the referee the disability in respect of which the compensation is payable to the workman is likely to be permanent, the workman shall,

Idem.

if the referee so directs, be paid any periodic payments of compensation that accrue to him while he is resident outside of Canada, if he proves, from time to time, in such manner as the referee may require

- (a) his indentity, and
- (b) continuance of disability.

Idem.

(3) Where a workman leaves Canada and subsequently claims compensation for a disability allegedly suffered in the course of his employment in the Territory, the employer shall not be liable for compensation unless the workman returns at his own expense to Canada for such medical examination as the employer, the employer's insurer or the referee may require.

Reduction or suspension of compensation in certain cases.

26. Where an injured workman

- (a) without prior authorization from the employer (if the employer has been exempted from the application of subsection 2 of section 3), the employer's insurer or the referee, changes medical practitioners, except where he is referred by the original attending medical practitioner to another medical practitioner,
- (b) persists in unsanitary or other practices injurious to him that tend to imperil or retard his recovery, or
- (c) refuses to submit to such medical or surgical treatment as the employer or the employer's insurer are informed by one or more medical practitioners (who, in the opinion of the referee, are independent of the employer and the employer's insurer) is reasonably essential to his recovery,

the employer or the employer's insurer may, with the consent in writing of the referee, reduce the amount or suspend payment of the compensation to the workman.

Special surgical or medical treatment or apparatus.

27. (1) Where a workman has been injured in circumstances that entitle him to compensation from his employer pursuant to this Ordinance (whether or not compensation has been or is being paid to him by the employer in respect

of the injury) and the referee gives written notice to the employer that, in the opinion of the referee,

- (a) it is in the best interests of the injured workman, in order to cure him of or give him relief from the effects of the injury, that he undergo a special surgical operation or other special medical treatment specified in the written notice
- (b) the workman's injury would be alleviated to an appreciable extent by apparatus, specified in the written notice, usually provided to persons with that injury, or
- (c) other measures or expenditures, specified in the written notice, would aid in getting the injured workman back to work or in lessening or removing any handicap resulting from his injury,

the employer shall, at his own expense and in addition to any other compensation that he has paid or may be required to pay to the workman, make available to the workman the special surgical operation, other special medical treatment or apparatus specified in the written notice or take such other measures or make such other expenditures as are specified in the written notice.

(2) Where apparatus provided by an employer to an injured workman pursuant to this section becomes in need of maintenance, repair, replacement or renewal by reason of ordinary wear and tear or by accident not caused by misconduct of the workman, the employer shall, if the disability in respect of which the apparatus was provided still exists, provide, at his expense, for the maintenance, repair, replacement or renewal of such apparatus.

Repair and renewal of special apparatus.

(3) Where dentures, eye glasses, artificial eyes or limbs or hearing aids of a workman are damaged as a result of an accident, the employer shall, at his expense, provide for the repair or replacement thereof.

Replacement or repair of dentures, eye glasses, etc.

(4) Where a workman dies as a result of an injury received by him in an accident and his employer, the employer's insurer or the referee deems an autopsy to be necessary in order to assist in determining the cause of the

Autopsy.

workman's death, the Commissioner may direct that the autopsy be performed before a specified day, and if any dependant of the workman refuses to permit an autopsy to be performed, the referee may reject any claim for compensation by a dependant pursuant to this Ordinance.

Report of death by hospital authority.

(5) Where a workman is confined to a hospital as a result of an injury received in an accident and dies while so confined, the hospital authority shall report the death, immediately after it occurs, to the workman's employer and to the Commissioner.

Occupational retraining of workman.

28. (1) Where a workman suffers a permanent disability as a result of an injury received by him in an accident and a referee is of the opinion that occupational retraining of the workman is desirable, the referee may

- (a) specify the type of retraining to be undertaken by the workman, and
- (b) order the workman's employer to pay
 - (i) the cost of the specified type of retraining,
 - (ii) a living allowance to the workman while he undergoes the retraining,
 - (iii) for room and board for the workman while he undergoes the retraining, and
 - (iv) the cost of any travelling, tuition, books, tools and other equipment relating to the specified type of retraining,

up to an amount not exceeding five thousand dollars.

Definition.

(2) In this section, "occupational retraining" means the training of a workman in an occupation other than his occupation at the time he was disabled.

Review of compensation.

29. (1) Where an amount is payable periodically to a workman as compensation, the payment thereof may be reviewed at any time by the referee at the request of the workman, the workman's employer or the employer's insurer, and on the review the referee may

- (a) reduce the amount of compensation payable,

- (b) terminate the payment of compensation, or
- (c) increase the amount of compensation payable to an amount not exceeding the maximum provided by this Ordinance.

(2) Where a review is requested pursuant to subsection (1), the referee shall forthwith notify the Commissioner of the request, and the Commissioner shall forthwith notify all parties interested in the review, other than the party requesting it, of the request.

Commissioner to notify interested parties.

(3) Where an employer who makes periodic payments of compensation to a person is of the opinion that the interests or pressing needs of the person so warrant, he may advance to the person any number of such payments not then due as in his opinion the circumstances warrant, and any payment so advanced shall be deemed to be on account of and in satisfaction of the payment so advanced.

Advance payments.

(4) Where any person to whom compensation is payable pursuant to this Ordinance is committed to a prison, gaol or lockup, compensation ceases to be payable to him for the period of his confinement therein, but the whole or any part of the compensation that would but for this subsection have been payable to such person during the period of his confinement therein, shall, if the Commissioner so directs, be paid to one or more dependants of such person.

No compensation while confined to jail or prison.

(5) Where any person to whom compensation is payable pursuant to this Ordinance is committed to an institution, other than a prison, gaol or lockup, the compensation payable to such person while he is confined in the institution may, with the written approval of the Commissioner and in lieu of payment thereof to such person, be paid to one or more of his dependants.

Payment where person committed to institution.

(6) An employer who pays compensation to a person or the employer's insurer may, from time to time, require from the person particulars of his place of residence and his mailing address and such other information as may be prescribed, and pending the receipt of such particulars or information, may withhold payment of compensation.

Payment withheld pending receipt of information.

30. (1) Where compensation is payable by an employer in respect of partial disability of a workman and the disability has not impaired by more than ten per cent the work

Lump sum payment.

capacity enjoyed by the workman immediately before the accident, the employer may, with the written consent of the Commissioner, pay to the workman a lump sum, in an amount satisfactory to the Commissioner, in lieu of periodic payments of compensation.

Idem. (2) Where compensation is payable by an employer in respect of partial or total disability of a workman and the disability has impaired by more than ten per cent the work capacity enjoyed by the workman immediately before the accident, periodic payments of compensation may be commuted by the employer to a lump sum payment at the written request of the workman and with the written approval of the Commissioner.

Idem. (3) Where a lump sum payment has been made to a workman pursuant to this section as a settlement in full of all compensation payable to him in respect of the disability and has been so accepted by him in writing, the workman is not thereafter entitled to be paid any further or other compensation in respect of the disability, but this section does not relieve the employer of an obligation imposed on him by or pursuant to subsection (1) of section 27.

Workman's compensation diverted to spouse and children in certain circumstances.

31. Where a workman is entitled to compensation and it appears to the Commissioner

- (a) that the dependant spouse or a dependant child of the workman resident in the Territory is without adequate means of support and is likely to become a public charge or a charge upon private charity, or
- (b) that the dependant spouse or a dependant child of the workman residing out of the Territory is not being supported by the workman and that an order has been made against him by a court of competent jurisdiction for the support or maintenance of the spouse or child or for alimony,

the Commissioner may order that, in lieu of payment of compensation to the workman, payment thereof be made to or for the benefit of such spouse or child.

**DETERMINATION OF AMOUNT OF COMPENSATION
FOR DEPENDANTS.**

32. (1) Where a workman dies as a result of an accident, the compensation and the amount thereof payable by the employer are

Compensation to dependants where workman dies.

- (a) the necessary expenses of the burial of the workman, not exceeding three hundred dollars;
- (b) where the accident occurred after January 1, 1956, three hundred dollars to a dependant widow or dependant invalid widower as a contribution to the expenses incurred by such person because of the death of the workman;
- (c) where the death occurred away from the workman's usual place of residence and, in the opinion of the referee, transportation of the workman's body to his usual place of residence is desirable
 - (i) where the workman's usual place of residence is in the Territory, the necessary expenses of such transportation, not exceeding one hundred dollars, or
 - (ii) where the usual place of residence of the workman is outside of the Territory, the necessary expenses of the part of such transportation that takes place in the Territory, not exceeding one hundred dollars;
- (d) to a dependant widow or dependant invalid widower,
 - (i) where the accident occurred on or before the 31st day of December, 1955, a monthly payment of fifty dollars,
 - (ii) where the accident occurred in the period commencing on the 1st day of January, 1956, and ending on the 8th day of July, 1961, a monthly payment of seventy-five dollars,

- (iii) where the accident occurred on or after the 9th day of July, 1961, a monthly payment of one hundred dollars;
- (e) To a dependant child, other than an invalid child, under the age of sixteen years, where the accident occurred on or before the 8th day of July, 1961, a monthly payment of \$25.00 to be continued until the child attains the age of sixteen years or dies, whichever occurs first.
- (f) To a dependant child, other than an invalid child, under the age of eighteen years
 - (1) where the accident occurred on or after the 9th day of July, 1961, as follows:
 - (i) for the first child, \$35.00;
 - (ii) for the second child, \$35.00; and
 - (iii) for each additional child, \$20.00.
 - (2) where the accident occurred after the coming into force of this Ordinance, a monthly payment of \$45.00 to be continued until the child attains the age of eighteen years or dies, whichever occurs first.
- (g) To a dependant invalid child of any age
 - (i) where the accident occurred on or before the 8th day of July, 1961, a monthly payment of twenty-five dollars,
 - (ii) where the accident occurred in the period on or after the 9th day of July, 1961, a monthly payment of thirty-five dollars,
 - (iii) where the accident occurred after the coming into force of this Ordinance, a monthly payment of forty-five dollars,

the payment to be continued for as long as in the opinion of the referee, it might

reasonably have been expected that had the workman lived he would have continued to contribute to the support of the child;

- (h) to a dependant child who is sixteen or seventeen years of age, such amount as the referee would have ordered pursuant to subsection (1) of section 34 be continued to be paid to the child had he been approaching the age of sixteen years on the day of the workman's death;
- (i) where the workman leaves no surviving spouse or the surviving spouse of the workman dies or is confined to a prison, gaol, lockup or other institution, to
 - (i) a dependant child less than sixteen years of age,
 - (ii) a dependant child sixteen or seventeen years of age, and
 - (iii) a dependant invalid child of any age, an amount, not exceeding ten dollars per month but additional to any amount to which the child is entitled by reason of any preceding paragraph, as in the discretion of the referee appears necessary adequately to maintain and support such child;
- (j) to a dependant widow who is in necessitous circumstances because of illness, such amount, not exceeding fifteen dollars per month but additional to any amount to which the widow is entitled by reason of any preceding paragraph, as to the referee seems appropriate in view of the nature of the illness; and
- (k) (1) to a dependant child who is ill or to a dependant invalid child, such additional amount, not exceeding fifteen dollars per month but additional to any amount to which the child is entitled by reason of any preceding paragraph, as the referee may deem fit, payable for such period as

to the referee seems appropriate in view of the child's condition.

"Existing household" defined.

- (2) For the purposes of subsection (3)
 - (a) "existing household" in respect of a workman who dies means a household wherein all of the children entitled to compensation at the time of his death are, at that time, maintained and cared for by one person who is either the mother or foster mother of each child; and

Person deemed not to be a foster mother.

- (b) a person shall be deemed not to be acting as a foster mother within the meaning of subsection (3) where none of the children of the deceased workman who constitute his existing household is entitled to compensation.

Compensation payable to foster mother.

- (3) Where a workman dies leaving no widow or the widow of the workman subsequently dies and
 - (a) it appears to the referee to be desirable to continue the existing household of the deceased workman, and
 - (b) an aunt, sister or other suitable person acts, in a manner satisfactory to the referee, as foster mother in keeping up the household and maintaining and caring for the children who are entitled to compensation, the aunt, sister or other suitable person acting as foster mother, while so acting, is entitled to compensation as though she were the widow of the deceased workman.

Compensation payable to a woman dependant on workman.

- 33. (1) Where a workman who dies leaving no dependant wife
 - (a) cohabited for the six years immediately preceding his death with a woman who was

dependant on him for her maintenance and support, or

- (b) cohabited for the two years immediately preceding his death with a woman who was dependant on him for her maintenance and support and by whom he had one or more children

the compensation to which a dependant wife of the workman would have been entitled under this Ordinance may, in the discretion of the referee be paid to the woman who was dependant on him for maintenance and support until she marries or commences to cohabit with a man.

(2) A person who receives or is eligible to receive compensation pursuant to subsection (1) is not entitled to receive any compensation pursuant to subsection (3) of section 32. Idem.

34. (1) Where a dependant child of a workman who is receiving benefit under paragraph (e) of subsection (1) of section 32 is Extended period of compensation for child attending school.

- (a) approaching the age of sixteen years,
- (b) attending an academic, technical or vocational school and making progress at the school satisfactory to the referee, and
- (c) receiving payments of compensation or for whose benefit payments of compensation are being made,

the referee may, in his discretion, order the employer making the payments of compensation to continue making them until the dependant child

- (d) fails to make progress at any such school satisfactory to the referee,
- (e) no longer attends any such school, or
- (f) attains the age of eighteen years,

whichever occurs first, and where the referee so orders, the employer shall continue making the payments of compensation in accordance with the order.

Idem.

(2) Where a dependant child who is receiving payments pursuant to paragraph (h) of subsection (1) of section 32 or subsection (1) or for whose benefit such payments are being made attains the age of eighteen years during a school year, the referee may order the employer making the payments to continue making them to the end of the school year and where the referee so orders, the employer shall continue making the payments of compensation in accordance with the order.

Compensation for other dependants.

35. Where the only dependants of a workman who dies as a result of an accident are persons other than those to whom compensation is payable pursuant to subsection (1) of section 32, section 33 or 34, any such dependant is entitled to be paid compensation in a reasonable amount, to be determined by the referee, that takes into account the pecuniary loss to the dependant caused by the workman's death, but not so as to exceed

(a) where the accident occurred on or before the 31st day of December, 1955,

(i) fifty dollars per month for one dependant parent, or

(ii) a total of eighty-five dollars per month for two dependant parents; or

(b) where the accident occurred on or after the 1st day of January, 1956,

(i) seventy-five dollars per month for one dependant parent, or

(ii) a total of one hundred dollars per month for two dependant parents.

Lump sum payable when widow remarries.

36. Where a dependant widow who is receiving monthly payments of compensation from an employer remarries, she shall be paid a lump sum of one thousand five hundred dollars by the employer on her remarriage, but she shall not be entitled to any further monthly payments of compensation after the payment for the month in which her remarriage takes place.

Only one pension payable.

37. Where a person is being paid or is entitled to be paid monthly payments of compensation in respect of the death of a workman and subsequently becomes entitled to

be paid monthly payments of compensation in respect of the death of another workman, the person shall be paid only the greater of the monthly payments that he is entitled to be paid.

38. (1) Notwithstanding any provision of this Ordinance except subsection (2), a dependant who is resident outside of Canada is not entitled to any compensation unless by the law of the place in which he resides, dependants of a workman to whom an accident happens in that country would, if resident in Canada, be entitled to compensation under that law; and where dependants would be so entitled, the dependant who is resident out of Canada shall not be paid compensation pursuant to this Ordinance in an amount greater than the amount payable in a like case under the law of the place in which he resides.

Dependant
not resident
in Canada.

(2) Where a dependant of a workman who dies as a result of an accident is resident outside of Canada in circumstances that would disentitle him to any compensation pursuant to this Ordinance, the referee may order the workman's employer to make monthly payments or a lump sum payment of compensation, in an amount that the referee considers just but not exceeding the amount to which the dependant would be entitled pursuant to this Ordinance were he resident in Canada, to such dependant and where the referee so orders, the employer shall make monthly payments or a lump sum payment of compensation in accordance with the order.

Idem.

PAYMENTS TO OR FOR A CHILD.

39. Compensation payable to a child shall be paid to a parent of the child or, if the referee so directs, shall be paid to the child or to another person for the benefit of the child or shall be applied for the benefit of the child in such manner as the referee directs.

Payments
to parent
or other
person for
child.

DETERMINATION OF AMOUNT OF COMPENSATION FOR A WORKMAN.

40. Where a workman is entitled to compensation because of an accident that causes permanent total disability, he shall be paid each week for so long as he lives an amount, to be determined by the referee, equal to seventy-five per

Compensation
for
permanent
total
disability.

cent of the average weekly earnings of workmen employed at work similar to that at which and in the same occupation as the workman was employed immediately before the accident that caused his permanent total disability.

Compensation for permanent partial disability.

41. (1) Where a workman is entitled to compensation because of an accident that causes permanent partial disability, he shall be paid each week for so long as he lives a percentage of the amount to which he would have been entitled under section 40 had he suffered permanent total disability as a result of the accident, equal to the percentage impairment of his earning capacity as estimated by the referee in accordance with subsections (2) and (3).

Percentage impairment of earning capacity.

(2) For the purposes of subsection (1), "the percentage impairment of earning capacity" of a workman who suffers permanent partial disability as a result of an accident is the extent, estimated by the referee as a percentage after taking into account the nature and degree of the disability, to which the disability has impaired the earning capacity that was enjoyed by the workman immediately before the accident.

Idem.

(3) In estimating the percentage impairment of earning capacity of a workman pursuant to subsection (2), the referee may, where he deems it just, take into account the workman's fitness

- (a) to continue doing the work that he was employed to do at the time of the accident that caused his permanent partial disability, and
- (b) to adapt himself to some other suitable occupation.

Compensation where earning capacity not impaired.

(4) Notwithstanding this section, where a workman has been

- (a) seriously and permanently injured about the face or head, or
- (b) otherwise seriously and permanently injured, in an accident in a way that does not result in permanent partial disability that impairs his earning capacity, the referee may, if he considers it just and if the workman would have been entitled to compensation had the

injury resulted in permanent partial disability that impaired his earning capacity, order the employer of the workman to make periodic payments or a lump sum payment of compensation or both periodic payments and a lump sum payment of compensation to the workman in an amount or amounts that, on the basis of the scale of compensation provided by this Ordinance for workmen, appears to the referee to be reasonable.

42. Where a workman is entitled to compensation because of an accident that causes temporary total disability the amount of the compensation payable to him shall be an amount, payable weekly as long as the disability exists, equal to seventy-five percent of his average weekly earnings calculated in accordance with section 45.

Compensation for temporary total disability.

43. (1) Where a workman is entitled to compensation because of an accident that causes temporary partial disability, he shall be paid each week for so long as the disability exists a percentage of the amount to which he would have been entitled under section 42 had he suffered temporary total disability as a result of the accident, equal to the percentage impairment of his earning capacity as estimated by the employer's insurer, a person designated by the Commissioner pursuant to subsection (2) of section 17 for the purpose of determining the claim or the referee, as the case may be.

Compensation for temporary partial disability.

(2) In estimating the percentage impairment of a workman's earning capacity for the purpose of subsection (1), subsections (2) and (3) of section 41 shall apply *mutatis mutandis*.

Idem.

44. Notwithstanding any provision of this Ordinance, where a workman is entitled to compensation because of disability that results from an accident that occurs while he is doing rescue work in or on the premises of a mine or other industry to which this Ordinance applies for the purpose of saving human life after an explosion, fire or other catastrophe, the compensation payable to him shall be calculated on the basis of one hundred percent of his average weekly earnings or of the average weekly earnings of work-

Compensation where workman injured doing rescue work.

men employed at work similar to that at which and in the same occupation as he was employed immediately before the accident, as the case may be.

Manner of computation of average weekly earnings.

45. (1) For the purposes of section 42 but subject to section 46, the average weekly earnings of a workman shall be determined on the basis of the earnings of the workman, during the twelve months preceding the accident, from employment by his employer in any industry, except that where

- (a) such earnings are not ascertainable or
- (b) the short period of time that the workman was in the employer's employment before the accident occurred or the casual nature of such employment makes it impracticable to determine the workman's actual average weekly earnings during the preceding twelve months,

his average weekly earnings may be determined on the basis of the earnings, during the twelve months preceding the accident, of a person employed in employment of the same kind and at the same grade as the workman was employed at the time the accident occurred

Idem.

(2) Notwithstanding subsection (1), where, in the opinion of the person required to make the determination of a workman's average weekly earnings for the purposes of section 42, it is not possible to do so in accordance with subsection (1), the actual weekly earnings of the workman at the time the accident occurred shall be deemed to be the average weekly earnings of the workman for the purposes of section 42.

Maximum average weekly earnings.

46. (1) Where average weekly earnings are required to be determined for the purposes of section 40 to 44, they shall be determined in the manner best calculated to give the actual average rate of earnings per week, but where the average rate of earnings per week so determined would, when projected on an annual basis, result in an annual rate of remuneration that exceeds

- (a) where the accident occurred on or before the 31st day of December, 1955, three thousand dollars

- (b) where the accident occurred on or after the 1st day of January, 1956, four thousand dollars, or
- (c) where the accident occurred after the coming into force of this Ordinance, five thousand six hundred dollars,

the average weekly earnings shall be deemed to be the rate of remuneration per week that would, when projected on an annual basis, result in that annual rate of remuneration.

(2) Where a workman is entitled to be or is being paid compensation for a permanent or temporary disability he is not entitled to compensation in respect of any further or other disability in any amount that would cause his aggregate compensation to exceed the maximum amount payable to a workman for permanent total disability.

Compensation for further or other disability.

(3) Where a workman has been paid a lump sum in lieu of periodic payments of compensation that otherwise would have been paid to him, he shall, for the purposes of subsection (2), be deemed to be still in receipt of the periodic payments.

Idem.

(4) Where a workman who is injured in an accident was under concurrent contracts of service with two or more employers during any period required to be taken into account in determining his average weekly earnings for the purposes of this Ordinance and, during such period, worked for more than one such employer, his average weekly earnings shall be determined as though his earnings from all such employers during that period were earnings from his employment with the employer from whom he was working at the time of the accident.

Average weekly earnings where concurrent contracts of service.

(5) Where an employer customarily pays to a workman an amount in respect of special expenses incurred by the workman by reason of the nature of his employment with the employer, any amount so paid shall not be included as part of the workman's earnings for the purposes of determining the amount of compensation to which the workman is entitled.

Payments for special expenses not to be included.

(6) Where the average weekly earnings of a learner are required to be determined for the purposes of sections 40 to 44, he shall be deemed to have been employed at all

Average weekly earnings of a learner.

relevant times as a beginner in the work that he was learning and his average weekly earnings shall be determined on the basis of the earnings of a workman employed as a beginner in such work.

Minimum Compensation for total disability.

47. Where a workman is entitled to compensation in respect of permanent or temporary total disability the minimum amount of compensation to which he is entitled is an amount not less than the lesser of

- (a) thirty-five dollars per week, or
- (b) his average weekly earnings.

COMMUTATION OF COMPENSATION PAYMENTS.

Commutation of weekly payments.

48. (1) Where, in the opinion of the person required by this Ordinance to determine the amount of weekly payments of compensation to a workman or to a dependant of a workman, it is advisable that payments of compensation be made monthly or semi-monthly instead of weekly to the workman or dependant, as the case may be, he may commute the weekly payments to monthly or semi-monthly payments and thereafter the payment of compensation shall be made on the commuted basis

Idem.

(2) Where a workman or a dependant of a workman who is entitled to be paid compensation on a weekly basis is not a resident of or ceases to reside in the Territory, the person required to determine the amount of compensation to be paid weekly to the workman or his dependant, as the case may be, may commute the weekly payment of compensation to such other basis as he deems fit and thereafter payments of compensation to the workman or the dependant, as the case may be, shall be made on the commuted basis.

Idem.

(3) Notwithstanding any provision of the Ordinance, where a workman or a dependant of a workman who is entitled to be paid compensation at a rate not less than twenty dollars per month gives written notice to the person required to determine the amount of compensation to be paid to such person that he desires that the compensation payable to him be paid semi-monthly, the compensation payable to him shall be commuted to a semi-monthly basis and thereafter shall be paid to him on that basis.

AMOUNT AND PAYMENT OF COMPENSATION TO A WORKMAN UNDER TWENTY-ONE.

49. (1) Where a workman who is entitled to be paid compensation is under the age of twenty-one years or under other legal disability, the compensation may be paid to him or may be applied for his benefit in such manner as the person required by this Ordinance to determine the amount of compensation to which the workman is entitled considers to be to his greatest advantage.

Payment where workman under legal disability.

(2) Where a workman who is entitled to compensation as a result of an accident was under twenty-one years of age at the time of the accident, the amount of compensation to which he is entitled shall, for any period that he is entitled to compensation after attaining the age of twenty-one years, be determined on the basis of earnings, at the time the accident occurred, of a workman not less than twenty-one years of age employed in employment the same as or similar to the employment of the workman at the time of the accident.

Amount of compensation when workman becomes twenty-one.

REDUCTION OF COMPENSATION.

50. In determining the amount of compensation to which a workman is entitled in respect of a disability, such amount may be reduced by the amount of any pension or other payment in respect of the disability that, apart from this Ordinance, the employer is under a legal obligation to pay to the workman during the period of his disability, if the workman has not made and is not required to make any contribution in respect of the pension or other payment.

Compensation may be reduced by amount of pension or other payment.

SILICOSIS.

51. (1) Notwithstanding any provision of this Ordinance, no workman or dependant of a workman is entitled to compensation in respect of the disability or death of the workman as a result of an accident caused by silicosis unless

Circumstances in which compensation payable for silicosis.

- (a) in the opinion of the referee, the workman had, in his employment in the Territory that preceded such disability or death, been exposed to dust containing silica for a period of or for periods totalling not less than two years, or

(b) it appears to the referee that the workman was not exposed to dust containing silica in any employment of the workman out of the Territory or that his exposure to dust containing silica in employment out of the Territory did not contribute substantially to his disability or death.

Each employer to pay proportion of compensation.

(2) Where compensation is payable to a workman or a dependant of a workman in respect of the disability or death of the workman as a result of an accident caused by silicosis and the workman was, before the accident occurred, employed in the Territory by more than one employer in employment that exposed him to dust containing silica, each employer who so employed him shall pay that portion of the compensation that the number of days he was so exposed while employed by the employer bears to the total number of days that he was so exposed while employed in the Territory.

MEDICAL AID.

Provision of medical aid.

52. (1) Where a workman is injured in an accident in circumstances that entitle him to compensation, the employer shall provide for the workman such medical aid as is reasonably necessary at the time of the accident and thereafter such further medical aid as is reasonably necessary for the purposes of diagnosis and treatment of the injury and relief of the workman from the effects thereof.

Idem.

(2) Any question arising under subsection (1) as to
 (a) the reasonable necessity of medical aid,
 (b) the nature of the medical aid required, or
 (c) the sufficiency of the medical aid provided,

shall be determined by the referee, and the referee may give such directions as to the provision of medical aid by the employer as he deems necessary.

No action except against employer.

(3) Subject to subsection (4), where an employer provides medical aid for an injured workman, the employer is liable to pay any person in respect of the provision of medical aid only such amount as the referee directs to be paid; and no action lies in respect of the provision of the medical aid

- (a) against the employer for any greater amount than the amount that the referee directs to be paid; or
- (b) against the injured workman or any person other than the employer for any amount.

(4) Where an employer provides hospital services for an injured workman, the amount that the employer shall pay in respect of the provision of the hospital services is the amount that the employer and the hospital authority agree upon or, if the employer and the hospital fail to agree, as the referee directs. Hospital services.

(5) Where a workman who was injured in an accident is being provided by the employer with medical aid at a district, settlement or place other than that in which the workman ordinarily resides and does not receive board and lodging from the employer or at the employer's expense, the employer shall pay to the workman, while he is being provided with medical aid at such district, settlement or other place, an allowance of Allowance.

- (a) where the workman maintains a house or other residence where he ordinarily resides, six dollars per day,
- (b) where the workman does not maintain a house or other residence where he ordinarily resides, three dollars per day, or
- (c) such lesser amount as may be determined by the referee at the request of the Commissioner.

(6) The referee may contract with medical practitioners, nurses, hospitals and other institutions for medical aid for a workman injured in an accident and, with respect to any such workman who has been rendered helpless by an injury that has resulted in permanent total disability, the referee may make provision for such other treatment or attention for the workman as in his opinion is required; and the employer shall pay any charges or expenses incurred under or in connection with any such contract or in connection with the provision of such other treatment or attention. Referee may contract for medical aid.

Major or elective operations.

(7) The employer of a workman injured in an accident is not, unless the referee in his discretion directs otherwise, liable to pay for any major or elective operation performed on the workman in respect of the injury, except such an operation when performed in an emergency, unless the approval of the employer, the employer's insurer or the referee (when the matter is referred to him by the Commissioner) is obtained before the operation is performed.

No charge to workman.

(8) No workman shall be charged or be liable for any amount in respect of medical aid that the workman's employer is required by this Ordinance to provide for the workman or to pay for.

Transportation to be provided to workman.

(9) The employer of a workman who is injured in an accident shall, at the employer's expense, immediately provide the workman, if he is in need of it, with transportation to such place as his condition requires him to go, including

- (a) a hospital,
- (b) a medical practitioner, or
- (c) his home.

Where employer fails to provide transportation.

(10) An employer who fails to provide a workman with transportation as required by subsection (9) is liable, if the Commissioner so orders, to pay for transportation actually procured by or for the injured workman to such place as his condition requires him to go.

ASSESSMENT OF INSURED EMPLOYERS.

Assessment of insured employers.

53. (1) Subject to subsections (2) and (3), each employer shall

- (a) annually, on the day that the whole or any part of the annual premium on his contract of insurance entered into under this Ordinance is first due, pay to the Commissioner or to a person authorized by him as his agent in that behalf an assessment of
 - (i) such percentage, not exceeding one-half of one per cent, of his estimated payroll for the twelve month period commencing on that day, as the Commissioner from time to time prescribes, or

(ii) one dollar,
whichever is the greater; and

- (b) within thirty days after each anniversary of the day referred to in paragraph (a), submit to the Commissioner in prescribed form a statement of his actual payroll for the twelve month period preceding such anniversary. Submission of payroll.

(2) Notwithstanding paragraph (b) of subsection (1), within thirty days after the day on which an employer ceases to be an employer or his contract of insurance expires, whichever first occurs, he shall submit to the Commissioner in prescribed form a statement of his actual payroll for the period from the day mentioned in paragraph (a) of subsection (1) to the applicable day mentioned in this subsection.

(3) An employer who has been exempted from the application of subsection (1) of section 3 shall Assessment of exempted employers.

- (a) on the day that the exemption is granted, pay to the Commissioner or to a person designated by him as his agent in that behalf an assessment of

(i) such percentage, not exceeding one-half of one per cent of his estimated payroll for the period in respect of which the exemption is granted, as the Commissioner prescribes, or

(ii) one dollar,
whichever is the greater, and

- (b) within thirty days after the day on which he ceases to be exempt from the application of section 3 or the day on which he ceases to be an employer, whichever first occurs, submit to the Commissioner in prescribed form a statement of his actual payroll for the period during which he was exempt.

(4) A change in the rate of assessment is effective on the first due date for payment of any assessment following the day on which the new rate is prescribed. Change in rate of Assessment.

Where
assessment
greater.

(5) Where an assessment paid by an employer is greater than the amount payable on the basis of his actual payroll, the amount of the overpayment shall, if it exceeds one dollar, be refunded to him following receipt by the Commissioner of the statement of the employer's actual payroll.

Where
assessment
less.

(6) Where the assessment paid by an employer is less than the amount payable on the basis of his actual payroll, he shall pay the amount of the difference, if it exceeds one dollar, to the Commissioner at the time he submits the statement of his actual payroll.

Agent.

(7) The Commissioner may designate any person as his agent to collect any assessment payable under this section, and such agent has full power to institute and carry on, in his own name, all necessary legal proceedings to recover any such assessment for the Commissioner.

Payroll.

(8) Every employer shall furnish to the Commissioner such information regarding his payroll as the Commissioner may from time to time require.

Payments.

(9) All moneys paid to the Commissioner or to a person designated by him as his agent, shall be paid into and form part of the Yukon Consolidated Revenue Fund.

**PAYMENTS OUT OF YUKON CONSOLIDATED
REVENUE FUND.**

Payments out
of Yukon
Consolidated
Revenue
Fund.

54. From and out of the moneys issued and advanced out of the Yukon Consolidated Revenue Fund the following may be paid:

- (a) the fees and expenses of referees.
- (b) any sum that an employer is entitled to be refunded under section 53,
- (c) any payments for premiums in respect of contracts of insurance entered into by the Commissioner pursuant to subsection (3) of section 3 or by or on behalf of the Government of the Yukon Territory pursuant to subsection (1) of section 3,
- (d) the costs of administration and enforcement of this Ordinance and the regulations, and

- (e) such part of the moneys collected by assessment in excess of all such fees, expenses, refunds, payments and costs as the Commissioner may determine.

GENERAL PROVISIONS.

55. Where an amount awarded as compensation by a referee is not paid promptly after it becomes due, such amount may be paid to the person entitled thereto from and out of the moneys issued and advanced out of the Yukon Consolidated Revenue Fund, and any amount so paid is a debt due to the Commissioner and may be recovered by him in any court of competent jurisdiction from the person who failed to pay it promptly.

If Award not paid promptly.

56. Every employer shall keep posted in his premises at a place readily accessible to his workmen a poster provided by the Commissioner setting out in concise form the provisions of this Ordinance and the procedure to be followed in reporting accidents and making claims.

Duty to post details of Ordinance.

57. Every employer's insurer, or other person designated by the Commissioner pursuant to subsection (2) of section 17, who determines a claim by a workman for temporary disability shall give the workman written notice of the disposition of his claim and, in the written notice, shall draw the attention of the workman to his right under subsection (3) of section 17 to have the disposition of his claim reviewed by the referee.

Notice of disposition of claim and right to review.

OFFENCE.

58. In any prosecution of a person for failing to comply with the requirements of subsection (1) of section 3, a certificate purporting to be signed by the Commissioner alleging that such person has failed to enter into and maintain in force a contract of insurance as required by subsection (1) of section 3 shall be received in evidence as *prima facie* proof of the facts alleged therein.

Certificate as *prima facie* proof of facts alleged therein.

59. Every employer who violates any provision of this Ordinance or any regulation made thereunder for which no other penalty is provided is guilty of an offence and is liable on summary conviction to a fine not exceeding one thousand dollars.

Penalty.

REGULATIONS.

Regulations.

60. The Commissioner may make Regulations providing for the carrying into effect of the purposes and provisions of this Ordinance and, without limiting the generality of the foregoing, may make regulations

- (a) prescribing anything that by this Ordinance is to be prescribed by regulation;
- (b) prescribing such forms as he deems necessary; and
- (c) with respect to the prevention of accidents and industrial diseases.

REPEAL AND COMING INTO FORCE.

61. The Workmen's Compensation Ordinance, R.O.Y.T. 1958, chapter 111, is repealed.

Coming
into force.

62. This Ordinance shall come into force on a day to be fixed by order of the Commissioner.

CHAPTER 2

ORDINANCES OF THE YUKON TERRITORY

1966 (Second Session)

AN ORDINANCE RESPECTING TERRITORIAL
GAOLS*(Assented to December 2, 1966)*

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

SHORT TITLE.

1. This Ordinance may be cited as the *Gaols Ordinance*. Short Title.

GAOL DESIGNATED.

2. Every building and other enclosure on the land described in the Schedule is designated as a prison, gaol or lock-up for the confinement of persons charged with the commission of any offence under a statute, ordinance or other law in force in the Territory or sentenced thereunder to a term of imprisonment not exceeding two years. Land in Schedule to be gaol.

SCHEDULE.

3. The whole of Lot 509 in Group 804 in the Yukon Territory according to a plan of survey numbered in the Canada Lands Surveys Records of the Department of Energy, Mines and Resources at Ottawa under number 53002.

CHAPTER 3

ORDINANCES OF THE YUKON TERRITORY

1966 (Second Session)

AN ORDINANCE RESPECTING CIVIL MEASURES
TO BE TAKEN IN THE YUKON TERRITORY
TO DEAL WITH ANY PEACETIME OR
WAR EMERGENCY

(Assented to December 2, 1966)

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

SHORT TITLE.

Short
Title.

1. This Ordinance may be cited as the *Civil Emergency Measures Ordinance*.

INTERPRETATION.

Definition.

2. In this Ordinance,

"Civil
Emergency
Plan."

- (a) "civil emergency plan" means a plan approved by the Commissioner pursuant to Section 3 for dealing with any emergency;

"Emergency."

- (b) "emergency" means a peacetime disaster or a war emergency;

"Municipality."

- (c) "municipality" means a town or village to which the *Municipal Ordinance* applies;

"Peacetime
Disaster."

- (d) "peacetime disaster" means a disaster, real or apprehended, resulting from fire, explosion, flood, earthquake, landslide, weather, epidemic, shipping accident, mine accident, transportation accident, electrical power failure, nuclear accident and any other disaster not attributable to enemy attack, sabotage or other hostile action whereby injury or loss is or may be caused to persons or property in the Territory; and

- (e) "war emergency" means the state existing as a result of a proclamation issued by Her Majesty or under authority of the Governor in Council that war, invasion or insurrection, real or apprehended, exists. "War emergency."

CIVIL EMERGENCY OFFICER.

3. (1) The Commissioner shall appoint a Civil Emergency Officer. Civil
Emergency.
- (2) It shall be the duty of the Civil Emergency Officer Officer
Duties.
- (a) to formulate and recommend to the Commissioner plans for dealing with any peace-time disaster or war emergency; and
- (b) to undertake such other duties as the Commissioner may assign to him.
- (3) Any plan described in paragraph (a) of subsection (2) and approved by the Commissioner may provide for the delegation to any official, board, commission or branch of the government of the Territory or a municipality of the powers and duties under any Ordinance of any official, board, commission or branch of the government of the Territory for the purposes of the operation of the plan.
4. The Commissioner may appoint or designate such officers, technicians and employees as are necessary to assist the Civil Emergency Officer in the carrying out of his duties. Staff.

CIVIL EMERGENCY PLAN.

5. For the purposes of carrying out any civil emergency plan, the Commissioner may Commissioner
may enter
agreements
etc.
- (a) enter into agreements with the Government of Canada, the government of any province, a municipality or any person;
- (b) in conjunction with the Government of Canada, the government of any province, a municipality or any person, prepare plans for the meeting of any emergency;
- (c) make surveys of the resources and facilities within the Territory;

- (d) institute training and public information programs; and
- (e) take such other preparatory steps as he considers necessary or advisable to ensure the existence of adequately trained and equipped personnel to meet any emergency including the complete or partial mobilization of civil emergency organizations, the testing of the sufficiency of any civil emergency plan and the efficiency of the organization relating to any such plan

Municipal by-laws.

6. For the purpose of dealing with an emergency, a municipality may by by-law

- (a) establish a local organization to deal with matters relating to emergency planning;
- (b) appoint a municipal emergency planning co-ordinator and the officers and employees necessary to assist him; and
- (c) with the approval of the Commissioner,
 - (i) adopt an emergency plan which may be co-ordinated with any plan of the Territory or of any other municipality, and
 - (ii) enter into an agreement with any other municipality for a common emergency organization, plan or program.

STATE OF EMERGENCY.

Declaration of state of emergency.

7. (1) Where the Commissioner is informed that a war emergency exists or is of the opinion that a peacetime disaster exists, he may declare that a state of emergency exists in the Territory or in any part thereof.

Term of state of emergency.

(2) Unless extended by declaration of the Commissioner, a state of emergency declared under subsection (1) shall cease to exist ninety days from the date of such declaration.

Putting emergency plan into operation.

8. Where the Commissioner declares that a state of emergency exists, he may

- (a) put into operation in the area in which the state of emergency is declared to exist any civil emergency plan; and
- (b) authorize any municipality in the area to put into operation any emergency plan that, with the approval of the Commissioner, it has adopted.

9. Notwithstanding any other Ordinance, where the Commissioner has declared that a state of emergency exists, he may do all such things as he considers advisable for the purpose of dealing with the emergency and, without restricting the generality of the foregoing, he may

- (a) do such acts as he deems necessary for
 - (i) the protection of persons and property
 - (ii) maintaining, clearing and controlling the use of roads and streets,
 - (iii) requisitioning or otherwise obtaining and distributing accommodation, food and clothing and providing other welfare services,
 - (iv) providing and maintaining water supplies, electrical power and sewage disposal,
 - (v) assisting in the enforcement of the law,
 - (vi) fighting or preventing fire, and
 - (vii) protecting the health, safety and welfare of the inhabitants of the area;
- (b) make such regulations as he considers proper to put into effect any civil emergency plan; and
- (c) require any municipality to provide such assistance as he deems necessary during the emergency and authorize the payment of the cost of such assistance out of the revenues of the Territory.

GENERAL.

10. Where the Commissioner has declared that a state of emergency exists,

(a) the Commissioner, a municipality and any person acting under the direction or authorization of the Commissioner or under any by-law made pursuant to section 6, and

(b) any person who does any act in carrying out a civil emergency plan,

shall not be liable for any damage caused by or arising out of such actions.

Offence.

11. Where the Commissioner has declared that a state of emergency exists, any person who fails to obey any order given by any person described in section 10 in the performance of any action taken pursuant to this Ordinance, the regulations or a civil emergency plan in the area in which the emergency exists, is guilty of an offence and is liable on summary conviction to a fine not exceeding five hundred dollars or to imprisonment for a term not exceeding six months or to both such fine and imprisonment.

Employee deemed to have been in his accustomed employment.

12. Every person who is absent from his accustomed employment on duty authorized by the Commissioner or by a council of a municipality during a state of emergency shall, while so absent, for all purposes relative to retention of employment, seniority rights and superannuation benefits, be deemed to have been in his accustomed employment during the period of his absence.

Provisions of this Ordinance prevail.

13. In the event of any inconsistency between the provisions of this Ordinance or any civil emergency plan approved by the Commissioner and the operation of any other Ordinance, the provisions of this Ordinance shall prevail to the extent of the inconsistency.

Regulations.

14. The Commissioner may make such regulations as he deems necessary for carrying out the purposes and provisions of this Ordinance.

CHAPTER 4

ORDINANCES OF THE YUKON TERRITORY

1966 (Second Session)

AN ORDINANCE TO AUTHORIZE THE
COMMISSIONER TO LEND MONEY TO THE
CITY OF WHITEHORSE FOR THE
CONSTRUCTION OF MUNICIPAL WORKS

(Assented to November 10, 1966)

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

SHORT TITLE.

1. This Ordinance may be cited as the *Whitehorse Centennial Complex Loan Ordinance*. Short Title.

INTERPRETATION.

2. (1) In this Ordinance, Definitions.
- (a) "borrowing by-law" means a by-law mentioned in section 4;
 - (b) "City" means the City of Whitehorse;
 - (c) "Council" means the Council of the City; and
 - (d) "debenture" means a debenture issued pursuant to a borrowing by-law.

(2) This Ordinance shall be construed as incorporate with the Municipal Ordinance, but in case of conflict the provisions of this Ordinance shall prevail. Ordinance one with Municipal Ordinance.

3. The Commissioner may, on behalf of the Territory, on the security of debentures of the City of Whitehorse, lend a sum not exceeding one hundred thousand dollars to the City to enable it to carry on a programme of municipal works and for that purpose the Commissioner may, on behalf of the Territory, enter into an agreement with the City. Commissioner may lend and enter into agreement.

By-laws. **4.** Subject to this Ordinance, the Council may pass by-laws for the borrowing of money not exceeding the sum of one hundred thousand dollars for the purpose mentioned in section 3 on the security of debentures of the City issued in accordance with this Ordinance; but no such by-law shall be valid unless, prior to being finally passed by the Council, it has been submitted to and approved by the Commissioner and has received the assent of two-thirds of the voters of the City who have voted thereon.

Approved by
Commissioner
and voters.

**Form of
by-law.** **5.** (1) A borrowing by-law shall set out in detail:

- (a) the amount proposed to be borrowed;
- (b) the purpose for which the expenditure is to be made;
- (c) the term of the debentures to be issued;
- (d) the rate of interest payable thereon;
- (e) the method of repayment; and
- (f) the amount of the existing debenture debt, if any, and how much, if any, of the principal or interest thereof is in arrears.

Idem. (2) Every by-law to borrow money on the security of debentures shall, by its terms

- (a) authorize the issue of debentures for the amount of the debt to be created thereby;
- (b) specify the amount or denominations thereof;
- (c) fix the rate or rates of interest payable thereon, and the places and the times when the principal and interest shall be payable;
- (d) provide that the debentures and coupons for the interest thereon shall be paid in lawful money of Canada;
- (e) provide for the levy of an annual rate or rates sufficient to pay the principal and interest of such debenture; and
- (f) generally shall be in such form and contain such further provisions as are required by the Commissioner.

6. No money borrowed pursuant to a borrowing by-law shall be used for a purpose other than that stated in the by-law, except that if there remains an unexpended balance in respect of the purpose for which the money was borrowed, such balance may be used by the City:

Money to be used for purpose stated.

- (a) for the payment of any interest payable in respect of the debenture issued, or
- (b) for the repayment of the principal amount of the debenture, or any portion thereof.

7. (1) Debentures may be issued either all at one time or in instalments at such times as Council deems expedient, but no debenture shall be issued after the expiration of two years after the final passing of the by-law.

Debentures how issued.

(2) Debentures and interest coupons shall be in a form approved by the Commissioner and shall be signed by such persons and in such manner as the Commissioner prescribes.

Form of debenture and coupons.

(3) No debentures shall be issued for a term exceeding twenty years.

Term.

(4) Debentures and interest coupons shall bear interest at the same rate after as before maturity.

Interest.

(5) Debentures and interest coupons may be payable at any place in Canada.

Where payable.

8. (1) A by-law may provide that any of the debentures authorized to be issued thereunder shall be redeemable at the option of the City at such time or times as the City may find it possible to redeem the same.

Redemption.

(2) Where a debenture is redeemed prior to maturity, the redemption shall not affect the validity of any by-law by which taxes have been imposed in respect thereof, the validity of such taxes or the power of the Council to continue to collect taxes in respect thereof.

Redemption prior to maturity.

9. Any debenture issued under this Ordinance shall be valid and binding upon the City, notwithstanding any insufficiency in the form or substance of the debenture or the by-law if the by-law has received the approval of the Commissioner and the assent of two-thirds of the voters who voted thereon and no successful application has been made to quash it.

Defect in form, etc., of debenture.

Special levy
where default
in debentures.

10. If the City defaults in payment of the moneys owing on a debenture issued under a by-law passed pursuant to this Ordinance, Council shall forthwith make a special levy against all property in the City to raise sufficient funds to pay the arrears owing on such debentures.

CHAPTER 5

ORDINANCES OF THE YUKON TERRITORY

1966 (Second Session)

AN ORDINANCE TO AMEND THE
COMPANIES ORDINANCE

(Assented to December 2, 1966)

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

1. Subsection (3) of section 70 of the *Companies Ordinance* is hereby amended by the addition thereto of the words "the company" immediately after the word "by" at the end thereof.

R.O.Y.T.
1958, c.19;
1962(1st)
c.18;
1964(2nd)
c.11.

CHAPTER 6

ORDINANCES OF THE YUKON TERRITORY

1966 (Second Session)

AN ORDINANCE TO AMEND THE
TAXATION ORDINANCE

(Assented to December 2, 1966)

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

O.Y.T.
1959(2nd)
c.2;
1960(1st)
c.5;
1961(1st)
c.4;
1963(1st)
c.6.

1. The *Taxation Ordinance* is amended by adding thereto, immediately after section 15 thereof, the following section:

Telegraph in-
stallations.

“15A. (1) The pole lines, cables, towers, poles and wires in the Territory of a telegraph or telephone company, electric light, power company or closed circuit television company shall be assessed as real property and the assessed value thereof shall be computed at the rate of seven hundred dollars per mile of pole line, cable or wire.

Railway
tracks.

(2) The tracks within the Territory of a railway company, including those located on a privately owned right-of-way or upon a public highway shall be assessed as real property and the value thereof shall be computed at the rate of five thousand eight hundred dollars per mile of each single track, including sidings and spurs.

Pipe lines.

(3) The pipes and pumping equipment within the Territory of a pipeline corporation used for the transportation of petroleum, petroleum products or gas including those located on a privately owned right-of-way or upon a public highway shall, for the purposes of this Ordinance, be assessed as real property and the assessed value thereof shall be computed in accordance with the table set out in Schedule B.

Water Pipes.

(4) The water pipes or other equipment of any water company on a public highway or street or road allowance shall be deemed to be land and shall be assessed as such at the rate of forty-five cents per running foot.”

2. The said Ordinance is further amended by adding thereto the following schedule:

"SCHEDULE B"

Outside Diameter of Pipe	Maximum Assessment per Mile of Single Pipe
Under 3 inches	\$ 3,000.
3 inches or more and under 4 inches	4,800.
4 inches or more and under 6 inches	10,200.
6 inches or more and under 8 inches	14,400.
8 inches or more and under 10 inches	18,900.
10 inches or more and under 12 inches	23,200.
12 inches or more and under 14 inches	26,800.
14 inches or more and under 16 inches	30,300.
16 inches or more and under 18 inches	33,900.
18 inches or more and under 20 inches	37,800.
20 inches or more and under 22 inches	42,100.
22 inches or more and under 24 inches	46,800.
24 inches or more and under 26 inches	51,500.
26 inches or more and under 28 inches	56,300.
28 inches or more and under 30 inches	61,000.
30 inches or more and under 32 inches	64,400.

CHAPTER 7

ORDINANCES OF THE YUKON TERRITORY

1966 (Second Session)

AN ORDINANCE TO AMEND THE
MUNICIPAL ORDINANCE

(Assented to December 2, 1966)

O.Y.T.
1959 (2nd)
c.1;
1960 (1st)
c.6;
1961 (1st)
c.6;
1961 (2nd)
c.5;
1961 (2nd)
c.9;
1961 (3rd)
c.2;
1962 (1st)
c.22;
1962 (5th)
c.10; 13; 16;
1964 (1st)
c.8;
1964 (2nd)
c.12.

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

1. The *Municipal Ordinance* is amended by adding thereto, immediately after section 137 thereof, the following section:

"137A. (1) The pole lines, cables, towers, poles and wires in the Territory of a telegraph or telephone company, electric light, power company or closed circuit television company shall be assessed as real property and the assessed value thereof shall be computed at the rate of seven hundred dollars per mile of pole line, cable or wire.

Telegraph installations.

(2) The tracks within the Territory of a railway company, including those located on privately owned right-of-way or upon a public highway shall be assessed as real property and the value thereof shall be computed at the rate of five thousand eight hundred dollars per mile of each single track, including sidings and spurs.

Railway Tracks.

(3) The pipes and pumping equipment within the Territory of a pipeline corporation used for the transportation of petroleum, petroleum products or gas including those located on a privately owned right-of-way or upon a public highway shall, for the purposes of this Ordinance, be assessed as real property and the assessed value thereof shall be computed in accordance with the table set out in Schedule D.

Pipe lines.

(4) The water pipes or other equipment of any water company on a public highway or street or road allowance shall be deemed to be land and shall be assessed as such at the rate of forty-five cents per running foot."

Water pipes.

2. The said Ordinance is further amended by adding thereto the following schedule:

"SCHEDULE D."

Outside Diameter of Pipe	Maximum Assessment per mile of single pipe
Under 3 inches	\$ 3,000.
3 inches or more and under 4 inches	4,800.
4 inches or more and under 6 inches	10,200.
6 inches or more and under 8 inches	14,400.
8 inches or more and under 10 inches	18,900.
10 inches or more and under 12 inches	23,200.
12 inches or more and under 14 inches	26,800.
14 inches or more and under 16 inches	30,300.
16 inches or more and under 18 inches	33,900.
18 inches or more and under 20 inches	37,800.
20 inches or more and under 22 inches	42,100.
22 inches or more and under 24 inches	46,800.
24 inches or more and under 26 inches	51,500.
26 inches or more and under 28 inches	56,300.
28 inches or more and under 30 inches	61,000.
30 inches or more and under 32 inches	64,400.

CHAPTER 8

ORDINANCES OF THE YUKON TERRITORY

1966 (Second Session)

AN ORDINANCE TO AMEND THE
LIQUOR ORDINANCE

(Assented to December 2, 1966)

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

R.O.Y.T.
1958c.67;
1959(1st)
c.6;
1961(2nd)
c.6;
1962(1st)
c.18;
1962(5th)
c.11;
1962(5th)
c.14;
1963(1st)
c.9;
1963(1st)
c.12;
1964(1st)
c.12;
1965(1st)
c.6;
1965(2nd)
c.3.

1. Subsections (1) and (1a) of Section 12A of the *Liquor Ordinance* are repealed and the following substituted therefor:

“12A. (1) In premises licensed as taverns no entertainment other than recorded music *and television* operated and controlled by the licensee is permitted but this shall not operate to prohibit darts, shuffleboard and other games of skill.

(1a) In premises licensed as cocktail lounges no entertainment other than recorded music *and television* operated and controlled by the licensee is permitted without a licence to be known as an “Entertainment Licence” which shall be issued on condition the entertainment is offered by adults and is in keeping with and designed to meet safety regulations and generally accepted standards of decency.”

2. Subsection (2) of Section 12D of the said Ordinance is amended by striking out the word “Sundays,” where it occurs.

3. Paragraphs (b) and (c) of subsection (1) of Section 31 of the said Ordinance are amended by striking out the expression “unless New Year’s Day shall fall on a Sunday” wherever it occurs therein.

4. Section 31 of the said Ordinance is amended by adding thereto, immediately after subsection (7) thereof, the following subsection:

(8) " Notwithstanding anything in this section the Commissioner, upon request being made therefor, may issue permits to licensees authorizing the designated licensed premises to remain open for the purposes stated on the licence until three o'clock in the forenoon of Sunday the first day of January, 1967."

CHAPTER 9

ORDINANCES OF THE YUKON TERRITORY

1966 (Second Session)

AN ORDINANCE TO AMEND THE
SCHOOL ORDINANCE

(Assented to December 2, 1966)

O.Y.T.
1962(1st)
c.7;
1964(1st)
c.7;
1965(1st)
c.3;
1966(1st)
c.5.

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

1. Section 85 of the *School Ordinance* is repealed and the following substituted therefor:

Compulsory
attendance.

"85. (1) Subject to subsection (2), every child that is seven years of age or over, but not over the age of fifteen and is resident in an area in which there is a school, shall attend school on every school day of a school year and, if so instructed by the Superintendent, on every school day during the months of July and August.

Exceptions.

- (2) Subsection (1) does not apply to a child who
 - (a) is prevented from attending school for any unavoidable cause;
 - (b) has reached a standard of education equal to or higher than that to be attained in the school; or
 - (c) is being instructed in a manner and to a standard satisfactory to the Superintendent.

Penalty.

(3) Every parent, guardian or other person having the care or control of a child required by this section to attend school who neglects or refuses to cause the child to attend school is guilty of an offence and liable on summary conviction to a fine not exceeding \$200 or to imprisonment for a term not exceeding thirty days or to both such fine and imprisonment.

Proof.

(4) In any proceedings under this section any school record relating to the age of a child is *prima facie* proof of

the age of the child and in the absence of any other evidence, the court may infer the age of the child from his appearance.

(5) For the purposes of this section, a child shall be deemed not to have attained a specified number of years of age until the commencement of the anniversary, of the same number, of the day of his birth.”

CHAPTER 10

ORDINANCES OF THE YUKON TERRITORY

1966 (Second Session)

AN ORDINANCE TO AMEND THE
CORONERS ORDINANCE

(Assented to December 2, 1966)

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

R.O.Y.T.
1958c.24.

1. Subsection (1) of Section 7 of the *Coroners Ordinance* is repealed and the following substituted therefor:

"7. (1) Subject to subsection (3) where a coroner is notified that there is, within his jurisdiction, the body of a deceased person respecting whom there is reason to believe that death resulted from violence, misadventure or unfair means or a cause other than disease or sickness, as a result of negligence, misconduct or malpractice on the part of others or under such other circumstances as require investigation, he shall, unless disqualified from acting under this ordinance issue his warrant, in Form A in the Schedule, to take possession of the body and shall view the body and make such further inquiry as may be required to satisfy himself whether or not an inquest is necessary."

CHAPTER 11

ORDINANCES OF THE YUKON TERRITORY

1966 (Second Session)

AN ORDINANCE TO AMEND THE
LOW COST HOUSING ORDINANCE

(Assented to December 2, 1966)

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

1. Paragraph (b) of subsection (3) of Section (3) of the *Low Cost Housing Ordinance* is hereby repealed and the following substituted therefor:

O.Y.T.
1962 (1st)
c.1;
1963 (1st)
c.8;
1966 (1st)
c7.

“(b) not exceed *eight* thousand dollars in respect of any one house;”

2. Paragraph (e) of subsection (3) of Section (3) of the said Ordinance is hereby repealed and the following substituted therefor:

“(e) be for a term not exceeding twenty-five years;”

3. Subsection (1a) of Section 4 of the said Ordinance is hereby repealed and the following substituted therefor:

“(1a) a loan shall not be made under the authority of this Section in respect of a house the estimated cost of construction of which is in excess of *ten* thousand dollars.”

CHAPTER 12

ORDINANCES OF THE YUKON TERRITORY

1966 (Second Session)

AN ORDINANCE TO AMEND THE
FIRE PREVENTION ORDINANCE

(Assented to December 2, 1966)

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows

O.Y.T.
1962(5th)
c.3.

1. Section 6 of the *Fire Prevention Ordinance* is repealed and the following substituted therefor:

"6. A Deputy Fire Marshal and an Inspector shall have all the powers of a local assistant and shall perform such other duties as may be assigned to them by the Fire Marshal."

CHAPTER 13

ORDINANCES OF THE YUKON TERRITORY

1966 (Second Session)

AN ORDINANCE TO AMEND THE
MOTOR VEHICLES ORDINANCE

(Assented to November 10, 1966)

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

1. Subsection (4) of section 26 of the *Motor Vehicles Ordinance* is hereby repealed.

2. Section 37 is hereby repealed.

3. Subsection (3) and subsection (4) of section 49 are hereby repealed and the following substituted therefor:

“(3) A vehicle designed for use as a recovery vehicle or designed for use in highway construction or as a snowplough or for highway maintenance may be equipped with one or more lamps that cast an amber light and that light intermittently or in flashes.

(4) No person shall operate on a highway a vehicle referred to in subsection (3) that is actually engaged in the work of recovery, highway construction, snowploughing or highway maintenance unless that vehicle is showing a flashing amber light that is clearly visible in both directions on the highway.’

4. Subsections (5) and (6) of section 49 are hereby repealed.

5. Category (e) of Item 1 of Schedule A is hereby repealed and the following substituted therefor:

“(e) Motor cycles, pedal cycles with motor attachments and track snow vehicles weighing less than 1,000 pounds unladen \$3.00.”

R.O.Y.T.
1958.c77;
1960(3rd)
c.3;
1961(1st)
c.5
1961(2nd)
c.7;
1962(1st)
c.21
1962(5th)
c.8;
1963(2nd)
c.9;
1964(1st)
c.9;
1965(2nd)
c.5.

CHAPTER 14

ORDINANCES OF THE YUKON TERRITORY

1966 (Second Session)

AN ORDINANCE TO AMEND THE
VITAL STATISTICS ORDINANCE

(Assented to December 2, 1966)

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

R.O.Y.T.
1958c.106;
1964(2nd)
c.3.

1. Section 30 of the *Vital Statistics Ordinance* is amended by adding, immediately after subsection (4) thereof, the following subsections:

Certificate of
divorce or
annulment.

(4a) The Registrar General shall, upon application and the payment of the prescribed fee, issue to a person whose marriage has been dissolved or annulled in the Territory and who intends to re-marry, a certificate of the dissolution or the annulment.

(4b) The certificate of dissolution or annulment shall state:

Idem.

- (a) the names of the parties to the marriage;
- (b) the date of the marriage;
- (c) the place of the marriage;
- (d) that it was dissolved or annulled, as the case may be;
- (e) the name and official position of the person who made the decree by which the marriage was dissolved or annulled;
- (f) the number and date of the decree;
- (g) that the decree is final and not subject to appeal;
- (h) the date of the certificate; and
- (i) the number of the certificate.

2. Subsection (9) of section 30 of the said Ordinance is repealed and the following substituted therefor: No certificate of adoption.

(9) No certificate, certified copy or photographic print shall be issued under this Ordinance in respect of the registration of an adoption.

CHAPTER 15

ORDINANCES OF THE YUKON TERRITORY

1966 (Second Session)

AN ORDINANCE TO AMEND THE RECORDING
OF EVIDENCE BY SOUND APPARATUS
ORDINANCE

(Assented to December 2, 1966)

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

O.Y.T.
1963 (2nd)
c.1.

1. Section 3 is hereby repealed and the following substituted therefor:

“3. Notwithstanding any other Ordinance, the evidence in any proceeding or any portion of such evidence may be recorded by sound recording apparatus.”

**TABLE OF PUBLIC ORDINANCES OF
THE YUKON TERRITORY**

1958 - 1966 (Second Session)

Showing all the chapters of Revised Ordinances, 1958 with amend-
ments thereto up to and including 1966 Second Session

SUBJECT MATTER	R.O. 1958 Chapter No.	AMENDMENTS
Adoption	1	
Agisters and Livery Stable Keepers	2	
Amusement Tax	3	
Annual Vacations	4	
Annuity Plan	5	
Apprentice Training	new	1964 (2nd) c.1
Arbitration	6	
Area Development	7	1963 (2nd) c.8-s.4
Assignment of Book Debts	8	
Bills of Sale	9	1964 (1st) c.5-s.5; 35
Blasting	10	
Bulk Sales	11	
Business Licence	12	1960 (1st) c.7-s.5(2); 9(2) added 1961 (1st) c.3-s.15 added Sched. 1962 (1st) c.11
Cancer Diagnosis & Treatment	new	
Cemeteries	13	
Change of Name	14	
Chiropractic	15	
Choses in Action	16	
Citizenship Instruction Agreement	17	
City Frontage Tax (Whitehorse)	new	1960 (1st) c.3
City Frontage Tax (Dawson)	new	1964 (1st) c.1
Civil Emergency Measures	new	1966 (2nd) c.3
Collection	18	
Companies	19	1962 (1st) c.13-s.298(3) 1964 (2nd) c.11-s.97A added; 101; 106; 111A added. 1966 (1st) c.10-s.130(4) 1966 (2nd) c.5-s.70(3)
Conditional Sales	20	1964 (2nd) c.9-s.2(ba) added; 2(g) added; 3(1)(2); 3(4)(5); 3A added; 7(1); 8; 12; 14; 14A added; 16 & 17 added.
Contributory Negligence	21	
Controverted Elections	22	
Co-operative Associations	23	
Cornea Transplant	new	1962 (5) c.2
Coroners	24	1966 (2nd) c.10 1963 (1st) c.3 1963 (2nd) c.6-s.13
Corporation Securities	new	
Credit Unions	25	1965 (2nd) c.2-s.3
Creditors Relief	26	
Curfew	27	1963 (2nd) c.10

TABLE OF PUBLIC ORDINANCES

SUBJECT MATTER	R.O. 1958 Chapter No.	AMENDMENTS
Dawson City Sewage Disposal System Salenew	1966	(1st) c.4
Defamation	28	
Dental Profession	29	
		1964 (2nd) c.10-s.22A, 22B added; 23, 25, 26, 27 added.
Dependents Relief	new	1962 (1st) c.9
Devolution of Real Property	30	
Disabled Persons Allowance	31	1962 (1st) c.16-s.3.(1); 4(a) 1964 (1st) c.4-s.3(1); 4(a)
Distress	32	
Dog	33	
Elections	34	
		1960 (3rd) c.4-s.4; 5(b)(c); 8 Sched.
Employment Agencies	35	
Engineering Profession	36	
		1966 (1st) c.8-s.8
		1961 (1st) c.8-s.2(bb)(i) added; 8; 12(i)(d)(e)(f); 12(2)(3)(4) (5); 13; 14(1); 16; 17(1) (2); 18; 20; 22; 25(2) added; 26(1)(3);31;32.
		1963 (1st) c.7-s.17A added. 1965 (1st) c.2-s.12
Evidence	37	
		1965 (2nd) c.4-s.68
Exemptions	38	
Factors	39	
Fair Practices	new	1963 (2nd) c.3
Fatal Accidents	40	
Ferries	41	
Financial Administration	42	
		1963 (1st) c.10-s.21 1964 (2nd) c.7-s.29; 30; 30A added.
Financial Agreement	43	
Financial Agreement 1962	new	1962 (1st) c.4
Fire Investigation	44	Repealed by 1962 (5th) c.3
Fire Prevention	45	Repealed by 1962 (5th) c.3
Fire Prevention	new	1962 (5th) c.3 1966 (2nd) c.12
Fitness & Amateur Sport	new	1962 (5th) c.1
Floral Emblem	46	
Forest Protection.....	47	
		1963 (1st) c.11-s.11; 16(1)(a) 1st of July 1963.
Franchises:		
Mayo Utilities — Telephone		1952 (1st) c.6-1953 (1st) c.11- s.1; 2.
Electrical—Whitehorse		1954 (2nd) c.2
" Haines Junction		1958 (1st) c.13
" Watson Lake		1959 (2nd) c.3
" Carcross		1960 (3rd) c.1; 1964 (2nd) c.5-s. 2 added.
" Carmacks		1961 (1st) c.1; 1964 (2nd) c.4-s. 2 added.
" Teslin		1963 (1st) c.1-1963 (2nd) c.11-s.2; 3 added. 1964 (1st) c.13 Assent Reserved.
Frustrated Contracts	48	

TABLE OF PUBLIC ORDINANCES

SUBJECT MATTER	R.O. 1958 Chapter No.	AMENDMENTS
Fuel Oil Tax	new	1962 (1st) c.6 1962 (5th) c.15-s.3 1964 (2nd) c.6-s.3(3); (3a) added.
Fur Export	49	1961 (2nd) c.11-Sched.A.
Game	50	1959 (1st) c.3-s.2(1); 8; 9A & 9B added; 14A added; 25(2); 27(1); 34(1); 36; 42(2); 49(1); 74(3)(4)(5); 81(b) 1959 (2nd) c.4-s.39(1) 1961 (2nd) c.10-s.78(3)(4) added; Sched. A; 9A added. 1964 (1st) c.10-Sched. A 1965 (1st) c.5-s.42 1966 (2nd) c.2
Gaols (Territorial).....	new	
Garage Keepers	51	
Garnishee	52	
Hospital Aid	53	1965 (2nd) c.6-s.17 Repealed by 1959 (1st) c.1
Hospital	new	1959 (1st) c.1 1960 (1st) c.4-s.2(b); 6. Repealed 1964 (2nd) c.13
Hotel Keepers	54	
Illegitimate Children	55	
Immunity of Members	new	1966 (1st) c.1
Insane Persons	56	
Insurance	57	1959 (1st) c.4-Part III repealed 1962 (5th) c.7-s.48 1963 (2nd) c.5-s.131A added
Interpretation	58	1959 (1st) c.5-s.37 added
Intestate Succession	59	1962 (1st) c.19-s.5 1965 (2nd) c.7-s.3; Part II added
Judicature	60	1960 (3rd) c.5-s.14; 51(1) 1961 (1st) c.7-s.51(1) 1964 (2nd) c.8-s.17(a); 37
Jury	61	1961 (3rd) c.1-s.9; 14(5); 19(2)
Labour Provision	62	1961 (3rd) c.3-s.3A added 1962 (1st) c.15-s.4;6 1962 (5th) c.9-s.10; 11 added 1963 (2nd) c.12-s.7
Landlord and Tenant	63	
Legal Profession	64	
Legal Profession Accounts	new	1962 (1st) c.14-s.26 added 1965 (1st) c.1
Legitimation	65	
Limitation of Actions	66	
Liquor	67	1959 (1st) c.6-s.12(1); 30(1); 30(3); 76(3) added. 1961 (2nd) c.6-s.37(1). 1962 (1st) c. 18-s.2(1)(y); 9; 12A; 12B; 12C; 12D; 12E added, 12(2);

TABLE OF PUBLIC ORDINANCES

SUBJECT MATTER	R.O. 1958 Chapter No.	AMENDMENTS
Liquor (cont'd)		15(9)(10)(11)(13) added; 50(2); 31(1)(a)(b)(c); 31(2); 37(2); 76; 77. 1962 (5th) c.11-s.12A(1) 1962 (5th) c.14-s.8(2) 1963 (1st) c.9-s.12A(7)(9); k2B(7); 12D(4); 15. 1964 (1st) c.12-s.7A added; 8; 9; 12; 12B; 12D: 14A added; 20; 31. 1965 1st)c.6-s.2(1); 9; 12(2); 12A(1)(2)(5)(9); 12B(1) (2)(5)(6)(9); 12C; 12D(3); 23; 24; 25; 29(3); 31; 45(2)(b); 48; 50(4); 51(2); 52A added 77(6); 86(1)(e); 86(1)(f) added; Schedule. 1965 (2nd) c.3-s.9; 12C added; 19(1)(b); 24; 25; 31(1); 31(7); 34(3); 39; 86(1)(bb); 52A. 1966 (2nd) c.8-s. 12A; 12D; 31
Loan Agreement (1961) No. 1	new	1961 (2nd) c.2 Repealed 1966 (1st) c.12
Loan Agreement (1961) No. 2	new	1961(2nd) c.4
Loan Agreement (1961)	new	1961 (3rd) c.4
Loan Agreement (1962) No. 1	new	1962 (1st) c.2
Loan Agreement (1966).....	new	1966 (2nd) c.4
Local Improvement District		1965 2nd) c.1
Low Cost Housing	new	1962 (1st) c.1 1963 (1st) c.8-s.2; 3(2)(a); 3(2)(c); 3(3)(a); 3(d); 4(1)(a) added 1966 (1st) c.7-s.3(3)(c) 1966 (2nd) c.11-s3(3)(b)(e); 4
Low Rental Housing Agreement	new	1962 (1st) c.3 1963 (1st) c.13 1963 (1st) c.13 Repealed 1962 (1st) c.8
Lords Day (Yukon)	new	
Maintenance	68	
Marriage	69	
Married Womens Property	70	
Masters and Servants	71	
Mayo Seaplane Base Agreement	new	Repealed (1963) (2nd) c.2 1963 (2nd) c.4
Mechanics Lien	72	
Medical Profession	73	
Miner's Lien	74	1963 (2nd) c.7-s.4; 7A added 1964 (1st) c.11-s.7A
Mining Safety	75	
Motion Picture	76	
Motor Vehicles	77	1960 (3rd) c.3-s.5(2); 6(3)(6) (11)(12); 7(2); 8(1); 11(3); 13(c); 14(2); 15(2)(4); 19(1) (2); 22(1)(2)(6)(8); 27(2)(3) added; 29; 34(1); 34(3) added; 41(1)(4); 49A; 49B added; 138A added 163(2); Sched. A & B.

TABLE OF PUBLIC ORDINANCES

SUBJECT MATTER	R.O. 1958 Chapter No.	AMENDMENTS
Motor Vehicles (cont'd)		1961 (1st) c.5-s.2; 49B 1961 (2nd) c.7-s.76(2) 1962 (1st) c. 21-s.22(3); 22 (6) (7); s.3 of Sched. A. 1962 (5th) c.8-Sched. A 1 & 2 1963 (2nd) c.9-s.8; 25; 76; Sched. A 1964 (1st) c.9-s.151A added. 1965 (2nd) c.5-s.14(s); 20; 24(e); 25(4)(76)(3); 147(2); 151B added; 164 1966 (2nd) c.13-s.26(4); 37; 49; Sched.
Motor Vehicle Fuel Tax	78	Repealed by 1962 (1st) c.6
Municipal	79	Repealed by 1959 (2nd) c.1
Municipal	new	1959 (2nd) c.1 1960 (1st) c.6-s.99(aa) added; 288; Sched. B(d); Sched. B(g) added 1961 (1st) c.6-s.109; 124(3); 133; 144; 238(b) 1961 (2nd) c.5-s.71(3) 1961 (2nd) c.9-s.122; 194 1961 (3rd) c.2-s.194 1962 (1st) c.22-s.194; 195; 228(1); 240. 1962 (5th) c.10-s.34; 118; 194 1962 (5th) c.13-s.97A added; 121. 1962 (5th) c.16-s.240(1) 1963 (1st) c.5-s.240 1964 (1st) c.8-s.232 1964 (2nd) c.12-s.194; 155 1966 (1st) c.6-s.2(d)(da)(db) added; (fa) added; (i)(j); (na) added; (q) added. 5; 5B; 5C; 5D; 7(2)(b)9A added 10; 11(1); 12(1); 12A added; 15; 16; 16A; 16B; 16C; 20(1); 22(1); 24(2); 25; 26; 27; 28(2); 29; 30; 31; 33(1) (2); 35(f); 37(f); 39(1); 43(1) (f); 43(2); 53; 62; 63(1); 71(2); 87(1)(i)(j)87(5); 112; 120A added; 121(1); 121A; 122; 135; 136; 138(1); 146, 147; 148; 156; 164(2)(i); 168; 174(1)(4)(5); 175(1); 181; 183(1); 185; 186(1)(3) (4); 189 to 193; 195; 213(1); 214; 217(2)241(a); 245(2) (4)(5); 249; 251A added; 256; 259(1); 260(2); 262 (1) 270A added; 276A added; 279; 280A added; 290A added; 293(3); 294(e); 294A added; 296(2); 312(r) (s)(t)(u)(v)(w)(x) Schedule C. 1966 (2nd) c.3-s.137A added Sched.

TABLE OF PUBLIC ORDINANCES

SUBJECT MATTER	R.O. 1958 Chapter No.	AMENDMENTS
Newspaper	80	
Noise Prevention	81	
Old Age Assistance and Blind Persons Allowance	82	1961 (1st) c.2-s.4(c) 1962 (1st) c.17-s.3(1); 4(a)(b) 1964 (1st) c.3-s.3(1)(2); 4(a)(b)
Optometry	83	
Partnership	84	
Pawn Brokers and Second Hand Dealers	85	
Petroleum Products	86	
Pharmaceutical Chemists	87	
Police Magistrate's Courts	88	
Poll Tax	89	Repealed 1962 (1st) c.5
Pounds	90	
Presumption of Death	new	1962 (5th) c.5
Protection of Children	91	
Public Health	92	1959 (1st) c.8-s.2(g); 2(w) 3(x) added; Part II; 14; 17. 1961 (1st) c.9-Sched. A 1962 (5th) c.12-s.3; 5; 6; 7; 8; 9; 10; 10A; 10B; Heading before II.
Public Printing	93	
Public Service	94	1962 (1st) c.20-s.11; 12 1962 (1st) c.23-s.18(1)(2)(3) (4) 1964 (1st) c.6-s.19
Reciprocal Enforcement of Judgment	95	
Reciprocal Enforcement of Maintenance Orders	96	
Recording of Evidence by Sound	new	1963 (2nd)c.1 1966 (2nd) c.15-s.3
Royal Canadian Mounted Police Agreement	new	1964 (2nd) c.2
Sale of Certain Lands (Whitehorse)	new	1960 (1st) c.1
Sale of Goods	97	
Saw Logs Driving	98	
School	99	Repealed by 1962 (1st) c.7
	new	1962 (1st) c.7 1964 (1st) c.7-s.88 1965 (1st) c.3-s.88A added 1966 (1st) c.5-s.93(d)(e) 1966 (2nd) c.9-s.85
Scientists and Explorers	100	
Securities	new	1966 (1st) c.2
Societies	101	
Steam Boilers	102	
Survivorship	new	1962 (5th) c.4
Taxation	103	Repealed by 1959 (2nd) c.2
	new	1959 (2nd) c.2 1960 (1st) c.5s.3(f) 1961 (1st) c.4-s.2(g); 3(f) 3(j) added 1963 (1st) c.6-s.73(b) 1966 (2nd) c.6- . 15A added Sched.
Tenants in Common	104	
Territorial Employee Superannuation	new	1963 (1st) c.4
Trustee	105	
Unemployment Assistance Agreement	new	1959 (1st) c.2
Variation of Trusts	new	1962 (5th) c.6

TABLE OF PUBLIC ORDINANCES

SUBJECT MATTER	R.O. 1958 Chapter No.	AMENDMENTS
Vital Statistics	106	1964 (2nd) c.3-s.28(1); 46(8) Sched. 1966 (2nd) c.14-s.30
Vocational Training Agreement	107	
Wages Recovery	new	1963 (2nd) c.2
Warehousemen's Lien	108	
Whitehorse Land Sale and Loan (1961)	new	1961 (2nd) c.1 Repealed 1966 (1st) c.12
Wills	109	
Woodmen's Lien	110	
Workmen's Compensation	111	Repealed by 1966 (2nd) c.1 1966 (2nd) c.1
Yukon Hospital Insurance Services	new	1960 (1st) c.2
Yukon Housing (1961)	new	1961 (2nd) c.3 1962 (1st) c.12-s.3(3)(b) 1964 (1st) c.2-s.3(3)(b) 1965 (1st) c.8-s.5; 6 1966 (1st) c.9-s.3(3)(b)
Yukon Labour (Minimum Wages)	new	1966 (1st) c.3
Yukon Lands	112	
Yukon Social Services Society	new	1962 (1st) c.10