



# ORDINANCES

of the

# YUKON TERRITORY

passed by the

# YUKON COUNCIL

In the Year

1979

Being the Second Sitting of the Second Session

of the Twenty-fourth Council

October 9 - November 15, 1979

D. Bell, Administrator

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ORDINANCES OF THE YUKON TERRITORY

1979 (Second Sitting)

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- Note:
- 8111 #1 *An Ordinance to Perpetuate a Certain Ancient Right*  
- introduced but not passed
  - 8111 #25 *Statistics Ordinance*  
- introduced but not passed
  - 8111 #27 *Matrimonial Property Ordinance*  
- introduced but withdrawn in Committee of the Whole
  - 8111 #31 *The Public Utilities Ordinance, An Ordinance to Amend*  
- introduced but not passed
  - 8111 #101 *Fair Weather Friends Ordinance (Private member's Bill)*  
- introduced but not passed

The 1979 Second Sitting of the Second Session of the Twenty-fourth Council was prorogued November 15, 1979.

ORDINANCES OF THE YUKON TERRITORY  
1979 (2nd), Chapter 1

BOILER AND PRESSURE VESSELS ORDINANCE

(Assented to November 15, 1979)

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) | This Ordinance may be cited as the <i>Boiler and Pressure Vessels Ordinance</i> .   | Short title                   |
| 2(1) | In this Ordinance:  |                               |
|      | "accident" means an accident that results in damage to property or injury to or the death of a person;  | "accident"                    |
|      | "approved and registered" means approved and registered in accordance with this Ordinance or any regulation made under this Ordinance;  | "approved and registered"     |
|      | "boiler" means a vessel in which steam or other vapour can be generated under pressure or in which a liquid can be put under pressure by the direct application of a heat source; | "boiler"                      |
|      | "boiler rating" means the rating for measuring the capacity of a boiler in kilowatts as determined in the regulations;  | "boiler rating"               |
|      | "certificate of competency" means a certificate of competency specified or referred to in section 34;   | "certificate of competency"   |
|      | "certificate of registration" means a certificate of registration issued by an inspector pursuant to section 25;  | "certificate of registration" |
|      | "chief inspector" means the person appointed as chief inspector for the purposes of this Ordinance and the regulations;   | "chief inspector"             |
|      | "Commissioner" means the Commissioner of the Yukon Territory or any person authorized by him to act   | "Commissioner"                |

on his behalf with respect to the administration of this Ordinance;

"expansible fluid"

"expansible fluid" means

- (a) any vapour of gaseous substance, or
- (b) any liquid under a pressure and at a temperature that is such that the liquid will change to a gas or vapour when the pressure is reduced to atmospheric pressure;

"fitting"

"fitting" means any valve, gauge, regulating and controlling device, flange, pipe fitting or any other appurtenance which is attached to or forms part of a boiler, pressure vessel or pressure piping system in a power plant, heating plant or pressure plant;

"heating plant"

"heating plant" means

- (a) any one or more boilers in which steam or other vapour may be generated at a pressure not exceeding 103 kilopascals and a temperature not exceeding 121 degrees Celsius,
  - (b) any one or more boilers in which water or other liquid may be heated to a pressure not exceeding 1100 kilopascals and a temperature not exceeding 121 degrees Celsius at or near the outlet of the boiler, or
  - (c) any system or arrangement of boilers referred to in paragraph (a) or (b),
- and the engines, turbines, pressure vessels, pressure piping system, machinery and ancillary equipment of any kind used in connection therewith;

"inspector"

"inspector" means a person appointed as an inspector for the purposes of this Ordinance and the regulations, and includes the chief inspector;

"power plant"

"power plant" means

- (a) any one or more boilers in which steam or other vapour is generated at more than 103 kilopascals,
- (b) any one or more boilers containing liquid and having a working pressure exceeding 1100

kilopascals and a temperature exceeding 121 degrees Celsius or either one of them, or  
 (c) any system or arrangement of boilers referred to in paragraphs (a) or (b),  
 and the engines, turbines, pressure vessels, pressure piping system, machinery and ancillary equipment of any kind used in connection therewith;

"pressure piping system" means pipe, tubes, conduits, fittings, gaskets, bolting and other components making up a system the sole purpose of which is the conveyance of an expansible fluid under pressure and the control of the flow of an expansible fluid under pressure between two or more points;

"pressure piping system"

"pressure plant" means any one or more pressure vessels of any system or arrangement of pressure vessels and the engines, turbines, pressure piping system, machinery and ancillary equipment of any kind used in connection therewith;

"pressure plant"

"pressure vessel" means any receptacle of a capacity exceeding 0.0425 cubic metres that contains or is intended to contain an expansible fluid under pressure.

"pressure vessel"

PART 1

GENERAL

3(1) Except as provided in subsection (2), this Ordinance and any regulation made under this Ordinance applies to all boilers, pressure vessels, power plants, heating plants and pressure plants.

Application of Ordinance

3(2) This Ordinance or any regulation made under this Ordinance does not apply to:  
 (a) a boiler having a boiler rating of 10 kilowatts or less in capacity which forms the whole or part of a power plant;  
 (b) a boiler having a boiler rating of 20 kilowatts or less in capacity, installed in a heating plant;

Exception

- (c) a boiler that is intended to be used in connection with a hot water heating system and that has no valves or other obstructions to prevent circulation between the boiler and an expansion tank which is fully vented to the atmosphere;
- (d) a pressure vessel of 152 millimetres or less in internal diameter;
- (e) a pressure vessel which is used for the storage of hot water and has an internal diameter of 610 millimetres or less;
- (f) a pressure vessel or pressure piping system operating at and with relief valves set at 103 kilopascals or less;
- (g) a pressure vessel intended to be installed in a closed hot water heating system having a working pressure of 207 kilopascals or less and having an internal diameter of 610 millimetres or less;
- (h) any pressure piping system and machinery and equipment ancillary thereto by which refrigerants are vapourized, compressed and liquefied in the refrigerating cycle and that has a capacity of 10.5 kilowatts or less; or
- (i) the inspection and registration of an air receiver, air/oil receiver, cushion tank, hydropneumatic tank, hydropneumatic or pneumatic valve operating cylinder, and its pressure piping system, not exceeding 0.15 cubic metres in capacity and 1725 kilopascals design pressure.

Calculations      3(3)      Where any calculation is made with respect to the application of this Ordinance or any regulation made under this Ordinance, the calculation shall be made and determined in accordance with the regulations.

Pipelines          3(4)      This Ordinance applies to boilers, pressure vessels, pressure plants, power plants, and heating plants which are connected to a pipeline, but does not apply to any other part of a pipeline.

Chief inspector, etc.      4(1)      The Commissioner may appoint a chief inspector and such other persons as may be required for the

purposes of administering this Ordinance and any regulation made under this Ordinance.

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|------|---|----------------------|
| 4(2) | Where the chief inspector is given any power or duty under this Ordinance or any regulation made under this Ordinance, he may authorize one or more inspectors to exercise or perform that power or duty upon such conditions or in such circumstances as the chief inspector prescribes, and thereupon that power or duty may be exercised or performed by the inspector or inspectors so authorized in addition to the chief inspector. | Delegation of powers |
|------|---|----------------------|

PART 2

DESIGN, CONSTRUCTION AND SALE

- |      |   |                                    |
|------|---|------------------------------------|
| 5(1) | Where a person intends to construct or use in the Yukon:<br>(a) a boiler or pressure vessel; or<br>(b) a pressure piping system,<br>the design of which has not been approved and registered, he shall apply to the chief inspector for approval and registration of the design.                                    | Application for approval of design |
| 5(2) | The applicant shall submit such drawings, specifications and other information as may be required by the chief inspector.   | Supporting information             |
| 5(3) | Where the chief inspector is satisfied that the design of the boiler, pressure vessel or pressure piping vessel or pressure piping system meets the requirements of this Ordinance or any regulation made under this Ordinance, the design shall be approved and registered and the applicant notified accordingly. | Approval of design                 |
| 5(4) | No person shall commence the construction or use of any boiler, pressure vessel or pressure piping system in the Yukon unless the design of the boiler, pressure vessel or pressure piping system has been approved and registered.   | Unapproval boilers, etc.           |
| 6(1) | Any person who brings into the Yukon a new or used boiler, pressure vessel or pressure piping system,   | Importing boilers, etc.            |



the design of which has not been approved and registered, shall apply to the chief inspector for approval and registration of the design.

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| Alteration of design    | 7(1) | Where a person wishes to change an approved and registered design he shall apply to the chief inspector for approval and registration of the change.  |
| Approval of alterations | 7(2) | Where the chief inspector is satisfied that the change to the design meets the requirements of this Ordinance and any regulation made under this Ordinance, the change shall be approved and registered and the applicant notified accordingly.   |
| Unapproved alterations  | 7(3) | Where the design of a boiler or pressure vessel or pressure piping system is changed, no person shall commence construction in accordance with the change in design until the change is approved and registered.  |
| Effect of approval      | 8(1) | The approval and registration of a design or any change to a design of a boiler, pressure vessel or pressure piping system shall not relieve the owner of the design from the responsibility for ensuring that the design complies with this Ordinance or any regulation made under this Ordinance, nor shall it relieve any person constructing to the design from ensuring that the construction complies with this Ordinance or any regulation made under this Ordinance.  |
| Withdrawal of approval  | 9(1) | Where the design of a boiler, pressure vessel or pressure piping system has been approved and registered, but the chief inspector determines that: <ul style="list-style-type: none"> <li>(a) it is no longer safe to construct the boiler, pressure vessel or pressure piping system in accordance with the design, or</li> <li>(b) the design no longer meets the requirements of this Ordinance or any regulation made under this Ordinance,</li> </ul> the chief inspector shall give notice in writing to the owner of the design that from a date specified in the notice no boiler, pressure vessel or |

pressure piping system shall be constructed in the Yukon for use in the Yukon in accordance with the design.

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| 9(2)  | Upon receipt of a notice referred to in subsection (1), the owner of the design shall forward copies of the notice to every person who is permitted to construct a boiler, pressure vessel or pressure piping system in accordance with the design referred to in the notice.  | Notice to persons affected                  |
| 9(3)  | No person shall construct a boiler, pressure vessel or pressure piping system in the Yukon for use contrary to a notice referred to in subsection (1).   | Construction contrary to notice             |
| 9(4)  | <p>No person shall use, sell or otherwise dispose of any boiler, pressure vessel or pressure piping system in the Yukon as a boiler, pressure vessel or pressure piping system</p> <p>(a) that is of a design that is the subject of a notice referred to in subsection (1), or</p> <p>(b) that was constructed after the date prohibiting construction specified in the notice referred to in subsection (1).</p> | Use, etc., contrary to notice               |
| 10(1) | Any person who intends to construct and use in the Yukon a fitting for use in connection with any boiler, pressure vessel or pressure piping system, shall apply to the chief inspector for approval and registration of the fitting.  | Application for approval of fittings        |
| 10(2) | Where an inspector is satisfied, upon receipt of an application made pursuant to subsection (1), that the fitting is to be constructed and used in compliance with this Ordinance or any regulation made under this Ordinance, the fitting shall be approved and registered and the applicant notified accordingly.  | Approval of fittings                        |
| 10(3) | No person shall commence construction of or use any fitting in the Yukon for use in the Yukon unless the fitting has been approved and registered pursuant to this section.  | Construction and use of unapproved fittings |

Importation of fittings	11(1)	Any person who brings into the Yukon a new or used fitting which has not been approved or registered in accordance with this Ordinance or any regulation made under this Ordinance shall apply to the chief inspector for approval and registration of the fitting.
Alteration of fittings	12(1)	Where a person wishes to make any change in the manner or method of constructing or using a fitting that is approved and registered, he shall apply to the chief inspector for approval and registration of the change.
Approval of alteration	12(2)	Where the chief inspector is satisfied that the change in the manner or method of constructing or using a fitting meets the requirements of this Ordinance or any regulation made under this Ordinance, the change shall be registered and the applicant notified accordingly.
Unapproved alterations	12(3)	Where the manner or method of constructing or using fitting is changed, no person shall commence construction or use of the fitting in accordance with the change until the change is approved and registered.
Withdrawal of approval	13(1)	Where a fitting has been approved and registered, but the chief inspector determines that: (a) the construction or use of the fitting is no longer safe; or (b) the construction or use of the fitting no longer meets the requirements of this Ordinance or any regulation made under this Ordinance, the chief inspector shall give notice in writing to the person who registered the fitting that, from a date specified in the notice, the fitting described therein shall not be constructed or used in the Yukon in connection with a boiler, pressure vessel or pressure piping system.
Notice to persons affected	13(2)	Upon receipt of a notice referred to in subsection (1), the person who registered the fitting shall forward copies of the notice to every person who

is constructing or using the fitting referred to in the notice.

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| 13(3) | No person shall construct or use a fitting in the Yukon contrary to a notice referred to in subsection (1).  | Construction, etc., contrary to notice |
| 13(4) | No person shall sell or otherwise dispose of any fitting in the Yukon that is intended for use in connection with a boiler, pressure vessel or pressure piping system that is the subject of a notice referred to in subsection (1).   | Transfer contrary to notice            |
| 14(1) | Before an inspector issues a certificate of registration with respect to any boiler or pressure vessel, he shall, unless the boiler or pressure vessel is to be used or operated outside the Yukon, ensure that the boiler or pressure vessel is stamped with a number to be known as the Yukon identification number.             | Yukon identification number            |
| 15(1) | A person proposing to construct a boiler, pressure vessel or pressure piping system for use or operation in the Yukon, the design of which has been approved and registered, shall ensure that it is constructed, identified, inspected and tested in accordance with this Ordinance and any regulation made under this Ordinance. | Construction to comply with Ordinance  |
| 15(2) | No person shall sell, rent, exchange or otherwise dispose of a new boiler or pressure vessel for use or operation in the Yukon;<br>(a) unless the design of the boiler or pressure vessel has been approved and registered, and<br>(b) unless a certificate of inspection has been issued in respect thereof.                      | Transfer of boilers, etc.              |
| 16(1) | A person proposing to construct a fitting for use in the Yukon shall ensure that it is designed, constructed, identified, inspected, tested, approved and registered in accordance with this Ordinance and any regulation made under this Ordinance.   | Fittings to comply with Ordinance      |
| 16(2) | No person shall sell or otherwise dispose of a fitting for use in the Yukon unless it is approved  | Transfer of unapproved fittings        |

and registered in accordance with this Ordinance and any regulation made under this Ordinance.

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| Installation of unapproved fittings      | 16(3) | No person shall install or cause or permit to be installed any fitting unless it has been approved and registered in accordance with this Ordinance and any regulation made under this Ordinance.   |
| Transfer of used boilers, etc.           | 17(1) | Where a person sells, exchanges or otherwise disposes of a used boiler or pressure vessel previously installed in the Yukon that is intended to be used or operated in the Yukon, he shall, upon request, notify the chief inspector of: <ul style="list-style-type: none"> <li>(a) the new owner and location of the boiler and pressure vessel, if any, and</li> <li>(b) the Yukon identification number thereon.</li> </ul>  |
| Approval and inspection required         | 18(1) | No person shall: <ul style="list-style-type: none"> <li>(a) install any pressure piping system unless its design has been approved and registered in accordance with this Ordinance or any regulation made under this Ordinance; or</li> <li>(b) use, operate or place under pressure or cause or permit any pressure piping system to be used, operated or placed under pressure unless it has been inspected and tested in accordance with this Ordinance or any regulation made under this Ordinance.</li> </ul> |
| Installation of unapproved boilers, etc. | 18(2) | No person shall install or cause or permit any boiler or pressure vessel to be installed unless the design of the boiler or pressure vessel has been approved and registered in the Yukon.  |
| Certificate of registration required     | 18(3) | Subject to subsection (4), no person shall use, operate or place under pressure or cause or permit any boiler or pressure vessel to be used, operated or placed under pressure unless a certificate of registration has been issued therefor.   |
| Exception                                | 18(4) | Subsection (3) does not apply: <ul style="list-style-type: none"> <li>(a) with respect to any boiler or pressure vessel where, pursuant to this Ordinance or any regulation made under this Ordinance, a</li> </ul>   |

certificate of registration is not required,  
or

- (b) with respect to any boiler, hot water tank, cushion tank or heating plant installed, used, operated or placed under pressure in any premises, containing not more than four dwelling units.

19(1) The owner of every boiler or pressure vessel which is to be used or operated in any calendar year, shall pay to the Government of the Yukon Territory a fee in respect of that boiler or pressure vessel of such amount, at such times and in such manner as may be prescribed. Fees

19(2) The payment of any fee pursuant to subsection (1) shall entitle the owner of any boiler or pressure vessel in respect of which the fee was paid to an annual inspection, but in no event is the issuance of a certificate of registration subject to the performance of such inspection. Annual inspection

PART 3

INSPECTIONS

20(1) An inspector may inspect the construction, installation, method of testing and inspecting, condition, maintenance, repair, operation or use of a boiler, pressure vessel, power plant, heating plant or pressure plant. Inspections

20(2) For the purpose of an inspection under this Part, an inspector may issue an order in writing requiring the owner or person in charge of the boiler, pressure vessel, power plant, heating plant or pressure plant to prepare it in such a manner as to permit an internal inspection by him. Order for internal inspection

20(3) Where the inspector is not satisfied with respect to the construction, installation, method of testing and inspecting, condition, maintenance, repair, operation or use of any thing inspected, he may; Orders by inspector

- (a) issue an order in writing stating the changes required to be made for the purpose of making the thing inspected comply with this Ordinance and the regulations made under this Ordinance, where the boiler, pressure vessel, power plant, heating plant or pressure plant is unsafe and immediate action is necessary to prevent an accident, or
- (b) issue an order in writing, forbidding the installation, operation or use thereof or any part used in connection therewith until the requirements of the order are complied with.

Compliance with order 20(4)

Where an inspector issues an order under subsection (2) or paragraph (3)(a), the person to whom the order is issued shall comply with the order within the time specified in the order.

Failure to comply 20(5)

Where an inspector issues an order under paragraph (3)(b), no person shall install, operate or use the boiler, pressure vessel, power plant, heating plant or pressure plant, until he has;

- (a) complied with the order of the inspector, and
- (b) notified the inspector in writing that the order has been complied with.

Powers of inspector 21(1)

An inspector may, for the purpose of any inspection concerning any boiler, pressure vessel, power plant, heating plant or pressure plant,

- (a) inspect and examine all books and records that in any way relate to its construction, installation, method of testing and inspecting, condition, maintenance, repair, operation or use;
- (b) take extracts from or make copies of any entry in the books and records mentioned in paragraph (a), and, for that purpose, may remove them, after notifying the person in charge thereof, for a period not exceeding one month;
- (c) require any person to make full disclosure either orally or in writing of any matter concerning its construction, installation, method of testing and inspecting, condition,

maintenance, repair, operation or use and to produce and deliver to him all records or documents or copies thereof that he has in his possession or under his control that in any way relate to the boiler, pressure vessel, power plant, heating plant, or pressure plant;

- (d) take or remove or order the removal of samples of any material, substance or thing and shall notify either the owner, manufacturer or contractor of the sample, substance or thing taken or removed.

- 22(1) Subject to subsection (2), for the purpose of this Ordinance or any regulation made under this Ordinance, an inspector may at any reasonable time and upon giving notice to the owner or person in charge or apparently in charge, enter upon any property, place or thing, other than a private dwelling, used in connection with the construction, installation, testing and inspecting, condition, maintenance, repair, operation or use of a boiler, pressure vessel, power plant, heating plant or pressure plant to inspect the same. Right of entry
  
- 22(2) For the purpose of this Ordinance or any regulation made under this Ordinance, the inspector may where, in his opinion, an emergency situation exists, enter upon any property, place or thing, other than a private dwelling, used in connection with the construction, installation, testing and inspecting, condition, maintenance, repair, operation, or use of a boiler, pressure vessel, power plant, heating plant or pressure plant to inspect the same at any time and without giving notice to the owner or person in charge or apparently in charge. Emergency entry
  
- 22(3) An inspector shall be furnished by the Commissioner with a certificate of his appointment, and, on entering any place used in connection with the construction, installation, testing and inspecting, condition, maintenance, repair, operation or use of a boiler, pressure vessel, power plant, heating Inspectors' identification



plant, or pressure plant, shall, if so required by the owner or person in charge or apparently in charge thereof, produce the certificate for inspection by that person.

"private dwelling" 22(4)

For the purposes of this section, "private dwelling" means a place occupied by a person or persons for purposes of habitation and sustenance of life in private.

Obstruction of inspector 23(1)

No person shall  
(a) refuse admission to an inspector, or  
(b) obstruct or hinder an inspector,  
who presents his certificate of appointment and who is engaged in carrying out any inspection under this Ordinance or any regulation made under this Ordinance.

False statements 23(2)

No person shall make a false or misleading statement either orally or in writing to an inspector engaged in carrying out any inspection under this Ordinance or any regulation made under this Ordinance.

Waiver of responsibility 23(3)

An inspector or a person lawfully accompanying an inspector is not required to sign or give any release or waiver of responsibility before entering any place pursuant to this Ordinance, and any such release is void.

Liability of inspector 23(4)

While acting pursuant to this Ordinance or the regulations, an inspector, or a person lawfully accompanying an inspector, is not liable for any injury, loss or damage occasioned thereby.

Assistance to be rendered 24(1)

The owner or person in charge or apparently in charge of the construction, installation, testing and inspecting, condition, maintenance, repair, operation or use of a boiler, pressure vessel, power plant, heating plant or pressure plant, and every person employed by him or in connection therewith, shall give an inspector all reasonable assistance to enable the inspector to carry out his inspection.

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|-------|--|-------------------------|
| 24(2) | <p>The owner or person in charge or apparently in charge of a boiler, pressure vessel, power plant, heating plant or pressure plant shall ensure, during any inspection by an inspector, that</p> <ul style="list-style-type: none"> <li>(a) there is a person in attendance who is capable of taking all the necessary precautions to ensure the safety of the inspector, and</li> <li>(b) any safety equipment that the inspector considers necessary is immediately available for his use.</li> </ul>           | Duties of owner         |
| 25(1) | <p>Where a certificate of registration is required by this Ordinance or any regulation made under this Ordinance, an inspector shall issue the certificate of registration if, after an inspection, he is satisfied that the boiler or pressure vessel complies with this Ordinance and the regulations made under this Ordinance.</p>   | Issuance of certificate |
| 25(2) | <p>A certificate of registration for a boiler or pressure vessel shall show:</p> <ul style="list-style-type: none"> <li>(a) the Yukon identification number of the boiler or pressure vessel;</li> <li>(b) the maximum allowable pressure at which the boiler or pressure vessel is permitted to be operated or used;</li> <li>(c) any other condition under which the boiler or pressure vessel is to be operated or used; and</li> <li>(d) such other information as the chief inspector may require.</li> </ul> | Contents of certificate |
| 25(3) | <p>No person shall operate or use or permit to be operated or used any boiler or pressure vessel:</p> <ul style="list-style-type: none"> <li>(a) in excess of the maximum allowable pressure specified on the certificate of registration; or</li> <li>(b) contrary to any other condition specified on the certificate of registration.</li> </ul>  | Improper                |
| 26(1) | <p>Every owner or person in charge or apparently in charge of a boiler or pressure vessel shall ensure that a certificate of registration;</p> <ul style="list-style-type: none"> <li>(a) is conspicuously placed adjacent to the boiler or pressure vessel to which it relates and where it can be easily read, or</li> </ul>   | Display of certificate  |

(b) is retained and safeguarded in a manner approved by the inspector.

Production of certificate 25(2)

The owner or person in charge or apparently in charge of a boiler or pressure vessel shall produce the certificate of registration applicable thereto on demand of an inspector or a peace officer.

Certificates on vehicle 25(3)

Every owner or person in charge or apparently in charge of a boiler or pressure vessel mounted on a vehicle shall ensure that the certificate of registration or a copy thereof is retained on the vehicle and produced upon demand of an inspector or a peace officer.

PART 4

OPERATION AND SUPERVISION  
OF POWER, HEATING AND PRESSURE PLANTS

Application of section 27(1)

This section does not apply to the owner or person in charge or apparently in charge of;

- (a) a power plant which
  - (i) is used for heating in a process where the heat is generated as a result of
    - (a) burning, or
    - (b) any other reaction inherent in the process, and
  - (ii) does not generate steam, or
- (b) a power plant which heats a fluid other than water in a process where the fluid heated is inherent in the process.

Operation of power plants 27(2)

Except for a power plant exempted under subsection (1), no owner or person in charge or apparently in charge of a power plant shall operate or permit it to be operated unless:

- (a) it is operated under the general supervision of the holder of a certificate of competency, the classification of which qualifies the holder to act as chief steam engineer of the power plant; and

(b) it is operated under the continuous supervision of the holder of a certificate of competency, the classification of which qualifies the holder to act as shift engineer under the general supervision of a person referred to in paragraph (a).

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| 27(3) | Where, in the opinion of the chief inspector, there are insufficient engineers to exercise satisfactory supervision over a power plant, the chief inspector may direct the owner or person in charge or apparently in charge of the plant to employ sufficient engineers to exercise satisfactory supervision of the plant.   | Number of engineers         |
| 28(1) | No owner of a heating plant of a capacity specified in the regulations made under this Ordinance which is used primarily for the purpose of heating one or more buildings shall operate it or permit or cause it to be operated unless it is under the general supervision of the holder of a certificate of competency, the classification of which qualifies the holder to exercise general supervision of and be responsible for the heating plant.      | Operation of heating plants |
| 28(2) | Where any question arises as to whether the primary purpose of a heating plant is for the heating of one or more buildings, the matter shall be referred to the chief inspector, whose decision is final.   | Decision by chief inspector |
| 28(3) | Where in the opinion of the chief inspector there are insufficient persons responsible for the supervision of one or more heating plants, the chief inspector may direct the owner or person in charge or apparently in charge of the plant to employ a sufficient number of persons who are holders of a certificate of competency the classification of which qualifies them to exercise general supervision of and be responsible for the heating plant. | Number of supervisors       |
| 29(1) | Where, pursuant to this Ordinance or any regulation made under this Ordinance, the operation of a boiler, pressure vessel, power plant or heating   | Incompetent supervisors     |

plant requires the supervision of the holder of a certificate of competency, no person shall assign duties or issue orders to the holder of a certificate of competency to operate the boiler, pressure vessel, power plant or heating plant contrary to the provisions of this Ordinance or the regulations.

Responsibility of owner 29(2)

Where supervision by the holder of a certificate of competency is not required by this Ordinance or any regulation made under this Ordinance, the owner is responsible for the proper care and safe operation of the boiler, pressure vessel, power plant, heating plant or pressure plant.

Interference with fittings 30(1)

No person shall interfere with or render inoperative or do away with any fitting that is, by this Ordinance or any regulation made under this Ordinance, required to be part of a power plant, heating plant or pressure plant unless he has written permission from an inspector to do so.

Notice of unsafe conditions 31(1)

The owner or person in charge or apparently in charge of the operation of a boiler, pressure vessel or pressure piping system shall notify the chief inspector immediately upon discovery of any thing that renders it or may render it unsafe to operate or use.

Accident report 32(1)

Where any accident concerning a boiler, pressure vessel, power plant, heating plant or pressure plant occurs, the owner or person in charge or apparently in charge thereof shall send a full report in writing by registered or certified mail to the chief inspector as soon as possible after the accident, and shall specify in the report:

- (a) the exact place of the accident;
- (b) the name of any person killed or injured as a result of the accident;
- (c) a description of any damage to property; and
- (d) the cause and particulars of the accident, as far as can be ascertained.

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| 32(2) | After an accident referred to in subsection (1), nothing shall be removed or interfered with in, on or about the place where the accident occurred until an inspector has made an inspection thereof, except in so far as may be necessary for the purpose of preventing death or injury or protecting property.   | Evidence of accident    |
| 33(1) | Where, in the opinion of the chief inspector, it is necessary to investigate any matter relating to the construction, installation, testing and inspecting, condition, maintenance, repair, operation or use of a boiler, pressure vessel, power plant, heating plant or pressure plant or any accident in connection therewith, the chief inspector may investigate the matter or may direct any other person to do so. | Investigations          |
| 33(2) | The person making the investigation shall give to the owner or person in charge or apparently in charge of the boiler, pressure vessel, power plant, heating plant or pressure plant in respect of which an investigation is to be held, not less than twenty-four hours notice in writing of the commencement of the investigation and its purpose.   | Notice of investigation |
| 33(3) | Where the person making the investigation is not an inspector, that person has all the powers of an inspector for the purpose of making the investigation.   | Powers of investigation |

## PART 5

CERTIFICATES OF COMPETENCY

- |       |   |                               |
|-------|---|-------------------------------|
| 34(1) | A person may, in accordance with the regulations, apply to the chief inspector for any certificate of competency specified in this section or any other certificate of competency as may be prescribed. | Application for certification |
| 34(2) | There shall be the following certificates of competency:<br>(a) First Class Engineer's Certificate of Competency,   | Certificates                  |

- (b) Second Class Engineer's Certificate of Competency,
- (c) Third Class Engineer's Certificate of Competency,
- (d) Fourth Class Engineer's Certificate of Competency,
- (e) Fireman's Certificate of Competency,
- (f) Special Oil Well Operator's Certificate of Competency,
- (g) Pressure Welder's Certificate of Competency,
- (h) Building Operator's Certificate of Competency, and
- (i) such other certificates of competency and any grade or class thereof as may be prescribed.

Granting of certificates 34(3)

Where a person meets the qualifications required by this Ordinance or any regulation made under this Ordinance, and passes any examinations required to be passed by this Ordinance or any regulation made under this Ordinance, he shall be granted the appropriate certificate of competency by the chief inspector.

Engineer's Certificate 35(1)

The holder of a certificate of competency, the classification of which authorizes him to act as an engineer may sketch, construct, install, test, inspect, operate, repair, maintain, use and give advice on all things pertaining to any power, heating or pressure plant in which he is employed, but shall not perform any pressure welding unless he holds a certificate of competency permitting him to do so.

Pressure Welding Certificate and card 36(1)

- No person shall;
- (a) weld or offer to weld a boiler, pressure vessel or pressure piping system or any fitting unless that person is the holder of both a certificate of competency and a valid performance qualification card issued pursuant to the regulations, authorizing him to do that type of welding, or
  - (b) require, cause or permit the welding of a boiler, pressure vessel or pressure piping system or any fitting unless the person

required, caused or permitted to do the welding is the holder of both a certificate of competency and a valid performance qualification card issued pursuant to the regulations, authorizing him to do that type of welding.

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| 36(2) | No person shall alter or repair a boiler or pressure vessel by welding unless he is authorized to do so by an inspector.   | Unauthorized alterations             |
| 37(1) | <p>The chief inspector may cancel, suspend or refuse to renew the certificate of competency of any person who</p> <ul style="list-style-type: none"> <li>(a) is incompetent or negligent in the discharge of his duties as an operating engineer;</li> <li>(b) has obtained his certificate through misrepresentation or fraud;</li> <li>(c) allows another person to operate under his certificate;</li> <li>(d) attempts to obtain a certificate of competency by false means for another person;</li> <li>(e) furnishes information for the use of the chief inspector respecting an applicant for a certificate of competency knowing that the information is false; or</li> <li>(f) contravenes any of the provisions of this Ordinance or any regulation made under this Ordinance.</li> </ul> | Certificates, may be cancelled, etc. |
| 37(2) | Where the chief inspector cancels, suspends or refuses to renew a certificate of competency pursuant to this section, he shall inform the applicant or the certificate holder, as the case may be, and the Commissioner of his reasons, in writing, for doing so, the effective date of his action and, in the case of a suspension, the duration of such suspension.  | Notice of cancellation, etc.         |
| 38(1) | Where the chief inspector cancels, suspends or refuses to renew a certificate of competency, the Commissioner may continue or rescind such cancellation, suspension or refusal to renew, as the case may be, and may publish notice of any such  | Powers of Commissioner               |



cancellation, suspension or refusal to renew, as the case may be.

- Advisory Board 38(2) In determining whether to continue or rescind a cancellation, suspension or refusal to renew a certificate of competency pursuant to subsection (1), the Commissioner may, and, when so requested in writing by the certificate holder, shall, appoint three persons as members of the Boiler and Pressure Vessel Advisory Board, one of whom shall be designated as Chairman, to make recommendations with respect to any matter of cancellation, suspension or refusal to renew a certificate of competency as may be referred to it by the Commissioner.
- Qualifications of members 38(3) At least two persons appointed as members of the Advisory Board shall be holders of a certificate of competency issued pursuant to this Ordinance or any similar enactment of a province of Canada.
- Hearings and report 38(4) The Advisory Board shall hold a hearing into any matter referred to it by the Commissioner pursuant to subsection (2) and shall make a report to the Commissioner with such recommendation as it considers just, including a recommendation with respect to publication of a notice of any cancellation, suspension or refusal to renew any certificate of competency as it considers necessary for the protection of the public.
- Powers of Board 38(5) For the purposes of carrying out their duties in connection with the hearing and determination of any matter referred to it by the Commissioner pursuant to subsection (2), the Advisory Board shall be deemed to have the same powers as are vested in the chief inspector under this Ordinance or any regulation made under this Ordinance.

PART 6

REGULATIONS

- Regulations 39(1) For the purpose of carrying into effect the provisions of this Ordinance according to the true intent and

meaning thereof; the Commissioner may make such regulations as may be deemed necessary and not inconsistent with the spirit of this Ordinance and without restricting the generality of the foregoing, the Commissioner may make regulations:

- (a) concerning the survey, approval and registration of designs and changes thereto of boilers, pressure vessels, power plants, heating plants, pressure plants and concerning the registration of fittings;
- (b) concerning the construction, testing, installation, condition, inspection, repair, maintenance, operation and use of boilers, pressure vessels, pressure plants, power plants, heating plants and fittings;
- (c) adopting, with or without changes, any code or body of rules of any province of Canada relating to the design, construction, testing, installation, condition, inspection, repair, maintenance, operation or use of boilers, pressure vessels, power plants, heating plants, pressure plants or fittings;
- (d) authorizing the chief inspector to accept or provide for methods of evaluating designs submitted to him for approval and registration if they are of an equivalent standard of safety as those codes or bodies of rules adopted by the regulations;
- (e) governing applications for approval and registration of designs and changes to a design and the classification of boilers and pressure vessels for the purpose of inspection, operation and use;
- (f) governing the allocation of identification numbers of boilers and pressure vessels;
- (g) governing the method of preparing boilers and pressure vessels for inspection and the times at which an inspection is to be made and types of inspection that are to be made;
- (h) prescribing types of certificates of competency in addition to those specified in this Ordinance, the grades or classes within each type of certificate and the manner in which each certificate of competency and grade or

class thereof may be obtained and prescribing for any certificate of competency;

- (i) the qualifications, tests and examinations required to be met,
- (ii) the conditions precedent and subsequent to the issue of a certificate of competency, and
- (iii) the person authorized to issue them;
- (i) governing with respect to each certificate of competency, the matters that the holder of a certificate of competency is authorized to do;
- (j) prohibiting any person from doing any act or thing to, or operating or having charge of any type of pressure vessel, including a pressure vessel under the size of .0425 cubic metres, that is a potential hazard to the public unless he is the holder of a certificate of competency which qualifies him to operate or have charge of the pressure vessel;
- (k) specifying for the purposes of paragraph (j) what constitutes a hazard to the public;
- (l) concerning the making of any inspection or investigation and any matter required in connection therewith;
- (m) concerning the issue, renewal, suspension or cancellation of any certificate of competency;
- (n) concerning the amount of fees payable and the method of payment for any matter or thing under this Ordinance and the regulations;
- (o) concerning any calculation to be made under this Ordinance or the regulations;
- (p) requiring data and reports of inspections from any person and the matters to be contained in the report and the times at which it is to be submitted;
- (q) governing welding procedures relating to the construction of boilers, pressure vessels, fittings and pressure piping systems;
- (r) providing for a system of inspection, approval and registration of welding procedures and matters relating thereto and providing for tests, the issue of performance qualification cards and governing the persons who may issue

the cards and the conditions attached to them; and

(s) governing the issue and removal of performance qualification cards issued to a welder.

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| 39(2) | Any regulation made under this Ordinance may be specific or general in its application or apply to the whole or any part of the Yukon.   | Effect of regulations |
| 39(3) | Where any code or body of rules relating to the design, construction, testing, installation, inspection, repair, maintenance, operation or use of a power plant, heating plant, pressure plant or any fitting is adopted by regulation and any conflict arises between the code or body of rules and other regulations made under this section, the provisions of the other regulations prevail. | Adoption of code      |

PART 7

OFFENCES

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|-------|--|-----------------------------|
| 40(1) | Any person who contravenes any provision of this Ordinance or any regulation made under this Ordinance is guilty of an offence and liable on summary conviction to a fine of not more than \$5,000, and, in default of payment, to imprisonment for a term not exceeding one year or to both fine and imprisonment.  | General offence and penalty |
| 40(2) | The owner of any power plant, heating plant or pressure plant which is involved in any contravention of this Ordinance or any regulation made under this Ordinance is guilty of an offence and is liable on summary conviction to a fine of not more than \$5,000 and, in default of payment, to imprisonment for a term not exceeding one year or to both fine and imprisonment unless he proves to the satisfaction of the judge that at the time of the offence, the power plant, heating plant or pressure plant was not being operated in accordance with his instructions, express or implied. | Owner of plant              |

## PART 8

TRANSITIONAL PROVISIONS

- "former Ordinance" 41(1) In this Part "former Ordinance" means *Steam Boilers Ordinance* being chapter S-8 of the Revised Ordinances of the Yukon Territory, 1971.
- Existing facilities 42(1) Notwithstanding section 3 or 43 of this Ordinance, this Ordinance or any regulation or order made pursuant to this Ordinance shall not apply to any boiler, pressure vessel, power plant, heating plant or pressure plant having an established and subsisting use in the Yukon at the time of the coming into force of this Ordinance, and the former Ordinance and any regulation or order made under that Ordinance shall be deemed to continue in full force and effect with respect to such boiler, pressure vessel, power plant, heating plant or pressure plant to which this Ordinance would otherwise apply were it not for this section for a period of one year from the coming into force of this Ordinance.
- Existing certificates of competency 42(2) An engineer's certificate issued under the former Ordinance shall be deemed to be a certificate of competency of the same class issued under this Ordinance.
- Existing certificates of registration 42(3) An inspection certificate issued by an inspector under the former Ordinance shall be deemed to be a certificate of registration issued under this Ordinance.
- Provisional certificates 42(4) A provisional Steam Engineer's Certificate issued pursuant to the former regulations continues to have the same force and effect as though this Ordinance and the regulations had not come into force and the former Ordinance and regulations had remained in force.
- Repeal 43(1) The former Ordinance is repealed.

44(1) This Ordinance or any provision thereof shall come into force on such day or days as the Commissioner may proclaim.

Coming into force





ORDINANCES OF THE YUKON TERRITORY  
1979 (2nd), Chapter 2

AN ORDINANCE TO CHANGE THE NAME OF THE MAGISTRATE'S  
COURT AND TO AMEND THE MAGISTRATE'S COURT ORDINANCE

(Assented to November 15, 1979)

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

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|------|--|---|
| 1(1) | The name of the Magistrate's Court of the Yukon Territory is changed to the Territorial Court of Yukon.  | Change of name                                |
| 2(1) | Wherever the expression "Magistrate's Court" or "magistrate" is mentioned or referred to in any Ordinance, or in any order, rule or regulation made pursuant to any Ordinance, there shall be substituted therefor in every case, unless the context requires otherwise, the expression "Territorial Court" or "judge of the Territorial Court", as the case may be. | Changes "Magistrate's Court" and "magistrate" |
| 3(1) | A reference to the expression "Magistrate's Court" or to the word "magistrate", in any Ordinance, rule or regulation made pursuant to an Ordinance shall, unless the context otherwise requires, be deemed to be a reference to the Territorial Court, or to a judge of the Territorial Court, as the case may be.   | Changes references                            |
| (2)  | No reference to the expression "Territorial Court" in any Ordinance, or Act of the Parliament of Canada, or in any order, rule or regulation made pursuant to any such Ordinance or Act, in force prior to the day on which this Ordinance comes into force, shall be read as a reference to the Court referred to in section 1.                                     | Previous references                           |
| 4(1) | Subsection 20(1) of the Interpretation Ordinance is amended by adding, immediately   | "Territorial Court"                           |



after the definition of "surety", the following new definition:

"Territorial Court' means the Territorial Court of Yukon;"

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|---------------------------------|------|---|
| Reference<br>in Federal<br>Acts | 5(1) | The Magistrate's Court Ordinance is amended by adding immediately after section 34 the following new section:<br><br>"34.1(1) A reference to the expression "Magistrate's Court", or to the word "magistrate", in any Act of the Parliament of Canada, or in any order, rule or regulation made thereunder, shall be deemed to be a reference to the Territorial Court, or to a judge of the Territorial Court, and every judge of the Territorial court shall be deemed to be a magistrate." |
| "Chief<br>Judge"                | 6(1) | Section 2 of the Magistrate's Court Ordinance is amended by adding thereto, immediately before the definition of "clerk", the following new definition:<br><br>"Chief Judge of the Territorial Court' means the judge appointed pursuant to section 31;"  |
| Amends<br>section 29            | 7(1) | Subsection 29(1) of the Magistrate's Court Ordinance is amended by striking out the expression "senior full-time magistrate" and substituting therefor the expression "Chief Judge of the Territorial Court".   |
| Appointment<br>of Chief Judge   | 8(1) | Section 31 of the Magistrate's Court Ordinance is repealed and the following substituted therefor:<br><br>"31(1) The Commissioner may appoint one of the judges of the Territorial Court to be the Chief Judge of the Territorial Court.  |
| Powers and duties               | (2)  | The Chief Judge of the Territorial Court shall have supervision over and direction of the judges of the Territorial Court.  |
| Commissioner's powers           | (3)  | The Commissioner may, after consultation with the Chief Judge of  |

the Territorial Court, arrange the sittings of the Territorial Court and the assignment of judges for hearings in the Territorial Court, having regard to the desirability of rotating judges and to the volume of judicial work in any area of the Territory."

9(1) This Ordinance shall come into force on a day to be fixed by the Commissioner.

Coming into force



ORDINANCES OF THE YUKON TERRITORY  
1979 (2nd), Chapter 3

DAY CARE ORDINANCE

(Assented to November 15, 1979)

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) This Ordinance may be cited as the *Day Care Ordinance*.
- 2(1) In this Ordinance,
- "Board" means the Day Care Services Board established under section 4; "Board"
- "Chairman" means the Chairman of the Board; "Chairman"
- "Chief Medical Health Officer" means that person appointed by the Commissioner as the Chief Medical Health Officer for the Yukon Territory pursuant to the *Public Health Ordinance*; "Chief Medical Health Officer"
- "day care centre" means a facility established and maintained for the provision of a day care service; "day care centre"
- "day care service" means a service operated for the provision of care, maintenance and supervision of not less than seven children of not more than six years of age by a person other than a person related by consanguinity or marriage to those children to whom the service is provided, for any one period of time consisting of more than three but less than twenty-four consecutive hours; "day care service"
- "Director" means that person allocated to the Schedule of Position Classes under the *Public Service Commission Ordinance* as the Director of Human Resources; "Director"
- "family day-home" means a dwelling unit used primarily for the domestic purposes of one or more "family day-home"

persons as a single housekeeping unit, but which is also used for the provision of a family day-home service;

"family day-home service"

"family day-home service" means a service operated for the provision of care, maintenance and supervision of not less than four nor more than six children of not more than six years of age by a person, other than a person related by consanguinity or marriage to those children to whom the service is provided, for any one period of time consisting of more than three but less than twenty-four consecutive hours;

"operator"

"operator" means any person, partnership, organization, society or corporation licensed under this Ordinance to provide a day care or family day-home service.

Licence required

3(1)

No person shall provide a day care service or a family day-home service unless licensed as an operator by the Day Care Services Board pursuant to this Ordinance.

Day Care Services Board

4(1)

There shall be a Board to be called the Day Care Services Board, consisting of a Chairman and four other members appointed pursuant to this section.

Director

4(2)

The Director or a person appointed by him to represent him shall be a member and Secretary of the Board.

Chief Medical Officer of Health

4(3)

The Chief Medical Officer of Health or such person as may be appointed by him to represent him shall be a member of the Board.

Term of office

4(4)

The Chairman and two other members shall be appointed by the Commissioner to hold office at pleasure for a period not exceeding three years from the date of their appointment except that of the members first appointed, one shall be appointed for a period of one year and one shall be appointed for a period of two years.

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| 4(5)  | A retiring Board member is eligible for re-appointment.   | Re-appointment                |
| 4(6)  | In the event of the absence or incapacity of a member of the Board, the Commissioner may appoint a person to take the place of that member for such period as he deems fit.   | Replacement of member         |
| 4(7)  | Where a casual vacancy occurs in the Board, the Commissioner may appoint a person to fill the vacancy for the unexpired portion of the retiring member's term of office.  | Casual vacancy                |
| 4(8)  | No vacancy on the Board impairs the right of the remaining members to act until the vacancy is filled.  | Effect of vacancy             |
| 4(9)  | The Commissioner shall fix<br>(a) the remuneration to be paid to the members of the Board<br>(b) travelling and living expenses to be paid to the members of the Board in connection with the performance of their duties when absent from their ordinary place of residence. | Remuneration and expenses     |
| 4(10) | Meetings of the Board shall be held at the call of the Chairman.  | Meetings                      |
| 4(11) | Three members constitute a quorum, and, in the event of the absence or inability to act of any member the remaining members may execute the powers and carry out the duties of the Board.   | Quorum                        |
| 4(12) | The Board may make rules governing the conduct of its own procedure.  | Rules                         |
| 5(1)  | Any application for a licence to operate a day care service or family day-home service shall be made to the Board in the prescribed form, together with such accompanying documents and information as may be required by the Board.  | Application for licence       |
| 5(2)  | The Board shall, within fourteen days from the receipt of any application, fix a time, date and   | Consideration of applications |

- place for the hearing and consideration of the application, and the time for such hearing and consideration shall be not more than twenty-one days from the receipt of the application.
- Inspection of facilities    §(3)    Before any hearing or consideration is given any application for a licence under this section, the person so applying therefor shall give the Board an opportunity to make such inspections of the facilities proposed by him for use as a day care centre or a family day-home, as the case may be, as the Board may require.
- Representations by applicant    §(4)    The Board shall give the person making an application under this section an opportunity to make representation, either in person, by correspondence, or by agent, with respect to that application at the time, date and place fixed for the hearing and consideration of the application.
- Public notice    §(5)    The Board may require any person making an application under this section to give public notice, at such time and in such manner as the Board considers reasonable under the circumstances, to the effect that any objection to the application shall be submitted to the Board in writing not less than seven days prior to the date fixed for the hearing and consideration of the application.
- Objections    §(6)    Where any objection to an application has been submitted to the Board pursuant to subsection (5), the Board shall give both the person making the objection and the person making the application an opportunity to make representation, either in person, by correspondence, or by agent, with respect to that application at the time, date and place fixed for the hearing and consideration of the application.
- Hearing of application    §(1)    The Board shall meet at the time, date and place fixed for the hearing and consideration of an application made pursuant to section 5 and shall hear such representations with respect to the application as are made pursuant to that section.

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| 6(2) | The Board shall determine, following due consideration of the application and any representation with respect thereto, whether or not to grant a licence to provide a day care service or family day-home service to the person making an application therefor pursuant to section 5, having regard to the circumstances of that person, this Ordinance and the regulations made hereunder. | Decision of Board                          |
| 6(3) | The Board may, where it has determined, pursuant to subsection (2), to grant a licence to a person making an application therefor, grant that licence subject to such terms and conditions as it may see fit to impose upon the licence having regard to the circumstances of that person, this Ordinance and the regulations made hereunder.   | Terms and conditions                       |
| 6(4) | Upon having determined, pursuant to subsection (2); whether or not to grant a licence to a person making an application therefor, the Chairman of the Board shall communicate that determination in writing together with the reasons therefor, to the person who made the application, the Director and any person who made an objection thereto pursuant to this Ordinance.               | Communication of decision                  |
| 6(5) | Where the Board has determined, pursuant to subsection (2), to grant a licence to a person having made an application therefor, it shall issue the licence.   | Issuance of licence                        |
| 6(6) | Where the Board has granted a licence subject to such terms and conditions as it saw fit to impose upon the licence pursuant to subsection (3), it shall give the person to whom the licence was granted an opportunity to make representation, either in person, by correspondence, or by agent, with respect to those terms and conditions.   | Representations as to terms and conditions |
| 6(7) | The Board may, upon hearing any representation made with respect to the terms and conditions of a licence granted pursuant to this section, confirm, vary or rescind those terms and conditions in any manner it may see fit, having regard to the circumstances of the person having made the application  | Varying terms and conditions               |



therefor, this Ordinance and the regulations made hereunder.

- Copy of licence 7(1) Every operator of a day care centre or family day-home shall make available upon request a copy of any licence granted under this Ordinance together with a copy of any terms or conditions imposed upon the licence.
- Annual inspection 8(1) The Director shall cause every day care centre and family day-home operated by any person licensed as an operator pursuant to this Ordinance to be inspected annually in such manner and by such person or persons as he may direct.
- Report of inspection 3(2) The Director shall submit to the Board and to the operator of any day care centre or family day-home that was inspected pursuant to subsection (1) a report respecting any such inspection within thirty days of that inspection.
- Representations concerning revocation 3(3) Where any report made under subsection (2) contains a recommendation that the licence of any operator be revoked, the Board shall give that operator an opportunity to make representation before the Board, either in person, by correspondence, or by agent, with respect to the recommendation in particular or the report in general.
- Revocation, etc. 3(4) The Board may, upon hearing any representation made pursuant to subsection (3), revoke the licence of an operator or impose upon the licence such terms and conditions as it sees fit, having regard to the circumstances of the operator, this Ordinance and the regulations made hereunder.
- Effective date of revocation 3(5) Where the Board revokes a licence pursuant to subsection (4), the operator providing the day care or family day-home service under that licence shall, notwithstanding the revocation, be deemed to have a valid and subsisting licence for the ten day period immediately following the revocation.
- Regulations 3(1) The Commissioner may make regulations  
(a) prescribing the form of application for a

licence to provide a day care or family day-home service,

- (b) respecting the nature of the documentation and information that shall accompany any application for a licence to provide a day care or family day-home service,
- (c) prescribing the form and categories of licences to provide a day care or family day-home service,
- (d) prescribing such terms and conditions as may apply to licences generally,
- (e) prescribing standards relating to facility location, space allocation, sanitary facilities, health conditions, fire and electrical safety, eating and sleeping accommodations, nutrition, activity programs, activity areas, staffing, security, administration and record-keeping, and
- (f) prescribing such other things as may be deemed necessary for the better carrying out of the spirit and intent of this Ordinance.

10(1) Subject to subsection 8(5), any person who provides a day care service or a family day-home service without a valid and subsisting licence issued pursuant to this Ordinance commits an offence and is liable on summary conviction to a fine not exceeding \$250.00 or to a term of imprisonment not exceeding 60 days or to both fine and imprisonment, and each day that the provision of such service is continued without a valid and subsisting licence issued pursuant to this Ordinance shall be deemed to constitute a separate offence for the purposes of this Section.

Offence and penalty

11(1) This Ordinance shall come into force six months from the day of assent thereto.

Coming into force





ORDINANCES OF THE YUKON TERRITORY  
1979 (2nd), Chapter 4

FIRST APPROPRIATION ORDINANCE, 1980 - 81

(Assented to November 15, 1979)

Whereas it appears by message from the Commissioner of Yukon, 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 the thirty-first day of March, 1981.

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

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| 1(1) | This Ordinance may be cited as the <i>First Appropriation Ordinance, 1980 - 81</i> .   | Citation                      |
| 2(1) | From and out of the Yukon Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole Twenty-nine Million, One Hundred and Sixty-four Thousand Dollars for defraying the several charges and expenses of the public service of the Territory for the twelve months ending the thirty-first day of March, 1981, as set forth in Schedule "A" of this Ordinance and such sum shall be applied only in accordance with the schedule. | Amount<br>Granted             |
| 3(1) | The due application of all monies expended pursuant to Section 2 shall be accounted for.   | Monies to be<br>accounted for |
| 4(1) | This Ordinance shall come into force on the day of assent.   | Coming into<br>force          |

SCHEDULE "A"

<u>Appropriation or Item</u>	<u>\$ (Dollars)</u>
Department of Education	\$ 7,790,000
Department of Human Resources	78,000
Department of Municipal and Community Affairs	9,966,000
Department of Tourism and Economic Development	2,504,000
Department of Justice	239,000
Department of Highways and Public Works	7,132,000
Office of the Pipeline Coordinator	1,000
Department of Library and Information Resources	36,000
Department of Renewable Resources	732,000
Department of Health	168,000
Department of Government Services	140,000
Yukon Housing Corporation	193,000
Yukon Liquor Corporation	85,000
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TOTAL	\$29,164,000
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ORDINANCES OF THE YUKON TERRITORY  
1979 (2nd), Chapter 5

AN ORDINANCE TO AMEND THE FUR EXPORT ORDINANCE

(Assented to October 25, 1979)

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) Subsection 2(1) of the *Fur Export Ordinance* is amended by
- (a) repealing the expression 'game guardian' in paragraph (b) in the definition of 'officer' and substituting the words 'conservation officer' therefor;
  - (b) repealing the definition 'tax', and
  - (c) repealing the definition 'Territorial employee'.
- 2(1) Section 3 of the said Ordinance is amended by repealing the words 'upon receipt of the appropriate tax' therein.
- 3(1) Section 9 of the said Ordinance is repealed.
- 4(1) Subsection 10(1) of the said Ordinance is amended by repealing the words 'subject to tax under this Ordinance' therein.
- 5(1) Subsection 10(3) of the said Ordinance is repealed.
- 6(1) Subsection 10(4) of the said Ordinance is repealed and the following subsection substituted therefor:
- "10.(3) Unless within thirty days after the date of seizure a person from whom furs have been seized or a person who has an interest in them satisfies a justice, upon summary application made to him for that purpose, that the furs were not intended for export, furs seized under subsection (2) are forfeited to Her Majesty."
- Forfeiture  
of furs

- Notice 7(1) Section 10 of the said Ordinance is further amended by adding thereto the following new subsection:  
"10.(4) Not less than two clear days notice of an application pursuant to subsection (3) shall be given to the Commissioner."
- 8(1) Sections 14 and 15 of the said Ordinance are repealed and the following new section substituted therefor:
- Regulations "14.(1) The Commissioner may make such regulations as he deems necessary for carrying out the purpose and provisions of this Ordinance and may prescribe such forms as may be required."
- 9(1) Schedule I of the said Ordinance is repealed and the following Schedule substituted therefor:

"SCHEDULE I

Animals in respect of whose fur a fur export permit is required when exported from the Territory: bear (black), bear (polar), beaver, coyote, fisher, fox (coloured), fox (white), lynx, marten, mink, muskrat, otter, squirrel, weasel, wolf, wolverine."

- Coming into force 10(1) This Ordinance shall come into force on the day of assent.
-

ORDINANCES OF THE YUKON TERRITORY  
1979 (2nd), Chapter 6

AN ORDINANCE TO AMEND THE GAME ORDINANCE

(Assented to November 15, 1979)

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) Subsection 2(1) of the *Game Ordinance* is amended by repealing the definitions "registered guiding area" and "vehicle" and substituting the following definitions therefor:

"registered guiding area" means an area or location defined and registered under this Ordinance for the outfitting and guiding of any person for the purpose of hunting big game;

"registered guiding area"

"vehicle" means conveyance of any kind other than a boat and, without restricting the generality of the foregoing, includes a carriage, rig, wagon, car, sleigh, hayrack, bicycle, motorcycle, automobile, camper, motor home, tractor, snowmobile, snowplane, toboggan, aircraft and helicopter;"

"vehicle"

2(1) Subsection 2(1) of the said Ordinance is further amended by adding thereto the following new definitions:

"firearm" means any weapon from which any shot, bullet or other missile can be discharged and that is capable of causing serious bodily injury or death, and without limiting the generality of the foregoing, includes a rifle, shotgun, pistol, revolver, longbow, crossbow or any other device that can be adapted for use as a firearm;

"firearm"

"guiding" means for gain or reward accompanying any person to assist him to hunt, take or locate any big game;

"guiding"

"loaded" with respect to a cartridge loading

"loaded"



firearm means the presence of a live shell or cartridge in the breech, chamber or attached magazine of a firearm, and with respect to a muzzle loading firearm means the presence of a quantity of gun powder and a projectile in the chamber with the ignition device in place;

"outfitting" "outfitting" means for gain or reward, the provision of a guiding service and of transport, food and accommodation to any person when hunting big game;

"provisional" "provisional" with respect to a certificate means for a period of time less than the full term during which a certificate is in force pursuant to this Ordinance."

3(1) Subsections 2(3) and 2(4) of the said Ordinance are repealed and the following subsections substituted therefor:

Possession defined "2(3) For the purposes of this Ordinance,  
(a) a person has anything in possession when he has it in his personal possession or knowingly  
(i) has it in the actual possession or custody of another person; or  
(ii) has it in any place, whether or not that place belongs to or is occupied by him, for the use or benefit of himself or of another person, and  
(b) where one of two or more persons, with the knowledge and consent of the rest, has anything in his custody or possession, it shall be deemed to be in the custody and possession of each and all of them.

"resident" 2(4) Where in this Ordinance reference is made to a resident in relation to a licence, "resident" means

- (a) a Canadian citizen who has
  - (i) habitually resided in the Territory for one year immediately prior to the day on which the licence is issued;
  - or
  - (ii) resided in the Territory for sixty days immediately prior to the day on which the licence is issued, if he has at any time habitually resided in the Territory for a period of one year.
- (b) a person other than a Canadian citizen who has habitually resided in the Territory for three years immediately prior to the day on which the licence is issued.

4(1) Subsection 6(2) of the said Ordinance is repealed and the following substituted therefor:

"6(2) Notwithstanding subsection (1) Use of snares  
(a) the holder of a trapper's licence or an assistant trapper's licence may set out, use or employ snares for the taking or killing of fur bearing animals, wolves and coyotes within the registered trapping area to which such licence applies; and  
(b) the holder of a hunting licence may set out, use or employ snares for the taking or killing of small game  
in accordance with the regulations."

5(1) Paragraphs 8(1)(e), (j), (k), of the said Ordinance are repealed and the following substituted therefor:

"8(1)(e) a rifle with a calibre less than 6 millimetres  
(j) a bow having less than 20 kilograms pull or an arrow less than 710 millimetres in

- length which is not affixed with a double or triple bladed broadhead tip;
- (k) a muzzle loaded or black powder rifle with a calibre less than 11.4 millimetres or"

6(1) Paragraph 8(2)(b) of the said Ordinance is repealed and the following substituted therefor:

"8(2)(b) have in or on a vehicle a loaded firearm, or"

7(1) Section 8 of the said Ordinance is further amended by repealing subsection (3) and substituting therefor the following new subsections:

Firearms  
on  
highways

"8(3) No person shall discharge a firearm on or across a travelled portion of a public road or highway.

Small calibre  
rifles

8(4) Notwithstanding paragraph 8(1)(e),  
(a) the holder of a trapper's licence, or an assistant trapper's licence, may use or employ a rifle with a calibre of 5.6 millimetres to kill trapped wolves and coyotes; and  
(b) the holder of a big game hunting licence may use or employ a centerfire rifle with a calibre of 5.6 millimetres for hunting wolves and coyotes."

8(1) Section 9 of the said Ordinance is repealed and the following substituted therefor:

Prohibited  
contrivances

"9(1) No person shall use or employ for the purpose of hunting game and predatory animals any of the following methods, means and contrivances: set gun, spear, pit, deadfall, fire, jacklight, searchlight or other artificial light, artificial salt licks or spring traps having a jaw spread exceeding 180 millimetres.

- 9(2) Notwithstanding subsection (1), Exception
- (a) where a trap is by design of the manufacturer of the type known as a "humane trap" or an instant killing trap which grips or strikes an animal on the head or body and not on the leg, the holder of a trapper's licence, or an assistant trapper's licence, may use or employ spring traps having a jaw spread exceeding 180 millimetres for hunting fur bearing animals, wolves and coyotes; and
  - (b) a conservation officer may use or employ a contrivance prohibited under subsection (1) while he is engaged in the performance of his duties."
- 9(1) Subsection 12(1) of the said Ordinance is amended by adding thereto the following new paragraph:
- "(c) hunt big game within 6 hours of arriving by aircraft at the point of commencement of a hunt."
- 10(1) Subsection 13(1) of the said Ordinance is repealed and the following substituted therefor:
- "13(1) No person shall hunt, transport big game or big game hunters by helicopter, with the exception of hunters requiring medical aid:" Helicopters
- 11(1) Subsections 14(1) and 14(2) of the said Ordinance are repealed and the following subsections substituted therefor:
- "14(1) No person who has killed game other than bear, wolf, coyote or a fur bearing animal, shall
- (a) abandon any portion of the flesh thereof that is suitable for human food;
- Care of game meat

- (b) allow any portion of the flesh thereof that is suitable for human food to be destroyed or spoiled;
- (c) allow any portion of the flesh thereof that is suitable for human food to be used as bait in hunting operations or be fed to captive fur-bearing animals or domestic animals, including dogs.

Care of pelts

14(2) No person who has killed a fur bearing animal, wolf, coyote or bear shall allow the pelt to become deteriorated, spoiled or destroyed."

12(1) Section 23 of the said Ordinance is amended by adding thereto the following new subsection:

Special guiding licence

"23(2) Notwithstanding subsection (1), but subject to the regulations, where there is no commercial transaction involved, the Commissioner may grant to any resident a special licence to guide a non-resident Canadian citizen for the purpose of hunting big game."

13(1) Section 24 of the said Ordinance is repealed and the following section substituted therefor:

Accidental killing

"24(1) Every person who accidentally while hunting or who in defence of life or property kills any big game which is protected under section 21,  
(a) shall immediately and properly dress the carcass, take away the meat and hide, keep them in a good state of preservation and deliver them to the nearest conservation officer who shall dispose of the meat and hide in accordance with instructions from the Director; and  
(b) shall at the time of delivery of the meat and hide to a conservation officer, furnish an affidavit

setting forth the circumstances of the killing.

- 24(2) A conservation officer who has reasonable grounds to believe and does believe that any wildlife is
- (a) destructive of private property or a danger to public safety; or
  - (b) wounded or diseased; or
  - (c) required for the purpose of wildlife management or research
- may kill, destroy, trap or capture such wildlife at any time.
- Conservation officer

- 14(1) Subsection 25(4) of the said Ordinance is repealed and the following substituted therefor:

"25(4) Subsection (3) does not apply with respect to lands described therein unless signs, at least 300 millimetres long and 250 millimetres wide, stating "Hunting and Shooting Prohibited" or words of like effect, are placed in a prominent position at each corner of the land and along each boundary at intervals of not more than 300 metres."

Signs required

- 15(1) Section 29 of the said Ordinance is amended by adding thereto the following new subsections:

"29(3) The holder of a trapper's licence, assistant trapper's licence or fur trading licence shall, no later than the fifteenth day of July in each year, submit to the Director a declaration on a prescribed form, listing all the skins or pelts of fur bearing animals which he has not sold or disposed of within the licence year immediately preceding."

Declaration as to unsold pelts

- 16(1) Section 33 of the said Ordinance is amended by repealing paragraph (1)(e) and substituting the following therefor:

"(1)(e) trapper's licence under section 44;"

16(2) Section 33 of the said Ordinance is further amended by repealing paragraphs (1)(o) and (p) and adding thereto the following new paragraphs (t) and (u):

- "(1)(t) a licence to guide a non-resident under section 23;
- (u) an assistant trapper's licence under section 66."

17(1) The said Ordinance is further amended by adding thereto immediately after section 33 the following new section;

Issuance by  
Director  
and  
officers

"33.1(1) The Director or a conservation officer may issue any licence, permit, certificate or seal to which reference is made in this Ordinance, or for which provision is made in the regulations.

Issuance by  
authorized  
persons

33.1(2) The Commissioner may authorize any person to issue any licence or seal subject to the limitations and conditions prescribed in the regulations.

Authorizations

33.1(3) An authorization referred to in subsection (2) shall be in the form of a written agreement between the Commissioner and a licence issuer.

Duties of  
issuers

33.1(4) Every licence issuer shall  
(a) abide by the terms and conditions of his agreement, and  
(b) comply with the instructions to Licence Issuers as prescribed in the regulations.

Remuneration  
of issuers

33.1(5) The Commissioner may direct that a person who is authorized to issue a licence or seal under this Ordinance, and who is not in the public service of the Territory, be paid the remuneration set by the regulations for each licence or seal issued by that person."

- 18(1) Subsection 34(4) of the said Ordinance is repealed and the following substituted therefor:
- "34(4) No licence, permit or certificate is valid unless the signature of the person to whom it is issued is endorsed thereon and in the case of a person signing by mark the mark shall be witnessed."
- Signature required
- 19(1) Subsection 38(1) of the Ordinance is amended by striking out the expression "without the approval of the Commissioner".
- 20(1) Section 41 of the said Ordinance is repealed and the following substituted therefor:
- "41(1) Subject to subsection (4) where a person is convicted
- (a) of an offence under this Ordinance or the regulations;
  - (b) of an offence of discharging a firearm contrary to the Dempster Highway Development Area Regulations; or
  - (c) of an offence under the Migratory Birds Convention Act or the regulations made under that Act,
- any licence held by that person to hunt, kill or take wildlife shall, in addition to any other penalty imposed upon such conviction, be cancelled; and, whether or not he is the holder of a licence to hunt, kill or take wildlife under this Ordinance, the court has jurisdiction to make a hunting restriction order prohibiting that person from hunting, killing or taking any or all species or types of wildlife for such period of time, not exceeding five years, as may be specified in the order.
- 41(2) Where a hunting restriction order is made under subsection (1) prohibiting a person who is the holder of a licence
- Surrender and endorsement of licence



under this Ordinance from hunting, killing or taking any species or type of wildlife which the licence would otherwise permit the person to hunt, kill or take, the person shall deliver the licence to the court within seven days of the day on which the order is made, and the court shall endorse thereon a statement as to the terms and conditions of the order.

Endorsement  
on new  
licence

41(3) Where a hunting restriction order is made under subsection (1) prohibiting a person from hunting, killing or taking any species or type of wildlife, a statement of the terms and conditions of the order shall be endorsed on any licence, issued to that person under this Ordinance during the currency of the order.

Cancellation  
or suspension  
of licences,  
etc.

41(4) Except as provided by subsection (1), and notwithstanding any other provision of this Ordinance, where a person is convicted of an offence under this Ordinance or the regulations related to a licence, permit or certificate of registration held by him, the court may order that licence, permit or certificate of registration cancelled, or suspended for such period of time as may be specified in the order.

No  
compensation

41(5) Where a licence, permit or certificate of registration issued under this Ordinance or the regulations is cancelled or suspended the person named in the licence, permit or certificate of registration, or any person having an interest therein, shall not be entitled to compensation for any damage or loss arising from such cancellation or suspension.

Surrender,  
etc.,  
of licence

41(5) Upon cancellation or suspension of any licence, permit or certificate of registration

issued under this Ordinance or the regulations the holder of the licence, permit or certificate of registration shall

- (a) surrender it to the justice or a conservation officer within seven days of the date of the cancellation or suspension; and
- (b) he shall not obtain or attempt to obtain a licence, permit or certificate of registration to replace a licence, permit or certificate of registration that has been cancelled or suspended until after the expiration of the period during which such cancellation or suspension is in force."

21(1) The said Ordinance is amended by repealing the heading above section 44 and subsections 44(1) and (2) and substituting the following therefor:

"TRAPPER'S LICENCE

- 44(1) Subject to this Ordinance and the regulations, the Director may, upon application therefor, issue a trapper's licence to any person who is a Canadian citizen over the age of sixteen years, and
- (a) has habitually resided in the Territory for the three years immediately prior to the date of his application,
  - (b) does not reside in the Territory but,
    - (i) has for three years immediately preceding the coming into force of this Ordinance, lawfully hunted fur bearing animals in the Territory, or
    - (ii) is the spouse or child of a person referred to in subparagraph (i),

Trapper's  
licence

- (c) has demonstrated to the satisfaction of the Director that he is competent to operate a registered trapping area according to this Ordinance and the regulations.
- Fur bearing animals            44(2)    A trapper's licence issued under subsection (1) entitles the holder thereof to hunt fur bearing animals in accordance with this Ordinance and the regulations."
- 22(1)    Subsection 45(1) of the said Ordinance is repealed and the following substituted therefor:
- Issuance of licence            "45(1)    The Director may issue a licence to a person to take, be in possession of and export wildlife, its products and parts for scientific purposes."
- 23(1)    Section 45 of the said Ordinance is amended by adding thereto the following new subsections:
- Returns to be made            "45(4)    The holder of a scientific licence shall furnish to the Director such returns and information, respecting wildlife and wildlife related operations of any person named in the licence, as the Director may require.
- Terms and conditions            45(5)    The Director may specify, with respect to a licence issued pursuant to subsection (1), the terms and conditions under which any person named in the licence may
- (a) capture, possess and export wildlife, or
- (b) dispose of wildlife accidentally taken, killed, or injured as a result of engaging in the licenced operations."
- 24(1)    Paragraphs 48(1)(b) and (c) of the said Ordinance are repealed and the following substituted therefor:

"48(1)(b) a resident who makes his home and is ordinarily present in the Territory, and

(c) a *bona fide* owner of equipment in good condition and repair that in the opinion of the Director is sufficient to take care of such number of hunters in the field as the Director may endorse upon the licence."

25(1) Subsection 48(3) of the said Ordinance is repealed and the following substituted therefor:

"48(3) Every outfitter shall	Outfitter's equipment
(a) keep his equipment in good condition and repair at all times;	
(b) make his equipment available for inspection by the Director or a conservation officer at all reasonable hours; and	
(c) no later than the 15th day of July in each year that he engages in outfitting, furnish to the Director a declaration, on a form prescribed in the regulations, listing the equipment used by him and providing such other information as the Director may require."	

25(2) Section 48 of the said Ordinance is further amended by adding thereto the following new subsection:

"48(6) A licence or certificate issued under this Ordinance is not, and does not operate as a demise, lease or transfer of any title or interest in or to land or wildlife."	Effect of licence
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26(1) Section 53 of the said Ordinance is amended by adding thereto the following new subsection:

"53(2) Every guide and outfitter shall report to a conservation officer any offence	Reporting of offences
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contrary to this Ordinance or the regulations committed by a person whom he is guiding or outfitting within 48 hours from the time that the offence becomes known to him."

27(1) Subsection 56(1) of the said Ordinance is repealed and the following substituted therefor:

Outfitter's duties

"56(1) Every outfitter shall immediately, upon completion of a hunt by any person whom he has outfitted

- (a) furnish to the Director in writing, on forms prescribed in the regulations, such returns and information as the Director may require; and
- (b) endorse on the back of each non-resident hunting licence the number and kinds of game taken by the holder thereof."

28(1) Section 61 of the said Ordinance is amended by adding thereto the following new subsections:

Expiration date

"61(3) Notwithstanding subsection (1) a certificate of registration issued with respect to a person who has not previously held such a certificate shall expire, unless sooner cancelled, on the 31st day of December of the year in which it was issued.

Extension of certificate

61(4) The Director may extend a provisional certificate issued under subsection (3) for a further period of one year, or for the full term as prescribed in subsection (1)."

29(1) Subsection 63(1) of the said Ordinance is repealed and the following substituted therefor:

Certificate of registration

"63(1) The Director may, upon application therefor, issue a certificate of registration of a trapping area to any

person referred to in subsection 44(1)."

30(1) Section 65 of the said Ordinance is amended by adding thereto the following new subsections:

- |        |   |                              |
|--------|---|------------------------------|
| "65(3) | Notwithstanding subsection (1) a group of not more than four holders of certificates of registration of registered trapping areas may waive, in favour of each other, the exclusive right and privilege of hunting fur bearing animals within their respective registered trapping areas by signing a party trapping agreement in such form as may be prescribed in the regulations.            | Party trapping agreement     |
| 65(4)  | A party trapping agreement referred to in subsection (3) shall<br>(a) entitle each endorsee to the right and privilege of hunting fur bearing animals within the registered trapping areas described in the agreement, according to the provisions of this Ordinance and the regulations; and<br>(b) expire, unless sooner cancelled, on the 30th day of June next following the date of issue. | Effect and term of agreement |
| 65(5)  | A person who is a party to an agreement pursuant to subsection (3) may withdraw from such agreement by serving a notice of intention to withdraw to the Director and to each person who is a party to the agreement.  | Withdrawal from agreement    |
| 65(6)  | A notice of intention to withdraw served under subsection (5) shall come into effect thirty days after all parties to the agreement have been so notified.  | Effective date of withdrawal |
| 65(7)  | For the purpose of subsection (5) notice will deem to have been served upon   | Service of notice            |

delivery of the notice, by hand or by registered mail, to each person who is a party to the agreement.

Trapping near dwellings

- 65(8) Notwithstanding subsection (1) no person shall set traps, snares or any other device for the purpose of hunting fur bearing animals, wolves or coyotes within two kilometres of any dwelling on land being occupied under legal tenure unless he is the holder of a trapper's licence or an assistant trapper's licence issued with respect to the registered trapping area within which such dwelling is located; and
- (a) he has the written permission of the owner or occupier of such dwelling; or
  - (b) he is the owner or occupier of such dwelling."

- 31(1) Section 69 of the said Ordinance is amended by adding thereto the following new subsections:

Early expiration

- "69(2) Notwithstanding subsection (1) a certificate issued with respect to a person who has not previously held such a certificate shall expire, unless sooner cancelled, on the 30th day of June next following the date of issue.

Extension of term

- 69(3) The Director may extend a provisional certificate issued under subsection (2) for a further period of one year, or for the full term as prescribed in subsection (1)."

- 32(1) Subsection 75(1) of the said Ordinance is repealed and the following substituted therefor:

Unauthorized entry

- "75(1) No person other than a conservation officer shall, without the consent of the owner of a fur farm or private game farm, enter upon such fur farm or private

game farm or go within twenty-three metres of the pens or dens of game thereon if notices forbidding trespassing on the premises are posted upon such pens or dens and the words thereon are plainly visible from a distance of not less than twenty-three metres."

33(1) Subsection 76(1) of the said Ordinance is repealed and the following substituted therefor:

"76(1) Where notices have been posted in accordance with section 75, the owner or caretaker of a fur farm or private game farm may kill any dog found terrifying captive game within twenty-three metres of their pens or dens." Dogs terrifying captive game

34(1) Subsection 82(3) of the said Ordinance is repealed.

35(1) Section 84 of the said Ordinance is repealed.

36(1) Subsection 85(1) of the said Ordinance is repealed and the following substituted therefor:

"85(1) Except as provided in section 87, no person shall, either by himself, his clerk, servant or agent, buy, or sell, deal, exchange, barter, solicit or traffic in the skin, pelt or part thereof, of any game or conduct a sale or purchase of the skin, pelt or part thereof without first having obtained a licence from the Director authorizing him to do so." Licence to sell pelts, etc.

37(1) Subsection 85(2) of the said Ordinance is repealed and the following substituted therefor:

"85(2) A licence issued under subsection (1) may authorize the holder thereof to trade and traffic in fur bearing animals, and such other species of game or products manufactured from parts of game as are specified in the licence or prescribed in the regulations." Effect of licence



38(1) Paragraphs 36(1)(b) and 36(1)(c) of the said Ordinance are repealed and the following substituted therefor:

"36(1)(b) forward a monthly return in a prescribed form to the Director within ten days after the end of each month.

36(1)(c) whenever so required produce his records and books of account for examination by a conservation officer."

39(1) Subsections 87(3) and 87(4) of the said Ordinance are repealed.

40(1) Section 89 of the said Ordinance is repealed and the following substituted therefor:

Regulations

"89(1) The Commissioner may

- (a) prescribe forms of licences, applications and certificates of registration and such other forms as may be required for the purposes of this Ordinance or the regulations;
- (b) cancel, suspend or refuse to issue or renew any licence or certificate of registration for any cause that to him seems sufficient;
- (c) reinstate a cancelled or suspended licence or certificate of registration upon such terms as he may deem proper;
- (d) as a condition precedent to the issue or reinstatement of any licence or certificate of registration in any case or class of cases, require the applicant therefor to furnish a bond or other form of security as he may deem necessary to secure the due observance of this Ordinance;
- (e) repealed, 1975 (3rd) ch. 7, s.25;
- (f) fix or vary at any time the boundaries of any trapping or guiding area in

respect of which a certificate of registration has been issued;

- (g) repealed, 1975 (3rd) ch.7, s.25;
- (h) notwithstanding anything herein, authorize a conservation officer, or any person under the supervision of a conservation officer, to hunt game at any time in any part of the Territory and by any method deemed necessary by the Commissioner to carry out an experiment or investigation in connection with the conservation, development or utilization of the wildlife resources including the control of predatory animals;
- (i) on behalf of the Territory, enter into agreements with Canada in connection with the development of fur rehabilitation blocks or registered trapping areas where such development will be beneficial to Indians or Eskimos;
- (j) delineate zones of any size or configuration for the purpose of implementing a program of game management which reflects the specific requirements of discrete small wildlife numbers, and also the requirements of large generalized wildlife numbers. \*

41(1) Section 90 of the said Ordinance is amended by adding thereto the following new paragraphs:

- "90(1)(h) respecting agreements entered into by persons pursuant to section 65;
- (i) setting out the terms of reference of the Wildlife Advisory Committee;
- (j) respecting the issue of any licence or seal;
- (k) prescribing the terms and conditions applicable to any person authorized to act on behalf of the Commissioner in the

issue of any licence or seal;

(1) respecting the use of snares to catch or take wildlife;

(m) respecting the person to whom and the terms and conditions under which a licence might be issued pursuant to subsection 23(2)."

42(1) The said Ordinance is amended by adding thereto immediately after section 94 the following new section:

Wildlife  
Advisory  
Committee

"94.1(1) The Commissioner may appoint a Wildlife Advisory Committee which shall, in accordance with its terms of reference advise the Commissioner and the Director on matters of general interest respecting the carrying out of the provisions of this Ordinance."

43(1) Section 99 of the said Ordinance is repealed and the following substituted:

Stopping  
and search  
of vehicles,  
etc.

"99(1) Any person who is in charge of or operating a vehicle or a boat, upon being requested or signalled to stop by a conservation officer, shall forthwith

- (a) bring or cause his vehicle or boat to be brought to a stop;
- (b) permit such conservation officer to search the vehicle or boat; and
- (c) furnish such conservation officer with any information he may require in the fulfillment of his duties."

44(1) Section 100 of the said Ordinance is repealed and the following substituted therefor:

Search  
warrant

"100(1) A justice who is satisfied by information upon oath that there are reasonable grounds to believe that there are in any building or premises or in any place or part thereof

- (a) any wildlife that has been illegally

taken, killed, procured or is illegally in possession; or  
(b) any firearms, ammunition, implements or appliances used for taking or handling illegal wildlife; or  
(c) any papers, books, documents or records that may afford evidence of an offence under this Ordinance or the regulations;  
may at any time issue a warrant authorizing a conservation officer or a peace officer to search that building or premises for any such thing and to seize and carry it or an affidavit of seizure before him or some other justice to be dealt with according to law."

45(1) Subsection 104(1) of the said Ordinance is repealed and the following substituted therefor: General penalty

"104(1) Every person who violates a provision of this Ordinance or the regulations commits an offence and in addition to any other penalty is liable on summary conviction to a fine not exceeding two thousand dollars or to imprisonment for a term not exceeding six months or to both fine and imprisonment."

46(1) This Ordinance shall come into force on the day of assent. <sup>2</sup>



I N C O M E   T A X   O R D I N A N C E

This Ordinance has been printed in a  
separate Volume for your convenience



ORDINANCES OF THE YUKON TERRITORY  
1979 (2nd), Chapter 3

JUSTICE OF THE PEACE COURT ORDINANCE

(Assented to November 15, 1979)

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)                       | This Ordinance may be cited as the Justice of the Peace Court Ordinance.  | Short title   |
|                            |   |   |
| 2(1)                       | In this Ordinance,<br><br>"Chief Judge of the Territorial Court" has the same meaning as in the Territorial Court Ordinance;<br><br>"Council" means the Justice of the Peace Council established under section 12;<br><br>"justice of the peace" means a justice of the peace appointed to or holding office under section 5, and<br><br>"senior judge of the Supreme Court" means the judge first appointed. | "Chief Judge"<br><br>"Council"<br><br>"justice of the peace"<br><br>"senior judge of the Supreme Court" |
| Justice of the Peace Court |   |   |
| 3(1)                       | There shall be in and for the Territory a Justice of the Peace Court to be known as the "Justice of the Peace Court of the Yukon Territory."  | Court established   |
| (2)                        | The Justice of the Peace Court shall consist of such persons as may be appointed to be justices of the peace under section 5.   | Membership of Court   |
| 4(1)                       | The Chief Judge of the Territorial Court is, ex officio, the Chief Justice of the Peace.  | Chief Justice of the Peace  |
| (2)                        | The Chief Judge of the Territorial Court has the general supervision over and direction of  | Powers and duties   |



the work of the Justice of the Peace Court and the duties and sittings of justices of the peace appointed under section 5.

Rules for Court (3) The Commissioner may, after consultation with the Chief Judge of the Territorial Court, make rules governing procedure and conduct in the Justice of the Peace Court.

Appointment of justices 5(1) The Commissioner may, upon the recommendation of the Council, appoint persons to be justices of the peace in and for the Territory.

Judges of Supreme Court, etc. (2) Every judge of the Supreme Court and every judge of the Court of Appeal is, when he is in the Territory, ex officio a justice of the peace in and for the Territory.

Judges of Territorial Court (3) Every judge and deputy judge appointed to or continuing in office pursuant to the Territorial Court Ordinance is, when he is in the Territory, ex officio a justice of the peace in and for the Territory.

R.C.M.P. officers (4) Every commissioned officer of the Royal Canadian Mounted Police is, when he is in the Territory, ex officio a justice of the peace in and for the Territory.

Oath of office 6(1) Every justice of the peace appointed under subsection 5(1) shall, upon his appointment, take and subscribe before a judge of the Supreme Court or the Territorial Court or a notary public the following oath: "I,....., do solemnly and sincerely promise and swear that I will duly and faithfully and to the best of my skill and knowledge execute the powers and trust reposed in me as a justice of the peace in and for the Yukon Territory. So help me God."

Oath to be filed (2) The oath of office shall be transmitted forthwith to the Commissioner and filed in his office.

*Justice of the Peace Court Ordinance*

*Chp. 3*

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| 7(1)  | Notwithstanding any other Ordinance, the Commissioner may authorize the payment of remuneration to a justice of the peace who is employed in the public service, in addition to his salary.  | Remuneration             |
| (2)   | The Commissioner may authorize the payment, to a justice of the peace, of compensation for the travelling and other expenses incurred by the justice of the peace in the performance of his duties.  | Expenses                 |
| 8(1)  | A justice of the peace is not, by reason only of his appointment as such, a member of the public service.  | Public Service           |
| 9(1)  | Every justice of the peace shall, in accordance with the regulations, remit all fines and fees received by him to the Territorial Treasurer.   | Fines and fees           |
| (2)   | Every justice of the peace shall make such returns to the Commissioner on such forms and at such times, as the Commissioner may prescribe.   | Returns                  |
| (3)   | Every justice of the peace shall keep records, in such form, as the Commissioner may prescribe.  | Records                  |
| 10(1) | Notwithstanding the resignation or revocation of the appointment of a justice of the peace, he remains liable to transmit all fines and fees, and to make all the returns, that he was liable to transmit or make at the time of his resignation or the revocation of his appointment. | Resignation, etc.        |
| 11(1) | The Commissioner may by order authorize any justice of the peace to deal with juvenile delinquents, and any justice so authorized is a judge of the juvenile court for all of the purposes of the Juvenile Delinquents Act (Canada).   | Juvenile Delinquents Act |

Extent of order (2) An order made under subsection (1) may apply to the whole of the Territory or to any portion or portions of the Territory specified in the order.

Justice of the Peace Council

Council established 12(1) A Council is hereby established to be known as the Justice of the Peace Council.

Objects of Council (2) The objects of the Council are to promote efficiency and uniformity in, and to improve the quality of, judicial service in the Justice of the Peace Court.

Membership of Council 13(1) The Council shall consist of the senior judge of the Supreme Court, the Chief Judge of the Territorial Court, and the member of the Executive Council responsible for the administration of justice in the Territory.

Chairman (2) The senior judge of the Supreme Court shall be the Chairman of the Council, and he shall have supervision over and direction of the work of the Council.

Absence of senior judge 14(1) In the absence of the senior judge of the Supreme Court, he shall be represented for all purposes relating to the business of the Council by the next most senior judge of the Supreme Court.

Absence of Chief Judge (2) In the absence of the Chief Judge of the Territorial Court, he may be represented at meetings of the Council by the most senior of the other judges of the Territorial Court.

Absence of Executive Council member (3) In the absence of the member of the Executive Council responsible for the administration of justice in the Territory, he may be represented at meetings of the Council by the Deputy Head of Justice for the Territory.

Meetings 15(1) The Council shall meet at least once a year.

Complaints and investigations 16(1) The Council may receive and investigate any complaint or allegation made in respect of a justice of the peace, and the Council may hold

such inquiries in relation to a complaint or allegation as the Council deems appropriate.

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| (2)   | The Council shall conduct such investigations respecting justices of the peace as it may be requested to conduct by the Commissioner.   | Duty to investigate      |
| (3)   | The Council may conduct an investigation at the request of any member of the Council.   | Power to investigate     |
| 17(1) | The Chief Judge of the Territorial Court may by order suspend a justice of the peace from the performance of his duties pending the initiation or completion of an investigation under section 16, whether or not<br>(a) any complaint or allegation respecting the justice of the peace has been received by the Council, or<br>(b) the Council has been requested to conduct an investigation by the Commissioner or a member of the Council. | Suspension of justice    |
| (2)   | In the absence of the Chief Judge of the Territorial Court, his powers under subsection (1) may be exercised by the senior judge of the Supreme Court.  | Absence of Chief Judge   |
| 18(1) | The Council may take such action as the Council deems advisable in relation to the conduct of an investigation under section 16.  | Conduct of investigation |
| (2)   | For the purpose of conducting an investigation under section 16, the Council has all the powers of a Board under the Public Inquiries Ordinance.  | Investigatory powers     |
| 19(1) | The Council may make rules respecting,<br>(a) the practice and procedures of the Council,<br>(b) the exercise of the powers of the Council, and<br>(c) the conduct of investigations under section 16.  | Rules for Council        |
| (2)   | Evidence may be adduced before the Council in such manner as the Council considers proper,  | Evidence before Council  |

and the Council is not bound by the rules of evidence.

Publication (3)  
of information

The Council may prohibit the publication of any information or document brought before it in connection with an investigation where the Council is of the opinion that the publication of the information or document would not be in the public interest.

Justice's 20(1)  
rights

A justice of the peace in respect of whom an investigation is conducted under section 16 shall be given

- (a) reasonable notice of the subject matter of the investigation, and of the time and place at which any hearing is to be held in relation to the investigation, and
- (b) an opportunity, by himself or his counsel or agent, to be heard, to cross-examine witnesses, and to adduce evidence.

Report 21(1)  
to  
Commissioner

After an investigation under section 16 has been completed, the Council shall report its conclusions to the Commissioner.

Recom- (2)  
mendation  
to  
Commissioner

The Council may, after it has conducted an investigation respecting a justice of the peace under section 16, recommend to the Commissioner that

- (a) the justice of the peace be suspended from the performance of his duties for such period of time as the Council considers appropriate, or
- (b) the appointment of the justice of the peace be revoked.

Action 22(1)  
barred

No action for damages lies against the Council, any member of the Council, or any person acting under the authority of the Council, in respect of an act or thing done in good faith in the execution of the powers of the Council or the performance of the duty of any member of the Council under this Ordinance.

Repeal 23(1)

The Justice of the Peace Ordinance is repealed.

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| 24(1) | The Commissioner may make such regulations as he deems necessary for giving effect to this Ordinance or for carrying out the provisions of this Ordinance according to its intent and meaning. | Regulations       |
| 25(1) | This Ordinance comes into force on a day to be fixed by the Commissioner.  | Coming into force |





ORDINANCES OF THE YUKON TERRITORY  
1979 (2nd), Chapter 9

AN ORDINANCE TO AMEND THE LEGAL PROFESSION ORDINANCE  
(Assented to October 25, 1979)

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) The *Legal Profession Ordinance* is amended by repealing subsection 63(3) and substituting the following therefor:
- "63(3) Payments from such account shall only be made by the Yukon Law Foundation with respect to expenses incurred
- (a) in the administration of this Ordinance,
  - (b) in the establishment, maintenance and operation of the Indemnity Fund pursuant to this Ordinance,
  - (c) in the establishment or maintenance of law libraries,
  - (d) for legal education,
  - (e) for legal research, law reform and publication of information about the law."
- 2(1) The said Ordinance is further amended by adding immediately after section 63 thereof the following new sections:
- "63.1(1) The Yukon Law Foundation shall establish, maintain and operate a fund to be known as the "Indemnity Fund" for the reimbursement of pecuniary losses sustained by reason of the misappropriation or wrongful conversion, by a barrister and solicitor, of property entrusted to or received by him in his capacity as a barrister and solicitor.
- 63.2(1) The administrators of the Yukon Law Foundation may make rules,
- (a) respecting the administration
- Payments from account
- Indemnity Fund
- Rules for Fund



of the Indemnity Fund;

- (b) providing for the levying upon barristers and solicitors of an annual assessment of such amount as may be fixed by the administrators from time to time for the purpose of establishing, maintaining or augmenting the Indemnity Fund;
- (c) providing for the payment out of the Indemnity Fund of expenses incurred in the administration of the Fund or in connection with audits, investigations, hearings or other action taken pertaining to the accounts of barristers and solicitors under this Ordinance or the *Legal Profession Accounts Ordinance*; and
- (d) prescribing conditions to be met before the reimbursement of a loss may be made out of the Indemnity Fund.

Exception

63.3(1) A barrister and solicitor is not required to pay the annual assessment referred to in paragraph 63.2(1)(b) if no property that belongs to another person is entrusted to or received by him in his capacity as a barrister and solicitor, but the administrators of the Yukon Law Foundation may require him to pay the assessment if they are not satisfied that he is exempt under this section.

Prohibition

63.3(2) No barrister and solicitor who has not paid the annual assessment referred to in paragraph 63.2(1)(b) shall receive, in his capacity as a barrister and solicitor, any property that belongs to another person.

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|---------|--|------------------------------|
| 63.4(1) | The administrators of the Yukon Law Foundation may pay out of the account maintained in the name of the Yukon Law Foundation pursuant to subsection 63(2), such amounts, not to exceed \$50,000 in any one year, as they deem necessary for the establishment, maintenance or augmentation of the Indemnity Fund.  | Law Foundation contributions |
| 63.5(1) | The Indemnity Fund is not subject to any trust, and it shall be kept separate from the other funds of the Yukon Law Foundation.  | Fund is separate             |
| 63.5(2) | The Indemnity Fund shall be administered by the administrators of the Yukon Law Foundation in such manner as they consider proper, and it shall be invested as they may determine from time to time, but in so doing the administrators are not subject to the provisions of the <i>Trustee Ordinance</i> governing the investment of trust funds.   | Administration of Fund       |
| 63.6(1) | Where property that belongs to a person has been entrusted to or received by a barrister and solicitor, in his capacity as such barrister and solicitor, and the person sustains pecuniary loss by reason of the misappropriation or wrongful conversion of the property by the barrister and solicitor, the person may apply to the administrators of the Yukon Law Foundation for reimbursement of his loss out of the Indemnity Fund. | Reimbursements out of Fund   |
| 63.6(2) | No reimbursement shall be paid out of the Indemnity Fund in respect of any loss unless the administrators of the Yukon Law Foundation are satisfied that the pursuit of other remedies available to the claimant would be futile.  | Other remedies               |

Decision by  
administrators  
of Fund

63.6(3) Subject to subsection (2), reimbursements made out of the Indemnity Fund are in the absolute discretion of the administrators of the Yukon Law Foundation, and no appeal lies from any decision granting or withholding a reimbursement whether as to all or part of a loss.

Report  
to  
Commissioner

63.7(1) Not later than the 31st day of March in each year, the administrators of the Yukon Law Foundation shall deliver to the Commissioner a full financial report upon the Indemnity Fund identifying,  
(a) the sources of its revenue and the disposition of claims made during the previous year, and  
(b) any claims outstanding as of the date of the report.

63.8(1) Section 63.6 of this Ordinance shall be deemed to have come into force on the 1st of January 1975."

Coming  
into  
force

3(1)

This Ordinance shall come into force on the day of assent.

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ORDINANCES OF THE YUKON TERRITORY  
1979 (2nd), Chapter 10

AN ORDINANCE TO AMEND THE LIQUOR ORDINANCE

(Assented to November 15, 1979)

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) The Liquor Ordinance is amended by adding, immediately after section 87, the following new section:

"87.1(1) In this section,

"Old Crow area" means all that part of the Territory lying within fifty kilometres of the settlement of Old Crow; and

"Old Crow area"

"traffic" means

"traffic"

- (a) to manufacture, sell, give, administer, transport, send, deliver or distribute, or
- (b) to offer to do anything mentioned in paragraph (a).

(2) Except as otherwise specially provided by this section, no person shall, in the Old Crow area,

Prohibition

- (a) have liquor in his possession, or
- (b) traffic in liquor, or in any substance represented or held out by him to be liquor.

(3) Notwithstanding subsection (2), liquor may be kept, and may be given to a person in the Old Crow area,

Exception

- (a) for sacramental purposes, by any priest or church, or
- (b) for medicinal purposes, by or under the instructions of a medical practitioner.

*An Ordinance to Amend the Liquor Ordinance*

*Chap. 10*

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| (4)  | No person shall send or transport liquor into the Old Crow area, except to a person authorized to have it in his possession under subsection (3).  | Sending liquor to Old Crow    |
| (5)  | No person shall sell, give or deliver to any other person any thing or substance that he knows, or ought to know, will be used by the other person, in the Old Crow area, for making liquor.   | Ingredients for making liquor |
| (6)  | Where one of two or more persons, with the knowledge and consent of the rest, has liquor in his custody or possession, the liquor shall be deemed to be in the possession of each and all of them.   | Possession of liquor          |
| (7)  | This section does not apply to or in respect of the possession of liquor in an aircraft<br>(a) for the bona fide consumption in the aircraft, while it is flying, of passengers in the aircraft, or<br>(b) for the bona fide consumption of persons outside the Old Crow area. | Liquor in aircraft            |
| (8)  | In a prosecution under this section, the burden of proving that an exception under subsection 3 or 4, or an exemption under subsection 7, operates in favour of the accused, is on the accused.  | Burden of proof               |
| (9)  | The provisions of this section prevail over every other provision of this Ordinance, excepting only sections 78 and 79.  | Effect of this section        |
| 2(1) | This Ordinance comes into force on a day to be fixed by the Commissioner, but unless this Ordinance is continued in force by an Ordinance, this Ordinance shall cease to be in force two years from the day of its commencement.   | Coming into force             |
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"property"		"property" means real or personal property or any interest therein;
"separation agreement"		"separation agreement" means an agreement entered into in accordance with section 37 between persons who cohabited and are living separate and apart in which they agree upon their respective rights and obligations in relation to any matter that is provided for in this Ordinance; and
"spouse"		"spouse" includes a former spouse and a person married to another by a form of marriage that is void or voidable.
Contract prevails	3(1)	Except as otherwise provided in this Ordinance, the provisions of a marriage contract or separation agreement dealing with rights and obligations as between spouses in relation to property prevail over the provisions of this Ordinance to the extent of any inconsistency.
Jurisdiction of Court	3(2)	Any provision in a domestic contract that purports to limit the jurisdiction of the Court to determine the extent to which subsection (1) applies in respect of the contract is void.
Rights in home	3(3)	Notwithstanding any other provision of this Ordinance, any provision in a marriage contract that purports to limit the rights of a spouse under Part II is void.
Undue influence	3(4)	Notwithstanding subsection (1), where the Court is satisfied in any proceedings under this Ordinance that a person has, through undue influence, secured the agreement of his spouse or a person with whom he is cohabiting to any provision in a contract or the Court may decline to give effect to the provision for the benefit of the person who secured the agreement.
Application of Ordinance	4(1)	This Ordinance applies notwithstanding that, (a) the spouses entered into the marriage before this Ordinance comes into force;

- (b) the property in issue or the family home was acquired before this Ordinance comes into force; or
- (c) a proceeding to determine rights as between the spouses in respect of property or a family home has been commenced or adjudicated before this Ordinance comes into force.

PART I

FAMILY ASSETS

- 5(1) In this Part, "family assets" means a family home as determined under Part II and property owned by one spouse or both spouses and ordinarily used or enjoyed by both spouses or one or more of their children while the spouses are residing together for shelter or transportation or for household, educational, recreational, social or aesthetic purposes, and includes
- (a) money in an account with a chartered bank, savings office, credit union or trust company where the account is ordinarily used for shelter or transportation or for household, educational, recreational, social or aesthetic purposes,
  - (b) where property owned by a corporation, partnership or trustee would, if it were owned by a spouse, be a family asset, shares in the corporation or an interest in the partnership or trust owned by the spouse having a market value equal to the value of the benefit the spouse has in respect of the property,
  - (c) property over which a spouse has, either alone or in conjunction with another person, a power of appointment exercisable in favour of himself, if the property would be a family asset if it were owned by the spouse, and
  - (d) property disposed of by a spouse but over which the spouse has, either alone or in conjunction with another person, a power to revoke the disposition or a power to consume, invoke or dispose of the property, if the property would be a family asset if it were owned by the spouse,

"family assets"



but does not include property that the spouses have agreed by a marriage contract or separation agreement is not to be included in the family assets.

Purpose of Part 6(1) The purpose of this Part is to recognize that the law takes insufficient notice of the facts

- (a) that child care, household management and financial provision are the joint responsibilities of the spouses, and
- (b) that inherent in the marital relationship there is joint contribution, whether financial or otherwise, by the spouses to the assumption of these responsibilities,

and to rectify this deficiency by entitling each spouse to an equal division of family assets upon marriage breakdown, subject to the equitable considerations set out in sections 14 and 15.

PROPERTY RIGHTS

Division of assets 7(1) Where a marriage breakdown occurs, each spouse is entitled to have the family assets owned at the time of the breakdown by one spouse or both spouses divided in equal shares, notwithstanding the ownership of the assets by the spouses as determinable for other purposes.

Marriage breakdown 7(2) A marriage breakdown shall be deemed to occur upon

- (a) the pronouncement of a *decree nisi* of divorce in respect of the marriage,
- (b) the pronouncement of a declaration that the marriage is a nullity,
- (c) the commencement of the parties to live separate and apart without reasonable prospect of the resumption of cohabitation, or
- (d) the making of an application by one of the spouses under this Ordinance for a division of family assets.

Orders before breakdown 7(3) An order made under this Part before the breakdown of the marriage determining any question as between the spouses as to the ownership or right to possession of any particular property does not

affect the rights of the spouses in that property under subsection (1) upon the breakdown of the marriage.

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| 8(1) | The contribution by one spouse of work, money or money's worth in respect of the acquisition, management, maintenance, operation or improvement of property, other than family assets, in which the other spouse has or had an interest, shall be determined and assessed as if they were unmarried persons at all material times.  | Contribution of spouse     |
| 8(2) | <p>The rule of law applying a presumption of advancement in questions of the ownership of property as between husband and wife is abolished and in place thereof the rule of law applying a presumption of a resulting trust shall be applied in the same manner as if they were not married, except that,</p> <p>(a) the fact that property is placed or taken in the names of the spouses as joint tenants is <i>prima facie</i> proof that each spouse is intended to have on a severance of the joint tenancy a one-half beneficial interest in the property; and</p> <p>(b) money on deposit in a chartered bank, savings office, credit union or trust company in the name of both spouses shall be deemed to be in the names of the spouses as joint tenants for the purpose of paragraph (a).</p> | Presumption of advancement |
| 8(3) | This section applies notwithstanding that the contribution or the event giving rise to the presumption, as the case may be, occurred before this section comes into force.  | Application of section     |
| 9(1) | Unless otherwise provided, the transfer of an interest in property, under paragraph 13(2)(d), or between spouses under this Ordinance by order of the Court or otherwise, does not affect the existing rights of other persons.   | Third party rights         |
| 9(2) | Where by order of the Court under this Part a transfer is made of the ownership or possession of  | Transfer by Court order    |

property subject to a charge, notwithstanding the terms of any contract.

- (a) the transfer of ownership or possession shall not be treated as a breach of any contract;
- (b) the recipient spouse is entitled, upon giving notice of the transfer to the holder of the charge, to exercise any of the rights of the owning spouse in relation to the property or to the charge, including the right to receive notices;
- (c) upon the release of the charge, the recipient spouse is entitled to receive the entire interest of the owning spouse in the property, subject to the terms of the order; and
- (d) the performance by the holder of the charge of his obligations under the charge in a manner benefitting the recipient spouse is a sufficient discharge of his obligations under the charge to the owning spouse.

Assignment of rights 10(1) Until judgment is obtained, the rights of a spouse under this Part are not assignable or subject to attachment.

APPLICATIONS TO THE COURT

Application by spouse 11(1) Any person may apply to the Court for the determination as between himself and his spouse of any matter in respect of which the Court may make an order under this Part.

Exercise of judicial powers 11(2) Subject to subsection 19(1) the powers of the Court under this Part may be exercised in a proceeding under this Part or on application under subsection (1).

Powers of Court 12(1) The Court may determine any matter between spouses respecting
 

- (a) the division of family assets or other property where a marriage breakdown has occurred;
- (b) the contribution of a spouse within subsection 8(1) in relation to property in which the other spouse has or had an interest;

- (c) the ownership or right to possession of property; or
  - (d) the enforcement or recognition of rights or obligations under this Part,
- and the Court may make such orders as are necessary or reasonable to give effect to its determination.
- 12(2) The Court may determine any matter between the parties to a domestic contract relating to the construction and effect of the contract, and the Court may make such orders as are necessary or reasonable to give effect to its determination. Domestic contracts
- 13(1) The Court may declare that a spouse has an interest in property notwithstanding that the spouse has no legal or equitable interest in the property. Property interest of spouse
- 13(2) The Court may order Orders of Court
- (a) the transfer of title to property from one spouse to or in trust for the other spouse, whether absolutely, for life or for a fixed term;
  - (b) the partition or sale of property;
  - (c) the division between spouses of the proceeds of a sale of property;
  - (d) the transfer of property to or in trust for a child to whom a spouse owes an obligation to provide support;
  - (e) the giving of security for the performance of any obligation imposed by the order, including security for the discharge of a charge on property;
  - (f) for the purposes of making a division of property under this Part the payment of a sum of money by one spouse to the other, whether as a lump sum or by way of periodic payments, whether with or without interest;
  - (g) where one spouse has disposed of property, the payment of compensation to the other spouse; and
  - (h) where one spouse has made a contribution as set out in subsection 8(1), in relation to property in which the other spouse has or had

an interest, the transfer of a share of that interest, or the payment of compensation, appropriate to the contribution.

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| Security<br>for<br>order | 13(3) | The Court may order that property be charged as security for the performance of an obligation under this Ordinance, and the Court may, upon notice to all persons having an interest in the property, direct its sale for the purpose of realizing the security.  |
| Generality<br>of powers  | 13(4) | Nothing in this section shall be construed so as to limit the generality of the powers given to the Court under this Part.  |
| Unequal<br>division      | 14(1) | <p>The Court may make a division of family assets resulting in shares that are not equal where the Court is of the opinion that a division of the family assets in equal shares would be inequitable, having regard to</p> <ul style="list-style-type: none"> <li>(a) any agreement other than a marriage contract or a separation agreement;</li> <li>(b) the duration of the period of cohabitation under the marriage;</li> <li>(c) the duration of the period during which the spouses have lived separate and apart;</li> <li>(d) the date when property was acquired;</li> <li>(e) the extent to which property was acquired by one spouse by inheritance or gift;</li> <li>(f) any other circumstance relating to the acquisition, disposition, preservation, maintenance, improvement or use of property rendering it inequitable for the division of family assets to be in equal shares.</li> </ul> |
| Non-family<br>assets     | 15(1) | <p>The Court may make a division of any property owned by one spouse or both spouses that is not a family asset where</p> <ul style="list-style-type: none"> <li>(a) a spouse has unreasonably impoverished the family assets; or</li> <li>(b) the result of a division of the family assets would be inequitable in all the circumstances, having regard to,</li> </ul>  |

- (1) the considerations set out in paragraphs (a) to (h) of subsection 14(1), and
- (11) the effect of the assumption by one spouse of any of the responsibilities set out in section 6 on the ability of the other spouse to acquire, manage, maintain, operate or improve property that is not a family asset.

16(1)	The powers of the Court under this Part in relation to the division of family assets or other property under sections 7, 14 or 15 are exercisable only where the Court is satisfied that a marriage breakdown has occurred.	Time for division
16(2)	Except by special leave of the Court, no application shall be brought under this Part, in relation to the division of family assets or other property under sections 7, 14 or 15 by a person against his former spouse after the pronouncement of a <i>decree nisi</i> of divorce in respect of the marriage, or the pronouncement of a declaration that the marriage is a nullity, as the case may be.	Limitation period
17(1)	Where an application is made for the division of property, each party shall file with the Court and serve upon the other a statement verified by oath or statutory declaration in the manner and form prescribed by the regulations disclosing <ul style="list-style-type: none"> <li>(a) particulars of all property owned by the party at the time of the breakdown of the marriage;</li> <li>(b) particulars of each family asset having a replacement cost in excess of \$100 disposed of by the party within the year preceding the marriage breakdown; and</li> <li>(c) the amount of his gross income before taxes for the three most recent taxation years preceding the marriage breakdown.</li> </ul>	Statements of assets, etc.
17(2)	A person is not required to comply with paragraph 17(1)(c) unless his spouse requests in writing that he do so.	Request for income statement

- Conflict of laws 18(1) The division of family assets and the ownership as between spouses of movable property wherever situate are governed by the internal law of the place where both spouses had their last common habitual residence or, where there is no place where the spouses had a common habitual residence, by the law of the Territory.
- Conflict of laws 18(2) The ownership of immovable property as between spouses is governed by the internal law of the place where the property is situated, but where the law of the Territory is applicable respecting the division of family assets, the value of the immovable property may be taken into consideration for the purposes of a division of property between spouses under this Part.
- Death of spouse 19(1) The rights under this Part, except section 8, are personal as between the spouses, but any application commenced under section 11 before the death of a spouse may be continued by or against the estate of the deceased spouse.

PART II

FAMILY HOME

- Application 20(1) This Part applies to family homes that are situated in the Territory.
- 21(1) In this Part,  
 "designated" means designated by an instrument under section 25; and  
 "registered" means registered under the *Land Titles Act* (Canada).
- Family home 22(1) Property in which a person has an interest and that has been occupied by the person and his spouse as their family residence is their family home.
- Former homes 22(2) Property formerly occupied by a person and his spouse as their family residence continues to be their family home as long as one of the spouses

holds a real, personal or equitable interest in the property entitling one of the spouses to re-occupy the property immediately or later.

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| 22(3) | A spouse may have more than one family home at the same time.   | Extra homes           |
| 22(4) | The ownership of a share or shares, or of an interest in a share or shares, of a corporation entitling the owner to the occupation of a housing unit owned by the corporation shall be deemed to be an interest in the unit for the purposes of subsection (1).   | Shares in corporation |
| 22(5) | Where property that includes a family home is normally used for a purpose other than its use as a residence, the family home is only such portion of the property as reasonably may be regarded as necessary to the use and enjoyment of the residence.   | Other use of home     |
| 23(1) | A spouse is equally entitled to any right of possession of the other spouse in a family home.   | Right of possession   |
| 23(2) | The right of a spouse granted by subsection (1) ceases upon the expiration of one year after the pronouncement of a <i>decree nisi</i> of divorce in respect of the marriage or a declaration that the marriage is a nullity, but this subsection does not affect a right of possession<br>(a) that exists apart from subsection (1),<br>(b) that is contained in a separation agreement made before the expiration of the one year period, or<br>(c) subject to subsection 33(3), that is contained in an order of the Court upon an application made, or in a proceeding commenced, before the expiration of the one year period. | Expiration of right   |
| 24(1) | No spouse shall dispose of or encumber any interest in a family home unless,<br>(a) the other spouse joins in the instrument or consents to the transaction;<br>(b) the other spouse has released all rights  | Disposing of home     |



- under this Part by a separation agreement;
- (c) the transaction is authorized by an order of the Court or an order has been made releasing the property as a family home; or
- (d) the property is not designated as a family home under section 25 and the spouses have an uncancelled designation registered in respect of another property.

Effect of disposition 24(2)

Upon the disposition or encumbrance of an interest in a family home in accordance with subsection (1), the property ceases to be a family home to the extent necessary to give effect to the transaction as if the property were not a family home.

Improper disposition 24(3)

Where a spouse disposes of or encumbers an interest in a family home in contravention of subsection (1), the transaction may be set aside on application to the Court unless the person holding the interest or encumbrance at the time of the application acquired it for value, in good faith and without actual notice that the property was at the time of the disposition or encumbrance a family home.

Affidavit on disposition 24(4)

For the purposes of subsection (3), an affidavit of the person making the disposition or encumbrance,

- (a) verifying that he is not, or was not a spouse at the time of the disposition or encumbrance;
- (b) verifying that the property has never been occupied by the person and his spouse as their family home;
- (c) verifying that the property has not been occupied by the person and his spouse as their family home since the cancellation of its designation as their family home under section 25 or 26;
- (d) where the property is not designated as a family home under section 25, verifying that an instrument designating another property as a family home of the person and his spouse is registered under section 25, and not cancelled; or

- (e) verifying that the other spouse has released all rights under this Part by a separation agreement,
- shall, unless the person holding the interest or encumbrance is the person to whom the disposition or encumbrance is made and he had actual notice to the contrary, be deemed to be sufficient proof that the property is not a family home.
- 24(5) This section does not apply to the acquisition of an interest in property by operation of law. Exception
- 25(1) Together both spouses may, by instrument in the form prescribed by the regulations designate as their family home any property in which either spouse has a registered interest. Designation of family home
- 25(2) No property that is not a family home of the spouses under section 22 may be designated as their family home under subsection (1). Restriction
- 25(3) A designation may be registered by or on behalf of the spouses, but no designation shall be registered unless,
- (a) it is executed by both spouses;
  - (b) it contains the legal description of the designated property;
  - (c) one of the spouses has a registered interest in the designated property; and
  - (d) title to the designated property is registered.
- Registration of designation
- 25(4) The registration of a designation under this section, until it is cancelled, shall be deemed to be actual notice to every person that the property is a family home. Effect of registration
- 25(5) Where spouses have registered a designation and it has not been cancelled, no undesignated property is their family home under this Part but, upon there ceasing to be registered any designation of the spouses under subsection (1), section 22 applies according to its terms to the property of the spouses. Revival of family homes

Cancellation of designation	25(6)	A designation is cancelled upon the registration or deposit of <ul style="list-style-type: none"> <li>(a) a cancellation in the prescribed form executed by both spouses;</li> <li>(b) a <i>decree absoluta</i> of divorce or judgment of nullity;</li> <li>(c) an order of the Court cancelling the designation; or</li> <li>(d) proof of the death of one of the spouses.</li> </ul>
Effect of cancellation	25(7)	Upon cancellation of a designation, the property ceases to be a family home unless it is occupied at or after the cancellation by the spouses as their family residence.
Extra designations	25(8)	Spouses may register designations in respect of more than one family home.
Contiguous property	25(9)	Property that is designated as a family home under subsection (1) may include any property that is contiguous to the family home that is described for that purpose in the instrument.
Caveat on family home	26(1)	Where a person claims that any property the title to which is registered is his family home under section 22, a caveat giving notice of his claim may be registered by him or on his behalf, but no such caveat shall be registered unless it is accompanied by an affidavit setting forth the facts on which the claim is based.
Cancellation of caveat	26(2)	The costs of proceedings for the cancellation of the registration of a caveat registered under subsection (1) shall be borne by the person by whom or on whose behalf the caveat was registered where the Court is satisfied that the person knew or ought to have known that the property was not his family home under section 22.
Demand for application to Court	27(1)	Any person who has a registered interest in any property that is a family home may send to either or both of the spouses a demand in the form prescribed by the regulations demanding that an appli-

cation be made to the Court to determine the effect of this Part on the interests of the parties in the property.

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| 27(2) | <p>A person who receives a demand under this section may apply to the Court to have his interest determined as between himself and the person who gave him the demand, and the Court may</p> <ul style="list-style-type: none"> <li>(a) determine the interests in the property of any of the parties to the application;</li> <li>(b) where only one spouse receives a demand determine the interest of the other spouse; and</li> <li>(c) to give effect to its determination, make any order it is authorized to make on any other application under this Part.</li> </ul>  | Application to Court      |
| 27(3) | <p>Where a spouse who receives a demand under this section does not make an application under subsection (2) and register a <i>lis pendens</i> within 21 days of his receipt of the demand,</p> <ul style="list-style-type: none"> <li>(a) nothing in this Part shall thereafter be applied for his benefit in respect of the property named in the demand as against the person who gave him the demand;</li> <li>(b) a designation registered against the property shall be deemed to be cancelled upon the expiration of the 21-day period; and</li> <li>(c) a caveat registered against the property under section 26 shall be deemed to be cancelled upon the expiration of the 21-day period.</li> </ul> | Failure to apply to Court |
| 27(4) | <p>A person may give a demand under this section to his spouse.</p>  | Demand to spouse          |
| 28(1) | <p>The Court may, on the application of a spouse or person having an interest in property to which this Part applies,</p> <ul style="list-style-type: none"> <li>(a) determine whether or not property is a family home and, if so, the extent to which it is a family home;</li> <li>(b) direct the cancellation of a designation registered under section 25 or a caveat registered under section 26;</li> </ul>   | Powers of Court           |

- (c) authorize the disposition or encumbrance of an interest in a family home where the Court finds that the spouse whose consent is required
  - (i) cannot be found or is not available,
  - (ii) is not capable of giving or withholding consent, or
  - (iii) is unreasonably withholding consent, subject to such terms and conditions including provision of comparable accommodation or payment in place thereof as the Court considers appropriate;
- (d) dispense with any notice required to be given under section 29; and
- (e) direct the setting aside of any transaction disposing of or encumbering an interest in a family home contrary to subsection 24(1) and the reversioning of the interest or any part of the interest upon such terms and subject to such conditions as the Court considers appropriate.

Court orders

28(2)

- Notwithstanding the ownership of a family home as between spouses, and notwithstanding section 23, the Court on application by or on behalf of a spouse may
- (a) direct that one spouse be given exclusive possession of a family home or part thereof for life or for such lesser period as the Court directs and release any other property that is a family home from the application of this Part;
  - (b) direct a spouse to whom exclusive possession of a family home is given to pay periodic payments to the other spouse;
  - (c) direct that any or all of the contents of the family home remain in the family home for the use of the person given possession of the family home;
  - (d) fix the obligation to repair and maintain the family home or to pay other liabilities arising in respect thereof;
  - (e) authorize the disposition or encumbrance of

the interest of a spouse in a family home subject to the right to exclusive possession of the other spouse as ordered; and

(f) where a false affidavit is given under subsection 24(4), direct

(i) the person who swore the affidavit, or

(ii) any person who knew at the time it was sworn that the affidavit was false and who thereafter conveyed the property, to substitute other real property for the family home or direct such person to set aside money or security to stand in place thereof subject to such terms and conditions as the Court considers appropriate.

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| 28(3) | An order may be made under subsection (2) for temporary relief or pending the bringing or disposition of another application under this Ordinance.  | Temporary orders                  |
| 28(4) | An order under subsection (2) for exclusive possession of a family home may be made only if, in the opinion of the Court, other provision for shelter is not adequate in the circumstances or if it is in the best interest of a child to do so.  | Order for possession              |
| 29(1) | Where a person is proceeding to realize upon a lien, encumbrance or execution or exercises a forfeiture against property that is a family home, the spouse who has a right of possession by virtue of section 23 has the same right of redemption or relief against forfeiture as the other spouse has and is entitled to any notice respecting the claim and its enforcement or realization to which the other spouse is entitled. | Right of redemption and to notice |
| 29(2) | Where a spouse makes any payment by way of or on account of redemption or relief against forfeiture under the right conferred by subsection (1), the payment shall be applied in satisfaction of the claim giving rise to the lien, encumbrance, execution or forfeiture.   | Payments made by spouse           |

Continuation of proceedings 29(3) Notwithstanding any other Ordinance, where a person who commences a proceeding to realize upon a lien, encumbrance or execution or to exercise a forfeiture does not have sufficient particulars of a spouse entitled under subsection (1) for the purposes of the proceeding, and a notice given to the spouse in accordance with section 35 is not responded to, the proceeding may continue in the absence of the spouse and without regard to the interest of the spouse, and any final order in the proceeding terminates the rights of the spouse under this section.

Registration of order 30(1) An order made by the Court under this Part may be registered if it deals with property the title to which is registered.

Property remains a family asset 30(2) Property does not cease to be a family asset within the meaning of Part I by reason only that it has ceased to be a family home within the meaning of this Part.

PART III

GENERAL

Orders are final 31(1) Every order of the Court under this Ordinance is final unless the Court declares otherwise at the time when the order is made.

Exception 31(2) Where an order is declared not to be final under subsection (1), any person named in the order may apply to the Court to have the order changed, and where the Court is satisfied that there has been a material change of circumstances or that terms and conditions imposed by the order are no longer appropriate, the Court may discharge, change or suspend the order or any terms or conditions imposed by the order.

Interim orders 32(1) In or pending an application under this Ordinance, the Court may make such interim orders as it considers necessary for restraining the dissipation of property owned by either or both of the spouses,

and for the possession, delivering up, safekeeping and preservation of the property.

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| 33(1) | Where in an application under this Ordinance, it appears to the Court that, for the appropriate determination of the affairs of the spouses, it is necessary or desirable to have other matters first or simultaneously determined, the Court may direct that the application stand over until such other applications are brought or determined as the Court considers appropriate.  | Combining of application             |
| 33(2) | An application under this Ordinance may be made in the manner prescribed by the rules of the Court or in another proceeding.  | Rules of Court                       |
| 33(3) | The Court may extend any time prescribed by this Ordinance where the Court is satisfied that<br>(a) there are <i>prima facie</i> grounds for relief;<br>(b) relief is unavailable because of delay that has been incurred in good faith; and<br>(c) no substantial prejudice or hardship will result to any person affected by reason of the delay.   | Extension of time                    |
| 33(4) | Where in the opinion of the Court the desirability of protecting against the consequences of possible disclosure of intimate financial or personal matters outweighs the desirability of holding a hearing in public or allowing publication of documents filed with the Court, the Court may<br>(a) exclude the public from a hearing;<br>(b) order that a statement filed under section 17 be treated as confidential and not form part of the public record;<br>(c) order that any matter connected with the application or given in evidence be treated as confidential and not form part of the public record; or<br>(d) prohibit the publication of any matter connected with the application or given in evidence. | Confidentiality of information, etc. |
| 34(1) | Where an order made under this Ordinance affects  | Bona fide purchasers                 |



real property, the order does not affect the acquisition of an interest in the real property by a person in good faith without notice of the order, unless the order is registered.

Delivery of documents	35(1)	A demand under section 27 or a notice under section 29 shall be delivered personally or sent by registered mail to the usual or last known address of the spouse to whom it is directed, but if the address is not known, the demand or notice may be delivered or sent by registered mail to the address of the property that is the subject of the demand or notice.
Delivery by mail	35(2)	A demand or notice delivered or mailed as provided by subsection (1) shall be deemed to have been received upon delivery or 15 days after it was mailed, as the case may be.
Cohabitation agreements	36(1)	A man and a woman who are cohabiting and not married to each other may enter into a cohabitation agreement in which they agree on their respective rights and obligations during cohabitation, or upon ceasing to cohabit, in relation to the ownership, possession, management, disposition or division of property.
Subsequent marriage	36(2)	Where the parties to a cohabitation agreement entered into under subsection (1) subsequently marry, the agreement shall be deemed to be a marriage contract.
Contents of agreement	36(3)	A cohabitation agreement may provide that all or part of the respective rights or obligations of the parties as between themselves shall be governed in whole or in part by the provisions of Part I and, notwithstanding subsection 3(2), any such provision may limit the extent to which the Court shall have jurisdiction in relation to the affairs of the parties thus agreed to be governed by Part I.
Form of domestic contract	37(1)	A domestic contract does not affect the rights of a person under this Ordinance unless it is in

writing, signed by both parties and witnessed by an independent third person.

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| 37(2) | A minor who has capacity to contract marriage has capacity to enter into a domestic contract that is approved by the Court, whether the approval is given before or after the contract is entered into.  | Contracts of minors         |
| 37(3) | The committee of a person who is mentally incompetent or, if the committee is the spouse of such person or if there is no committee, the Public Administrator may, subject to the approval of the Court, enter into a domestic contract or give any waiver or consent under this Ordinance on behalf of the mentally incompetent person. | Committee of person         |
| 38(1) | A provision in a separation agreement or a provision in a marriage contract to take effect on separation whereby any right of a spouse is dependent upon remaining chaste is void, but this subsection shall not be construed to affect a contingency upon remarriage or cohabitation with another.                                      | Dum casta clauses           |
| 38(2) | A provision in a separation agreement made before this section comes into force whereby any right of a spouse is dependent upon remaining chaste shall be given effect as a contingency upon remarriage or cohabitation with another.  | Effect of dum casta clauses |
| 39(1) | Where a domestic contract provides that specific gifts made to one or both parties are not disposable or encumberable without the consent of the donor, the donor shall be deemed to be a party to the contract for the purpose of the enforcement or amendment of the provision.  | Gifts                       |
| 40(1) | A domestic contract validly made before this Part comes into force shall be deemed to be a domestic contract for the purposes of this Ordinance to the extent that the contract relates to any matter that is provided for in this Ordinance.  | Existing contracts          |
| 41(1) | The manner and formalities of making a domestic  | Conflicts of laws           |

contract and its essential validity and effect are governed by the proper law of the contract, except that,

- (a) a contract for which the proper law is that of a jurisdiction other than the Territory, is also valid and enforceable in the Yukon Territory if entered into in accordance with the internal law of the Territory; and
- (b) section 38 applies in the Territory to contracts for which the proper law is that of a jurisdiction other than the Territory.

Capacity of minors 42(1) A minor who is a spouse has capacity to commence, conduct and defend a proceeding under this Ordinance without the intervention of a next friend or guardian *ad litem* and to give any consent required or authorized to be given by this Ordinance.

Regulations 43(1) The Commissioner may make regulations for the purpose of carrying out the provisions of this Ordinance.

Coming into force 44(1) This Ordinance shall come into force on the first day of January, 1980.

ORDINANCES OF THE YUKON TERRITORY

1979 (2nd), Chapter 12

MEDICAL PROFESSION ORDINANCE

(Assented to November 15, 1979)

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

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| 1(1) | This Ordinance may be cited as the <i>Medical Profession Ordinance</i> .  | Short title   |
| 2(1) | In this Ordinance:<br>"Council" means the Yukon Medical Council established pursuant to Section 3;<br><br>"lay person" means a person not registered pursuant to this Ordinance;<br><br>"licence" means a valid and subsisting licence issued to a person registered under this Ordinance authorizing that person to practise medicine;<br><br>"medical practitioner" means a person who engages in the practice of medicine;<br><br>"medical specialist" means a member of the medical profession who is in possession of a valid and subsisting fellowship or specialist certificate granted by the Royal College of Physicians and Surgeons of Canada;<br><br>"member of the medical profession" means a person registered pursuant to this Ordinance or pursuant to any enactment of any province of Canada respecting the regulation of the professional activities of persons who practise medicine in that province;<br><br>"practise medicine" shall have the meaning accorded the term pursuant to subsection 38(2); | "Council"<br><br>"lay person"<br><br>"licence"<br><br>"medical practitioner"<br><br>"medical specialist"<br><br>"member of the medical profession"<br><br>"practise medicine" |

<p>"practice of medicine"</p>		<p>"practice of medicine" includes the practice of surgery, obstetrics, gynaecology and paediatrics;</p>
<p>"professional corporation"</p>		<p>"professional corporation" means a company, as defined in the <i>Companies Ordinances</i>, through which a medical practitioner is permitted under the terms of section 50 to practise medicine;</p>
<p>"Register"</p>		<p>"Register" means the Yukon Medical Register kept pursuant to section 10;</p>
<p>"Registrar"</p>		<p>"Registrar" means the Registrar of Medical Practitioners appointed pursuant to section 9;</p>
<p>"resident"</p>		<p>"resident" means to have resided in Yukon for 183 days or more in any one calendar year;</p>
<p>"Yukon Medical Association"</p>		<p>"Yukon Medical Association" means the voluntary association of members of the medical profession in the Yukon Territory registered under the <i>Societies Ordinances</i>.</p>
<p>"legally and "duly qualified"</p>	<p>2(2)</p>	<p>The expression "legally qualified medical practitioner" or the expression "duly qualified medical practitioner," or any other words or expression importing legal recognition of any person as a medical practitioner or member of the medical profession, when used in any Ordinance or law shall, in so far as such Ordinance or law applies to the Yukon Territory, be construed to mean a person registered under this Ordinance who is not suspended from practice.</p>
<p>reference includes professional corporation</p>	<p>2(3)</p>	<p>In any provision of any Ordinance or any regulation, rule or order made under an Ordinance enacted or made before, at or after the coming into force of this Ordinance, a reference to a person authorized to carry on the practice of medicine, whether referred to as a registered practitioner, physician or any like words or expressions implying legal recognition of a person as being entitled to practise medicine, shall be deemed to include a professional corporation unless otherwise expressly provided.</p>

YUKON MEDICAL COUNCIL

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| 3(1) | There is hereby established a medical council of the Yukon Territory, to be known and styled as the Yukon Medical Council, consisting of the six persons appointed by the Commissioner pursuant to subsection (2).   | Council established    |
| 3(2) | <p>The Commissioner may appoint:</p> <p>(a) three members of the medical profession who are</p> <p style="padding-left: 20px;">(i) nominated by the Yukon Medical Association,</p> <p style="padding-left: 20px;">(ii) resident in the Yukon Territory, and</p> <p style="padding-left: 20px;">(iii) registered pursuant to this Ordinance, to serve as members and hold office during pleasure, in the first instance, for a term of one, two and three years respectively, and thereafter for a term of three years;</p> <p>(b) in consultation with the Yukon Medical Association, one member of the medical profession who may be resident outside the Yukon Territory and who may or may not be registered pursuant to this Ordinance, to serve as a member and hold office during pleasure, in the first instance, for a term of two years, and thereafter for a term of three years; and</p> <p>(c) two lay persons who are resident in the Yukon Territory, to serve as members and hold office during pleasure for a term of three years.</p> | Appointment of members |
| 3(3) | Notwithstanding the term of office set out for each member of the Council under subsection (2), an existing member of the Council may continue to hold office until such time as a new appointment is made thereby replacing him.  | Extension of term      |
| 3(4) | Retiring members of the Council are eligible for reappointment for a further term of office if otherwise qualified pursuant to this Ordinance.   | Retiring members       |
| 3(5) | A member of the Council shall cease to hold office:  | Ceasing to hold office |

- (a) if he resigns by notice in writing;
  - (b) if he ceases to be registered pursuant to this Ordinance or if he ceases to reside in the Yukon Territory, in the case of those members appointed from the medical profession who are resident in the Yukon Territory; or
  - (c) if he is absent, except by permission of the Council, for more than four consecutive meetings of the Council.
  
- Conflict of interest      3(6)      A member of the Council shall absent himself from Council proceedings

  - (a) while he is the subject of an inquiry under the provisions of this Ordinance; or
  - (b) while he has a conflict of interest, as the Council, by majority decision, may determine.
  
- Effect of vacancy      3(7)      Notwithstanding any vacancy of office occurring by reason of the resignation, removal or death of any member of the Council, the remaining members of Council may continue to exercise all of the powers and duties vested in the Council pursuant to this Ordinance.
  
- Filling of vacancy      3(8)      Where any vacancy of office occurs, a member of the Council appointed in replacement of the members so creating the vacancy shall notwithstanding subsection (3), accrue only for the balance of the unexpired term of office the member so replaced, but is eligible for reappointment for a further term of office if otherwise qualified pursuant to this Ordinance.
  
- Chairman      4(1)      The Commissioner shall appoint any member of the Council who is a member of the medical profession resident in the Yukon Territory to serve at pleasure as Chairman of the Council.
  
- Vice-chairman      4(2)      The Council shall, at its first meeting in each calendar year, elect from its membership a vice-chairman to serve for the remainder of that year.

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| 4(3) | The Chairman and the vice-chairman of the Council are eligible for reappointment as such in any year subsequent to their initial appointment.   | Re-appointment            |
| 4(4) | The Chairman shall preside at all meetings of the Council, but, in his absence, the vice-chairman may preside in his place.   | Presiding at meetings     |
| 4(5) | The Council may, in the absence of the Chairman and the vice-chairman from any meeting of the Council, appoint a member to act as chairman for that meeting.  | Absence of chairman, etc. |
| 4(6) | Minutes of each meeting of the Council shall be recorded, in such manner as the Chairman may determine, and a copy thereof, signed by the Chairman following approval by a majority of the members of the Council, shall be transmitted to the Registrar of Medical Practitioners.  | Minutes to be kept        |
| 4(7) | The Chairman in addition to any powers or duties given or imposed by this Ordinance, may perform such duties and have such powers as are from time to time delegated to him by the Council.   | Powers of chairman        |
| 5(1) | A majority of the members of the Council constitutes a quorum and, subject to subsection (2), all decisions of the Council shall be by resolution passed by a majority vote cast at a regularly convened meeting of the Council of which five days notice has been given to each member.  | Quorum and decisions      |
| 5(2) | Where a regularly convened meeting of the members of the Council has not occurred, any resolution<br>(a) signed by all of the members of Council, or<br>(b) orally assented to by a majority of the members of the Council and confirmed at the next regularly convened meeting,<br>has the same force and effect as a resolution duly passed by a majority vote cast at a regularly convened meeting of the Council. | Where no meeting held     |
| 5(3) | If a member of the Council attends a meeting of the Council, the fact that he did not receive at  | Lack of notice            |



least five days notice thereof does not invalidate the meeting or any resolution passed thereat.

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| Vote of chairman           | 5(4) | The Chairman of any meeting of the Council may vote as any other member of Council.   |
| Committees                 | 6(1) | The Council may appoint committees and may, for the purpose of enabling any committee to perform any function as may be assigned, delegate any or all of the powers or duties of the Council as from time to time it sees fit.  |
| Chairman                   | 6(2) | The Chairman is <i>ex officio</i> a member of all committees.   |
| Remuneration               | 7(1) | Members of the Council may be paid, out of the Consolidated Revenue Fund, <ul style="list-style-type: none"> <li>(a) such reasonable fees for attendance at meetings of the Council, and</li> <li>(b) such necessary expenses</li> </ul> as may from time to time be prescribed.  |
| Powers of Council          | 8(1) | The Council shall have such powers and perform such duties as are given or imposed by this Ordinance with respect to the regulation of the professional activities of those persons who practise medicine in the Yukon Territory, and, to that end, shall from time to time recommend to the Commissioner the making of such regulations as are necessary and expedient for the carrying out of the spirit and intent of this Ordinance and as are not in conflict therewith. |
| Recommendations of Council | 8(2) | For the purposes of subsection (1), and without limiting the generality thereof, the Council shall make recommendations respecting such matters as are specifically enumerated in paragraphs 62(1)(a) through (k).  |

YUKON MEDICAL REGISTER

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| Registrar | 9(1) | The Commissioner shall appoint a member of the public service as the Registrar of Medical Practitioners in the Yukon Territory. |
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| 9(2)  | The Registrar may attend any meeting of the Council, but in no event shall the Registrar be considered a member of the Council for any purpose.   | Rights of Registrar |
| 9(3)  | The Registrar, in addition to any powers or duties given or imposed by this Ordinance, may perform such duties and have such powers as are from time to time delegated to him by the Council.   | Powers of Registrar |
| 10(1) | There shall be kept by the Registrar a register, to be known as the Yukon Medical Register, in which shall be entered the name, address, qualifications and such other particulars as may be prescribed, of every person to be registered pursuant to this section as a person authorized to practise medicine in the Yukon Territory.  | Registrar           |
| 10(2) | The Council shall cause the Registrar to enter upon the Register forthwith the name, address, qualifications and such other particulars as may be prescribed, of any person who, at the coming into force of this Ordinance, was registered pursuant to section 4 of the <i>Medical Profession Ordinance</i> , chapter M-6 of the Revised Ordinances of the Yukon Territory, 1971; notwithstanding any other condition set out in this section respecting entitlement to be registered, and thereafter the provisions of this Ordinance shall apply to that person.   | Transitional        |
| 10(3) | <p>The Council shall cause the Registrar to enter upon the Register the name, address, qualifications and such other particulars as may be prescribed, of any person who</p> <ul style="list-style-type: none"> <li>(a) makes application to the Council for such entry upon the Register,</li> <li>(b) produces a diploma of qualification issued to him by a university, college or medical school that is recognized by and acceptable to the Commissioner acting on the recommendation of the Council,</li> <li>(c) is a Licentiate of the Medical Council of Canada,</li> <li>(d) has successfully completed a minimum of</li> </ul> | Registration        |

twelve months of internship, consisting of training in medicine, surgery, obstetrics and gynaecology, and paediatrics in a hospital recognized by and acceptable to the Commissioner acting on the recommendation of the Council,

- (e) satisfies the requirements of section 14,
- (f) is examined by the Council and satisfies the members as to his general fitness and capacity to engage in the practice of medicine, and
- (g) pays the prescribed fee or fees fixed in respect of such registration.

Intern-ship 10(4) For the purposes of this section, internship is a period of supervised clinical training, taken after the undergraduate years in a hospital recognized by and acceptable to the Commissioner acting on the recommendation of the Council, but does not include clinical training taken before the granting of, or eligibility for, a basic medical degree.

Foreign graduates 10(5) In the case of a graduate in medicine from a medical school of a country other than Canada the Council may require, as a qualification in addition to those set out in subsection (3) of this section that the applicant successfully complete not more than one year of post graduate training comprised of such period of training in medicine, surgery, obstetrics and gynaecology or paediatrics as the Council may direct.

TEMPORARY REGISTER

Register 11(1) There shall be kept by the Registrar a register, to be known as the Temporary Register, in which shall be entered the name, address, qualifications, terms and conditions of temporary registration and such other particulars as may be prescribed, of every person to be registered pursuant to this section as a person authorized to practise medicine temporarily in the Yukon Territory.

Registration 11(2) The Council may cause the Registrar to enter upon the Temporary Register the name, address, qualifications, terms and conditions of temporary registration

and such other particulars as may be prescribed, of any person who, upon application to the Council for such entry upon the Temporary Register and following payment of the prescribed fee or fees fixed in respect of such registration

- (a) is a member of Her Majesty's Forces and is engaged in the practice of medicine, or
- (b) is enrolled as an undergraduate or graduate registered in a school of medicine recognized by and acceptable to the Commissioner acting on the recommendation of the Council and whose registration under this section is recommended by the Dean of Medicine of that school for the purposes of education in the Yukon Territory.

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| 11(3) | Every person who applies for registration pursuant to subsection (2) shall satisfy the requirements of section 14.  | Requirements to be met  |
| 11(4) | A person registered in the Temporary Register shall be deemed to be registered under this Ordinance as though his name were entered in the Register, and he is, for the period of his temporary registration, subject to the terms and conditions set out on his certificate and the Temporary Register and subject to the obligations and entitled to all the rights and privileges of a person authorized to practise medicine in the Yukon Territory pursuant to this Ordinance. | Effect of registration  |
| 11(5) | A person registered in the Temporary Register who is an undergraduate student in a school of medicine approved by the Council shall be under the supervision of a medical practitioner who is entered in the Yukon Medical Register or Limited Register pursuant to this Ordinance.   | Supervision of students |
| 11(6) | The Registrar shall issue to each person whose name is entered upon the Temporary Register a certificate to be known as a Temporary Certificate, which shall state on its face the terms and conditions, if any, of the registration of that person and the period of time for which the Temporary Certificate is valid.  | Temporary Certificate   |

LIMITED REGISTER

- Register 12(1) There shall be kept by the Registrar a register to be known as the Limited Register, in which shall be entered the name, address, qualifications, terms and conditions of limited registration and such other particulars as may be prescribed, of every person to be registered pursuant to this section as a person authorized to carry on a limited practice of medicine in the Yukon Territory.
- Registration 12(2) The Council shall cause the Registrar to enter upon the Limited Register the name, address, qualifications, terms and conditions of limited registration and such other particulars as may be prescribed, of any person who, upon application to the Council for such entry upon the Limited Register and following payment of the prescribed fee or fees fixed in respect of such registration, is in possession of a fellowship or certificate granted by the Royal College of Physicians and Surgeons of Canada, and is in good standing with such College.
- Requirements to be met 12(3) Every person who applies for registration pursuant to subsection (2) shall satisfy the requirements of section 14.
- Conditions of registration 12(4) It shall be a condition of registration under this section that the person so registered shall confine his practice of medicine to the particular field of medicine with respect to which his registration is granted and the Council may attach such further conditions as it sees fit to any registration under this section.
- Effect of registration 12(5) A person registered in the Limited Register shall be deemed to be registered under this Ordinance as though his name were entered in the Register, and he is subject to the obligations and entitled to all the rights and privileges of a person authorized to practise medicine in the Yukon Territory pursuant to this Ordinance and to the conditions imposed upon his registration under this section.

- 12(6) The Registrar shall issue to each person whose name is entered upon the Limited Register a certificate, to be known as a Limited Certificate, which shall state on its face the terms and conditions of the registration of that person and the period of time for which the Limited Certificate is valid. Limited Certificate

CORPORATION REGISTER

- 13(1) There shall be kept by the Registrar a register, to be known as the Corporation Register, in which shall be entered the corporate name and address and the name, address and such other particulars as may be prescribed, of every person who is incorporated pursuant to section 50 for the purpose of carrying on the practice of medicine in the Yukon Territory. Register
- 13(2) Where, in the opinion of the Council, any person incorporated pursuant to section 50 for the purpose of carrying on the practice of medicine in the Yukon Territory has reason to confine his practice of medicine to a particular field of medicine, the name, address and such other particulars as may be prescribed shall be entered upon the Limited Register in addition to being entered in the Corporation Register. Limited Registration

GENERAL REQUIREMENTS

- 14(1) Every person requesting the entry of his name in the Register, the Temporary Register or the Limited Register and every person who applies for incorporation pursuant to section 50 shall submit to the Council, in such form as may be prescribed such supporting documentation and evidence as shall satisfy the Council Registration requirements
- (a) that he is legally entitled to reside in Canada,
- (b) that he is the person to whom the documents of qualification tendered in respect of an application apply,

- (c) that he is reasonably able to converse, read and write in one of the official languages of Canada,
- (d) that he is in good standing with the medical profession of any jurisdiction where he has previously practised medicine, and
- (e) that he is not subject to criminal charges pending within Canada.

Inadequate 14(2)  
documentation

If the Council is dissatisfied with the documentation or evidence adduced by a person applying to be registered, the Council may refuse to cause the Registrar to enter the name of the applicant for registration until the applicant has furnished proper documentation or evidence to the satisfaction of the Council.

Additional 14(3)  
degrees

Every person registered under this Ordinance who obtains any degree recognized by the Council other than the degree in respect of which he has been registered, may, subject to subsection (4), have such change entered in the Register, Temporary Register, Limited Register or Corporation Register in substitution for or in addition to the degree previously registered, on the payment of such fee as may be prescribed.

Identifica- 14(4)  
tion of  
graduate

No degree recognized by the Council shall be entered on the Register, Temporary Register, Limited Register or Corporation Register, either on the first registration or by way of substitution for or in addition thereto, unless the Registrar is satisfied that the person requesting the entry is the person to whom the degree was granted.

Keeping of 15(1)  
Registers

The Registrar shall keep the Register, the Temporary Register, Limited Register and Corporation Register in accordance with this Ordinance and the regulations thereunder.

Inspection 15(2)  
of Reg-  
isters

The Register, Temporary Register, Limited Register and Corporation Register shall, at all times that the office of the Registrar is open, be open to

inspection by any person, and any person may, upon the payment of the prescribed fee, inspect the same or obtain a certificate under the hand of the Registrar to the effect that the medical practitioner therein named was, or was not, registered as a medical practitioner in the Yukon Territory or was or was not suspended from the practice of medicine on the date or dates specified in the certificate.

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| 15(3) | The Registrar shall cause to be published annually a correct list of the names of all persons appearing on the Register, Temporary Register, Limited Register and Corporation Register on the date of publication and who have not been suspended from practice, in alphabetical order according to their surnames, with their respective addresses, and showing the medical titles, diplomas, degrees and qualifications conferred by any college or body, and the dates thereof, as shown upon the Register, together with the date on which each person whose name appears in the Register, Temporary Register, Limited Register or Corporation Register was entered therein. | List<br>to be<br>published |
| 16(1) | The Registrar shall issue to every person whose name is entered in the Register, the Temporary Register or the Limited Register, and who is not suspended from the practice of medicine, a licence authorizing the person to whom it is issued to practise medicine in the Yukon Territory subject to the terms and conditions, if any, imposed upon that person pursuant to section 11 or 12.   | Licence<br>to be<br>issued |
| 16(2) | Every person who has a licence issued pursuant to subsection (1) is, subject to sections 11 and 12, entitled to practise medicine as a member of the medical profession in the Yukon Territory, and to demand and recover in any court of law, with full costs of suit, reasonable charges for professional aid, advice and visits, and the cost of any medicine or other medical appliances rendered or supplied by him to any person.  | Effect<br>of<br>licence    |
| 17(1) | In any proceedings under this Ordinance, or for breach thereof, the burden of proof as to registra-  | Burden<br>of proof         |



tion and right to practise medicine under this Ordinance is upon the person charged.

Proof of registration, etc.	17(2)	Subject to subsection (3), a copy of the list purporting to be published by the Registrar pursuant to section 15 is <i>prima facie</i> proof in all courts in the Yukon Territory, and before all justices and on all other occasions, that the persons therein named are registered and entitled to practise medicine in the Yukon Territory pursuant to this Ordinance, and that they have not been suspended from the practice of medicine and that no person, other than those specified in the list, is registered or entitled to practise medicine in the Yukon Territory pursuant to the provisions of this Ordinance.
Proof by licence	17(3)	Notwithstanding subsection (2), where any person whose name does not appear in the copy of the list referred to in subsection (2), a licence issued pursuant to section 16 is <i>prima facie</i> proof that such person was, at the date of the issue of the licence, registered pursuant to the provisions of this Ordinance and entitled to practise medicine without further proof of the signature of the Registrar.
Annual fee	18(1)	Subject to subsection (2), each person registered pursuant to the provisions of this Ordinance shall pay to the Registrar such annual fee as may be prescribed.
Exemption	18(2)	The Commissioner may, on the recommendation of the Council, exempt any person registered pursuant to the provisions of this Ordinance from the payment of the annual fee prescribed pursuant to subsection (1).
Notice and payment of fee	18(3)	The annual fee is payable on or before the thirty-first day of March in the calendar year for which the same is imposed, and not later than the fifteenth day of February in each year, the Registrar shall send to every person registered pursuant to the provisions of this Ordinance notice of the amount

and due date of the annual fee, and the notice shall include a copy of subsection (6).

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| 18(4) | Every person registered pursuant to the provisions of this Ordinance shall, upon payment of the annual fee or exemption therefrom, be issued a certificate under the hand of the Registrar, stating his qualification to practise medicine and that, subject to the provisions of this Ordinance, the certificate is in force until the thirty-first day of March in the calendar year in which the certificate expires. | Certificate                |
| 18(5) | The annual fee shall, subject to subsection (2), be paid by every person registered pursuant to this Ordinance whether he is resident in the Yukon Territory or not, or whether he is practising or not, but special fees for non-practising or non-resident members may be prescribed therefor.   | Fee to be paid             |
| 18(6) | Every person required to pay an annual fee pursuant to subsection (1) who fails to pay such fee on or before the thirty-first day of March ceases to be in good standing with the profession and thereupon stands suspended from the practice of medicine in the Yukon Territory until he pays all annual fees in arrears and, in addition, pays a prescribed penalty.   | Suspension for non-payment |
| 18(7) | Notwithstanding that the annual fees in arrears and the penalty referred to in subsection (6) are paid, the Council may require the person so paying to pass before the Council for an interview.  | Interview by Council       |
| 18(8) | The Council may cause the Registrar to refuse to remove the suspension against the name of any person who, in its opinion, is guilty of conduct for which, had that person not been under suspension, his registration could have been struck or he could have been suspended from the practice of medicine.   | Refusal to lift suspension |
| 18(9) | The Registrar shall forthwith notify any person /  | Notice of suspension       |

who has been suspended from the practice of medicine under this section.

Voluntary striking off 19(1)

Unless the Council disapproves, a member of the medical profession may, at his own request in writing, have his name struck from the Register, the Temporary Register or the Limited Register, and shall thereupon surrender up to the Registrar any subsisting licence or certificate issued to him under this Ordinance.

STRIKING OFF

Powers of Council 20(1)

The Council may cause to be struck from the Register, the Temporary Register, the Limited Register or the Corporation Register any name or other particular pertaining thereto, or any person who

- (a) has, in the opinion of the Council, obtained by fraud, misrepresentation, or error the registration of his name or other particulars pertaining thereto, or
- (b) has failed to maintain any qualification required of him upon registration in the particular register in which his name or other particulars pertaining thereto are registered.

Non-payment of fee, etc. 20(2)

If a person suspended from the practice of medicine under section 19 has not paid his annual fee and penalty by the thirty-first day of December of the calendar year in which it is due, the Registrar shall strike his name from the register in which it is entered.

Notice 20(3)

The Registrar shall forthwith notify, in writing, any person whose name has been struck from the Register under this section or in respect of whom any entry has been struck, but such person may at any time apply to have his name or such entry restored, and the Council may, in its discretion, restore or refuse to restore any name or entry so struck from the Register.

Re-registration 20(4)

The Council may require any person whose name has been struck from the Register, the Temporary

Register or the Limited Register pursuant to section 19 or this section to pass an examination before he is again entitled to be registered.

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| 21(1) | If a member of the medical profession practising medicine in the Yukon Territory leaves the Territory and practises medicine during his absence, he shall not resume the practice of medicine in the Territory until he provides the Registrar with a certificate of good standing, in form and content satisfactory to the Registrar, from every place in which he has practised medicine during his absence from the Territory and further satisfies the Registrar that he is not the subject of an inquiry into his ability to practise medicine and that he is not subject to criminal charges pending within Canada. | Return to Territory  |
| 21(2) | The Council may waive the requirements of subsection (1) at their pleasure.   | Exception            |
| 22(1) | Subject to subsection (2) or (3), no person who has been convicted of an indictable offence by any court of justice in Canada or elsewhere is entitled to be registered, and the Council may cause to be struck from the Register, the Temporary Register, the Limited Register or the Corporation Register the name of any member of the medical profession who has been convicted of an indictable offence by any court of justice in Canada or elsewhere.  | Indictable offences  |
| 22(2) | Notwithstanding subsection (1), the Council may, if it sees fit, permit a person who has been so convicted to become or remain a member of the medical profession in the Yukon Territory or may restore the name of any person whose name has been struck under this section.   | Exception by Council |
| 22(3) | The registration of a person shall not be refused and the name of a person shall not be struck under this section on account of a conviction for a political offence, or on account of a conviction for an offence that ought not, in the opinion of the Council, either from the nature of the offence   | Excepted offences    |

or from the circumstances under which it was committed, disqualify a person from carrying on the practice of medicine pursuant to this Ordinance.

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| Investigations         | 23(1) | <p>The Council, or any person as may be appointed for the purposes of this section by the Council, may</p> <ul style="list-style-type: none"> <li>(a) investigate whether or not a member of the medical profession practising medicine in the Yukon Territory is bringing to his practice such skill and knowledge as is considered adequate according to generally accepted standards of the medical profession in the Yukon Territory, and</li> <li>(b) require such member to undergo such examinations as the Council considers, for the purposes of the investigation, appropriate.</li> </ul> |
| Report of investigator | 23(2) | <p>Where an investigation or examination is carried out under subsection (1), the investigator shall submit, forthwith after the investigation or examination is completed, a written report to the Council.</p>   |
| Copy of report         | 23(3) | <p>The Council shall serve on the member of the medical profession concerned in such an investigation a copy of the report and a notice of the time and place where the report will be considered by the Council.</p>  |
| Rights of member       | 23(4) | <p>Where a report is submitted to the Council under this section, it may, after giving the member of the medical profession concerned a reasonable opportunity to answer any matter contained in the report, determine that the member should not be permitted to practise medicine or that his practice of medicine should be restricted; and may act in accordance with subsection 25(3).</p>  |
| Inquiry                | 24(1) | <p>The Council may, on its own motion, or shall, where requested in writing to do so by</p> <ul style="list-style-type: none"> <li>(a) any three members of the medical profession, or</li> <li>(b) any member of the public, upon production of</li> </ul>  |

proof satisfactory to the Council, cause an inquiry to be made by an inquiry committee into any charge or complaint made, in any form or manner whatsoever, against any member of the medical profession practising medicine in the Yukon Territory, or into a question concerning the conduct or mental condition or capability or fitness to practise medicine of any such member.

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| 24(2) | Where an inquiry is to be made pursuant to subsection (1), the Council may cause the member of the medical profession so charged or complained against to be suspended from the practice of medicine in the Yukon Territory until such time as the results of the inquiry are made known to the Council by the inquiry committee pursuant to subsection 25(i).   | Suspension during inquiry |
| 24(3) | The Council, in causing an inquiry to be made under this section, shall appoint an inquiry committee of not fewer than three members consisting of one member of the Council, and two members of the medical profession.   | Inquiry committee         |
| 24(4) | If, in the opinion of the Council, the charge, complaint or question to be inquired into appears to concern the mental or emotional condition of a member of the medical profession, the inquiry committee shall, in addition to the requirements of subsection (3), include at least one psychiatrist as a member.  | Psychiatrist on committee |
| 24(5) | Notwithstanding anything contained in this section or section 25, the Council may cause the conduct of a member of the medical profession practising in the Yukon Territory to be summarily investigated by an investigator appointed pursuant to section 30, with a view to determining whether or not a complaint is frivolous, or appears to be sufficiently serious to justify the appointment of an inquiry committee under this section. | Frivolous complaints      |
| 24(6) | Where a charge or complaint is found by the investigator not to be frivolous, but not sufficiently   | Minor complaints          |

serious to justify the appointment of an inquiry committee, the Council may, upon hearing the member of the medical profession so charged or complained against, reprimand such member.

Report of  
inquiry  
committee

25(1)

An inquiry committee shall find the facts of the matter to be inquired into, and, in addition, shall find whether the charge or complaint has been proven, and shall report its findings to the Council in writing as soon as practicable.

Suspension  
by  
committee

25(2)

At any time after it has commenced taking the evidence respecting a charge or complaint, the inquiry committee may of its own motion suspend from practice the member of the medical profession whose conduct is under inquiry until the next meeting of the Council and shall promptly give written notice of the suspension to such member and the Registrar.

Punishment  
of member

25(3)

If the Council, upon a report made under subsection (1), considers that a member of the medical profession practising medicine in the Yukon Territory has been guilty of infamous or unprofessional conduct or that such member is suffering from a mental ailment, emotional disturbance, or addiction to alcohol or drugs that might, if such member continues to practice medicine constitute a danger to the public, the Council may:

- (a) cause the name of such member to be struck from the Register, the Temporary Register, the Limited Register or the Corporation Register;
- (b) suspend such member from the practice of medicine for such period as may be prescribed by the Council;
- (c) cause the name of such member to be struck from the Register, the Limited Register or the Corporation Register, as the case may be, and direct the registration of such member in the Temporary Register be subject to whatever terms and conditions the Council may prescribe;

- (d) impose upon such member a fine, not to exceed the sum of ten thousand dollars, to be paid into the Consolidated Revenue Fund of the Government of Yukon within such time as the Council may prescribe;
- (e) reprimand such member; or
- (f) suspend the imposition of punishment and place such member on probation upon whatever terms and conditions the Council may prescribe.

25(4)	The fine provided for in paragraph (3) (d) may be imposed in lieu of or in addition to any imposition of punishment under paragraph (3) (b), (c), (e) or (f).	Fine
25(5)	If a charge or complaint, or allegations of a breach of a term of probation, is made against a member of the medical profession who is on probation under subsection (3), the Council may inquire into the matter in a summary manner and, upon proof thereof to the satisfaction of the Council, terminate the probation and impose another punishment or penalty under subsection (3).	Breach of probation
25(6)	A fine imposed upon a member of the medical profession under subsection (3) is a debt due by such member to the Commissioner, and if it is not paid within the time for payment fixed by the Council, that member is deemed suspended from the practice of medicine until the fine is paid.	Payment of fine
25(7)	Where a charge or complaint, or allegation of a breach of a term of probation, made against a member of the medical profession is, in the opinion of the Council, unfounded or without sufficient evidence to substantiate the charge, complaint or allegation, the Council may summarily dismiss the charge, complaint or allegation without any further action on the part of the Council.	Unfounded charges
26(1)	During the period of suspension of a member of the medical profession pursuant to section 24 or 25 from the practice of medicine, such member shall	Effect of suspension



- not, unless the Council otherwise directs,
- (a) continue to practise medicine in the Yukon Territory;
  - (b) maintain an office, clinic or other premises or display his name or any sign for any purpose relating to the practice of medicine;
  - (c) continue or enter into any arrangements with another member of the medical profession with respect to the practice of medicine; or
  - (d) employ a *locum tenens*.

Locum tenens	26(2)	Notwithstanding paragraph (1) (d), a medical practitioner suspended from the practice of medicine by reason of mental condition, alcohol or drugs may, for the duration of his suspension, employ a <i>locum tenens</i> as the Council, in its discretion, may direct.
Referrals	26(3)	Nothing in this section shall prevent a member of the medical profession under suspension from referring patients to another member in good standing.
Termination of suspension	26(4)	If the inquiry committee appointed pursuant to section 24 reports that the applicant is fit to practise medicine without restriction, any suspension shall terminate on the date the report is received by Council.
Re-entry on Register	27(1)	Where the Council directs the striking from the Register, the Temporary Register, the Limited Register or the Corporation Register of the name of any person or of any other entry, the name of that person or that entry shall not be again entered on the Register, the Temporary Register, the Limited Register or the Corporation Register except by the direction of the Council, or by the order of the Court on an appeal as provided in section 34.
Council may direct re-entry	27(2)	Where the Council thinks fit in any case, it may direct the Registrar to restore to the Register, the Temporary Register, the Limited Register or

the Corporation Register any name or entry struck therefrom, either with or without the payment of a registration fee, and the Registrar shall restore the same accordingly.

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| 28(1) | Every member of the medical profession registered under this Ordinance shall report to the Registrar the condition of any other member of the medical profession registered under this Ordinance whom he, on reasonable and probable grounds, believes to be suffering from a physical or mental ailment or emotional disturbance or addiction to alcohol or drugs that, in his opinion, if the other member is permitted to continue to practise medicine, might constitute a danger to the public or be contrary to the public interest. | Malpractice to be reported        |
| 28(2) | Upon receipt of any report pursuant to subsection (1), the Registrar shall promptly report the matter to the Council, and the Council may suspend from the practice of medicine the person so reported upon and shall promptly appoint an inquiry committee pursuant to section 24 to investigate the matter and to report its findings to the Council.  | Where report received             |
| 28(3) | An inquiry committee appointed pursuant to subsection (2) shall promptly examine the member of the medical profession so reported upon if he can be found within the Yukon Territory, and consider such other evidence as it sees fit.   | Inquiry to be made                |
| 28(4) | If the report of the inquiry committee appointed pursuant to subsection (2) is not to the effect that the person reported upon is fit to practise medicine, the Council may suspend from such practise the person reported upon or, if the person has previously been suspended, continue his suspension.  | Report of inquiry committee       |
| 29(1) | Upon the application of a person suspended under subsection 28(2) or (4), and upon the application being supported by three members of the medical profession, the Council shall promptly appoint an   | Application for inquiry committee |

inquiry committee, consisting of such members of the medical profession and of the Council as were not previously members of the inquiry committee first established, in accordance with section 24, which shall re-examine the applicant as soon as may be possible and consider such other evidence as it sees fit.

Report of committee 29(2)

Any inquiry committee appointed pursuant to subsection (1) shall report its findings and recommendations in writing to the Council.

Termination of suspension 29(3)

If the inquiry committee appointed pursuant to subsection (1) reports that the applicant is fit to practise medicine without restriction, the suspension shall terminate on the date the report is received by the Council.

Imposition of conditions 29(4)

If the inquiry committee appointed pursuant to subsection (1) is of the opinion that the applicant is fit to practise medicine under certain restrictions, the Council may make an order accordingly under paragraph 25(3)(f).

Investigation may be appointed 30(1)

Upon the written request of the Council setting out that it may desire to hold an inquiry pursuant to this Ordinance, but that it is inexpedient to appoint an inquiry committee at that time because of insufficient facts of the matter to be inquired into, the Commissioner, if he deems it advisable, may appoint a member of the Council or a Judge of the Supreme Court as an investigator to ascertain such facts.

Powers of investigator 30(2)

An investigator appointed under subsection (1) has, *mutatis mutandis*, the powers and privileges that are conferred upon an inquiry committee by this Ordinance with respect to ascertaining the facts of the matter to be inquired into, and shall, in writing, report his findings to the Council upon completion of his investigation, but in no event shall the investigator find as to whether the charge or complaint has been proven.

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| 30(3) | The written report of an investigator appointed under subsection (1) may be acted upon by the Council as to the facts therein stated for the purpose of exercising its powers under sections 24 through 29.   | Report of investigator     |
| 31(1) | Subject to the approval of the Commissioner, the Council or inquiry committee may employ, at the expense of the Government of the Yukon Territory, such legal or other assistance as it may think necessary or proper, and the complainant and the person whose conduct is the subject of inquiry may be represented by counsel and may submit evidence.  | Employment of assistance   |
| 32(1) | At least two weeks before the first meeting of any inquiry committee convened pursuant to this Ordinance to be held for taking evidence or otherwise ascertaining the facts, a notice shall be served upon the complainant, if any, and upon the person against whom the charge or complaint has been made or whose conduct is the subject of inquiry.  | Notice of hearing          |
| 32(2) | The notice referred to in subsection (1) shall embody a copy of the charge made against any person, or a statement of the subject matter of the inquiry, and shall also specify the time and place of the meeting of the inquiry committee.   | Contents of notice         |
| 32(3) | In the event of the non-attendance of the complainant or the person against whom the charge or complaint has been made or whose conduct is the subject of inquiry, the committee may, upon proof of personal service of notice under subsection (1), proceed with the subject matter of the inquiry in the absence of either of those persons and make its report without further notice to such persons. | Failure of party to appear |
| 32(4) | Proof of service of the notice referred to in subsection (1) for the purposes of this section may be made by statutory declaration.   | Proof of service           |
| 33(1) | An inquiry committee convened pursuant to this Ordinance may make such rules of procedure respecting  | Rules of procedure         |

the conduct of the inquiry as it deems necessary, and, without limiting the generality of the foregoing, shall have the power

- (a) to summon and bring before it any person whose attendance it considers necessary to enable it properly to inquire into the matter complained of;
- (b) to swear and examine all persons under oath or by affirmation;
- (c) to compel the production of documents;
- (d) to do all things necessary to provide a full and proper inquiry;
- (e) to receive and accept such evidence and information on oath, affidavit or otherwise as in its discretion it sees fit, whether admissable in a court of law or not, and to refuse to accept any evidence that is not presented in the form or at the time required;
- (f) to make or cause to be made such examination of records and such inquiries as it deems necessary; and
- (g) to adjourn or postpone the proceedings from time to time.

Witness fees	33(2)	Any witness summoned before the inquiry committee is entitled to the same fees and expenses as he would receive in a court.
Rights of members	33(3)	There shall be full right to cross-examine all witnesses called, and to call evidence in defence and reply.
Record of evidence	33(4)	The inquiry committee shall, upon request therefor and following payment of the prescribed fee, cause the oral evidence given before it to be taken down in shorthand or mechanically recorded and transcribed, and the stenographer employed shall do so under oath or affirmation.
Offence	33(5)	Every person who <ul style="list-style-type: none"> <li>(a) fails, without valid excuse, to attend an inquiry under this section,</li> <li>(b) fails to produce any document, book or paper</li> </ul>

in his possession or under his control, as required under this section, or  
 (c) at any inquiry under this section  
     (i) refuses to be sworn or to affirm or to declare, as the case may be or  
     (ii) refuses to answer any proper question put to him by the inquiry committee  
 commits an offence.

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| 33(6) | No liability shall be incurred by the Registrar, the Council, any inquiry committee, or by any member of the Council or sub-committee of the Council or an investigator appointed pursuant to subsection (1) for anything done or purporting to be done <i>bona fide</i> under this Ordinance.  | Limitation of liability    |
| 34(1) | Any person making a complaint in respect of which an inquiry has been held, or any person who has been affected by any decision of the Council under sections 20 through 28 may appeal from the decision or direction of the Council to the Judge of the Yukon Supreme Court at any time within thirty days from the date of the decision or direction of the Council.  | Appeals to judge           |
| 34(2) | The Judge may, upon the hearing of an appeal pursuant to subsection (1), reverse, confirm or amend the decision or direction of the Council or order a further inquiry by the inquiry committee and make such other order, either as to costs or otherwise, as the Judge may determine, including a direction that any registration struck off be restored or that any suspension or probation be terminated. | Powers of judge            |
| 34(3) | An appeal lies from the decision of the Judge to the Court of Appeal within thirty days thereafter, and the Court of Appeal has all the powers that may by this Ordinance be exercised by the Judge appealed from.  | Appeals to Court of Appeal |
| 34(4) | An appeal taken from a decision or direction of the Council shall be deemed to include an appeal from the findings and report of the inquiry committee.   | Extent of appeal           |

Effect of appeal	34(5)	Pending the outcome of an appeal pursuant to subsection (1), any suspension of a member of the medical profession from the practice of medicine, or any striking off of the name or other particulars of a member of the medical profession from any registry made pursuant to this Ordinance shall remain in full force and effect unless otherwise ordered by the Court.
Stay of punishment	34(6)	The Council may, on such terms as it sees fit, stay the operation of any punishment or penalty imposed by it upon any person bringing an appeal under this section pending the outcome of the appeal, and the Council may require the giving of reasonable security for its costs of the appeal and payment of any fine already imposed as a condition of granting the stay.
Notice of appeal	35(1)	An appeal under subsection 34(1) shall be brought by notice of intention to appeal.
Filing of notice	35(2)	The notice of intention to appeal shall be filed in the Registry of the Yukon Supreme Court within the time prescribed in subsection 34(1), and the appellant shall serve a copy of the notice of intention to appeal on the Registrar within the like time.
Copies of evidence	36(1)	Any person desiring to appeal may, upon payment of the prescribed cost of such copies, obtain from the Registrar or from the stenographer, as the case may be, one or more certified copies of all oral and documentary evidence upon which the inquiry committee acted in making the finding, report, decision, order or direction complained of and of the finding, report, decision, order or direction.
Evidence to be filed	36(2)	The person appealing shall lodge in the Registry of the Yukon Supreme Court, in which the notice of appeal has been filed, one certified copy of the evidence and of the finding, report, decision, order or direction complained of for the use of

the Judge of the Supreme Court hearing the appeal and the appeal shall be heard and determined thereon.

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| 37(1) | An appeal under section 34 shall be heard and determined by the Judge of the Court of Appeal, as the case may be, upon the merits, notwithstanding any want of form, but the Judge or Court of Appeal may give such directions as may be deemed necessary to enable the proper hearing of an adjudication upon the appeal.   | Directions for hearing appeal |
| 38(1) | Any person who is not registered under this Ordinance or who is suspended from the practice of medicine pursuant to this Ordinance shall not practise, nor offer to practise, medicine.  | Prohibition                   |
| 38(2) | <p>A person shall be deemed to practise medicine within the meaning of this Ordinance who</p> <ul style="list-style-type: none"> <li>(a) by advertisement, sign or statement of any kind, written or verbal, alleges or implies that he is, or holds himself out as being, qualified, able or willing                             <ul style="list-style-type: none"> <li>(i) to diagnose, prescribe for, prevent, or treat any human disease, ailment, deformity, defect or injury,</li> <li>(ii) to perform any operation to remedy any human disease, ailment, deformity, defect or injury, or</li> <li>(iii) to examine or advise upon the physical or mental condition of any person;</li> </ul> </li> <li>(b) diagnoses, or offers to diagnose, any human disease, ailment, deformity, defect or injury;</li> <li>(c) examines or advises upon, or offers to examine or advise upon, the physical or mental condition of any person;</li> <li>(d) prescribes or administers any drug, serum, medicine or other substance or remedy for the cure, treatment, or prevention of any human disease, ailment, deformity, defect or injury;</li> <li>(e) prescribes or administers any treatment or performs any operation or manipulation, or supplies or applies any apparatus or appliance for the cure, treatment or prevention of any</li> </ul> | Practice of medicine          |



human disease, ailment, deformity, defect or injury; or

- (f) acts as the agent, assistant, or associate of any person, firm or corporation in the practice of medicine.

Exceptions 38(3)

This section does not apply to:

- (a) a duly qualified medical practitioner of any province, state or country who is meeting in consultation in the Territory with a medical practitioner of the Territory;
- (b) the furnishing of first aid or temporary assistance in the case of emergency;
- (c) the domestic administration of family remedies;
- (d) the practising by any person of the religious tenets of his church or religion without pretending a knowledge of medicine or surgery, unless he violates any laws regulating or with respect to contagious diseases or sanitary matters;
- (e) the manufacture, fitting or selling of artificial limbs or similar appliances;
- (f) the practice of chiropractic by a chiropractor duly licensed under the *Chiropractic Ordinance*;
- (g) the practice of dentistry by a dentist duly licensed under the *Dental Profession Ordinance*;
- (h) the practice of optometry by an optometrist duly licensed under the *Optometry Ordinance*;
- (i) the practice of pharmacy by a pharmaceutical chemist duly licensed under the *Pharmaceutical Chemists Ordinance*;
- (j) the practice of nursing by a nurse; and
- (k) the practice of physiotherapy by a physiotherapist holding a valid and subsisting licence from any province, state or country and practising under the supervision of a medical practitioner of the Territory.

Misleading 39(1)  
representations

Any person who is not registered under this Ordinance shall not take, use, advertise nor hold himself out under any name, title, addition or description implying or calculated to lead people to infer that he is registered under this Ordinance or that

he is qualified to practise medicine or is a licentiate in any field of the practice of medicine.

- 40(1)

Subject to subsection (2), any person who is not registered under this Ordinance shall not use, assume, employ, advertise nor hold himself out under the title of "doctor", "surgeon", "physician" or any other affix or prefix or abbreviation of such titles as an occupational designation relating to treatment of human ailments.

Misleading titles
- 40(2)

Subsection (1) does not apply to

  - (a) any dentist; or
  - (b) any person having a diploma in medicine or surgery from any college or school of medicine and surgery and who is not treating or attempting to treat human ailments for gain in the Yukon Territory.

Exception
- 41(1)

In this section, "instruction in medicine" means instruction in doing any of the things mentioned in paragraphs 38(2)(b), (c), (d) or (e).

"Instruction in medicine"
- 41(2)

No person shall establish or carry on in the Yukon Territory any school, college or other institution for training or imparting instruction in medicine or in surgery without the consent of the Commissioner, but this does not apply to any faculty of medicine in a university in the Yukon Territory, to the instruction of students of medicine, nursing, or medical technology carried on by a hospital, school, college or other institution approved for that purpose by the Commissioner in consultation with the Council, or to the instruction of persons in first aid.

Medical schools
- 42(1)

No person shall be appointed as a medical officer, physician or surgeon in any branch of the public service of the Yukon Territory, or resident physician or intern in any hospital or other charitable institution, unless he is registered under this Ordinance.

Doctors in public service

"Unprofessional conduct"	43(1)	It is an example of "unprofessional conduct" on the part of a person registered under this Ordinance for him to place or permit to be placed the name of any pharmacist, pharmaceutical chemist, or association for the sale of drugs or medicine upon any prescription issued by him.
Kick-backs	44(1)	No medical practitioner shall take or receive any remuneration by way of commission, discount, refund, or otherwise from any person who fills a prescription given or issued by a medical practitioner or who makes or supplies medical appliances.
Delivery of notices	45(1)	Any notice required by this Ordinance to be given to or served upon a medical practitioner, except a notice required pursuant to subsection 18(3), shall be in writing, and may be given to or served upon any medical practitioner by registered mail addressed to the medical practitioner at his address as set out in the Register, the Temporary Register, the Limited Register or the Corporation Register.
Mailing of notices	45(2)	A notice, if given or served by mailing, shall be deemed to have been received at the time when the envelope containing the notice would be delivered in the ordinary course of the post; and in proving such service it shall be sufficient to prove that the envelope containing the notice was properly addressed and duly mailed.
Proof of offences	46(1)	In any prosecution under this Ordinance, it is sufficient proof of an offence under this Ordinance if it is proved that the accused has done or committed a single act of unlawful practice or has committed on one occasion any of the acts prohibited by this Ordinance.
No action for fees	47(1)	No person who is prohibited from practising medicine, under this Ordinance is entitled to recover any charge in any court of law for any medical or surgical advice, for attendance, for the performance of any operation, or for any medicine that he has prescribed or supplied; but this section does not

extend to the sale of any drug or medicine by a duly licensed pharmacist or pharmaceutical chemist.

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| 48(1) | If any person not registered under this Ordinance practises or professes to practise medicine contrary to this Ordinance, he is, on summary conviction, liable, to a penalty of not less than five hundred dollars, or to imprisonment for a period not exceeding six months, or to both fine and imprisonment.  | Unlawful practice of medicine       |
| 48(2) | If any person not registered under this Ordinance wilfully procures, or attempts to procure, himself to be registered by making false or fraudulent representation or declaration, either verbally or in writing, he is, on summary conviction, liable to a penalty of not less than five hundred dollars, and every person knowingly aiding or assisting him therein is, on summary conviction, liable to a penalty of not less than five hundred dollars.  | Fraudulent registration             |
| 48(3) | Where a person authorized pursuant to this Ordinance to carry on the practice of medicine practises in partnership with or under a contract with any person not entitled to practise medicine does any act to enable such person not entitled to practise medicine to practise medicine, the person authorized pursuant to this Ordinance to carry on the practice of medicine is liable, on summary conviction to a penalty not exceeding five hundred dollars and not less than two hundred dollars, and any member of the medical profession convicted under this section shall have his name struck from the Register, the Temporary Register, the Limited Register or the Corporation Register, as the case may be. | Assisting unqualified practitioners |
| 48(4) | No charge shall be brought under this section without written notice to the Council, evidenced by a certificate given under the hand of the Registrar.   | Notice to Council                   |
| 49(1) | Where no other penalty is by this Ordinance provided, any person guilty of an offence against this Ordinance, or who violates or commits any   | Penalty                             |

breach of this Ordinance, is, on summary conviction, liable for the first offence to a penalty of not less than two hundred dollars, for a second offence to a penalty of not less than five hundred dollars, and for a third offence shall be imprisoned for a period of not less than one month.

Striking off      49(2)      Where, in the case of a third offence, the offender is registered under this Ordinance, the Council may, upon proof of conviction, strike his name from the Register, the Temporary Register, the Limited Register or the Corporation Register, as the case may be.

PROFESSIONAL CORPORATIONS

Incorporation      50(1)      Any person or persons registered under this Ordinance to practise medicine in the Yukon Territory may incorporate a company, herein called a "professional corporation", pursuant to the *Companies Ordinance* for the purpose of carrying on the practice of medicine.

Requirements to be met      51(1)      The practice of medicine shall not be carried on by, through or in the name of a professional corporation unless;

- (a) all the issued shares of the professional corporation to which are attached voting rights normally exercisable at general meetings thereof are registered in the name of and owned beneficially by one or more medical practitioners registered under this Ordinance;
- (b) all the directors of the professional corporation are medical practitioners registered under this Ordinance;
- (c) all persons who will carry on the practice of medicine, by, through or on behalf of the professional corporation are medical practitioners registered under this Ordinance; and
- (d) the professional corporation is the holder of a valid and subsisting permit issued by the Registrar pursuant to section 52.

51(2)	For the purposes of paragraph (1)(c), the practice of medicine shall not be deemed to be carried on by clerks, secretaries, nurses or other assistants performing services which are not usually and ordinarily considered by law, custom and practice to be services which may be performed only by a medical practitioner registered under this Ordinance.	Persons excepted
51(3)	Notwithstanding subsection 50(1), no professional corporation shall be enrolled as a medical practitioner.	Enrollment prohibited
52(1)	<p>The Registrar shall issue a permit to a professional corporation that:</p> <ul style="list-style-type: none"> <li>(a) files an application in the prescribed form;</li> <li>(b) pays the prescribed fees;</li> <li>(c) satisfies the Registrar that the professional corporation is a company limited by shares in good standing with the Registrar of Companies under the <i>Companies Ordinance</i>;</li> <li>(d) satisfies the Registrar that it is not restricted by its memorandum or articles of association or by the <i>Companies Ordinance</i> from carrying on all businesses and activities associated with or incidental to the practice of medicine; and</li> <li>(e) satisfies the Registrar as to the facts set out in paragraphs 51(1)(a), (b) and (c).</li> </ul>	Permits for corporations
52(2)	A permit issued hereunder shall expire on December 31 of the year for which it is issued, unless earlier revoked pursuant to this Ordinance.	Expiration of permits
53(1)	No medical practitioner who is a member of a professional corporation shall enter into any voting trust agreement, proxy or other type of agreement vesting in another person who is not a registered practitioner the authority to exercise the voting rights attached to any or all of his shares.	Trust, proxy, etc. prohibited
54(1)	Notwithstanding any provision to the contrary in the <i>Companies Ordinance</i> , all persons who carry on the practice of medicine by, through or on behalf	Liability of members

of a professional corporation are liable in respect of acts or omissions done or omitted to be done by them in the course of the practice of medicine to the same extent and in the same manner as if such practice were carried on by them as a partnership or, where there is only one such person, as an individual carrying on the practice of medicine; provided that subject to the *Companies Ordinance*, a professional corporation or any members thereof may agree to indemnify a medical practitioner in respect of any liability for such act or omission.

Effect of  
incorporation

55(1)

Nothing contained in sections 50 through 61 shall be deemed to limit the application of the provisions of this Ordinance to any registered practitioner or the application of any law relating to the confidential or ethical relationships between practitioner and a person receiving his professional service.

Relation-  
ship with  
patients

56(1)

The relationship between a professional corporation and person receiving the professional services of any medical practitioner practising by, through or on behalf of such professional corporation is subject to all applicable law relating to the confidential and ethical relationships existing between a registered practitioner and his patient.

Rights of  
directors,  
members, etc.

57(1)

All rights and obligations pertaining to communications made to or information received by a registered practitioner are applicable to the members, directors, officers, agents and employees of every professional corporation.

Corporation  
subject to  
Ordinance

58(1)

All the provisions of this Ordinance which are applicable to registered medical practitioners apply with all necessary modifications to professional corporations.

Revocation  
of permit

59(1)

The permit of a professional corporation may be revoked or its renewal withheld by the Registrar if the professional corporation fails at any time to meet the qualifications set forth in section 52.

- 59(2) Where a professional corporation ceases to meet the qualifications for holding a permit by reason only of
- (a) the death or retirement of a registered practitioner who is the sole director of the professional corporation, or
  - (b) the striking off or other removal from the Register of the name of a practitioner who is the sole director of a professional corporation;
- then, unless at the expiration of 90 days from the date of death, retirement, striking off or other removal or suspension, as the case may be, the professional corporation is qualified under section 52, its permit shall terminate at the expiration of such 90-day period.
- Death, etc.  
of member
- 59(3) Subsection (2) shall not prevent the Registrar from making an order revoking the permit of a professional corporation at any time in accordance with this section.
- Power of  
Registrar
- 60(1) A professional corporation may sue for fees for services performed by or through it or on its behalf by a person in his capacity as a registered practitioner at any time after the services are performed, if the services were performed during the time that the professional corporation was the holder of a valid and subsisting permit issued pursuant to section 52.
- Action for  
fees .
- 61(1) A certificate purporting to be signed by the Registrar and stating that a named professional corporation was or was not, on a specified day or during a specified period, a professional corporation according to the records of the Registrar, shall be admitted in evidence as *prima facie* proof of the facts stated therein without proof of the Registrar's appointment or signature.
- Proof of  
registration
- 61(2) All members, directors, officers, agents and employees of professional corporations whose conduct is being investigated under this Ordinance are compellable witnesses in any proceedings under this Ordinance.
- Witnesses



REGULATIONS

- Regulations 62(1) For the purpose of carrying into effect the provisions of this Ordinance according to the true intent and meaning thereof, the Commissioner may make such regulations as may be deemed necessary and not inconsistent with the spirit of this Ordinance, and without restricting the generality of the foregoing, the Commissioner may make regulations:
- (a) providing for the keeping of the medical registers;
  - (b) prescribing the fees to be paid by applicants for registration, and, if deemed advisable, designating different classes of applicants and prescribing different fees for different classes;
  - (c) determining the relationship between the Council and the Medical Council of Canada and incorporation into the regulations under this Ordinance any of the provisions of the *Canada Medical Act* that are not contrary to the provisions of this Ordinance;
  - (d) providing for the holding of meetings of Council and the conduct of such meetings;
  - (e) prescribing the records and accounts to be kept by members of the medical profession with respect to the practice of medicine;
  - (f) prescribing the procedure to be followed and the rules of evidence to be observed in any proceedings upon any inquiry or hearing held under the provisions of this Ordinance;
  - (g) fixing the time and place of regular meetings of the Council, determining by whom meetings may be called, regulating the conduct of meetings, providing for emergency meetings, and regulating the notice required in respect of meetings;
  - (h) prescribing the form and content of the application for registration in the Yukon Territory;
  - (i) prescribing the manner of proof as to matters required to be proven by applicants for permits under section 52;

- (j) fixing the fees payable to the Registrar for the issuance of permits and the fees payable annually by professional corporations; and
- (k) providing for the annual renewal of permits and prescribing the terms and conditions upon which renewals may be granted.

63(1) The *Medical Profession Ordinance*, chapter M-6 of the Revised Ordinances of the Yukon Territory, 1971, or any portion thereof, shall be repealed on such day or days as the Commissioner may proclaim. Repeal

63(2) This Ordinance, or any portion thereof, shall come into force on such day or days as the Commissioner may proclaim. Coming into force





ORDINANCES OF THE YUKON TERRITORY  
1979 (2nd), Chapter 13

PARKS ORDINANCE

(Assented to November 15, 1979)

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) | This Ordinance may be cited as the <i>Parks Ordinance</i> .   | Short title   |
| 2(1) | In this Ordinance:<br>"Director" means the Director of Parks appointed pursuant to Section 15(1).<br><br>"Development" means the act of constructing, erecting or placing any building or excavation or other operation on, over or under land or the making of any change in the use or intensity of use of any land, building or premises;<br><br>"historic park" means an area of historic significance which may be used by the public in the re-enactment of an historical event or a landmark which may be stabilized and restored for public viewing, education or enjoyment and without limiting any of the foregoing includes parks, sites, reserves or structures of unique natural or cultural heritage;<br><br>"natural environment park" means an area of sufficient size that contains a variety of natural features such as lakes, streams, mountains and forests with the potential to provide a wide range of outdoor recreation opportunities;<br><br>"nature preserve" means an area of sufficient size that contains outstanding natural features such as river canyons, flora, fauna, unique volcanic, erosional or glacial features, hot springs or any other natural area of unique natural significance which should be protected and preserved in an undisturbed state for viewing, interpretation and | "Director"<br><br>"Development"<br><br>"historic park"<br><br>"natural environment park"<br><br>"nature preserve" |

public enjoyment;

- "Park" "Park" means a Territorial park established pursuant to this Ordinance;
- "parkway" "parkway" means a linear area bordering a recreation or historic travel route such as road, waterway or trail that will be developed and maintained primarily for outdoor recreation activities.
- "park reserve" "park reserve" means an area of unique natural, historic or cultural significance which may be set aside for future parks;
- "recreation park" "recreation park" means an area of sufficient size that is located in proximity to resident population centres and/or travelling tourist populations which is adaptable to intensive use for specific outdoor recreation activities;
- "wilderness preserve" "wilderness preserve" means an area of sufficient size where natural ecological units such as a mountain range, wildlife range, mountain valley, watershed or combination of such units are protected and preserved in their natural state.
- Parklands 3(1) The Commissioner may accept, acquire, set apart, appropriate and develop lands and designate such lands for the purposes of this Ordinance.
- Acquisition of property 4(1) The Commissioner may receive and take from any person by grant, gift, devise, bequest or otherwise, any property, real or personal, or any interest therein, for the purpose of any park.
- Agreements 5(1) The Commissioner may enter into agreements with any person, to establish, develop, maintain or operate a park or any services or facilities within a park.
- Disposal of park lands 6(1) The Commissioner shall not grant, sell or otherwise dispose of lands or an interest in lands set apart and designated as a park or park reserve unless such designation is revoked.

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| 7(1)  | The Commissioner may establish a system of parks to protect unique natural and historic features and to provide for comprehensive outdoor recreational opportunities.  | Park system                  |
| 7(2)  | The Commissioner shall determine the purpose and classification of each park prior to establishing it in the system.   | Establishment of parks       |
| 7(3)  | Parks shall be classified as<br>(a) wilderness preserve<br>(b) nature preserve<br>(c) natural environmental park<br>(d) recreation park<br>(e) parkway<br>(f) historic park or<br>(g) such other classification as may be determined.  | Classification of parks      |
| 8(1)  | The Commissioner may in respect of each class of park prescribe<br>(a) the purpose of the park<br>(b) the selection criteria<br>(c) the area requirements<br>(d) the boundary determinants<br>(e) development restrictions, and<br>(f) management philosophy.                      | Regulations concerning parks |
| 9(1)  | The Commissioner shall limit development in each park to such development as is consistent with the purpose for which the park was established and is reasonably necessary to provide for public use and enjoyment of the park or the preservation of the park and its facilities. | Limit on development         |
| 9(2)  | Notwithstanding subsection (1) the Commissioner may permit development within specified zones in a park created under section 11 where he deems it to be in the best long term economic interest of the Territory.   | Exception                    |
| 10(1) | Prior to any development in a park the Director shall prepare and submit to the Commissioner a master plan containing<br>(a) a statement as to the purpose and classification of the park  | Master plans                 |

- (b) a regional information and market analysis
- (c) an inventory and detailed description of the resources
- (d) a land use zoning scheme
- (e) an environmental impact statement and a strategy for development and management policy
- (f) a phasing and staffing plan and an estimate of funds required for each development phase.

Land use zones	11(1)	The Commissioner may designate areas within parks as land use zones and classify any zone as <ul style="list-style-type: none"><li>(a) a primitive zone</li><li>(b) a natural zone</li><li>(c) a multiple use zone</li><li>(d) a recreation zone</li><li>(e) a historic zone</li><li>(f) such other zone as may be necessary.</li></ul>
Site plans	12(1)	The Director shall prepare for each specific development site in a park a site plan containing a detailed and scaled drawing of all roads and facilities proposed to be constructed or developed in the park.
Advisory committees	13(1)	The Commissioner may appoint committees or boards to perform such advisory functions as he considers necessary or desirable in connection with the planning and administration of parks and fix the terms of reference and procedure of such committees or boards.
Remuneration and expenses	13(2)	Members of committees or boards appointed pursuant to subsection (1) may be paid their travel and living expenses while away from their place of residence and may be paid such remuneration as may be fixed by the Commissioner.
Public opinion	14(1)	The Commissioner may <ul style="list-style-type: none"><li>(a) arrange for the holding of public meetings or hearings for the purpose of obtaining public participation on proposals to establish a park; and</li><li>(b) consult with representatives of those persons</li></ul>

residing in or near the location of a proposed park who may be affected by the establishment of the park.

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| 15(1) | The Commissioner may appoint a Director of Parks and such other park officers as may be required for the administration and management of parks and the enforcement of this Ordinance and the regulations.  | Director and officers             |
| 16(1) | Each park shall be administered and managed in accordance with its purpose and use.   | Administration and management     |
| 17(1) | The Commissioner may, in respect of any park,<br>(a) construct, operate or provide outdoor recreational facilities or commercial recreation services described in the master plan for the convenience and benefit of the public;<br>(b) make agreements with persons respecting the establishment or operation of any facilities or services. | Facilities and services           |
| 18(1) | Except as provided in the regulations, no person may engage in or carry on any activity, use, occupancy or development in a park without a park use permit.   | Park use permits                  |
| 19(1) | The Commissioner may in accordance with the master plan issue or grant a lease or a licence of occupation for any park land.  | Occupation of park land           |
| 20(1) | A park officer who has reasonable grounds to believe and does believe that an offence has been committed against this ordinance may search any person, aircraft, vessel, vehicle, tent, dwelling or temporary dwelling in the park or entering or leaving the park.   | Search of persons, vehicles, etc. |
| 20(2) | A park officer may seize any article which he has reasonable grounds to believe and does believe was used in contravention of this ordinance.   | Seizure of articles               |
| 20(3) | Any article seized pursuant to this section shall be forthwith taken before a Justice of the Peace.   | Seized articles                   |



Forfeiture	20(4)	Upon the conviction of a person for an offence under this Ordinance, the Justice before whom the case was heard may declare the forfeiture to the Territory of anything seized under this section.
Disposal of forfeited articles	20(5)	The Commissioner may dispose of anything declared forfeited under this section in any way he deems fit and the proceeds thereof shall be deposited to the credit of the Yukon Consolidated Revenue Fund.
Perishable articles	20(6)	Notwithstanding subsection (5) a Justice may in any case direct the immediate disposal of any perishable article for the benefit of any charitable institution or needy person.
Offences	21(1)	Any person committing an offence under the Ordinance or regulations will be liable on summary conviction, in the case of an individual, to a fine of not more than \$2,000 or imprisonment of not more than two years, or both, and in the case of a corporation, to a fine of not more than \$25,000.
Recovery of repair costs	21(2)	Where a natural resource or outdoor recreation facility in a park is altered or destroyed in contravention of this Ordinance, the Commissioner may cause it to be restored or repaired, and the Commissioner may by action recover the cost of the restoration or repair from the person who caused the alteration or destruction of the resource or facility.
Recovery of damages	21(3)	Where a natural resource or outdoor recreation facility in a park is altered or destroyed in contravention of this Ordinance in such a manner that it cannot be restored or repaired, the Commissioner may by action recover damages for the loss of the resource or facility from the person who caused the alteration or destruction of the resource or facility.
Regulations	22(1)	The Commissioner may make such regulations as he deems necessary to carry out the purposes of this Ordinance and may make regulations (a) for the care, preservation, improvement, control and management of parks,

- (b) controlling any use, activity or development in any area of a park in accordance with the master plan and the zone designation of that area,
- (c) governing and controlling the issuance of park use permits and for prescribing the fees, rentals or deposits payable for any permit, lease or other right issued,
- (d) prescribing the maximum period of stay in a park,
- (e) concerning architectural standards and the posting of sign boards, advertisements, etc.,
- (f) for the keeping of animals, control of fires, and public health and safety,
- (g) prescribing forms,
- (h) regulating public conduct in a park,
- (i) controlling and regulating hunting, fishing, trapping, discharging firearms, cutting of timber, impoundment of water, mineral exploration and extraction,
- (j) regulating and controlling the use of any lands in a park.

23(1) This Ordinance or any provision thereof shall come into force on such day or days as the Commissioner may proclaim.

Coming into force



ORDINANCES OF THE YUKON TERRITORY  
1979 (2nd), Chapter 14

RETIREMENT PLAN BENEFICIARIES ORDINANCE

(Assented to October 25, 1979)

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

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|------|---|--------------------------------|
| 1(1) | This Ordinance may be cited as the <i>Retirement Plan Beneficiaries Ordinance</i> .   | Short title                    |
| 2(1) | In this Ordinance<br>"annuity" includes an amount payable on a periodic basis, whether payable at intervals longer or shorter than a year;<br><br>"participant" means a person who is entitled to designate another person to receive a benefit payable under a plan on the first person's death;   | "annuity"<br><br>"participant" |
|      | "plan" means<br>(i) a pension, retirement, welfare or profit-sharing fund, trust, scheme, contract or arrangement for the benefit of employees, former employees, agents or former agents of an employer or their dependants or beneficiaries, whether established by or pursuant to a statute or otherwise, or<br>(ii) a fund, trust, scheme, contract or arrangement for the payment of an annuity for life or for a fixed or variable term or under which moneys are paid for the purpose of providing, upon the happening of a specified event, for the purchase of, or the payment of, an annuity for life or for a fixed or variable term,<br><br>created before or after the commencement of this section; and | "plan"                         |
|      | "will" has the same meaning as in the <i>Wills Ordinance</i> .  | "will"                         |

Designate a benefit	3(1)	A participant may designate a person to receive a benefit payable under a plan on the participant's death (a) by an instrument signed by him or signed on his behalf by another person in his presence and by his direction, or (b) by will, and may revoke the designation by either of those methods.
Designa- tion in will	4(1)	A designation in a will is effective only if it refers to the plan either generally or specifically.
Revoca- tion in will	5(1)	A revocation in a will of a designation made by an instrument is not effective to revoke the designation made by the instrument unless the revocation refers to the plan or the designation either generally or specifically.
Later designa- tion	6(1)	Notwithstanding anything to the contrary in the <i>Wills Ordinance</i> , a later designation revokes an earlier designation to the extent of any inconsistency.
Revoca- tion of will	7(1)	Revocation of a will is effective to revoke a designation in the will that is revoked.
Invalid will	8(1)	A designation or revocation contained in an instrument purporting to be a will is not invalid by reason only of the fact that the instrument is invalid as a will.
Revoca- tion of invalid will	9(1)	A designation in an instrument that purports to be, but is not, a valid will is revoked by an event that would have the effect of revoking the instrument if it had been a valid will.
No revival	10(1)	Revocation of a designation does not revive an earlier designation.
Effective date of designation	11(1)	Notwithstanding the <i>Wills Ordinance</i> , a designation or revocation in a will is effective from the time when the will is signed.

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|-------|--|-------------------------------------|
| 12(1) | After the death of a participant who has made a designation that is in effect at the time of his death, the person designated may enforce payment of the benefit payable to him under the plan, but the person against whom the payment is sought to be enforced may set up any defence that he could have set up against the participant or his personal representative.                                      | Rights of designated person         |
| 13(1) | Where this Ordinance is inconsistent with a plan, this Ordinance applies to the extent of any inconsistency unless<br>(a) the inconsistency relates to a designation made or proposed to be made after the making of a benefit payment, and<br>(b) the benefit payment so made would have been different if the designation had been made before the benefit payment was made, in which case the plan applies. | Conflict between Ordinance and plan |
| 14(1) | This Ordinance does not apply to a contract of insurance nor to a designation or revocation of a designation to which the <i>Insurance Ordinance</i> applies.  | Application of Ordinance            |
| 15(1) | This Ordinance shall come into force on the day of assent.   | Coming into force                   |
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ORDINANCES OF THE YUKON TERRITORY  
1979 (2nd), Chapter 15

AN ORDINANCE TO AMEND THE SUPREME COURT ORDINANCE

(Assented to October 25, 1979)

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) The *Supreme Court Ordinance* is amended by repealing section 4 thereof and substituting the following therefor:

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|-------|---|------------------|
| "4(1) | The Court shall consist of two judges appointed by the Governor in Council and such <i>ex officio</i> and deputy judges as may be appointed from time to time by the Governor in Council;   | Members of Court |
| (2)   | The judge first appointed shall establish such sittings and assign such judges or deputy judges to sittings as is required for the due dispatch of the business of the Court and shall give such directions and notice as may be required." | Senior judge     |

2(1) This Ordinance shall come into force on the day of assent. Coming into force

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ORDINANCES OF THE YUKON TERRITORY  
1979 (2nd), Chapter 16

AN ORDINANCE TO AMEND THE TAXATION ORDINANCE

(Assented to October 25, 1979)

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

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|-------|---|--------------------|
| 1(1)  | Sections 1 to 67 of the Taxation Ordinance are repealed and the following substituted therefor:   | Short title        |
| "1(1) | This Ordinance may be cited as the Assessment and Taxation Ordinance.   |                    |
| 2(1)  | In this Ordinance,  |                    |
|       | "arrears of taxes" means taxes unpaid and outstanding after the expiry of the year in which they were imposed, and includes penalties for default in payment; | "arrears of taxes" |
|       | "assessment roll" means the assessment roll in respect of the taxing authority within whose jurisdiction the property assessed lies;                          | "assessment roll"  |
|       | "assessor" includes the Chief Assessor;   | "assessor"         |
|       | "assessed value" means the value of land or improvements, or both, as determined under section 11, 12 or 13, as the case may be;                              | "assessed value"   |
|       | "authority" means a taxing authority;   | "authority"        |
|       | "collector" or "collector of taxes" means   | "collector"        |

- (a) in respect of areas not within a municipality, the Territorial Treasurer, and
- (b) in respect of a municipality, the treasurer of the municipality;

"depreciation"

"depreciation" means loss in value attributable to any cause;

"improvement"

"improvement" means an improvement to real property and includes

- (a) any thing erected or placed in, upon or under land, or affixed to land, so that without special mention it would be transferred by a transfer of land, and
- (b) any thing erected or placed in or upon, or affixed to an improvement, so that without special mention it would be transferred by a transfer of land;

"land"

"land" means physical land and includes land covered by water, but does not include coal, minerals, oil, gas, gravel or other substances occurring naturally in or under land;

"local improvement"

"local improvement" means any of the following works or any combination of them:

- (a) opening, widening, straightening, extending, grading, levelling, diverting or paving a street,
- (b) constructing a sidewalk, footcrossing, curbing, bridge, culvert or embankment forming part of a street, or constructing a system of storm drainage,

- (c) making, deepening, enlarging, or lengthening a common sewer or water main,
- (d) making sewer or water service connections to the street line on land abutting the main,
- (e) constructing a conduit for wires or pipes along or under a street,
- (f) providing other services normally found in organized communities, and
- (g) reconstructing or replacing any of the works mentioned;

"mobile home" means any structure whether equipped with wheels or not and whether self-propelled or not, that

"mobile home"

- (a) is used or designed for use as a dwelling or sleeping place, and
- (b) is constructed or manufactured to be moved from one point to another by being towed or carried;

"municipality" means a municipality established under the Municipal Ordinance;

"municipality"

"occupant" or "occupier" means a person who occupies property that is exempt from taxation under paragraph 49(1)(a) or (b), and includes a squatter on such property;

"occupant"

"owner" means an owner of real property and includes a person who, for the time being,

"owner"

- (a) is entitled to the possession of the property,
- (b) is in possession of the property, or
- (c) has any right, title, estate or interest in real property,

but does not include an occupant or mortgagee;

- "person" "person" includes a partnership;
- "pipeline" "pipeline" means any pipe designed for or used in the commercial conveyance or transmission of any substance;
- "prescribed" "prescribed" means prescribed by a regulation of the Commissioner or a by-law of a municipality;
- "real property" "real property" means land and improvements;
- "Registrar" "Registrar" means the Registrar of Land Titles for the Yukon Land Registration District;
- "regulation" "regulation" means in the case of the Commissioner, a regulation pursuant to this Ordinance, and in the case of a municipality, a by-law of the municipality;
- "taxes" "taxes" includes
- (a) taxes or charges levied under this Ordinance or the Municipal Ordinance,
  - (b) taxes or charges levied in relation to real property for local improvements under the Dawson City Utilities Replacement Ordinance, the Community Assistance Ordinance, the Local Improvement District Ordinance, or the Financial Administration Ordinance,
  - (c) taxes under the School Ordinance,
  - (d) any interest or penalties payable in respect of unpaid taxes or charges, and

(e) charges placed on a tax roll for collection;

"taxing authority" means

"taxing authority"

(a) in respect of real property outside of a municipality, the Commissioner, and

(b) in respect of real property in a municipality, the municipality;

"trailer" means any structure, other than a mobile home, whether ordinarily equipped with wheels or not, that is constructed or manufactured to be moved from one point to another by being towed or carried; and

"trailer"

"trustee" means an executor, administrator, guardian, committee, receiver or any person having or taking upon himself the possession, administration or control of property affected by an express trust, or having by law possession, management and control of the property of a person under any legal disability.

"trustee"

3(1) A trailer or mobile home is not an improvement while it is registered or deemed to be registered under the Motor Vehicles Ordinance.

Trailers and mobile homes

(2) Notwithstanding subsection (1) or section 2, a trailer or mobile home shall be deemed to be an improvement for the time being if  
(a) it has remained for a period of twelve months on the land on which it is found, or  
(b) it is ordinarily used for any purpose on the land on which it is found.

Exception

(3) Unoccupied mobile homes and trailers that are the stock in trade of a

Mobile home dealers

dealer in mobile homes or trailers shall not be assessed for the purposes of this Ordinance.

- Exemptions (4) The taxing authority may make regulations providing for the exemption of trailers and mobile homes from the application of subsection (2).
- Registration (5) The Commissioner may by regulation, and any other taxing authority may by by-law, provide for  
(a) the registration of mobile homes and trailers that are improvements under this Ordinance, and  
(b) the keeping of a register by owners or operators of places where trailers or mobile homes in use for the living, sleeping or eating accommodation of persons are kept.
- Offence (6) An owner of a trailer or mobile home who fails to register his trailer or mobile home when required to do so under subsection (5) commits an offence.
- Where owner unknown (7) Where the owner of a trailer or mobile home is unknown to the Chief Assessor, any person who is in possession of the trailer shall be deemed to be the owner.
- Inspection of register (8) A register kept as required under paragraph (5)(b) shall be open to inspection to any person authorized by the taxing authority to inspect it.

Assessment

- Appointment of assessors 4(1) The Commissioner shall appoint a Chief Assessor and such other

assessors as the Commissioner may deem necessary.

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| (2)  | The Chief Assessor shall<br>(a) supervise and direct the work of assessors,<br>(b) ensure that assessment rolls are prepared and corrected by assessors as required by this Ordinance,<br>(c) ensure that assessors comply with the provisions of this Ordinance in the performance of their duties, and<br>(d) perform such other duties and exercise such other powers as may be prescribed. | Duties of Chief Assessor        |
| (3)  | The Chief Assessor shall be deemed to be a party to all proceedings under this Ordinance, and no decision shall be made in respect of any proceedings under this Ordinance unless the Chief Assessor has been heard or has by notice been given a reasonable opportunity to be heard in connection with the proceedings.   | Right to intervene and be heard |
| 5(1) | An assessor is entitled to enter any real property other than a dwelling at any reasonable time in order to assess the property for the purposes of this Ordinance.  | Right of entry                  |
| (2)  | The owner or person in charge of any real property other than a dwelling entered by an assessor shall give the assessor all reasonable assistance in his power and furnish the assessor with such information as the assessor reasonably may require in order to assess the property for the purposes of this Ordinance.   | Assistance by owner             |
| (3)  | Every person who obstructs an assessor in the exercise of his  | Obstruction of assessor         |



authority under subsection (1), and every person who fails to comply with subsection (2), commits an offence.

- Entry of dwelling 6(1) An assessor is not entitled to enter a dwelling in order to assess the property of which the dwelling is a part unless the assessor is granted permission to do so by an adult person who is actually or apparently in possession of the dwelling.
- Demand for permission (2) Where an assessor does not receive permission to enter a dwelling, he may deliver a demand for permission in the prescribed form to the owner or occupant by mailing it to the address of the owner or occupant contained in the assessment roll.
- Refusal of permission (3) Where an assessor does not receive permission to enter a dwelling within twenty-one days after mailing a demand for permission under subsection (2),  
(a) the assessor may assess the property of which the dwelling forms a part on the basis of the information available to the assessor, and  
(b) in any proceedings relating to the assessment, the onus of proof is on the owner or occupant to establish that the assessed value of the property should be different from the value determined by the assessor.
- Assistance by owner (4) Subject to subsection (1), an owner or occupant of a dwelling shall give to the assessor all reasonable assistance in his power and furnish the assessor with such information as the assessor reasonably may require, in order to assess the property of

which the dwelling forms a part for the purposes of this Ordinance.

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| (5)  | Every person who fails to comply with subsection (4) commits an offence.   | Offence                |
| 7(1) | An assessor may deliver to an owner or occupant of assessable property, other than a dwelling, a notice in the prescribed form requiring the owner or occupant to furnish the assessor with a statement in writing setting forth such information as the assessor reasonably may require in order to assess the property for the purposes of this Ordinance. | Demand for information |
| (2)  | A statement required to be furnished under subsection (1) shall be signed by the owner or occupant and may be delivered to the assessor by leaving it at, or by mailing it to, his office.   | Response to demand     |
| (3)  | An assessor is not bound by any information furnished to him under subsection (2).   | Effect of information  |
| (4)  | Every person commits an offence who<br>(a) fails to comply with a notice delivered to him under subsection (1) by delivering the required statement to the assessor within sixty days of the receipt of the notice by him, or<br>(b) makes a false or misleading statement in response to a notice delivered to him under subsection (1).                    | Offence                |
| 8(1) | Where an assessor is required by this Ordinance to send a notice to any person, he may deliver it to the person personally, or he may send it  | Delivery of notices    |

- to him by certified or registered mail addressed to
- (a) the address of the person set forth in the assessment roll,
  - or
  - (b) such other address of which the assessor has received notice.
- Publication of notice (2) Where an assessor has not received written notice of the address of a person and his address is not set forth in the assessment roll, the assessor may deliver any notice to that person by publishing it in one edition of a newspaper circulating in the territorial jurisdiction of the taxing authority within which any real property lies that is owned or occupied by that person.
- Right to receive notices (3) A person who is an owner or occupant of real property for the purposes of this Ordinance is entitled to receive from the assessor any notices required to be mailed in respect of the real property where his name is on the assessment roll, or he has advised the assessor of his name, address and the description of the property.
- Confidentiality 9(1) Every assessor who communicates to any person not authorized by the regulations any information obtained by the assessor in the course of the performance of his duties commits an offence.
- Information on roll (2) Subsection (1) does not apply to information required to be shown on an assessment roll pursuant to this Ordinance.
- Identification of assessors (3) An assessor shall be issued with a certificate of identification in the prescribed form, and upon entering or seeking to enter any real property

for the purposes of this Ordinance the assessor shall, if so required, produce the certificate to the owner, occupant or person in charge.

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| 10(1) | For the purposes of this Ordinance, all real property shall be assessed for tax purposes, excepting<br>(a) unsurveyed, unoccupied Crown land,<br>(b) in the case of real property used primarily for residential purposes, improvements provided primarily for the beautification of the property, including fences, sidewalks and driveways, and<br>(c) in the case of real property other than real property referred to in paragraph (b), improvements provided primarily for the beautification of the real property, excluding fences, sidewalks and driveways. | Assessable property |
| (2)   | The Commissioner may make regulations requiring a municipality to reimburse the Commissioner for the cost, or portion of the cost, of assessing real property located within the municipality.   | Cost of assessment  |
| 11(1) | Land shall be assessed at its fair value, and a determination of the fair value shall take into consideration<br>(a) the advantages and disadvantages of the location of the land,<br>(b) the quality of the soil,<br>(c) the consideration given for recent purchases of similar land,<br>(d) the purposes for which the land may be used, and<br>(e) such other considerations as the assessor may deem proper.  | Land                |

- Residential use (2) Notwithstanding subsection (1), where land is used chiefly for single-family residential purposes,  
(a) other purposes for which the land may be used, and  
(b) the value of any landscaping, shall not be taken into consideration in determining the fair value of the land.
- Improvements 12(1) Improvements shall be assessed at a value equivalent to their replacement cost.
- "replacement cost" (2) In this section, "replacement cost" means the cost of providing similar improvements in the City of Whitehorse on the date of the assessment.
- Regulations (3) The Commissioner may make regulations respecting the manner in which replacement costs are to be determined for the purposes of subsection (1).
- Determining replacement cost (4) Notwithstanding subsection (3), a determination of the replacement cost of an improvement for the purposes of subsection (1) shall take into consideration  
(a) the type of construction and materials used,  
(b) the quality of construction,  
(c) the age of the improvement, and  
(d) the condition of the improvement.
- Public utilities, etc. 13(1) The pole lines, cables, towers, poles and wires of a communications or power operation, the tracks of a railway company, the pipes of a pipeline corporation used for the transportation of petroleum, petroleum products, gas or other material, whether located on a

privately owned right-of-way or public right-of-way, shall for the purposes of this Ordinance be assessed and taxed as real property and the assessed value thereof shall be computed in a manner prescribed by the Commissioner.

- 14(1) An assessment roll prepared under this Ordinance shall be in the prescribed form and shall set forth, to the best of the information, belief and judgement of the assessor who prepares the assessment roll,
- Assessment roll
- (a) the name and address of each person who is the owner or occupant of real property that is required by this Ordinance to be assessed,
  - (b) for each person referred to in paragraph (a), a description of the land and improvements sufficient to distinguish them from land and improvements that may be owned or occupied by another person,
  - (c) the assessed value of each parcel of land described under paragraph (b),
  - (d) subject to subsection (5), the assessed value of the improvements described under paragraph (b),
  - (e) the total of the assessed values of each parcel of land described under paragraph (b) and, subject to subsection (5), improvements located on the land, and
  - (f) such further information as may be required by the regulations.
- (2) Notwithstanding paragraph (1)(b), surveyed boundaries between parcels of land shall not be disregarded for assessment purposes where
- Disregarding boundaries

- (a) the parcels of land are not assessed in the name of the same person,
  - (b) the boundary between the parcels is not reasonably cohesive,
  - (c) the parcels are not used as a unit for the same principle use,
  - (d) all of the parcels are vacant, or,
  - (e) none of the parcels is being used actively or productively.
- Regulations (3) The Commissioner may make regulations respecting the disregarding of surveyed boundaries between parcels of land for assessment purposes.
- Disregarded boundaries (4) Where a surveyed boundary between parcels of land is disregarded, all of the parcels involved shall be treated as one parcel for assessment purposes.
- Total value of improvements (5) The assessed value of all improvements located on land that is, or that is treated as, one parcel for assessment purposes, shall be expressed on the assessment roll as a total value.
- Improvements on separate parcels (6) The assessed values of improvements located on parcels of land that are not treated as one parcel for assessment purposes shall not be expressed together as part of the same total value on an assessment roll.
- Total assessed value (7) Subject to subsection (5), the total assessed value of all improvements located on a parcel of land that is, or that is treated as, one parcel for assessment purposes shall be added to the assessed value of the parcel of land, and the sum of the assessed

values of the land and improvements is the total assessed value of the real property.

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| 15(1) | No assessment shall be invalid by reason of  | Validity of assessments      |
|       | (a) any defect in form,  |                              |
|       | (b) the omission of assessable property from the assessment roll,  |                              |
|       | (c) the non-return of the assessment roll from the taxing authority to the assessor,   |                              |
|       | (d) an error in any notice, or   |                              |
|       | (e) property having been entered in any class or column of the assessment roll in which it does not belong.  |                              |
| (2)   | Failure to enter in an assessment roll any of the particulars required by this Ordinance shall not affect the liability of any person to taxation by a taxing authority.   | Liability to taxation        |
| (3)   | Where a person is named on an assessment roll as the owner of real property and is in fact not the owner thereof, any taxes levied against the property shall nevertheless be a valid charge against that property.  | Assessment of wrong owner    |
| 16(1) | The Chief Assessor shall ensure that an assessment roll is prepared annually for each taxing authority by an assessor.   | Annual assessment rolls      |
| (2)   | An assessment roll prepared under subsection (1) shall be completed and sent to the collector by the Chief Assessor not later than the fifteenth day of November in the year preceding the year in which taxes are to be levied upon the basis of the assessment roll. | Roll to be sent to collector |



- Return of roll from collector 17(1) Where an assessment roll has been sent to a collector by the Chief Assessor, he shall return it to the Chief Assessor within fifteen days of the day on which he received it, and the collector shall note any errors or omissions found by him in the assessment roll.
- Correction of roll (2) Forthwith upon the receipt of an assessment roll returned to him under subsection (1), the Chief Assessor shall make the necessary corrections to the assessment roll.
- Material errors (3) No material errors or omissions in an assessment roll shall be corrected under this section after the mailing of assessment notices under section 19.
- Clerical errors (4) Clerical errors or omissions in an assessment roll may be corrected by an assessor at any time prior to the commencement of the sittings of the Assessment Review Board.
- Other corrections (5) Except as provided by this section, an assessment roll shall not be corrected except by order of the Assessment Appeal Board or an Assessment Review Board.
- Statement as to corrections 18(1) Where an assessment roll is prepared or corrected by an assessor, a statement in the prescribed form sworn to or affirmed by the assessor shall be affixed to the assessment roll.
- Assessment notices 19(1) Forthwith upon the return of a copy of a corrected assessment roll to a collector under section 17, the Chief Assessor shall  
(a) send by mail, to every person listed in the assessment roll

whose real property or interest in real property is assessed, an assessment notice in the prescribed form, and

- (b) give public notice of the delivery of a copy of the corrected assessment roll to the collector by posting the notice in the office of the taxing authority and publishing the notice for at least two consecutive weeks in a newspaper circulating within the municipality or the area of the Territory to which the assessment roll relates.

(2) Any number of parcels of land assessed in the name of the same person may be dealt with in one assessment notice. Parcels with same owner

(3) A public notice given under paragraph (1)(b) shall contain statements that Contents of notice

- (a) the assessment roll has been deposited in the offices of the assessor and the taxing authority and will remain open for the inspection of any person for a period of thirty days from the date of the notice, and
- (b) any person desiring to complain against the assessment must lodge his complaint in writing in the office of the assessor within thirty days of the mailing of the assessment notice.

Assessment Review Boards

20(1) The Commissioner shall establish from time to time one or more Assessment Review Boards, and he shall prescribe their territorial jurisdiction so that all assessable real property is Establishment and jurisdiction

within the territorial jurisdiction of one Board or another.

Appointment of members

- (2) Each Assessment Review Board shall consist of not less than three members appointed by the Commissioner, one of whom shall be appointed as the Chairman, and another as the Vice-Chairman.

Oath of office

- (3) Every member of an Assessment Review Board shall, before entering upon his duties, take and subscribe such oath or affirmation of office as may be prescribed.

Chairman

- 21(1) The Chairman of an Assessment Review Board is the chief executive officer of the Board and he shall
- (a) supervise and direct the work of the Board, and
  - (b) preside at sittings of the Board.

Vice-Chairman

- (2) If the Chairman is unable at any time for any reason to perform the duties of his office, or if his office is vacant, the Vice-Chairman has and may exercise all the powers and functions of the Chairman.

Quorum and vacancy

- 22(1) A majority of the members of an Assessment Review Board constitutes a quorum, but a vacancy in the membership of the Board does not impair the right of the remainder to act.

Lack of quorum

- (2) Where a quorum of the members of an Assessment Review Board is not present at the time at which a sitting is to be held, the sitting shall be adjourned to the next day that is not a holiday, and so on from day to day until there is a quorum.

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| (3)   | All questions respecting the revision of an assessment roll and the deciding of any complaints with respect thereto shall be decided by a majority of the votes of the members sitting.   | Majority rule             |
| (4)   | The Commissioner may make regulations respecting the conduct of proceedings before Assessment Review Boards.  | Procedural regulations    |
| 23(1) | 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 Assessment Review Board for the hearing of and adjudication upon the complaint.  | Conflict of interest      |
| (2)   | Where any or all of the members of an Assessment Review Board are prevented from acting by subsection (1), the Commissioner may appoint a new Board, or new members to the Board, for the purpose of hearing and adjudicating upon the complaint.   | Avoidance of conflict     |
| 24(1) | The Commissioner shall prescribe annually the date on which each Assessment Review Board shall commence its sittings, but in any event each Board shall commence its sittings on or before the fifteenth day of February in the year in which taxes are to be levied upon the basis of the assessment roll. | Date for sittings         |
| (2)   | The Chief Assessor shall deliver each assessment roll to the appropriate Assessment Review Board on or before the date upon which the Board is required to commence its sittings under subsection (1).  | Delivery of roll to Board |
| 25(1) | An Assessment Review Board shall  | Duties of Board           |

- (a) hear and adjudicate upon all assessment complaints made to it pursuant to this Ordinance in respect of real property within the territorial jurisdiction of the Board, and
- (b) investigate and adjudicate upon assessments, classes of assessments and assessment rolls within its territorial jurisdiction as the Board may deem necessary to ensure that the assessments and assessment rolls are equitable and that they represent fairly the assessment values provided for by this Ordinance.

Powers of Board

- (2) An Assessment Review Board has original jurisdiction to determine all questions respecting the revision of an assessment roll and the adjudication of complaints with respect thereto.

Territorial jurisdiction

- (3) Where a question respecting the revision of an assessment roll or the adjudication of a complaint with respect thereto is not wholly within the territorial jurisdiction of one Assessment Review Board, the Commissioner may decide which Board shall deal with the matter.

Complaints

- 26(1) A complaint relating to an entry on an assessment roll in relation to real property may be made to the Assessment Review Board within whose territorial jurisdiction the property lies, where the complainant alleges that
  - (a) the name of a person has been wrongfully inserted in or omitted from the roll,

- (b) real property has been wrongfully entered upon or omitted from the roll,
  - (c) real property has been valued at too high or too low an amount,
  - (d) land has been improperly classified according to region, class or use, or
  - (e) an exemption has been improperly allowed or disallowed.
- (2) A complaint shall not be made by any person except
- (a) a person whose name appears on the assessment roll, or who is entitled to have his name placed on the assessment roll,
  - (b) an assessor, or
  - (c) the taxing authority in respect of which the assessment roll has been prepared.
- (3) Every complaint shall be mailed to or left with the assessor within thirty days of the mailing of the assessment notice.
- (4) Every complaint shall be in writing, signed by or on behalf of the complainant, and shall
- (a) state in general terms the grounds for and nature of the complaint,
  - (b) describe the property that is the subject matter of the complaint, and
  - (c) set forth the name and address of the complainant.
- (5) A person authorized to make a complaint may make the complaint through his solicitor or agent, in which case the complaint shall set forth the name and address of the
- Complaints
- Delivery of complaints
- Contents of complaints
- Complaint by agent, etc.

solicitor or agent as well as the name and address of the complainant.

Notice to agent, etc.

(6) Any notice required to be given to a complainant who makes a complaint through his solicitor or agent under subsection (5) shall be deemed to have been given to the complainant if it is given to the solicitor or agent at the address set out in the complaint.

Notice of sittings

27(1) The assessor shall give every complainant not less than ten days written notice of the time, date and place fixed for the sitting of the Assessment Review Board that will hear the complaint.

Notice to interested persons

(2) Where a complaint relates to real property of which a person other than the complainant is the owner or occupant, the assessor shall give each such person not less than ten days written notice of the time, date and place fixed for the sitting of the Assessment Review Board that will hear the complaint, and the notice shall specify the nature of the complaint.

Witnesses and documents

28(1) An Assessment Review Board has power to require the attendance, swearing and examination of witnesses and the production and inspection of documents.

Subpoenas

(2) A party in any proceedings before an Assessment Review Board may obtain from a member of the Board a subpoena requiring the attendance of any person as a witness to give evidence at the hearing of the complaint before the Board, and the subpoena shall be signed by the member of the Board who issues it.

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| (3)   | Every witness served with a subpoena described in subsection (2) and paid the required witness fee as in an action before a Judge shall be bound to attend and give evidence to the Assessment Review Board.   | Witness fees              |
| (4)   | Every person who fails to comply with a subpoena or an order of an Assessment Review Board under this section commits an offence.  | Offence                   |
| 29(1) | An Assessment Review Board may hear all complaints arising out of an assessment roll on the same day, or if deemed advisable, adjourn from time to time until all complaints have been heard and determined.   | Hearing of complaints     |
| (2)   | An Assessment Review Board may hear and determine a complaint, whether the complainant or any other person is present or not.  | Absence of party          |
| (3)   | An Assessment Review Board may, after hearing a complaint, postpone consideration thereof to some future time and the complainant shall, if required by the Board, produce all relevant books, papers and documents and answer all proper questions and give all necessary information affecting the property or matter under consideration. | Postponement              |
| 30(1) | Where an Assessment Review Board is of the opinion that a complaint is frivolous, it may refuse to hear or adjudicate upon the complaint in whole or in part.  | Frivolous complaints      |
| (2)   | Where an Assessment Review Board omits, neglects or refuses to hear or adjudicate upon a complaint by the date fixed under subsection (1), the assessor shall immediately advise the complainant in writing of his right   | Refusal to hear complaint |



to appeal, and the notice shall be sent by mail to the post office address contained in the complaint.

Notice of decision

31(1) Not later than six days following completion of the sittings of an Assessment Review Board, the assessor shall notify in writing by registered or certified mail, each complainant and person affected as to the decision of the Assessment Review Board in respect of the complaint.

Completion of hearings

32(1) Each Assessment Review Board shall, before the fifteenth day of March in each year,  
(a) complete the hearing and determination of all complaints made to it under this Ordinance,  
(b) complete its investigation of assessments, classes of assessments and assessment rolls within its territorial jurisdiction, and  
(c) direct an assessor to amend assessment rolls within the territorial jurisdiction of the Board to give effect to the findings and decisions of the Board.

Amendment of roll

(2) Where an assessor is directed to amend an assessment roll under paragraph (1)(c), he shall do so within seven days, and he shall return the roll forthwith to the Chairman of the Assessment Review Board.

Certification of amendments

(3) Amendments made to the assessment roll by an assessor in accordance with the instructions of an Assessment Review Board shall be dated and initialled by the assessor.

or stamped with a symbol representing the date and his initials.

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| (4) | Forthwith upon the receipt of an amended assessment roll under subsection (2), the Chairman shall     | Verification of roll |
|     | (a) verify that the roll has been amended according to the directions of the Board,                   |                      |
|     | (b) authenticate the roll by affixing to it a sworn or affirmed statement in the prescribed form, and |                      |
|     | (c) forward the authenticated assessment roll to the taxing authority.                                |                      |

Assessment Appeal Board

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| 33(1) | The Commissioner shall establish an Assessment Appeal Board.  | Establishment          |
| (2)   | The Assessment Appeal Board shall consist of three members appointed by the Commissioner, one of whom shall be appointed as the Chairman, and another as the Vice-Chairman. | Appointment of members |
| (3)   | Every member of the Assessment Appeal Board shall, before entering upon his duties, take and subscribe such oath or affirmation of office as may be prescribed.             | Oath of office         |
| 34(1) | The Chairman of the Assessment Appeal Board is the chief executive officer of the Board and he shall  | Chairman               |
|       | (a) supervise and direct the work of the Board, and   |                        |
|       | (b) preside at sittings of the Board.   |                        |
| (2)   | If the Chairman is unable at any time for any reason to perform the duties of his office, or if his office is vacant, the Vice-Chairman has and may                         | Vice-Chairman          |

- exercise all the powers of the Chairman.
- Quorum and vacancy**                    35(1)    A majority of the members of the Assessment Appeal Board constitutes a quorum, but a vacancy in the membership of the Board does not impair the right of the remainder to act.
- Conflict of interest**                36(1)    No person interested directly or indirectly in any real property in connection with any assessment to which a proceeding before the Board relates shall act as a member of the Board in relation thereto.
- Avoidance of conflict**            (2)       Where any or all of the members of the Assessment Appeal Board are prevented from acting under subsection (1), the Commissioner may appoint a new Board, or new members to the Board, for the purposes of the proceeding.
- Secretary**                            37(1)    There shall be a Secretary of the Assessment Appeal Board, who shall be appointed by the Commissioner.
- Duties of secretary**                (2)       The Secretary of the Assessment Appeal Board shall
- (a) keep a record of all proceedings conducted before the Board or any member of the Board,
  - (b) have the custody and care of all records, regulations, documents and orders made by or pertaining to the Board, and
  - (c) obey the directions given to him by the Chairman or the Board relating to his office.
- Evidence**                            38(1)    All evidence received by the Assessment Appeal Board shall be given under oath or affirmation,

which may be administered as the Board may direct, and the Board may receive evidence orally or by affidavit or declaration as it may deem proper.

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| (2)   | The Assessment Appeal Board may make rules regulating the conduct of its proceedings.  | Rules of procedure                 |
| 39(1) | The Assessment Appeal Board shall have<br>(a) exclusive appellate jurisdiction throughout the Territory to hear and adjudicate upon questions of fact, and<br>(b) appellate jurisdiction throughout the Territory to hear and adjudicate upon questions of law, and questions of mixed fact and law,<br>arising out of proceedings before or decisions of Assessment Review Boards, and the Assessment Appeal Board shall have all the powers of an Assessment Review Board to investigate, hear and adjudicate upon questions of fact and law, and questions of mixed fact and law. | General and exclusive jurisdiction |
| (2)   | Without limiting the generality of anything contained in this Ordinance, the Assessment Appeal Board shall have appellate jurisdiction to determine the extent, if any, to which<br>(a) land or improvements have been valued at too high or too low an amount,<br>(b) land or improvements have been properly classified as to region, class or use,<br>(c) land or improvements have been wrongfully entered or omitted from the assessment roll,  | Appellate jurisdiction             |

- (d) the value at which an individual parcel of land or an individual improvement is assessed bears a fair and just relation to the value at which similar land or improvements are assessed in the area within which it is situated, and
  - (e) an exemption has been properly allowed or disallowed.
  
- Investigatory jurisdiction (3) The Assessment Appeal Board shall have original jurisdiction to investigate and adjudicate upon assessments, classes of assessments and assessment rolls to ensure that the assessments and assessment rolls are equitable and that they represent fairly the assessment values provided for by this Ordinance.
  
- General powers on appeal (4) On an appeal from the decision of an Assessment Review Board in respect of the assessment of real property, the Assessment Appeal Board may reopen the whole question of assessment on that property so that omissions from, or errors in, the assessment roll may be corrected, and an accurate entry of assessment for that property may be placed on the assessment roll.
  
- Duty to hear appeals (5) The Assessment Appeal Board shall not refuse to hear and adjudicate upon any appeal made to it pursuant to this Ordinance.
  
- Appeals to Board 40(1) An appeal on a question of fact arising out of proceedings before or a decision of an Assessment Review Board lies to the Assessment Appeal Board at the instance of
  - (a) any person who was a party to the proceedings or who is an owner or occupant of property

- that is affected by the decision,
- (b) the authority in respect of which the assessment roll has been prepared, or
  - (c) an assessor.
- (2) Except by special leave of the Assessment Appeal Board, an appeal to the Assessment Appeal Board shall not be commenced after the expiration of thirty days from the mailing of the notice of the decision of the Assessment Review Board pursuant to subsection 31(1). Deadline for appeals
- (3) An appeal shall be commenced by delivering a notice of appeal in the prescribed form to the assessor either personally or by registered or certified mail. Commencement of appeal
- (4) An appellant shall, with his notice of appeal, deposit with the assessor the sum of ten dollars in respect of each property to which the appeal relates, and in the event of the complaint being allowed, the sum deposited shall be returned to the appellant, but otherwise it shall form part of the general revenue of the Yukon Consolidated Revenue Fund. Appeal deposit
- (5) As soon as the time for the commencement of appeals has passed, the assessor shall notify the Board of any appeals, giving the names and mailing addresses of the appellants and a brief statement of the grounds of each appeal. Notice to Board
- (6) The Board shall appoint a time, date and place for the hearing of appeals. Hearing of appeals

- Notice of hearing (7) At least ten days before an appeal is to be heard, the Board shall inform the appellant and the assessor of the time, date and place fixed for the hearings.
- Witnesses and documents (8) On the appeal, witnesses may be produced by any of the persons affected by the appeal, and may be required to give evidence and to produce books, papers, documents or writings in their possession relating to the appeal.
- Subpoenas (9) A party to an appeal may obtain from the Board a subpoena requiring the attendance of a witness at the hearing of the appeal.
- Absence of party (10) An appeal may be heard and determined whether or not the person against whom or by whom it is made is present.
- Inquiry on appeal 41(1) The Assessment Appeal Board may authorize the assessor or any other person to make an inquiry and report on matters relating to proceedings before the Board, and the Board may direct by whom, and in what proportions and amounts, the costs and expenses of the inquiry and report are to be paid.
- Delegation of powers to member (2) The Board may authorize one of its members to conduct any of the business of the Board for and on behalf of the Board, and a member authorized to conduct such business has and may exercise all of the powers and functions of the Board, but an order made by one such member for the final determination of an appeal does not become absolute until it has been confirmed by an order of the Board.

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| 42(1) | The costs of proceedings before the Assessment Appeal Board may be paid or apportioned between the persons affected by the appeal in such manner as the Board deems fit, and the order of the Board in that regard may be filed in the Supreme Court and is enforceable in the same manner as if it were an order of the Court. | Costs               |
| 43(1) | After the Assessment Appeal Board has heard and determined all the appeals, it shall report to the assessor, who shall forthwith make the changes, if any, ordered to be made in the assessment roll and initial and date each change in red ink, and attach a copy of the report to the assessment roll.                       | Report to assessor  |
| (2)   | The Assessment Appeal Board shall forthwith mail a copy of its decision to the parties in the appeal, to the collector, and to the Chairman of the Assessment Review Board appealed from.   | Notice of decision  |
| 44(1) | Every decision of the Assessment Appeal Board prevails over a decision of an Assessment Review Board, to the extent of any conflict between their decisions.  | Effect of decision  |
| 45(1) | Copies of official documents and orders filed in the office of the Assessment Appeal Board, certified by the Chairman or Secretary to be true copies of the originals, are admissible as evidence without proof of the signature, in all courts in Yukon.   | Proof of documents  |
| (2)   | Any person may, upon payment of the prescribed fee, obtain from the Secretary a certified copy of any   | Copies of documents |



		order of the Assessment Appeal Board.
Offence	46(1)	A person who fails to comply with a direction or order of the Assessment Appeal Board commits an offence.
No increase of assessment	47(1)	An Assessment Review Board or the Assessment Appeal Board shall not direct the assessor to amend an assessment roll to reflect an increase in the assessed value of any real property unless all persons whose names appear on the assessment roll in respect of that property have been heard or have by notice been given a reasonable opportunity to be heard by the Board in connection with the increase.
Submissions to Court	48(1)	Where a question of law arises in the course of proceedings relating to an appeal before the Assessment Appeal Board, the Board may, on its own initiative or at the request of a person who may be affected by the proceedings, submit the question of law to the Court for decision.
Adjournment of proceedings	(2)	The Board may make a submission to the Court under subsection (1) at any time during the proceedings, but the proceedings shall be adjourned, and the decision of the Board upon the appeal shall not be given,  (a) until after the expiration of thirty days from the day the decision of the Court is pronounced, or within such additional time as the Judge who made the Order or a judge of the Court of Appeal may allow; or  (b) where a notice of appeal in respect of the decision of the Court is given to the Court of

Appeal within the time limited by paragraph (a), until the decision of the Court of Appeal is pronounced.

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| (3)     | Where a submission is made to the Court in respect of proceedings before the Assessment Appeal Board, the decision of the Board upon the appeal shall comply with the decision of the Court, or the Court of Appeal, as the case may be.  | Decision upon submission           |
| (4)     | The costs of proceedings before a court under this section shall be in the discretion of the court.   | Costs                              |
| (5)     | The Commissioner may make regulations respecting the manner and form in which questions may be submitted to the Court under this section.   | Regulations concerning submissions |
| (6)     | Where a question is submitted to the Court under subsection (1), it shall be brought on for hearing before the presiding judge in Chambers within one month from the date upon which the submission is filed in the Registry of the Court, and the Court shall pronounce its decision upon the submission and transmit a copy of its decision to the Board within two months of the date on which the submission is first brought on for hearing. | Submission to be heard             |
| 48.1(1) | An appeal lies to the Court on a point of law from any decision of the Assessment Appeal Board at the instance of any party to the proceedings in respect of which the appeal is made.  | Appeal to Court                    |
| (2)     | No appeal shall be commenced under subsection (1) after the expiration of thirty days from the mailing of   | Time for appeals                   |

the notice of the decision of the Assessment Appeal Board under subsection (2).

Taxation and Exemption

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| Taxable property   | 49(1) | All real property that is required by this Ordinance to be assessed is taxable, except real property<br>(a) of which Her Majesty is the beneficial owner,<br>(b) of which the municipality or Local Improvement District within which the property is located is the beneficial owner,<br>(c) that is used exclusively as a cemetery, or<br>(d) that consists of any land, or any improvement, or any part of any land or improvement, that is held by or for the use of any religious body and is used chiefly for divine service, public worship, religious education or community service. |
| Religious property | (2)   | Notwithstanding paragraph (1)(d), real property of which a religious body is the beneficial owner is taxable in respect of local improvements and the provision of utility services to the property.  |
| Taxes payable      | 50(1) | Except as otherwise provided by this or any other Ordinance, taxes levied under this Ordinance by a taxing authority are payable in respect of all taxable property within the jurisdiction of the taxing authority.  |
| Taxes are a debt   | (2)   | Taxes payable under subsection (1) are a debt due to the taxing authority by the person who is, for the time being, the owner of the  |

property, and where there is more than one owner in respect of any real property, the taxes are a debt due by them to the authority jointly and severally.

- (3) Where real property that is exempt from taxation under paragraph 49(1)(a) or (b) is occupied for the time being by any person otherwise than in an official capacity as an agent or servant of the municipality, the Local Improvement District or Her Majesty, or a member of the Visiting Forces as defined in the Visiting Forces Act,
  - (a) taxes shall be levied by the taxing authority in respect of the real property, and
  - (b) the taxes levied under paragraph (a) are a debt due to the taxing authority by the occupant of the real property, and where there is more than one occupant of any real property, the taxes are a debt due by them to the taxing authority jointly and severally.

Taxes on exempt property

- 51(1) The Commissioner by regulation may exempt any person or class of persons wholly or partially from their liability to pay taxes levied by the Commissioner under this Ordinance, and to the extent of the exemption granted, the taxes thereafter shall be deemed not to have been levied.

Exemptions by Commissioner

- (2) The Commissioner shall review every regulation made under subsection (1) each year before the anniversary date of the making of the regulation.

Review of exemptions

- (3) An exemption may be granted under subsection (1) for a fixed term.

Term of exemptions

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| Person<br>named on<br>roll           | 52(1) | Where a person is named on an assessment roll as the owner or occupant of land or improvements, he shall be deemed in the absence of evidence to the contrary to be the owner or occupant of the land or improvements for the purposes of this Ordinance.   |
| Owner of<br>land and<br>improvements | (2)   | The owner of real property shall be deemed for the purposes of this Ordinance to be the owner of improvements located on the property, but where exempt property is occupied under subsection 50(3), the occupant shall be deemed for the purposes of this Ordinance to be the owner or occupant of improvements located on the property. |
| Unknown<br>owner                     | (3)   | Where the name of the owner of real property is unknown, a person who is in possession of the real property shall be deemed in the absence of evidence to the contrary to be the owner of the property.   |
| Name on<br>Land Titles<br>records    | (4)   | Where a person is named in the records of the Land Titles Office as the owner of real property, he shall be deemed in the absence of evidence to the contrary to be the owner of the property for the purposes of this Ordinance.   |
| Property in<br>trust                 | (5)   | Where real property is held in trust, the trustee in his representative character shall be deemed to be the owner of the real property for the purposes of this Ordinance.  |
| Onus of<br>proof                     | (6)   | In any proceedings under this Ordinance, the onus of proof that a person  |

- (a) is not an owner or occupant of land or improvements under subsection (1),
  - (b) is not the owner or occupant of improvements under subsection (2),
  - (c) is not the owner of real property under subsection (3) or (4),
  - (d) holds property in a representative character under subsection (5),
- is on the person making the allegation.
- (7) More than one person may be entered upon the assessment roll as the owners or occupiers of any real property. Joint owners
- 53(1) The Commissioner shall, by regulation made on or before the fifteenth day of April in each year, levy taxes in accordance with this Ordinance upon all taxable real property that is not within a municipality. Levy of taxes
- (2) Each taxing authority other than the Commissioner shall, by by-law made on or before the fifteenth day of April in each year, levy taxes in accordance with this Ordinance upon all taxable real property that is within its jurisdiction. Levy of taxes
- (3) A taxing authority may, in respect of taxes levied under this section,
- (a) vary tax rates from year to year,
  - (b) divide its jurisdiction into regions, and vary the tax rate from region to region, and
  - (c) establish different classes of real property, and vary the tax rate according to the class of real property to be taxed. Variables

School Tax

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| Levy of school tax              | 54(1) | The Commissioner shall, by regulation made on or before the first day of April in each year, levy school taxes in accordance with this Ordinance on all taxable real property in the Territory.  |
| Variables                       | (2)   | The Commissioner may, in respect of taxes levied under this section,<br>(a) vary tax rates from year to year,<br>(b) divide the Territory into regions, and vary the tax rate from region to region, and<br>(c) establish different classes of real property, and vary the tax rate according to the class of real property to be taxed.   |
| Debt due                        | (3)   | Notwithstanding subsection 50(2), taxes levied under this section in respect of real property within a municipality are a debt due to the municipality.  |
| Taxes collected by municipality | (4)   | Subject to section 66, school taxes collected by a municipality are a charge on the revenue of the municipality and shall be paid in full to the Territorial Treasurer at such times as the Commissioner may direct.   |
| Uncollected taxes               | (5)   | Where the Commissioner is of the opinion that a municipality is not making a reasonable effort to collect any delinquent school taxes, he may give a notice to the municipality to pay the delinquent taxes to the Territorial Treasurer, and upon the receipt of the notice the amount of the delinquent taxes specified in the notice shall be deemed, as between the Commissioner and the |

municipality, to have been collected by the municipality.

55(1)	The amount of taxes payable in respect of taxes levied under section 53 or 54 shall be determined by applying the tax rate to the assessed value of the real property.	Amount of taxes
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56(1)	Where a local improvement is constructed outside a municipality, the Commissioner may, by regulation, levy a local improvement tax upon real property that abuts upon, or that benefits directly or indirectly from, the construction of the local improvement.	Local improvement taxes
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(2)	<p>Where, in the opinion of the Commissioner, the construction of a local improvement benefits a region at large directly or indirectly,</p> <p>(a) the Commissioner may by regulation define the region, and it shall be deemed to be benefitted by the construction of the local improvement, and</p> <p>(b) the liability of a person to pay the local improvement tax shall not be greater in relationship to the total amount sought to be raised by the local improvement tax than the amount of tax that he is liable to pay under section 53 bears in relationship to the total amount payable under section 53 in respect of the region.</p>	Improvement benefitting a region
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(3)	Where in the opinion of the Commissioner, the construction of a local improvement benefits property that abuts upon the improvement, or property that the Commissioner deems to be property that abuts upon the improvement, the local improvement	Improvement benefitting adjacent property
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tax shall be levied in respect of the property benefitted at a uniform rate per metre of assessable frontage.

Division of levy

(4) The Commissioner may levy a local improvement tax partly under subsection (2) and partly under subsection (3) where he considers it appropriate to do so.

Amount of tax

(5) The amount of tax payable in respect of a tax levied under this section shall be determined

- (a) in the case of a local improvement that benefits a region under subsection (2), by applying the tax rate to the assessed value of taxable real property in the region, and
- (b) in the case of a local improvement tax that benefits only property that abuts upon or is deemed to abut upon the improvement under this section, by applying the tax rate to the assessable frontage of the property that abuts upon or is deemed to abut upon the improvement.

Assessable frontage

(6) No local improvement tax shall be levied under this section on the basis of assessable frontage unless the assessable frontage of each parcel of real property upon which the tax is to be levied is shown in the most recently authenticated assessment roll that applies to the real property.

Wishes of persons benefitted

(7) No local improvement tax shall be levied by the Commissioner under this section except in accordance with the wishes of the majority of the persons who will be liable to pay the tax.

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| (8)   | The Commissioner may make regulations respecting   | Regulations                  |
|       | (a) the manner in which the wishes of persons are to be ascertained for the purposes of subsection (7), and  |                              |
|       | (b) the manner in which assessable frontage of property that abuts upon or is deemed to abut upon an improvement shall be determined for the purposes of this section.   |                              |
| 57(1) | A regulation or by-law for the levying of taxes other than local improvement taxes shall express tax rates as a percentage of assessed values.   | Tax rates                    |
| 58(1) | Charges payable to a taxing authority for the provision of water or sewerage utility service may be recovered from an owner or occupant of real property, or through proceedings against the property, in the same manner as if the charges were taxes payable under this Ordinance.   | Changes for services         |
| (2)   | Notwithstanding the provisions of this or any other Ordinance, taxes and service charges imposed in respect of the local improvements on property pursuant to the Municipal Ordinance, the Dawson City Utilities Replacement Ordinance, the Community Assistance Ordinance, the Local Improvement District Ordinance and the Financial Administration Ordinance shall be deemed to be taxes under this Ordinance and the remedies for collection and all other provisions with respect to taxes and tax arrears shall apply as if the taxes had been imposed under this Ordinance. | Taxes under other Ordinances |

Minimum tax	59(1)	Except as provided by subsections (2) and (3), the minimum tax payable in any year under section 53 is one hundred dollars in respect of the total assessed value of any real property under subsection 14(7).
Minimum in municipality	(2)	A municipality may by by-law provide for a different amount for the minimum tax payable under subsection (1) in respect of real property located within the municipality, and it may establish a minimum amount of tax for land on which there are no improvements that is different from the minimum amount of tax for other real property.
Effect of school tax	(3)	The minimum tax payable in any year under subsection (1) or (2) shall be reduced by the amount of the school taxes payable in that year under section 54 in respect of the same real property.
Exempt property	(4)	This section applies to taxes payable in respect of exempt property to which subsection 50(3) applies.
No abatement	60(1)	Except as provided by this section, no person is entitled to any abatement of taxes imposed under this Ordinance.
Removal or destruction of improvements	(2)	Where in any year improvements are removed from land, or where improvements are damaged or destroyed in any year so as to render them unfit for further use or occupation in that year, the taxing authority may by regulation remit or discharge such portion of the taxes as the authority considers proper.
Tax roll	61(1)	Where an assessment roll has been authenticated by the Chairman of an

Assessment Review Board and the taxing authority has levied taxes upon real property dealt with in the roll, the collector shall prepare forthwith a tax roll in which shall be entered all real property described in the assessment roll.

- (2) A tax roll shall set forth in respect of all real property described in the assessment roll
- (a) the description of the property,
  - (b) the name and address of the owner or occupant of the property, or the owners or occupants of the property, as the case may be,
  - (c) a statement that the property is or is not taxable,
  - (d) a statement, where applicable, that the owner or occupant has been exempted by the Commissioner from his liability to pay taxes and the extent of the exemption,
  - (e) the assessed value of each parcel of land described under paragraph (a),
  - (f) subject to subsection 14(5), the assessed value of each improvement described under paragraph (a),
  - (g) the total of the assessed values of each parcel of land described under paragraph (a) and, subject to subsection 14(5), the improvements located on the land,
  - (h) the tax rate applicable to the property, and if the rate varies within the territorial jurisdiction of the taxing authority, the region or class of the property,

Contents  
of tax  
roll

- (i) the total amount of taxes levied on the property for the current year,
- (j) any amount set forth in a previous tax roll in respect of the property that remains unpaid, and any penalty or accrued interest on the amount and the penalty,
- (k) the amount of any charge for the current year, other than taxes, placed on the tax roll for collection,
- (l) the amount of the taxes for the current year that are school taxes,
- (m) the amount of the taxes for the current year that are local improvement taxes,
- (n) the total amount required to be paid in respect of the real property, and
- (o) such further or other information as may be prescribed by the Commissioner.

Information from assessment roll

- (3) Information that is contained in an assessment roll that has been authenticated under this Ordinance shall be deemed to be conclusive for the purposes of the preparation of the tax roll, and the taxes levied upon the basis of that information are due and payable by the persons, in the amounts and at the times provided for by this Ordinance whether or not
  - (a) an appeal affecting the information has been decided but the assessment roll has not been amended to give effect to the decision,
  - (b) an appeal affecting the information is pending or has not been decided, or

- (c) the time for making any appeal has not expired.
  
- (4) Where the results of an appeal affect the information contained in an assessment roll, the tax roll shall be amended forthwith by the collector, and
  - (a) any overpayment of taxes shall be refunded forthwith by the collector to the person who made the overpayment, and
  - (b) in the case of an underpayment of taxes or a failure to pay taxes, a revised tax notice under section 62 shall be mailed forthwith by the collector to the person liable to pay the taxes.
  
- 62(1) Every collector shall, on or before the fifteenth day of May in each year, mail a tax notice to each person named on the tax roll as an owner or occupant of taxable real property in respect of which taxes are payable in relation to the current year or any preceding year.
  
- (2) A tax notice shall set forth
  - (a) the description of the property,
  - (b) the name and address of the person to whom the tax notice is addressed,
  - (c) the total amount of taxes levied on the property for the current year,
  - (d) any amount set forth in a previous tax roll in respect of the property that remains unpaid, and any penalty or accrued interest on the amount and the penalty,
  - (e) the amount of any charge for the current year, other than taxes,

Amendment  
on appeal

Tax notices

Contents  
of notice

- placed on the tax roll for collection,
  - (f) the amount of the taxes for the current year that are school taxes,
  - (g) the amount of the taxes for the current year that are local improvement taxes,
  - (h) the total amount required to be paid in respect of the real property,
  - (i) a statement of the date upon which penalties for non-payment will be added, and
  - (j) such further or other information as may be required by regulation.
- Parcels with same owner (3) More than one parcel of land that is, or that is treated as, one parcel for assessment purposes, may be dealt with in one tax notice, and any such notice shall be deemed to be sufficient if it identifies a parcel as a block, or parts of a block, or as a series of lots, without giving the full description of the parcel as it appears on the tax roll.
- Differing tax rates (4) Parcels of land to which differing tax rates apply shall be dealt with separately in a tax notice.
- Date of mailing (5) Where a tax notice is mailed under this section, the collector shall enter the date of the mailing on the tax roll, and the entry on the tax roll is prima facie proof of the mailing of the tax notice on the date specified.
- Imposition of taxes 63(1) Taxes levied under this Ordinance shall be considered to have been imposed on and from the first day of January of the calendar year in which they are levied.

- |       |   |                        |
|-------|---|------------------------|
| (2)   | Taxes levied under this Ordinance for the current year and any charges for the current year, other than taxes, placed on the tax roll for collection, are due and payable on the second day of July in the current year.  | When taxes payable     |
| (3)   | Penalties imposed in respect of a failure to pay taxes or charges by the date specified in subsection (2) are due and payable on the day on which they are imposed by this Ordinance.   | When penalties payable |
| (4)   | Interest imposed in respect of a failure to pay taxes or charges by the date specified in subsection (2) accrues from day to day from the day on which it is imposed, and the interest is due and payable each day thereafter in the accrued amount.  | When interest payable  |
| 64(1) | Any amount required to be paid under this Ordinance is payable at the office of the taxing authority to whom the amount is due.   | Where amounts payable  |
| (2)   | A taxing authority may make regulations respecting the manner and form in which amounts due to it under this Ordinance may be paid.   | Manner of payment      |
| (3)   | Notwithstanding subsection 63(1) and section 65, the Commissioner may by regulation and any other taxing authority may by by-law <ul style="list-style-type: none"> <li>(a) provide for the payment of taxes and other amounts under this Ordinance before they are due and payable,</li> <li>(b) establish the terms and conditions upon which amounts paid under paragraph (a) are to be held, including the payment of interest, and</li> <li>(c) provide for the payment of taxes and other amounts under this</li> </ul> | Regulations            |



Ordinance by regular installments, including the imposition of penalties and interest on installment payments not received by the time they are required to be paid.

- Penalty                    65(1)     Where an amount is not paid by the date specified in subsection 63(1), the unpaid amount shall be increased on the next day by a penalty in an amount equal to ten per cent of the unpaid amount.
- Interest                    (2)        Where an unpaid amount is increased under subsection (1) by the imposition of a penalty, the new amount shall bear interest from the date on which the penalty is imposed at a rate equivalent to the prime lending rate of the Bank of Canada in effect on the most recently preceding July 2nd.
- Application of payments received            66(1)     Payments received by a collector in respect of any amount payable under this Ordinance shall be applied and credited in the following order:
- (a) first, against any amount in respect of a previous tax roll that remains unpaid, and any penalty or accrued interest on the amount and the penalty;
  - (b) second, against any interest payable in respect of taxes levied under this Ordinance for the current year, or any charges for the current year, other than taxes, placed on the tax roll for collection, including interest payable on a penalty imposed in respect of the current year;
  - (c) third, against any penalty imposed in respect of the current year;

- (d) fourth, against any school taxes levied in respect of the current year;
- (e) fifth, against any local improvement taxes levied in respect of the current year;
- (f) sixth, against any charges for the current year, other than taxes, placed on the tax roll for collection; and
- (g) seventh, against any other taxes levied in respect of the current year.

- (2) A collector has no authority Authority of collector
  - (a) to waive the liability of any person under this Ordinance to pay in full any amount due and payable to the taxing authority,
  - (b) to extend the time within which the payment is to be made, or
  - (c) to postpone proceedings that may be taken by the taxing authority to collect any amount due and payable to the taxing authority.

67(1) Unless otherwise provided for by this or any other Ordinance, taxes due and payable in respect of any taxable real property shall be a lien on that property having preference and priority over the claim, lien, privilege or encumbrance of any person except Her Majesty, and the lien shall not require registration in order to be preserved. Tax lien

(2) No change of ownership or possession and no seizure by a sheriff, bailiff, landlord or other person shall defeat the lien created under subsection (1)."  
Change of ownership

2. Subsection 82(1) of the Ordinance is repealed and the following substituted therefor:

List of delinquencies

"82(1) When the whole or a portion of the taxes on any land or improvements has been due and unpaid for more than six months after the taxes became due and payable, the land shall be liable to be dealt with under this Ordinance, and subject to subsection (2), the collector shall in each year submit to the authority a list in duplicate of all such lands, with the amount of the arrears against each parcel set opposite the parcel."

3. Subsection 89(3) of the Ordinance is repealed and the following substituted therefor:

Complaint

"(3) A complaint against an apportionment under subsection (1) may be made to the Assessment Review Board within whose territorial jurisdiction the land is located, and proceedings in respect of the complaint shall be the same as nearly may be in the case of a complaint relating to an entry on an assessment roll."

4. Subsections 89(4) and (5) of the Ordinance are repealed and the following substituted therefor:

Effect of apportionment

"(4) The arrears of taxes as apportioned under this section shall be deemed for all purposes to be the arrears of taxes due respectively in respect of the parcels of land affected."

5. Section 96 of the Ordinance is repealed and the following substituted therefor:

- |        |  |                         |
|--------|--|-------------------------|
| "96(1) | Where a tax lien has been registered against any land, no improvements shall be removed from the land without the consent of the taxing authority.   | Removal of improvements |
| (2)    | Where an improvement is removed from land in contravention of subsection (1), the taxing authority may enter any place to which the improvement has been removed, seize the improvement, and return it to its former location. | Seizure of improvements |
| (3)    | Costs incurred by a taxing authority under subsection (2) may be recovered by the taxing authority from the person who removed the improvement in contravention of subsection (1)."  | Costs of seizure        |
|        |  |                         |
| 6.     | Subsection 100(1) of the Ordinance is amended by striking out the expression "two years" and substituting therefor the expression "one year".  |                         |
|        |  |                         |
| 7.     | Subsection 105(4) of the Ordinance is amended by striking out the expression "subsections (5) to (10)" and substituting therefor the expression "subsections (6) to (10)".   |                         |
|        |  |                         |
| 8.     | Subsection 105(5) of the Ordinance is repealed.  |                         |
|        |  |                         |
| 9.     | Subsection 114(2) of the Ordinance is repealed and the following substituted therefor:   |                         |
| (2)    | The Commissioner may by order extend the time within which anything is required to be done under this Ordinance by an assessor, a collector, a taxing authority, an Assessment Review Board, or the                            | Extension of time       |

Assessment Appeal Board, and anything done within the extended period of time is as valid as if it had been done within the time otherwise provided for by this Ordinance."

10. Section 115 of the Ordinance is repealed and the following substituted therefor:
- Effect of Ordinance "115(1) The provisions of this Ordinance prevail over the provisions of every other Ordinance."
11. The Ordinance is amended by adding thereto immediately after section 115 the following new section:
- Penalty "116(1) Every person who commits an offence under this Ordinance is liable on summary conviction to a fine of not more than \$500 or to imprisonment for not more than 6 months or to both fine and imprisonment."
- Coming into force 12. This Ordinance, any provision thereof, or any part of any provision thereof, shall come into force on a day or days to be fixed by the Commissioner, and the Commissioner may divide the Territory into regions and, for each region, fix a different day for the coming-into-force of this Ordinance, any provision thereof, or any part of any provision thereof.
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ORDINANCES OF THE YUKON TERRITORY  
1979 (2nd), Chapter 17

THIRD APPROPRIATION ORDINANCE, 1978 - 79

(Assented to October 25, 1979)

Whereas it appears by message from the 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 to the public service of the Yukon Territory and for the purpose relating thereto, for the twelve months ending the thirty-first day of March, 1979.

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(1) | This Ordinance may be cited as the <i>Third Appropriation Ordinance, 1978 - 79.</i>   | Short title                |
| 2(1) | From and out of the Yukon Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole, One Million, One Hundred and Fifty-one Thousand, Three Hundred Dollars for defraying the several charges and expenses of the public service of the Territory for the twelve months ending the thirty-first day of March, 1979, as set forth in Schedule "A" of this Ordinance and such sum shall be applied only in accordance with the schedule. | Amount granted             |
| 3(1) | The due application of all monies expended pursuant to section 2 shall be accounted for.  | Monies to be accounted for |
| 4(1) | This Ordinance shall come into force on the day of assent.  | Coming into force          |

SCHEDULE "A"

<u>Appropriation or Item</u>	<u>\$ (Dollars)</u>
Department of Education	\$240,100
Department of Consumer and Corporate Affairs	800
Department of Municipal and Community Affairs	7,900
Department of Tourism and Economic Development	16,200
Department of Renewable Resources	25,300
Department of Health	714,400
Yukon Housing Corporation	145,600
Loan Capital	1,000
	<hr/>
TOTAL	\$1,151,300
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ORDINANCES OF THE YUKON TERRITORY  
1979 (2nd), Chapter 18

AN ORDINANCE TO AMEND  
THE YUKON COUNCIL ORDINANCE

(Assented to November 15, 1979)

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) The *Yukon Council Ordinance* is amended by repealing section 2 and substituting therefor the following:
- "2(1) In this Ordinance
- "Executive Council" means the Executive Council of the Yukon Territory; "Executive Council"
- "Government Leader" means the recognized leader of the Party or coalition that forms the Government; "Government Leader"
- "Leader of a Party" means the recognized leader of a Party; "Leader of a Party"
- "Leader of the Official Opposition" means the recognized leader of the Party with the largest number of members in opposition to the Party or coalition that forms the Government; "Leader of the Official Opposition"
- "member" means a member of the Council; "member"
- "Party" means a registered political Party as defined in the *Elections Ordinance, 1977* which has one or more members who identify themselves with that Party in the Council; and "Party"
- "recognized leader" means the member who is recognized, by the other members who identify themselves with a Party, as being the leader of that Party in the Council." "recognized leader"



2(1) Paragraph 7(3)(b) of the Ordinance is repealed and the following substituted therefor:

"(b) accepts or holds a position as member of the Executive Council or the Advisory Committee on Finance;

(b.1) receives any indemnity, expense allowance, salary, reimbursement or other payment to which he is entitled pursuant to this Ordinance;"

3(1) The Ordinance is further amended by adding immediately after section 40 the following new heading and sections:

"ALLOWANCES AND SALARIES

Executive Council

40.1(1) Each member appointed to the Executive Council or to the Advisory Committee on Finance or to both, shall be paid an indemnity of twelve thousand, four hundred dollars per annum and an expense allowance of six thousand, two hundred dollars per annum.

Members from outside Whitehorse

40.1(2) An indemnity of twelve thousand, four hundred dollars per annum and an expense allowance of six thousand, two hundred dollars per annum shall be paid to each member to whom subsection (1) does not apply and who represents one of the following electoral districts:

- (a) Campbell;
- (b) Faro;
- (c) Hootalinqua;
- (d) Klondike;
- (e) Klwane;
- (f) Mayo;
- (g) Old Crow;
- (h) Tatchun; or
- (i) Watson Lake.

- 40.1(3) An indemnity of ten thousand, four hundred dollars per annum and an expense allowance of five thousand, two hundred dollars per annum shall be paid to each member of the Council to whom subsection (1) does not apply and who represents one of the following electoral districts:
- (a) Whitehorse North Centre;
  - (b) Whitehorse Porter Creek East;
  - (c) Whitehorse Porter Creek West;
  - (d) Whitehorse Riverdale North;
  - (e) Whitehorse Riverdale South;
  - (f) Whitehorse South Centre; or
  - (g) Whitehorse West.
- Whitehorse members
- 40.1(4) The expense allowances referred to in subsections (1), (2) and (3) are provided to pay for the expenses of that member incident to the discharge of his duties as a member.
- Allowances
- 40.1(5) For the purpose of computing the amount of any allowances payable pursuant to this section a member shall be deemed to have been a member from the polling day on which he was elected up to and including the earlier of
- (a) the day preceding the polling day following the dissolution of the Council of which he is a member, or
  - (b) the day on which he dies, resigns, is disqualified, or otherwise ceases to be a member.
- Amount of allowance
- 40.2(1) In addition to the amounts provided in section 40.1 there shall be paid:
- (a) to the member elected Speaker, a salary of six thousand, two hundred dollars per annum, and
  - (b) to the member elected Deputy Speaker, a salary of three thousand, one hundred dollars per annum.
- Speaker and Deputy Speaker

Amount of  
Speaker's  
salary

- 40.2(2) For the purpose of computing the amount of salary payable under this section, a Speaker shall be deemed to occupy the position up to and including the earlier of
- (a) the day preceding the date fixed by Proclamation for the beginning of the next sitting of the Council after the Council of which he is a member is dissolved, or
  - (b) the day on which he dies, resigns, is disqualified, or otherwise ceases to occupy the position.

Deputy  
Speaker's  
salary

- 40.2(3) For the purpose of computing the amount of salary payable under this section, a Deputy Speaker shall be deemed to occupy the position up to and including the earlier of
- (a) the day preceding the polling day following the dissolution of the Council of which he is a member, or
  - (b) the day on which he dies, resigns, is disqualified, or otherwise ceases to occupy the position.

Executive  
Council and  
Advisory  
Committee  
on Finance

- 40.3(1) In addition to the amounts provided in section 40.1, there shall be paid to each member appointed to the Executive Council or to the Advisory Committee on Finance or to both, a salary of twenty-four thousand dollars per annum.

Salary for  
Executive  
Council

- 40.3(2) For the purpose of computing the amount of salary payable under this section, each member appointed to the Executive Council shall be deemed to occupy his position on the Executive Council from and including the day of his appointment up to and including the earlier of
- (a) the day on which his appointment is terminated, or
  - (b) the day on which he dies, resigns.

is disqualified or otherwise ceases to occupy the position.

- |         |  |  |
|---------|--|--|
| 40.3(3) | For the purpose of computing the amount of salary payable under this section, each member appointed to the Advisory Committee on Finance shall be deemed to occupy his position on the Committee from and including the day of his appointment up to and including the earlier of<br>(a) the day of the dissolution of the Council of which he is a member, or<br>(b) the day on which he dies, resigns, is disqualified or otherwise ceases to occupy the position. | Salary for Advisory Committee on Finance |
| 40.4(1) | In addition to the amounts provided in sections 40.1 and 40.3, the Government Leader shall be paid a salary of five thousand dollars per annum.  | Government Leader                        |
| 40.4(2) | For the purpose of computing the amount of salary payable under this section the Government Leader shall be deemed to occupy his position for the period that he is:<br>(a) the recognized Leader of the Party or coalition that forms the Government, and<br>(b) a member of the Executive Council.   | Amount of salary                         |
| 40.5(1) | In addition to the amounts provided in section 40.1, the Leader of the Official Opposition shall be paid a salary of two thousand, five hundred dollars per annum.   | Leader of the Official Opposition        |
| 40.5(2) | Every Leader of a Party, other than the Government Leader and the Leader of the Official Opposition, shall be paid, in addition to the amounts provided in section 40.1, a salary of one thousand dollars per annum.   | Other Leaders of Parties                 |

- Amount of salary
- 40.5(3) For the purpose of computing the amount of salary payable under this section, a Leader of a Party, other than the Government Leader, shall be deemed to have occupied his position from the later of the polling day on which he was elected a member and the day on which he becomes Leader, up to and including the earlier of
- (a) the day preceding the polling day following the dissolution of the Council of which he is a member, or
  - (b) the day on which he resigns, dies, is disqualified, or otherwise ceases to occupy the position.
- Payment of indemnities, etc.
- 40.6(1) The indemnities, expense allowances and salaries mentioned in sections 40.1, 40.2, 40.3, 40.4 and 40.5 are payable every fourteen days.
- Adjustment of indemnities, etc.
- 40.6(2) The indemnities and expense allowances payable pursuant to section 40.1 shall be adjusted on April 1, 1980 and on April 1 of each succeeding year by one-half of the percentage change in the average weekly earnings of workers in the Territory pursuant to the Industrial Composite of Average Weekly Wages and Salaries published by Statistics Canada for the twenty-four month period ending on September 30 of the immediately preceding year, but in no event shall the indemnities or expense allowances be adjusted by more than seven percent in any one year.
- Accommodation and travel expenses
- 40.7(1) Every member who is absent from his normal place of residence in order to attend a sitting of the Council, a meeting of a committee of the Council or any meeting or event as a representative of the Council, of the Speaker or of the

Government of Yukon, in his capacity as a member shall be

- (a) reimbursed for his actual expenditure for accommodation, and
- (b) paid an allowance for meals, incidental expenses and travelling expenses at the rate in force at the time for the public service.

- |         |   |                                       |
|---------|---|---------------------------------------|
| 40.7(2) | A member representing the electoral district of   | Meetings away from place of residence |
|         | <ul style="list-style-type: none"><li>(a) Campbell;</li><li>(b) Faro;</li><li>(c) Hootalinqua;</li><li>(d) Klondike;</li><li>(e) Kluane;</li><li>(f) Mayo;</li><li>(g) Old Crow;</li><li>(h) Tatchun; or</li><li>(i) Watson Lake</li></ul>  |                                       |
|         | who is absent from his normal place of residence in order to attend a meeting of the caucus of a Party or to attend any meeting or event in his capacity as a member during a period when the Council is not sitting shall be paid an allowance for meals and incidental expenses at the rate in force at the time for the public service, and shall be reimbursed for his actual expenditures for accommodation. |                                       |
| 40.7(3) | The maximum amount payable to a member under subsection (2) in each fiscal year is one thousand, two hundred dollars.   | Maximum amount                        |
| 40.7(4) | A member who is absent from his normal place of residence under subsection (2) shall be paid an allowance in respect of travelling expenses incurred at the rate in force at the time for the public service.   | Travel expenses                       |
| 40.7(5) | An allowance may be paid to a member pursuant to subsection (4) in respect of   | Maximum amount                        |

- not more than ten return trips in each fiscal year.
- Restriction of amount**            40.7(6)    A reimbursement or allowance is payable to a member under this section only in respect of his time necessarily spent in attendance under subsection (1) or (2) and his time necessarily spent in travel.
- Residence of members**        40.7(7)    For the purposes of this section, every member of the Executive Council or of the Advisory Committee on Finance shall be deemed to reside in the City of Whitehorse.
- Visits to electoral district**    40.8(1)    A member representing the electoral district of
- (a) Campbell;
  - (b) Faro;
  - (c) Hootalinqua;
  - (d) Klondike;
  - (e) Kluane;
  - (f) Mayo;
  - (g) Old Crow;
  - (h) Tatchun; or
  - (i) Watson Lake
- who has been appointed to the Executive Council or to the Advisory Committee on Finance or to both, when visiting his electoral district in his capacity as a member, shall be paid an allowance for meals and incidental expenses at the rate in force at the time for the public service, and shall be reimbursed for his actual expenditures for accommodation.
- Maximum amount**            40.8(2)    The maximum amount payable to a member under subsection (1) in each fiscal year is two thousand, two hundred dollars.
- Travel expenses**            40.8(3)    A member who visits his electoral district under subsection (1) shall be paid an allowance in respect of his travelling expenses at the rate in force at the time for the public service.

- |          |  |                                 |
|----------|--|---------------------------------|
| 40.8(4)  | An allowance may be paid to a member pursuant to subsection (3) in respect of not more than twelve return trips in each fiscal year.   | Maximum amount                  |
| 40.9(1)  | No reimbursement or allowance is payable to a member of the Council under section 40.7 or 40.8 in respect of expenditures made or expenses incurred between the dissolution of a Council and the day of the official addition of the votes pursuant to the <i>Elections Ordinance, 1977</i> at the next ensuing general election.  | Dissolution of Council          |
| 40.9(2)  | Notwithstanding subsection (1) a member is entitled to be paid a reimbursement or an allowance under section 40.7 or 40.8 where the expenditures were made and the expenses incurred, in respect of an absence or visit begun before the dissolution of the Council, but in no event shall any reimbursement or allowance be paid in respect of the prolongation of an absence or visit after the member becomes aware of the dissolution. | Exception                       |
| 40.10(1) | In respect of travel in the performance of their duties, the Speaker and Deputy Speaker shall be paid an allowance for meals, incidental expenses and travel at the rate in force at the time for the public service, and shall be reimbursed for their actual expenditures for accommodation.   | Speaker and Deputy Speaker      |
| 40.11(1) | Every member of the Council shall be deemed to be a worker within the meaning of the <i>Workers' Compensation Ordinance</i> while carrying out his duties as member, travelling in connection with the business of, or representing, the Council or a Committee thereof, the caucus of a Party, the Executive Council or the Advisory Committee on Finance, and any  | Workers' Compensation Ordinance |



compensation to which the member becomes entitled shall be paid by the Commissioner."

- |                                 |      |   |
|---------------------------------|------|---|
| Deletion<br>and<br>substitution | 4(1) | Section 41 of the Ordinance is amended by deleting the words "member of the Executive Committee who is a member of the Council and the member shall" and substituting therefor the words "member of the Executive Council charged with the administration of that department, who shall". |
| Repeal                          | 5(1) | The <i>Elections Ordinance</i> , being Chapter E-1 of the Revised Ordinances of the Yukon Territory, 1971 is repealed.  |
| Coming<br>into<br>force         | 6(1) | This Ordinance shall come into force on the day of assent.  |
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TABLE OF ORDINANCES

(Being a table of those Ordinances included in the Revised Ordinances, 1971, those subsequently added to the consolidation thereof or those enacted since the coming into force of the Revised Ordinances, 1971.)

Legend:

In. = Included in	Am. = Amended
En. = Enacted	Sp. = Spent
Rp. = Repealed	History = from the earlier of
Re. = Re-enacted	(i) enactment; or
	(ii) inclusion in R.O.Y.T., 1971
N.C.N.R. = Not Consolidated, Not Repealed.	

Consolidation Chapter No. = Chapter designation of the Ordinances having general application to members of the public, as contained in the Consolidated version of the Ordinances of the Yukon Territory.

<u>ORDINANCES</u>	<u>CONSOLIDATION CHAPTER No.</u>	<u>HISTORY</u>
Adult Occupational Training Agreements Repeal	N.C.N.R.	En. O.Y.T. 1975 (1st), c. 10
Age of Majority	A-0.1	En. O.Y.T. 1972 (1st), c. 1
Alaska Highway Maintenance (1972)	N.C.N.R.	En. O.Y.T. 1972 (1st), c. 2
Animal Protection	A-0.2	En. O.Y.T. 1977 (2nd), c. 1
Apprentice Training	A-1	In. R.O.Y.T. 1971, c. A-1
Arbitration	A-2	In. R.O.Y.T. 1971, c. A-2
Archives	A-3	In. R.O.Y.T. 1971, c. A-3
Area Development	A-4	In. R.O.Y.T. 1971, c. A-4; Am. O.Y.T. 1975 (3rd), c. 3
Assessment in the City of Whitehorse	N.C.N.R.	En. O.Y.T. 1977 (2nd), c. 11
Assignment of Book Debts	A-5	In. R.O.Y.T. 1971, c. A-5
Bills of Sale	B-1	In. R.O.Y.T. 1971, c. B-1
Blasting	B-2	In. R.O.Y.T. 1971, c. B-2
Boiler and Pressure Vessels	B-2.1	En. O.Y.T. 1979 (2nd), c. 1
Brands	B-3	In. R.O.Y.T. 1971, c. B-3
Building Standards	B-3.1	En. O.Y.T. 1973 (1st), c. 1
Bulk Sales	B-4	In. R.O.Y.T. 1971, c. B-4
Business Licence	B-5	In. R.O.Y.T. 1971, c. B-5

Cancer Diagnosis	C-1	In. R.O.Y.T. 1971, c. C-1
Cemeteries and Burial Sites	C-2	In. R.O.Y.T. 1971, c. C-2
Change of Name	C-3	In. R.O.Y.T. 1971, c. C-3
Child Welfare	C-4	In. R.O.Y.T. 1971, c. C-4; Am. O.Y.T. 1972 (1st), c. 15
Chiropractic	C-5	In. R.O.Y.T. 1971, c. C-5; Am. O.Y.T. 1972 (1st), c. 16
Choses in Action	C-6	In. R.O.Y.T. 1971, c. C-6
Citizenship Instruction Agreement	C-7	In. R.O.Y.T. 1971, c. C-7
Civil Defence Workers' Compensation Agreement	N.C.N.R.	En. O.Y.T. 1973 (1st), c. 26
Civil Emergency Measures	C-8	In. R.O.Y.T. 1971, c. C-8
Collection	C-9	In. R.O.Y.T. 1971, c. C-9
Community Assistance	C-9.1	En. O.Y.T. 1975 (1st), c. 1; Am. O.Y.T. 1975 (3rd), c. 4; Am. O.Y.T. 1976 (1st), c. 4; Am. O.Y.T. 1977 (1st), c. 8; Am. O.Y.T. 1978 (1st), c. 3
Companies	C-10	In. R.O.Y.T. 1971, c. C-10; Am. O.Y.T. 1975 (3rd), c. 5
Compensation for Victims of Crime	C-10.1	En. O.Y.T. 1975 (1st), c. 2; Am. O.Y.T. 1976 (1st), c. 5
Conditional Sales	C-11	In. R.O.Y.T. 1971, c. C-11
Condominium	C-12	In. R.O.Y.T. 1971, c. C-12; Am. O.Y.T. 1977 (2nd), c. 5
Conflict of Laws (Traffic Accidents)	C-12.1	En. O.Y.T. 1972 (1st), c. 3
Consumers' Protection	C-13	In. R.O.Y.T. 1971, c. C-13
Contributory Negligence	C-14	In. R.O.Y.T. 1971, c. C-14
Controverted Elections	C-15	In. R.O.Y.T. 1971, c. C-15; Am. O.Y.T. 1977 (2nd), c. 3, s. 103
Co-operative Associations	C-16	In. R.O.Y.T. 1971, c. C-16; Am. O.Y.T. 1973 (1st), c. 8; Am. O.Y.T. 1975 (2nd), c. 7
Cornea Transplant	C-17	In. R.O.Y.T. 1971, c. C-17
Coroners	C-18	In. R.O.Y.T. 1971, c. C-18; Am. O.Y.T. 1972 (2nd), c. 17
Corporation Securities Registration	C-19	In. R.O.Y.T. 1971, c. C-19
Corrections	C-19.1	En. O.Y.T. 1973 (1st), c. 2

Court of Appeal	C-20	In. R.O.Y.T. 1971, c. C-20
Court Worker Agreement	N.C.N.R.	En. O.Y.T. 1975 (1st), c. 3
Credit Union	C-20.1	En. O.Y.T. 1977 (1st) c. 2
Credit Unions	C-21	In. R.O.Y.T. 1971, c. C-21; Am. O.Y.T. 1975 (2nd), c. 8; Am. O.Y.T. 1976 (1st), c. 6; Rp. O.Y.T. 1977 (1st), c. 2, s.158
Creditors' Relief	C-22	In. R.O.Y.T. 1971, c. C-22
Curfew	C-23	In. R.O.Y.T. 1971, c. C-23
Custody of Federal Parole Violators Agreement	N.C.N.R.	En. O.Y.T. 1975 (1st), c. 4
Dawson, City of, General Purposes Loan	N.C.N.R.	En. O.Y.T. 1973 (1st), c. 25
Dawson City Utilities Replacement	N.C.N.R.	En. O.Y.T. 1978 (1st), c. 14
Dawson General Purposes Loan	N.C.N.R.	En. O.Y.T. 1972 (1st), c. 31
Dawson Historic Sites Aid Grants	N.C.N.R.	En. O.Y.T. 1977 (1st), c. 21
Day Care	D-01	En. O.Y.T. 1979 (2nd), c. 3
Defamation	D-1	In. R.O.Y.T. 1971, c. D-1
Dental Profession	D-2	In. R.O.Y.T. 1971, c. D-2 Am. O.Y.T. 1973 (1st), c. 9 Am. O.Y.T. 1979 (1st), c. 1
Dependants' Relief	D-3	In. R.O.Y.T. 1971, c. D-3
Devolution of Real Property	D-4	In. R.O.Y.T. 1971, c. D-4
Disabled Persons' Allowance	D-5	In. R.O.Y.T. 1971, c. D-5; Rp. O.Y.T. 1975(1st), c. 11
Distress	D-6	In. R.O.Y.T. 1971, c. D-6
Dog	D-7	In. R.O.Y.T. 1971, c. D-7
Elections	E-1	In. R.O.Y.T. 1971, c. E-1; Am. O.Y.T. 1974 (2nd), c. 5; Am. O.Y.T. 1975 (3rd), c. 6; Am. O.Y.T. 1977 (1st), c. 9; Am. O.Y.T. 1977 (2nd), c. 2; Am. O.Y.T. 1977 (2nd), c. 3, s.104; Am. O.Y.T. 1978 (1st), c. 4
Elections, 1977	E-1.2	En. O.Y.T. 1977 (2nd), c. 3
Electoral District Boundaries	E-1.3	En. O.Y.T. 1977 (2nd), c. 2
Electoral District Boundaries Commission	N.C.N.R.	En. O.Y.T. 1974 (2nd), c. 1; Sp. June 17, 1974

Electoral District Boundaries Commission	N.C.N.R.	En. O.Y.T. 1977 (1st), c. 3; Sp. November 7, 1977
Electrical Protection	E-2	In. R.O.Y.T. 1971, c. E-2; Rp/Re. O.Y.T. 1976 (3rd), c. 3
Electrical Public Utilities	E-2.1	En. O.Y.T. 1972 (1st), c. 4; Am. O.Y.T. 1974 (2nd), c. 6
Elevator and Fixed Conveyances	E-3	In. R.O.Y.T. 1971, c. E-3
Emergency Medical Aid	E-3.1	En. O.Y.T. 1976(3rd), c. 1
Employment Agencies	E-4	In. R.O.Y.T. 1971, c. E-4; Rp/Re. O.Y.T. 1972 (1st), c. 5
Engineering Profession	E-5	In. R.O.Y.T. 1971, c. E-5
Evidence	E-6	In. R.O.Y.T. 1971, c. E-6
Exemptions	E-7	In. R.O.Y.T. 1971, c. E-7
Expropriation	E-8	In. R.O.Y.T. 1971, c. E-8
Factors	F-1	In. R.O.Y.T. 1971, c. F-1
Fair Practices	F-2	In. R.O.Y.T. 1971, c. F-2; Am. O.Y.T. 1974 (2nd), c. 7
Fare General Purposes Loan	N.C.N.R.	En. O.Y.T. 1972 (1st), c. 30
Fare General Purposes Loan	N.C.N.R.	En. O.Y.T. 1973 (1st), c. 27
Fatal Accidents	F-3	In. R.O.Y.T. 1971, c. F-3
Fifth Appropriation, 1971-72	N.C.N.R.	En. O.Y.T. 1972 (1st), c. 28
Fifth Appropriation, 1973-74	N.C.N.R.	En. O.Y.T. 1974 (2nd), c. 16
Fifth Appropriation, 1974-75	N.C.N.R.	En. O.Y.T. 1974 (2nd), c. 21
Fifth Appropriation, 1977-78	N.C.N.R.	En. O.Y.T. 1979 (1st), c. 5
Financial Administration	F-4	In. R.O.Y.T. 1971, c. F-4; Rp/Re. O.Y.T. 1976 (3rd), c. 4
Financial Agreement, 1973	N.C.N.R.	En. O.Y.T. 1973 (1st), c. 28
Financial Agreement, 1974	N.C.N.R.	En. O.Y.T. 1974 (2nd), c. 22
Financial Agreement, 1975	N.C.N.R.	En. O.Y.T. 1975 (1st), c. 21
Financial Agreement, 1976	N.C.N.R.	En. O.Y.T. 1976 (1st), c. 10
Financial Agreement, 1977	N.C.N.R.	En. O.Y.T. 1977 (1st), c. 14
Financial Agreement, 1978	N.C.N.R.	En. O.Y.T. 1978 (1st), c. 19
Financial Agreement, 1979	N.C.N.R.	En. O.Y.T. 1979 (1st), c. 8
Fire Prevention	F-5	In. R.O.Y.T. 1971, c. F-5; Am. O.Y.T. 1972 (1st), c. 18; Am. O.Y.T. 1973 (1st), c. 10

Firearms Administration Agreement	N.C.N.R.	En. O.Y.T. 1979 (1st), c. 3
First Appropriation, 1972-73	N.C.N.R.	En. O.Y.T. 1972 (1st), c. 27
First Appropriation, 1973-74	N.C.N.R.	En. O.Y.T. 1973 (1st), c. 21
First Appropriation, 1974-75	N.C.N.R.	En. O.Y.T. 1974 (2nd), c. 17
First Appropriation, 1975-76	N.C.N.R.	En. O.Y.T. 1975 (1st), c. 20
First Appropriation, 1976-77	N.C.N.R.	En. O.Y.T. 1976 (1st), c. 11
First Appropriation, 1977-78	N.C.N.R.	En. O.Y.T. 1977 (1st), c. 15
First Appropriation, 1978-79	N.C.N.R.	En. O.Y.T. 1978 (1st), c. 18
First Appropriation, 1979-80	N.C.N.R.	En. O.Y.T. 1979 (1st), c. 7
First Appropriation, 1980-81	N.C.N.R.	En. O.Y.T. 1979 (2nd), c. 4
Fitness and Amateur Sport Agreement	F-6	In. R.O.Y.T. 1971, c. F-6
Flag	F-7	In. R.O.Y.T. 1971, c. F-7
Floral Emblem	F-8	In. R.O.Y.T. 1971, c. F-8
Forest Protection	F-9	In. R.O.Y.T. 1971, c. F-9
Fourth Appropriation, 1972-73	N.C.N.R.	En. O.Y.T. 1973 (1st), c. 20
Fourth Appropriation, 1973-74	N.C.N.R.	En. O.Y.T. 1973 (4th), c. 24
Fourth Appropriation, 1974-75	N.C.N.R.	En. O.Y.T. 1974 (2nd), c. 20
Fourth Appropriation, 1975-76	N.C.N.R.	En. O.Y.T. 1976 (1st), c. 12
Fourth Appropriation, 1977-78	N.C.N.R.	En. O.Y.T. 1978 (1st), c. 17
Fraudulent Preferences and Conveyances	F-9.1	En. O.Y.T. 1973 (1st), c. 3
Frustrated Contracts	F-10	In. R.O.Y.T. 1971, c. F-10
Fuel Oil Tax	F-11	In. R.O.Y.T. 1971, c. F-11; Rp/Re. O.Y.T. 1973 (1st), c. 4; Am. O.Y.T. 1975 (2nd), c. 9; Am. O.Y.T. 1979 (1st), c. 2
Fur Export	F-12	In. R.O.Y.T. 1971, c. F-12 Am. O.Y.T. 1979 (2nd) c. 5
Game	G-1	In. R.O.Y.T. 1971, c. G-1; Am. O.Y.T. 1972 (1st), c. 19; Am. O.Y.T. 1973 (1st), c. 11; Am. O.Y.T. 1975 (2nd), c. 10; Am. O.Y.T. 1975 (3rd), c. 7 Am. O.Y.T. 1979 (2nd), c. 6
Goals	G-2	In. R.O.Y.T. 1971, c. G-2
Garage Keepers' Lien	G-3	In. R.O.Y.T. 1971, c. G-3
Garnishee	G-4	In. R.O.Y.T. 1971, c. G-4

Gasoline Handling	G-5	En. O.Y.T. 1972 (1st), c. 6
General Development Agreement	G-5.1	En. O.Y.T. 1977 (1st), c. 4
Government Employee Housing Plan	G-6	En. O.Y.T. 1975 (1st), c. 5
Health Care Insurance Plan	H-1	In. R.O.Y.T. 1971, c. H-1
Highways	H-1.1	En. O.Y.T. 1975 (3rd), c. 1; Am. O.Y.T. 1976 (3rd), c. 5; Am. O.Y.T. 1978 (1st), c. 5
Historic Sites and Monuments	H-2	In. R.O.Y.T. 1971, c. H-2; Am. O.Y.T. 1975 (2nd), c. 11
Home Owner's Grant	H-2.1	En. O.Y.T. 1976 (1st), c. 1; Am. O.Y.T. 1976 (3rd), c. 6; Am. O.Y.T. 1978 (1st), c. 6
Hospital Insurance Services	H-3	In. R.O.Y.T. 1971, c. H-3; Am. O.Y.T. 1975 (3rd), c. 8
Hotels and Tourist Establishments	H-4	In. R.O.Y.T. 1971, c. H-4
Housing	H-5	In. R.O.Y.T. 1971, c. H-5
Housing Corporation	H-5.1	En. O.Y.T. 1972 (1st), c. 7
Housing Development	H-6	In. R.O.Y.T. 1971, c. H-6; Am. O.Y.T. 1975 (2nd), c. 12
Immunity of Members	I-1	In. R.O.Y.T. 1971, c. I-1; Rp. O.Y.T. 1978 (1st), c. 2, s.42
Income Tax	B-1	En. O.Y.T. 1979 (2nd), c. 7
Institute of Chartered Accountants	I-1.1	En. O.Y.T. 1976 (3rd), c. 2
Insurance	I-2	In. R.O.Y.T. 1971, c. I-2; Rp. O.Y.T. 1977 (1st), c. 1, s.236
Insurance	I-2.01	En. O.Y.T. 1977 (1st), c. 1; Am. O.Y.T. 1977 (2nd), c. 4, s.257
Insurance Premium Tax	I-2.1	En. O.Y.T. 1976 (1st), c. 2; Am. O.Y.T. 1976 (3rd), c. 7
Interim Supply Appropriation, 1974-75	N.C.N.R.	En. O.Y.T. 1974 (2nd), c. 23
Interpretation	I-3	In. R.O.Y.T. 1971, c. I-3; Am. O.Y.T. 1973 (1st), c. 12; Am. O.Y.T. 1974 (2nd), c. 8
Intestate Succession	I-4	In. R.O.Y.T. 1971, c. I-4
Judicature	J-1	In. R.O.Y.T. 1971, c. J-1; Am. O.Y.T. 1975 (2nd), c. 13
Jury	J-2	In. R.O.Y.T. 1971, c. J-2

Justice of the Peace	J-3	In. R.O.Y.T. 1971, c. J-3; Am. O.Y.T. 1976 (3rd), c. 8 Rp. O.Y.T. 1979 (2nd), c. 8, s. 23
Justice of the Peace Court	J-3.1	En. O.Y.T. 1979 (2nd), c. 8
Labour Standards	L-1	In. R.O.Y.T. 1971, c. L-1; Am. O.Y.T. 1973 (1st), c. 13; Am. O.Y.T. 1974 (2nd), c. 9; Am. O.Y.T. 1975 (1st), c. 14; Am. O.Y.T. 1975 (3rd), c. 9
Land Acquisition Fund	L-1.1	En. O.Y.T. 1976 (2nd), c. 1
Landlord and Tenant	L-2	In. R.O.Y.T. 1971, c. L-2; Am. O.Y.T. 1972 (1st), c. 20
Lands	L-3	In. R.O.Y.T. 1971, c. L-3; Rp/Re. O.Y.T. 1972 (1st), c. 8, 14
Legal Aid	L-3.1	En. O.Y.T. 1975 (3rd), c. 2
Legal Profession	L-4	In. R.O.Y.T. 1971, c. L-4; Am. O.Y.T. 1975 (3rd), c. 10 Am. O.Y.T. 1979 (2nd), c. 9
Legal Profession Accounts	L-5	In. R.O.Y.T. 1971, c. L-5
Legitimation	L-6	In. R.O.Y.T. 1971, c. L-6
Limitation of Actions	L-7	In. R.O.Y.T. 1971, c. L-7
Liquor	L-8	In. R.O.Y.T. 1971, c. L-8; Am. O.Y.T. 1976 (1st), c. 3, s.5; Am. O.Y.T. 1976 (3rd), c. 9; Am. O.Y.T. 1977 (1st), c. 13 Am. O.Y.T. 1979 (2nd), c. 10
Liquor Tax	L-8.1	En. O.Y.T. 1976 (1st), c. 3; Am. O.Y.T. 1977 (1st), c. 10
Loan Agreement (1972), No.1	N.C.N.R.	En. O.Y.T. 1972 (1st), c. 26
Loan Agreement (1973), No.1	N.C.N.R.	En. O.Y.T. 1973 (1st), c. 29
Loan Agreement (1973), No.2	N.C.N.R.	En. O.Y.T. 1973 (1st), c. 30
Loan Agreement (1974), No.1	N.C.N.R.	En. O.Y.T. 1974 (2nd), c. 24
Loan Agreement (1975), No.1	N.C.N.R.	En. O.Y.T. 1975 (1st), c. 22
Loan Agreement (1975), No.2	N.C.N.R.	En. O.Y.T. 1976 (1st), c. 14
Loan Agreement (1976), No.1	N.C.N.R.	En. O.Y.T. 1976 (1st), c. 13
Loan Agreement (1977), No.1	N.C.N.R.	En. O.Y.T. 1977 (1st), c. 19
Loan Agreement (1978), No.1	N.C.N.R.	En. O.Y.T. 1978 (1st), c. 20
Loan Agreement (1979), No.1	N.C.N.R.	En. O.Y.T. 1979 (1st), c. 9
Local Improvement District	L-9	In. R.O.Y.T. 1971, c. L-9; Am. O.Y.T. 1972 (1st), c. 21; Am. O.Y.T. 1972 (2nd), c. 22; (cont'd)



Local Improvement District (cont'd)		Am. O.Y.T. 1977 (1st), c. 11; Am. O.Y.T. 1977 (1st), c. 22; Am. O.Y.T. 1977 (2nd), c. 6
Lord's Day	L-10	In. R.O.Y.T. 1971, c. L-10
Lotteries	L-10.1	En. O.Y.T. 1974 (2nd), c. 2
Low Cost Housing	L-11	In. R.O.Y.T. 1971, c. L-11
Magistrate's Court	M-1	See Territorial Court
Maintenance	M-2	In. R.O.Y.T. 1971, c. M-2
Marriage	M-3	In. R.O.Y.T. 1971, c. M-3
Married Women's Property	M-4	In. R.O.Y.T. 1971, c. M-4
Matrimonial Property	M-4.1	En. O.Y.T. 1979 (2nd) c. 11
Mechanics' Lien	M-5	In. R.O.Y.T. 1971, c. M-5
Mediation Board	M-5.1	En. O.Y.T. 1972 (1st), c. 9
Medical Profession	M-6	In. R.O.Y.T. 1971, c. M-6; Am. O.Y.T. 1975 (3rd), c. 11; Am. O.Y.T. 1978 (1st), c. 7 Rp. O.Y.T. 1979 (2nd), c. 12, s.63
Medical Profession	M-6.1	En. O.Y.T. 1979 (2nd), c. 12
Mental Health	M-7	In. R.O.Y.T. 1971, c. M-7; Am. O.Y.T. 1973 (1st), c. 14
Metric Information Agreement	N.C.N.R.	En. O.Y.T. 1977 (2nd), c. 12
Miners' Lien	M-8	In. R.O.Y.T. 1971, c. M-8
Mining Safety	M-9	In. R.O.Y.T. 1971, c. M-9; Am. O.Y.T. 1974 (2nd), c. 10; Am. O.Y.T. 1975 (1st), c. 15; Am. O.Y.T. 1978 (1st), c. 8
Motion Pictures	M-10	In. R.O.Y.T. 1971, c. M-10
Motor Vehicles	M-11	In. R.O.Y.T. 1971, c. M-11; Am. O.Y.T. 1972 (1st), c. 23; Am. O.Y.T. 1973 (1st), c. 15; Am. O.Y.T. 1974 (2nd), c. 11; Am. O.Y.T. 1975 (3rd), c. 12; Am. O.Y.T. 1976 (2nd), c. 4; Am. O.Y.T. 1977 (1st), c. 1, s.236; Rp. O.Y.T. 1977 (2nd), c. 4, s.258
Motor Vehicles	M-11.1	En. O.Y.T. 1977 (2nd), c. 4
Municipal	M-12	En. O.Y.T. 1972 (1st), c. 10; Am. O.Y.T. 1975 (1st), c. 16; Am. O.Y.T. 1975 (2nd), c. 14; Am. O.Y.T. 1976 (3rd), c. 10; Am. O.Y.T. 1977 (2nd), c. 7
Municipal Aid	M-13	En. O.Y.T. 1972 (1st), c. 11

Municipal Elections	M-14	En. O.Y.T. 1972 (1st), c. 12
Municipal Employees Benefits	M-15	En. O.Y.T. 1975 (2nd), c. 1
Municipal General Purposes Loan (1974)	N.C.N.R.	En. O.Y.T. 1974 (2nd), c. 25
Municipal General Purposes Loan (1975)	N.C.N.R.	En. O.Y.T. 1975 (1st), c. 23
Municipal General Purposes Loan (1976)	N.C.N.R.	En. O.Y.T. 1976 (1st), c. 15
Municipal General Purposes Loan (1977)	N.C.N.R.	En. O.Y.T. 1977 (1st), c. 20
Municipal General Purposes Loan (1978)	N.C.N.R.	En. O.Y.T. 1978 (1st), c. 21
Municipal General Purposes Loan (1979)	N.C.N.R.	En. O.Y.T. 1979 (1st), c. 10
Newspaper	N-1	In. R.O.Y.T. 1971, c. N-1
Noise Prevention	N-2	In. R.O.Y.T. 1971, c. N-2
Notaries	N-3	In. R.O.Y.T. 1971, c. N-3; Am. O.Y.T. 1974 (2nd), c. 12
Northern Natural Gas Pipeline Agreement	N.C.N.R.	En. O.Y.T. 1979 (1st), c. 4
Occupational Training	O-0.1	En. O.Y.T. 1975 (1st), c. 6
Old Age Assistance and Blind Persons' Allowance	O-1	In. R.O.Y.T. 1971, c. O-1; Rp. O.Y.T. 1975 (1st), c. 12
Optometry	O-2	In. R.O.Y.T. 1971, c. O-2
Parks	P-01	En. O.Y.T. 1979 (2nd), c. 13
Partnership	P-1	In. R.O.Y.T. 1971, c. P-1; Am. O.Y.T. 1977 (2nd), c. 8
Pawnbrokers and Second- Hand Dealers	P-2	In. R.O.Y.T. 1971, c. P-2
Perpetuities	P-3	In. R.O.Y.T. 1971, c. P-3
Pharmaceutical Chemists	P-4	In. R.O.Y.T. 1971, c. P-4; Am. O.Y.T. 1973 (1st), c. 16; Am. O.Y.T. 1975 (3rd), c. 13
Pioneer Utility Grant	P-4.1	En. O.Y.T. 1978 (1st), c. 1
Plebiscite	P-5	In. R.O.Y.T. 1971, c. P-5
Pounds	P-6	In. R.O.Y.T. 1971, c. P-6; Am. O.Y.T. 1973 (1st), c. 17
Presumption of Death	P-7	In. R.O.Y.T. 1971, c. P-7
Public Health	P-8	In. R.O.Y.T. 1971, c. P-8; Am. O.Y.T. 1972 (1st), c. 24; Am. O.Y.T. 1975 (3rd), c. 14
Public Inquiries	P-8.1	En. O.Y.T. 1973 (1st), c. 5

Public Printing	P-9	In. R.O.Y.T. 1971, c. P-9
Public Service	P-10	In. R.O.Y.T. 1971, c. P-10; Rp. O.Y.T. 1976 (2nd), c. 2, s.217
Public Service Commission	P-10.1	En. O.Y.T. 1976 (2nd), c. 2
Public Service Staff Relations	P-11	In. R.O.Y.T. 1971, c. P-11; Am. O.Y.T. 1974 (2nd), c. 13; Am. O.Y.T. 1976 (3rd), c. 11
Purchase and Supply Services Agreement	N.C.N.R.	En. O.Y.T. 1973 (1st), c. 31
Real Estate Agents' Licensing	R-0.1	En. O.Y.T. 1977 (1st), c. 5
Reciprocal Enforcement of Judgments	R-1	In. R.O.Y.T. 1971, c. R-1
Reciprocal Enforcement of Maintenance Orders	R-2	In. R.O.Y.T. 1971, c. R-2
Recording of Evidence by Sound Apparatus	R-3	In. R.O.Y.T. 1971, c. R-3
Recreation Development	R-3.1	En. O.Y.T. 1977 (1st), c.6
Regulations	R-4	In. R.O.Y.T. 1971, c. R-4
Rehabilitation Services	R-5	In. R.O.Y.T. 1971, c. R-5; Am. O.Y.T. 1975 (1st), c. 17
Rental-Purchase Housing	N.C.N.R.	En. O.Y.T. 1972 (1st), c. 25
Retirement Plan Beneficiaries	R-5.1	En. O.Y.T. 1979 (2nd), c. 14
Robert Campbell Bridge Agreement	N.C.N.R.	En. O.Y.T. 1973 (4th), c. 32
Sale of Goods	S-1	In. R.O.Y.T. 1971, c. S-1
Saw Logs Driving	S-2	In. R.O.Y.T. 1971, c. S-2
Second Appropriation, 1972-73	N.C.N.R.	En. O.Y.T. 1972 (1st), c. 29
Second Appropriation, 1973-74	N.C.N.R.	En. O.Y.T. 1973 (1st), c. 22
Second Appropriation, 1974-75	N.C.N.R.	En. O.Y.T. 1974 (2nd), c. 18
Second Appropriation, 1975-76	N.C.N.R.	En. O.Y.T. 1975 (2nd), c. 17
Second Appropriation, 1976-77	N.C.N.R.	En. O.Y.T. 1977 (1st), c. 18
Second Appropriation, 1977-78	N.C.N.R.	En. O.Y.T. 1977 (1st), c. 16
Second Appropriation, 1978-79	N.C.N.R.	En. O.Y.T. 1979 (1st), c. 6
School	S-3	In. R.O.Y.T. 1971, c. S-3; Rp/Re. O.Y.T. 1974 (2nd), c. 14
Scientists and Explorers	S-4	In. R.O.Y.T. 1971, c. S-4
Securities	S-5	In. R.O.Y.T. 1971, c. S-5; Am. O.Y.T. 1976 (3rd), c. 12

Sixth Appropriation, 1974-75	N.C.N.R.	En. O.Y.T. 1975 (1st), c. 19
Social Assistance	S-6	In. R.O.Y.T. 1971, c. S-6
Societies	S-7	In. R.O.Y.T. 1971, c. S-7; Am. O.Y.T. 1974 (2nd), c. 15
Society of Industrial Accountants	S-7.1	See Society of Management Accountants
Society of Management Accountants	S-7.2	En. O.Y.T. 1975 (2nd), c. 2; Am. O.Y.T. 1977 (2nd), c. 9
Special Rural Development Agreement (Special ARDA)	N.C.N.R.	En. O.Y.T. 1978 (1st), c. 15
Stabilization Loan Fund	S-7.3	En. O.Y.T. 1977 (1st), c. 7; Am. O.Y.T. 1978 (1st), c. 9
Steam Boilers	S-8	In. R.O.Y.T. 1971, c. S-8 Rp. O.Y.T. 1979 (2nd), c. 1, s. 43
Students' Financial Assistance	S-8.1	En. O.Y.T. 1975 (2nd), c. 3; Am. O.Y.T. 1978 (1st), c. 10
Students' Grants	S-9	In. R.O.Y.T. 1971, c. S-9; Rp. O.Y.T. 1975 (2nd), c. 6
Superannuation, Territorial Employees	S-10	In. R.O.Y.T. 1971, c. S-10; Am. O.Y.T. 1975 (2nd), c. 16
Supervision of Federal Parolees Agreement	N.C.N.R.	En. O.Y.T. 1975 (1st), c. 7
Supreme Court	S-10.1	In. R.O.Y.T. 1971, c. T-2; Am. O.Y.T. 1971 (3rd), c. 3 Am. O.Y.T. 1979 (2nd), c. 2
Survivorship	S-11	In. R.O.Y.T. 1971, c. S-11
Taxation	T-0.1	En. O.Y.T. 1972 (1st), c. 13; Am. O.Y.T. 1975 (1st), c. 18; Am. O.Y.T. 1975 (2nd), c. 15; Am. O.Y.T. 1976 (1st), c. 7, 8; Am. O.Y.T. 1976 (2nd), c. 5; Am. O.Y.T. 1977 (1st), c. 12; Am. O.Y.T. 1978 (1st), c. 11 Am. O.Y.T. 1979 (2nd), c. 16
Tenants in Common	T-1	In. R.O.Y.T. 1971, c. T-1
Territorial Court	T-2	See Supreme Court
Territorial Court	T-2.05	In. R.O.Y.T. 1971, c. M-1 Am. O.Y.T. 1979 (2nd), c. 2
Territorial-Municipal Employment Loans	N.C.N.R.	En. O.Y.T. 1973 (1st), c. 33
Third Appropriation, 1972-73	N.C.N.R.	En. O.Y.T. 1973 (1st), c. 19
Third Appropriation, 1973-74	N.C.N.R.	En. O.Y.T. 1973 (3rd), c. 23

Third Appropriation, 1974-75	N.C.N.R.	En. O.Y.T. 1974 (2nd), c. 19
Third Appropriation, 1975-76	N.C.N.R.	En. O.Y.T. 1975 (3rd), c. 15
Third Appropriation, 1976-77	N.C.N.R.	En. O.Y.T. 1978 (1st), c. 16
Third Appropriation, 1977-78	N.C.N.R.	En. O.Y.T. 1977 (1st), c. 17
Third Appropriation, 1978-79	N.C.N.R.	En. O.Y.T. 1979 (2nd), c. 17
Tobacco Tax	T-2.1	En. O.Y.T. 1974 (2nd), c. 3; Am. O.Y.T. 1976 (1st), c. 9; Am. O.Y.T. 1978 (1st), c. 12
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Transfer of Prisoners Agreement	N.C.N.R.	En. O.Y.T. 1975 (1st), c. 8
Transport Public Utilities	T-4	In. R.O.Y.T. 1971, c. T-4
Travel for Medical Treatment	T-4.1	En. O.Y.T. 1975 (2nd), c. 4
Travel Industry Development Agreement	N.C.N.R.	En. O.Y.T. 1975 (2nd), c. 5
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Unemployment Assistance Agreement Repeal	N.C.N.R.	En. O.Y.T. 1975 (1st), c. 13
Variation of Trusts	V-1	In. R.O.Y.T. 1971, c. V-1
Vital Statistics	V-2	In. R.O.Y.T. 1971, c. V-2; Am. O.Y.T. 1973 (1st), c. 18;
Wages Recovery	W-1	In. R.O.Y.T. 1971, c. W-1
Warehousemen's Lien	W-2	In. R.O.Y.T. 1971, c. W-2
Wills	W-3	In. R.O.Y.T. 1971, c. W-3
Whitehorse, An Ordinance to open a certain portion of Land in the City of	N.C.N.R.	En. O.Y.T. 1978 (1st), c. 13
Whitehorse General Purposes Loan (1972)	N.C.N.R.	En. O.Y.T. 1972 (1st), c. 32
Whitehorse General Purposes Loan (1973)	N.C.N.R.	En. O.Y.T. 1973 (1st), c. 34
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Workers' Compensation	W-4.1	In. R.O.Y.T. 1971, c. W-5; Rp/Re. O.Y.T. 1973 (3rd), c. 6; Am. O.Y.T. 1975 (3rd), c. 6, s. 4; Am. O.Y.T. 1977 (2nd), c. 10
Workmen's Compensation	W-5	See Workers' Compensation
Workmen's Compensation Supplementary Benefits	N.C.N.R.	En. O.Y.T. 1973 (3rd), c. 7

Young Offenders Welfare Agreement	N.C.N.R.	En. O.Y.T. 1976 (2nd), c. 3
Young Voyageur Agreement	N.C.N.R.	En. O.Y.T. 1975 (1st), c. 9
Yukon Council	Y-1	En. O.Y.T. 1978 (1st), c. 2 Am. O.Y.T. 1979 (2nd), c. 18

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