



STATUTES
OF THE
YUKON TERRITORY

PASSED BY THE LEGISLATURE OF
THE YUKON TERRITORY
IN THE YEAR
1982

IN THE SECOND SESSION OF THE TWENTY-FIFTH
LEGISLATIVE ASSEMBLY TO DECEMBER 9, 1982

DOUGLAS L. BELL
COMMISSIONER

STATUTES OF THE YUKON TERRITORY

1982 Second Sitting

<u>RIJL No.</u>	<u>CHAPTER No.</u>	<u>TITLE</u>	<u>Page No.</u>
15	17	Agriculture Development Act	1
20	18	The Compaines Act, An Act to Amend	6
4	19	Fifth Appropriation Act, 1981-82	13
19	20	First Appropriation Act, 1983-84	16
11	21	The Insurance Act, An Act to Amend	18
14	22	Land Planning and Development Act	20
5	23	Landlord and Tenant Act, An Act to Amend	38
2	24	Legislative Assembly Act, An Act to Amend the	55
8	25	Liquor Act, An Act to Amend the	57
13	26	Motor Vehicles Act, An Act to Amend the	64
16	27	Municipal Finance Act, An Act to Amend the	73
12	28	Optometry Act, An Act to Amend the	74
6	29	Partnership Act, An Act to Amend the	77
7	30	Personal Property Security Act, An Act to Amend the	105
17	31	Public Sector Compensation Restraint (Yukon) Act	124
3	32	Second Appropriation Act, 1982-83	129
18	33	Third Appropriation Act, 1982-83	132
10	34	Wildlife Act, An Act to Amend the	136
9	35	Workers' Compensation Act, An Act to Amend the	140

The Second Session of the Twenty-Fifth Legislative Assembly was adjourned on December 9, 1982.

STATUTES OF THE YUKON TERRITORY
1982, Chapter 17

AGRICULTURE DEVELOPMENT ACT

(Assented to December 9, 1982)

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

- 1(1) This Act may be cited as the Agriculture Development Act.
- 2(1) In this Act, "lands" means properties to which the Lands Act applies.
- 3(1) The Commissioner in Executive Council shall establish an Agriculture Development Council.
- 4(1) The Agriculture Development Council shall consist of three members appointed by the Commissioner in Executive Council to hold office for not more than three years at a time.
 - (2) One of the members shall be appointed chairman, and another, vice-chairman.
- 5(1) The chairman of the Agriculture Development Council is its chief executive officer, and he shall
 - (a) supervise and direct the work of the Council, and
 - (b) preside at sittings of the Council.
- (2) Where the chairman is unable at any time for any reason to exercise the powers or perform the duties of his office, the vice-chairman may act in his place.
- 6(1) A quorum is two members of the Agriculture Development Council, but a vacancy in the membership

of the Council does not impair the right of the remainder to act.

- 7(1) A member of the Agriculture Development Council who is not a member of the public service of Yukon Territory may be paid transportation, accommodation and living expenses incurred in connection with the performance of his duties away from his ordinary place of residence but, except as otherwise provided by the regulations, the payment of such expenses shall conform as nearly as possible in all respects to the payment of such expenses for members of the public service of Yukon.
- 8(1) The Executive Council Member may establish terms of reference to be followed by the Agriculture Development Council in the performance of its duties under this Act.
- 9(1) Subject to the directions of the Executive Council Member, for the purpose of advising the Executive Council Member respecting agriculture in the Territory, the functions of the Agriculture Development Council extend to and include all matters relating to
- (a) the disposition of lands for agricultural purposes, including
 - (i) agricultural development plans,
 - (ii) eligibility criteria for applicants and conditions respecting the disposition of such lands,
 - (iii) minimum and maximum parcel sizes, and rules for the laying out of such lands,
 - (iv) terms to be contained in agreements for

- sale or lease, or other agreements,
- (v) land use and subdivision controls for such lands, and
- (vi) prices for disposition of such lands, and methods of payment;
- (b) the inspection, storage and marketing of agricultural products, and the provision of related services,
- (c) the institution and carrying out of advisory, research, promotional or educational programs relating to agriculture, and
- (d) the collection and dissemination of information respecting agriculture in Yukon.

- 10(1) The Agriculture Development Council shall, at the request of the Executive Council Member and at any time it considers it appropriate to do so, advise the Executive Council Member generally respecting agriculture in Yukon and, in particular, with respect to any of the following matters:
- (a) the assessment of the agricultural potential of Yukon, including the identification and evaluation of agricultural land, agricultural research, and analysis of markets, transportation and other factors affecting agriculture;
 - (b) the development of the agricultural potential of Yukon including
 - (i) the establishment and maintenance of farms and other agricultural enterprises,
 - (ii) the clearing and improvement of land for agriculture,
 - (iii) the disposition of Crown land for agricultural purposes,
 - (iv) irrigation and the supply of water for agricultural purposes,
 - (v) the provision of technical and other

- assistance to persons engaged in agriculture, and
- (vi) the coordination of agricultural programs of Yukon with programs of Canada or any province,
- (c) the preservation, protection and management of the agricultural potential of Yukon, including
 - (i) the preservation of agricultural land for agriculture,
 - (ii) soil conservation,
 - (iii) the control of agricultural diseases, pests and weeds,
 - (iv) the zoning of agricultural land, and
 - (v) grazing and other agricultural uses of public land;
- (d) the taxation of farms and other agricultural enterprises, and the taxation of agricultural land and activities on such land,
- (e) the regulation of agricultural activities for the benefit of the agricultural community or the public, including
 - (i) the control of livestock running at large,
 - (ii) the operation of agricultural equipment on public highways,
 - (iii) seed control,
 - (iv) the branding of livestock and the administration of the Brands Act, and
 - (v) the establishment and maintenance of pound districts and the administration of the Pounds Act, and
- (f) the development and implementation of agricultural programs and policies by the Government of Yukon; and
- (g) such further matters as the Executive Council Member may require.

- 11(1) The Commission in Executive Council may make regulations
- (a) respecting the expenses that may be paid to members of the Agriculture Development Council;
 - (b) establishing agricultural programs of the Government of Yukon;
 - (c) providing for the participation of the Agriculture Development Council in the disposition of land for agricultural purposes;
 - (d) providing for the coordination of policies and programs under this Act with policies and programs of the Government of Canada in Yukon; and
 - (e) generally, making provision for such matters as he considers necessary for carrying this Act into effect.
-

STATUTES OF THE YUKON TERRITORY
1982, Chapter 18

AN ACT TO AMEND
THE COMPANIES ACT

(Assented to December 9, 1982)

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

- 1(1) This Act amends the Companies Act.
- 2(1) The following are added immediately after section 62:
- "62.1(1) Subject to sections 62.2 to 62.9, a company may purchase shares issued by it.
- (2) Unless its articles otherwise provide, the company shall exercise the power conferred by this section by resolution of the directors.
- 62.2(1) When a company purchases any share issued by it of a class with par value, the issued capital is thereby decreased by an amount equal to the par value of the share.
- (2) When a company purchases any share issued by it of a class without par value, the issued capital is thereby decreased by an amount equal to the amount obtained by dividing
- (a) the amount of the consideration received by the company from time to time for which the shares of that class were issued, less any reduction of capital

with respect to those shares effected by
the company in accordance with this
Act,

by

(b) the number of issued shares of that
class.

(3) Shares that have been issued by a company
and purchased by it shall be restored to the
status of authorized but unissued shares.

62.3(1) A company shall not make any payment to
purchase any share issued by it if the
directors have reasonable grounds for
believing that

(a) the company is, or would be after the
payment, unable to pay its liabilities as
they become due, or

(b) the realizable value of the company's
assets after the payment would be less
than the aggregate of its liabilities and
the paid up capital of the remaining
shares of every class.

62.4(1) Any directors who vote in favour of or
consent to a payment that is or would be
contrary to section 62.3 are jointly and
severally liable to restore to the company
any amount so paid and not otherwise
recovered by the company.

(2) A director who satisfies part or all of a
liability under subsection (1) is entitled to
contribution from the other directors who

voted in favour of or consented to the payment.

- (3) Where a company has made a payment to purchase any share contrary to section 62.3,
- (a) any creditor who was a creditor at the time of the vote or consent,
 - (b) any shareholder, or
 - (c) any director who is liable under subsection (1),
- may apply to the Court by originating application for an order compelling the shareholder or former shareholder to whom or for whose benefit the payment was made to repay to the company an amount equal to the payment made by the company for that share.
- (4) On an application under subsection (3), the Court may
- (a) order the shareholder or former shareholder to whom or for whose benefit the payment was made to pay to the company an amount equal to the payment made by the company;
 - (b) order the company to issue an equivalent number of shares to the shareholder or the former shareholder;
 - (c) make any other order that it thinks appropriate to restore all parties to the position they were in before the company made the payment contrary to section 62.3.

- 62.5(1) A company that purchases shares issued by it shall notify the Registrar within 30 days of the date of the purchase or of the first payment for the shares, whichever shall first occur, of the date, the number and the class of shares that the company has purchased or made a payment for.
- 62.6(1) Where a company purchases a share issued by it and, for the purpose of that purchase, uses for its own benefit or advantage information that, if generally known, would reasonably be expected to affect materially the value of the share the company is liable to compensate any shareholder or former shareholder from whom the share was purchased for any loss suffered by that person as a result of the purchase.
- (2) A company has no liability under subsection (1) where, at the time of the purchase, the shareholder knew or ought reasonably to have known the information.
- 62.7(1) Unless all of the shareholders at the date of the purchase have unanimously agreed in writing to the proposed purchase, a company that proposes to purchase shares issued by it shall
- (a) make its offer to purchase to every shareholder who holds shares of the class to be purchased,
 - (b) deliver or mail, in the manner prescribed in the articles of association

of the company for giving a notice of meeting of the shareholders, a copy of the offering circular to each shareholder of record at the time of the offer stating the number and the class of shares that the company proposes to purchase and the amount it proposes to pay for each share, and

- (c) file a copy of the offering circular with the Registrar within 15 days of the date that it is first delivered or mailed to the shareholders.
- (2) Where the shareholders agree to sell a greater number of shares than the company offered to buy, the company shall make its purchase from all of the shareholders who offered to sell as nearly as possible on a pro rata basis.
- (3) A public company whose shares are listed on a Canadian stock exchange, or are traded in the over-the-counter market in Canada, is not required to comply with subsections (1) and (2) where
- (a) it purchases the shares through the stock exchange or in the over-the-counter market,
 - (b) there has been no solicitation of the shareholders by the company, and
 - (c) the purchases by the company do not exceed in any single month more than 1% of the class of shares that were issued and outstanding on the first day of that month.

An Act to Amend the
Companies Act

Chp. 18

62.8(1) On an application, which may be made by originating application, by the company the Court may, subject to any just terms and

conditions it may impose, exempt the company from any of the requirements of section 62.1 to section 62.7 where the Court is satisfied that it would not be prejudicial to the public or any private interest to do so.

(2) Where, in connection with an offer by a company to purchase shares issued by it, the company or the directors do not comply with this Act or the regulations, any person whose rights are or may reasonably be expected to be affected by the lack of compliance may apply to the Court by originating application and the Court may make an order

(a) approving the contents of the offering circular with or without variation and requiring distribution of the corrected document to each shareholder entitled to receive it,

(b) restraining the distribution of the offering circular,

(c) requiring any person to comply with this Act or the regulations, or

(d) rescinding the offer.

62.9(1) An action for specific performance may be taken against a company with respect to a contract with the company providing for the

purchase of shares issued by it, except to the extent that the company is unable to perform the contract without contravening section 62.3.

(2) In an action referred to in subsection (1), the onus is on the company to prove that performance of the contract would contravene section 62.3.

(3) Until the company has fully performed the contract referred to in subsection (1) or fully satisfied a judgment based on that contract, a shareholder who contracted to

sell any shares or who is the judgment creditor is entitled in liquidation of the company to be ranked subordinate to the rights of creditors and to the rights of any class of shareholders whose rights were in priority to the rights given to the class of shares that he contracted to sell to the company, but in priority to the rights of other shareholders."

STATUTES OF THE YUKON TERRITORY
1982, Chapter 19

FIFTH APPROPRIATION ACT, 1981-82

(Assented to November 10, 1982)

Whereas it appears by message from the Commissioner and in the estimates accompanying the message that, in addition to the sums previously appropriated, the sums not appearing in parentheses in Schedule "A" of this Act are required for the purpose of defraying certain expenses of the public service of Yukon and for related purposes for the period of 12 months ending on March 31, 1982;

And whereas, out of the sums previously appropriated, the sums appearing in parentheses in Schedule "A" of this Act are not required for the purpose of defraying certain expenses of the public service of Yukon or for related purposes for the period of 12 months ending on March 31, 1982:

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

- 1(1) This Act may be cited as the Fifth Appropriation Act, 1981-82.

- 2(1) In addition to the sum of \$25,608,000 provided for in the First Appropriation Act, 1981-82, the sum of \$114,529,600 provided for in the Second Appropriation Act, 1981-82, the sum of \$1,000,000 provided for in the Third Appropriation Act, 1981-82 and the sum of \$10,694,000 provided for in the Fourth Appropriation Act, 1981-82, from and out of the Yukon Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole \$1,877,000 for defraying the several charges and expenses of the public service of Yukon for the period of 12 months ending on March 31, 1982, as set forth in Schedule "A" of this Act and

appearing there as sums not in parentheses, and that whole sum shall not be paid or applied except in accordance with Schedule "A".

- (2) The sums previously appropriated to an appropriation or item which is listed in Schedule "A" and which has a sum appearing in parentheses after it are reduced by the amount of the sum appearing in the parentheses.
 - 3(1) The due application of all monies paid or applied pursuant to section 2 shall be accounted for.
-

SCHEDULE A

<u>Appropriation or Item</u> <u>in 000's)</u>	<u>\$ (Dollars</u>
--	--------------------

Sums that are required:

Executive Council Office	29
Justice	147
Intergovernmental Relations	18
Finance	371
Government Services	376
Yukon Housing Corporation	134
Loan Capital	750
Loan Amortization	52
	<hr/>
Sub-Total (sums required)	1,877

Sums previously appropriated that
are not required:

Yukon Legislative Assembly	(36)
Education	(109)
Consumer and Corporate Affairs	(56)
Health and Human Resources	(327)
Municipal and Community Affairs	(1,218)
Tourism and Economic Development	(627)
Highways and Public Works	(17)
Public Service Commission	(3)
Heritage and Cultural Resources	(228)
Renewable Resources	(128)
Yukon Liquor Corporation	(399)
	<hr/>
Sub-Total (sums not required)	(3,148)

Total	(1,271)
-------	---------

STATUTES OF THE YUKON TERRITORY
1982, Chapter 20

FIRST APPROPRIATION ACT, 1983-84

(Assented to December 9, 1982)

Whereas it appears by message from the Commissioner and in the estimates accompanying the message that the sums mentioned in Schedule "A" of this Act are required for the purpose of defraying certain expenses of the public service of Yukon and for related purposes for the period of 12 months ending on March 31, 1984:

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

- 1(1) This Act may be cited as the First Appropriation Act, 1983-84.

- 2(1) From and out of the Yukon Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole \$24,412,000 for defraying the several charges and expenses of the public service of Yukon for the period of twelve months ending on March 31, 1984, as set forth in Schedule "A" of this Act and that sum shall not be paid or applied except in accordance with Schedule "A".

- 3(1) The due application of all monies paid or applied pursuant to section 2 shall be accounted for.

FIRST APPROPRIATION ACT, 1983-84 Chp. 20

SCHEDULE A

<u>Appropriation or Item</u>	<u>\$ (Dollars in 000's)</u>
Executive Council Office	8
Education	4,618
Consumer and Corporate Affairs	340
Health and Human Resources	1,035
Municipal and Community Affairs	7,837
Economic Development and Inter- Governmental Relations	1,728
Justice	406
Highways and Transportation	5,418
Finance	1
Tourism, Heritage and Cultural Resources	796
Renewable Resources	750
Government Services	1,206
Yukon Housing Corporation	199
Yukon Liquor Corporation	70
Total	<u>24,412</u>

STATUTES OF THE YUKON TERRITORY

1982, Chapter 21

AN ACT TO AMEND
THE INSURANCE ACT

(Assented to December 9, 1982)

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

- 1(1) This Act amends the Insurance Act.
- 2(1) In subsection 34(6), "or Ordinance" is deleted.
- 3(1) In subsection 129(5), "a security interest in" is substituted for " as security legal title to".
- 4(1) In subsection 147(1), "\$200,000" is substituted for "seventy-five thousand dollars".
 - (2) In paragraph 147(2)(a), "\$190,000" is substituted for "sixty-five thousand dollars".
 - (3) In paragraph 147(2)(b), "\$10,000" is substituted for "ten thousand dollars".
 - (4) In subsection 147(3), "\$200,000" is substituted for "seventy-five thousand dollars".
- 5(1) In subsection 1(1) of the Schedule, "\$5,000" is substituted for "\$2,000".
 - (2) In subsection 1(2) of the Schedule, "\$1,000" is substituted for "\$500".
 - (3) In the table immediately following the introductory sentence in Part I of subsection (2) of the Schedule,
 - (a) "\$5,000" is substituted for "\$3,000" and for

An Act to Amend The
Insurance Act

Chp. 21

- "\$2,000" under the heading "Head of Household",
and
- (b) "\$5,000 is substituted for all of the figures which
appear under the heading "Spouse in Two-Parent
Households".
- (4) In Part II of subsection (2) of the Schedule,
- (a) "subject to a maximum of \$150 per week" is
substituted for "subject to a maximum of \$50.00
per week",
- (b) "a person living in the same dwelling premises as
his or her spouse" is substituted for "a wife
residing in the same dwelling premises as her
husband", and
- (c) "his or her household duties" is substituted for
"her household duties".
- 6(1) In subsection 3(1), 23(1), 45(1), 216(19) and 227(2),
"Commissioner in Executive Council" is substituted for
"Commissioner".
- (2) In subsection 229(1), (2) and (8), "Executive Council
Member" is substituted for "Commissioner".
- (3) In subsection 220.1(9), "to the Commissioner" is
deleted.
- 7(1) This Act comes into force on April 1, 1983.

STATUTES OF THE YUKON TERRITORY
1982, Chapter 22

LAND PLANNING AND DEVELOPMENT ACT

(Assented to December 9, 1982)

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

1(1) This Act may be cited as the Land Planning Act.

2(1) In this Act,

"Board" means the Land Planning Board established under section 3;

"Committee" means a Land Planning Committee established under section 17;

"district" means a land planning district established under section 36, and includes any area, designated by any other name, established under that section;

"federal Minister" means the Minister of Indian Affairs and Northern Development for Canada;

"municipality" has the same meaning as in the Municipal Act and includes a Local Improvement District under the Local Improvement District Act; and

"plan" means a land use plan that is or may be prepared or adopted under this Act and includes an amendment to a land use plan.

Land Planning Board

3(1) The Commissioner in Executive Council shall establish a Land Planning Board.

- 4(1) The Board shall consist of eight members appointed by the Commissioner in Executive Council as follows:
- (a) the Executive Council Member is entitled to nominate four members, two of whom shall be members of the public service of Yukon and two of whom shall be Yukon residents who are not members of the public service of Yukon or Canada;
 - (b) the Government of Canada is entitled to nominate two members from the public service of Canada; and
 - (c) the Council for Yukon Indians is entitled to nominate two members who shall not be members of the public service of Yukon or Canada,
- (2) A person is not eligible to be a member of the Board unless he is a Canadian citizen.
- 5(1) The Commissioner in Executive Council shall appoint one of the members of the Board to be the chairman and another to be the vice-chairman.
- (2) The chairman 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.
- (3) Where the chairman is unable at any time for any reason to exercise the powers or perform the duties of his office, the vice-chairman may act in his place.
- 6(1) The term of office for which members of the Board may be appointed is not more than four years.

- (2) Notwithstanding subsection (1), of the members first appointed to the Board, four shall be appointed for a term of not more than two years.
- 7(1) A member of the Board is eligible for reappointment on the expiration of his term of office.
- 8(1) A member of the Board may be paid transportation, accommodation and living expenses incurred in connection with the performance of his duties as a member of the Board away from his ordinary place of residence but, except as otherwise provided by the regulations, the payment of such expenses shall conform as nearly as possible in all respects to the payment of such expenses for members of the public service of Yukon.
- 9(1) The Board shall meet at the call of the chairman, who shall convene such meetings as he considers desirable for the conduct of the business of the Board.
- (2) Notwithstanding subsection (1), the Board shall meet at least once each year, and it shall meet also at such times and places as the Executive Council Member may direct to consider matters referred to it by the Executive Council Member.
- 10(1) A majority of the members of the Board is a quorum, but no quorum exists unless the chairman or vice-chairman is present.
- (2) Subject to subsection (1), a decision of a majority of the members present at a meeting of the Board is a decision of the Board but, in the event of an evenly divided opinion between members of the Board,

- including the vote of the chairman, the matter shall be decided in accordance with the vote of the chairman.
- (3) A vacancy in the membership of the Board reduces the number of members required for a quorum and, subject to subsections (1) and (2), does not impair the right of the other members to act.
- 11(1) The Board may by order make rules of procedure consistent with this Act respecting
- (a) the conduct of its meetings and business,
 - (b) the records to be kept in respect of the business of the Board under this Act,
 - (c) the custody, preservation and provision of access to the records referred to in paragraph (b).
 - (d) the making of submissions to the Board, including the information to be provided in support of submissions, and
 - (e) any other matter that reasonably is necessary or advisable for the effective and orderly performance of the duties of the Board.
- (2) The Board may by order make rules such as those referred to in subsection (1) respecting the meetings and business of Committees.
- 12(1) Where a member of the Board has a direct or indirect personal interest, otherwise than as a member of the public, in a matter under review by the Board, he shall give to the Executive Council Member a written statement containing particulars of his personal interest and requesting that another person be appointed to take his place on the Board for its review of the matter.

- (2) Where any member of the Board is prevented for any reason from performing his duties, or where a member requests the appointment of a substitute under subsection (1), the Executive Council Member may appoint a substitute for such period of time as the Executive Council Member considers appropriate, but in the case of members nominated under paragraph 4(1)(b) or (c), the Government of Canada or the Council for Yukon Indians, as the case may be is entitled to nominate the substitute.
- 13(1) The Board shall make recommendations to the Executive Council Member and the federal Minister on matters respecting land use planning in Yukon.
- (2) The Board shall make recommendations under subsection (1) on its own initiative or as such matters are referred to it by the Executive Council Member.
- (3) Except as provided by paragraph 25(1)(j), no recommendation of the Board shall relate to land use planning in any area that is within a municipality.
- (4) At the request of the Executive Council Member and at such other times as the Board considers appropriate the Board shall make reports to the Executive Council Member respecting the conduct of the business of the Board.
- 14(1) Without limiting the generality of section 13, a recommendation of the Board under section 13 may recommend
- (a) the establishment of districts;
 - (b) the establishment of Committees and their terms of reference;

- (c) the adoption, rejection or modification of plans prepared by Committees;
 - (d) the implementation of plans; and
 - (e) priorities for land use planning.
- 15(1) In recommending a plan to the Executive Council Member for the adoption of a plan, the Board shall
- (a) take into consideration the relationship between the district for which the plan was prepared and other areas of Yukon in respect of the contents of the proposed plan and matters required to be taken into consideration under subsection 25(2).
 - (b) specify the extent to which the public has been given an opportunity to examine and comment on the proposed plan, and
 - (c) provide a summary of the comments received from the public.
- (2) The Board may make recommendations to the Executive Council Member respecting public participation in the preparation, review, adoption and implementation of plans under this Act.
- (3) The Board shall not make a recommendation for the adoption of a plan under paragraph 14(1)(c) until it has made a recommendation under subsection (2) and allowed such amount of time as the Board considers appropriate for public participation to take place.
- (4) A recommendation under subsection (2) shall include statements as to
- (a) the specific questions, plans or other matters in respect of which public participation is being recommended;
 - (b) any urgency that may affect the manner and extent to which the public should participate in the matter;

- (c) the apparent importance of, and public interest in, the matter for which public participation is being recommended;
 - (d) the factors affecting the type of public participation that should take place, and the times and locations at which it should take place;
 - (e) the type of public participation that should take place, whether by way of public hearing, invitation for written submissions, public meetings or otherwise;
 - (f) the times and places at which the public participation should take place;
 - (g) the estimated cost of the public participation being recommended;
 - (h) the anticipated effectiveness of the proposed procedure for public participation in relation to its cost, public interest in the matter, and the availability and effectiveness of alternative procedures; and
 - (i) any other matter the Board considers appropriate or the Executive Council Member may require to determine how public participation in respect of the matter may take place most effectively at a cost appropriate to the importance of the matter.
- 16(1) The Board has all the powers and duties of a Board under the Public Inquiries Act.

Land Planning Committees

- 17(1) The Commissioner in Executive Council may establish a Land Planning Committee for any district.
- (2) The Commissioner in Executive Council may designate the Board to perform the functions of a Committee for any district.

- (3) A committee may be established under subsection (1) for a purpose stated in the order establishing it, or it may be established for a fixed term, and upon the accomplishment of the purpose or the expiration of the term, as the case may be, such a Committee shall cease to exist.
- 18(1) A committee shall consist of not less than four and not more than eight members appointed by the Commissioner in Executive Council as follows:
- (a) the Council for Yukon Indians is entitled to nominate one member;
 - (b) the Government of Canada is entitled to nominate one member; and
 - (c) the Executive Council Member is entitled to nominate the other members, one of whom shall be a member of the public service of Yukon and another, a resident of the district who is not a member of the public service of Yukon or Canada.
- (2) Where a municipality or other incorporated or unincorporated community adjacent to or surrounded by a district appears to the Executive Council Member to have an interest in the business of the Committee, the Executive Council Member shall make a reasonable effort to nominate to the Committee a person who is
- (a) in the case of a municipality other than a Local Improvement District, a member of the council of the municipality,
 - (b) in the case of a Local Improvement District, a trustee, and
 - (c) in the case of another community, a resident of the community.

- (3) A person is not eligible to be a member of a Committee unless he is Canadian citizen and a Yukon resident.
- 19(1) The Commissioner in Executive Council shall appoint one of the members of a Committee to be the chairman and another to be the vice-chairman.
- (2) The chairman is the chief executive officer of a Committee, and he shall
- (a) supervise and direct the work of the Committee, and
 - (b) preside at sittings of the Committee.
- (3) Where the chairman is unable at any time for any reason to exercise the powers or perform the duties of his office, the vice-chairman may act in his place.
- 20(1) The term of office for which members of a Committee may be appointed is not more than four years.
- (2) A member of a Committee is eligible for reappointment on the expiration of his term of office.
- 21(1) A majority of the members of a Committee is a quorum, but no quorum exists unless the chairman or the vice-chairman is present.
- (2) Subject to subsection (1), a decision of a majority of the members present at a meeting of a Committee is a decision of the Committee but, in the event of an evenly divided opinion between members of a Committee, including the vote of the chairman, the matter shall be decided in accordance with the vote of the chairman.

- (3) A vacancy in the membership of a Committee reduces the number of members required for a quorum and, subject to subsections (1) and (2), does not impair the right of the remaining members to act.
- 22(1) A Committee shall meet at the call of the chairman, who shall convene such meetings as he considers necessary for the conduct of the business of the Committee.
- (2) Notwithstanding subsection (1), a Committee shall meet at such times and places as the Board may direct to consider matters referred to it by the Board.
- 23(1) A member of a Committee may be paid transportation, accommodation and living expenses incurred in connection with the performance of his duties as a member of the Committee away from his ordinary place of residence but, except as otherwise provided by the regulations, the payment of such expenses shall conform as nearly as possible in all respects to the payment of such expenses for members of the public service of Yukon.
- 24(1) Subject to this Act, the regulations, the terms of reference specified under section 26 and the directions of the Board, a Committee is responsible for the preparation and amendment of land use plans.
- 25(1) In the preparation of a plan, a Committee shall take into consideration the following matters:
- (a) the probable social, environmental and economic consequences of the implementation of the plan;
 - (b) the objectives, policies and programs of the Government of Yukon brought to the attention of

the Committee by the Executive Council Member or otherwise known to the Committee;

- (c) the suitability of land for various uses;
- (d) land area requirements for uses in relation to anticipated population and economic growth;
- (e) the maintenance of public health and safety;
- (f) the improvement of the standard of living and quality of life in the district;
- (g) the preservation and enhancement of the heritage and cultural resources of the district;
- (h) the strengths and weaknesses of the economy of the district, including the supply of goods and services, the opportunities for business, and the employment of residents of the district;
- (i) the supply, quality and cost of public and social services in the district;
- (j) the community plans adopted by municipalities adjacent to or surrounded by the district; and
- (k) such other matters of a merely local or private nature in the district as may be prescribed or the Executive Council Member may require.

26(1) Upon the establishment of a Committee, the Commissioner in Executive Council shall specify the terms of reference which shall govern the Committee in the fulfillment of its responsibilities under this Act.

- (2) Terms of reference under subsection (1) shall specify
 - (a) the districts in respect of which the Committee is to have responsibilities under this Act;
 - (b) such rules, if any, respecting the confidentiality of the reports of the Committee as the Commissioner in Executive Council considers advisable; and

- (c) such further responsibilities as the Commissioner in Executive Council considers appropriate for carrying out the purposes of this Act.
- (3) The Board may assign to a Committee, in addition to the responsibilities referred to in section 24 and paragraph 26(2)(c), such further responsibilities as the Board considers appropriate for carrying out the purposes of this Act.
- 27(1) At the request of the Board and at such other times as the Committee considers appropriate, a Committee shall make reports and recommendations respecting the preparation, implementation, adoption or amendment of land use plans for its district, and report to the Board on such other matters as the Committee considers appropriate or the Board may require.
- (2) A plan recommended by a Committee to the Board shall contain a statement as to the broad social, economic and environmental objectives to be achieved by the implementation of the plan, and a statement of the recommendations of the Committee respecting the general form and character of the future land use pattern in the district, including
- (a) the location of commercial, industrial, institutional, recreational, residential, agricultural, public utility, and other uses;
 - (b) the location of transportation and communication corridors and facilities;
 - (c) the location of urban settlements and associated developments, including water supply, sewage and solid waste disposal facilities;
 - (d) the use of land areas subject to hazardous conditions;

- (e) the preservation, protection and enhancement of land and water areas of special importance for scenic or recreational value, or for natural, historical or scientific interest; and
 - (f) such other matters as the Board or the Executive Council Member may require.
- (3) In addition to the statements required under subsection (2), a plan recommended by a Committee to the Board shall contain statements as to the following matters respecting the implementation of the plan:
- (a) a program for the orderly development of the district, including proposed sequences, where ascertainable, for the provision of public services;
 - (b) a program identifying the actions required by the Government of Yukon or Canada to implement the plan;
 - (c) a program for the administration and enforcement of the plan;
 - (d) the legislative provisions that should be made respecting land use in the district, and for the enforcement of the plan; and
 - (e) such other matters as, in the opinion of the Board or the Executive Council Member, may affect the implementation of the plan and the orderly development of the district.

General

- 28(1) The Commissioner in Executive Council may by order adopt land use plans in respect of which the Board has made recommendations.

- (2) A plan may be amended after it is adopted, but any such amendment shall be made in accordance with the provisions of this Act respecting the preparation and adoption of plans.
- (3) The Board shall not make a recommendation under subsection (1) or (2) before it has received recommendations respecting the plan or amendment as the case may be from a Committee for the district pursuant to this Act.
- 29(1) The Executive Council Member may, from among the persons employed in the public service, provide the Board or a Committee with a secretary and such other assistants as he considers necessary for the proper conduct of its business.
- 30(1) The Executive Council Member may, by order, provide for public participation in the preparation, amendment, review, adoption or implementation of a plan.
- (2) An order under subsection (1) shall set out
- (a) the specific questions, plans, developments or other matters in respect of which the opportunity for public participation is to be provided;
 - (b) the type of public participation that is to take place, stating the times, places and other relevant information necessary to enable interested persons to make their representations;
 - (c) the terms of reference to be followed by the Board or Committee, as the case may be, in the public participation process;
 - (d) the use to be made of the results of the public participation;

- (e) the notice to be given to the public or any person respecting the public participation process; and
- (f) any other rules or conditions to which the public participation process is to be subject.

31(1) In the conduct of their business, the Board and Committees are not bound by the technical rules of legal evidence, and they may accept and act upon evidence given orally or in writing obtained in such matter as they consider proper, whether or not the evidence is given on oath or affirmation.

32(1) The Board or a Committee is not deprived of any jurisdiction it may have under this Act in relation to any matter by reason only that any suit, prosecution or other proceeding relating to the matter is before a court.

33(1) The Board may authorize any 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 no report of such a member is a report of the Board until it is reviewed and approved by the Board.

34(1) No proceedings or recommendation of the Board or a Committee, and no order under section 28 adopting a plan or amendment, shall be called into question in any court

- (a) on the grounds of any defect in the nomination or appointment of any member,
- (b) on the grounds of any conflict of interest of any member, or

- (c) for any other reason except failure of the Board or Committee to comply with this Act.
- 35(1) Proceedings do not lie against the Board or a Committee, or against a person acting under the authority of the Board or a Committee, for anything in good faith done, reported or said in the course of the exercise, or purported exercise, of duties under this Act.
- 36(1) The Commissioner in Executive Council may make regulations establishing land planning districts or other geographic areas for purposes related to the administration of this Act.
- 37(1) The Commissioner in Executive Council may make regulations respecting
- (a) the business and proceedings of the Board and Committees under this Act;
 - (b) the payment of expenses of Board and Committee members, and
 - (c) such other matters as he considers necessary for carrying the purposes and provisions of this Act into effect.
- 38(1) The Commissioner in Executive Council may make such regulations, relating to matters within the control of the Legislature, as he considers necessary or advisable for the administration and enforcement of a plan adopted under this Act, including, without limiting the generality of the foregoing,
- (a) the establishment of a system of zoning;
 - (b) the regulation of the use, alteration and development of land, and the construction and use of improvements and structures on land, by means of a system of permits or licences;

- (c) the imposition of fees and the establishment of forms respecting the administration of this Act;
 - (d) the appointment of inspectors and the establishment and their duties, powers and immunities;
 - (e) the demolition or removal of improvements or structures constructed in contravention of a plan, this Act or the regulations, or the undertaking of such other work as may be advisable for the rectification or avoidance of contraventions of a plan, this Act or the regulations;
 - (f) the recovery of the costs of anything done by the Government of Yukon to rectify or avoid a contravention of a plan, this Act or the regulations; and
 - (g) the prescription of duties and prohibitions, and the imposition of penalties upon persons convicted of an offence under this Act.
- (2) Where the Commissioner in Executive Council makes regulations under subsection (1), he shall make regulations providing for an appeal for any person aggrieved by a decision of an inspector or other person charged with any responsibility for the administration and enforcement of the regulations.
- 39(1) The provisions of this Act relating to the nomination of persons to be members of the Board or Committees by the Council for Yukon Indians operate notwithstanding the Canadian Bill of Rights and section 15 of the Canadian Charter of Rights and Freedoms.
- 40(1) The Commissioner in Executive Council may, by order made during the period of one year immediately

following the date on which this Act comes into force,
adopt plans without the recommendation from the Board
referred to in section 29.

- 41(1) This Act comes into force on a day to be fixed by the
Commissioner in Executive Council.
-

STATUTES OF THE YUKON TERRITORY
1982, Chapter 23

AN ACT TO AMEND THE
LANDLORD AND TENANT ACT

(Assented to December 9, 1982)

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

1(1) This Act amends Part IV of the Landlord and Tenant Act.

2(1) The following is added to subsection 60(i):

"'mobile home site' means land intended to be or used as a site for a mobile home, whether or not the landlord supplies the mobile home;"

(2) In the definition of "residential premises" in subsection 60(1), ", includes mobile home sites" is added immediately after "residential purposes".

3(1) The following is added immediately after section 61:

"61.1(1) Where a person becomes a new landlord, he is subject to this Act with respect to all subsisting tenancy agreements and security deposits held by the immediately preceding landlord.

(2) Every new landlord is deemed to have notice of all subsisting tenancy agreements in respect of which he becomes the new landlord.

- (3) Subject to the rights of tenants under the other provisions of this Act, as between the new landlord and the immediately preceding landlord, all security deposits held by the immediately preceding landlord shall vest in the new landlord on the date on which he becomes the new landlord, and the immediately preceding landlord shall deliver to the new landlord, forthwith after he becomes the new landlord, all such security deposits or securities in which such deposits may have been invested, together with all records of the immediately preceding landlord relating to such deposits or securities.

- (4) Every new landlord is substituted as the landlord in all subsisting tenancy agreements in respect of which he becomes the new landlord to the same extent as if each of the tenancy agreements had been entered into with the tenant by the new landlord, and the immediately preceding landlord shall forthwith deliver to the new landlord the copies of all tenancy agreements entered into by the immediately preceding landlord in respect of which the new landlord is substituted as the landlord.

- (5) For the purposes of this section, "new landlord" includes
 - (a) any person who becomes the owner of property on which residential premises are situated or that consists of residential premises, with respect to which at the time he becomes the owner

there are subsisting tenancy agreements,

- (b) a person to whom a landlord assigns a tenancy agreement,
- (c) a trustee in bankruptcy, liquidator, receiver or committee appointed by any court or by law in respect of the property of a landlord,
- (d) the purchaser at a judicial sale of the residential premises of a landlord, and
- (e) a mortgagee of the residential premises of a landlord who acquires title to them by foreclosure or pursuant to a judicial sale of them, or who enters into possession of the residential premises, and the assigns of such a mortgagee.

(6) This section applies notwithstanding section 61."

4(1) In subsection 65(1), "payment of rent or performance of any other obligation under this Act or the tenancy agreement" is substituted for "payment of rent".

5(1) The following is added immediately after section 69:

"69.1(1) No landlord shall, with respect to residential premises consisting of a mobile home site, unreasonably restrict or interfere with a tenant's attempt to sell a mobile home situated on the residential premises.

(2) A landlord shall be deemed to have restricted unreasonably a tenant's attempt to sell a mobile home under subsection (1)

where the landlord

- (a) limits the occupation of the residential premises to a mobile home sold, leased or otherwise made available by any specific person or persons, or
- (b) charges any fee in connection with such sale or attempted sale, except for the provision of some service with respect to the sale or attempted sale."

6(1) In subsection 70(2), "the Government of Yukon" is substituted for "or of the Territory".

7(1) In subsection 73(1), "Legislative Assembly" is substituted for "Territorial Council".

8(1) The following are substituted for subsections 75(1) and (2):

- "75(1) A landlord has the following responsibilities:
- (a) notwithstanding any state of disrepair existing without the knowledge of the tenant at the commencement of the tenancy, to provide and maintain in a good, safe, healthy and tenantable state or repair
 - (i) the rented premises, the common areas and the property of which they form a part, and
 - (ii) the services and facilities agreed to be provided by the landlord under a written or unwritten tenancy agreement;

- (b) to comply with health, safety, maintenance and occupancy standards established by law;
 - (c) except where the tenant vacates or abandons the premises, not to withhold or interfere, other than for an emergency, with the supply of any vital service, such as heat, water, electricity or any other utility to the premises, whether or not the supply of the service is an obligation of the landlord under the tenancy agreement;
 - (d) at the request of the tenant, to provide to the tenant a receipt for any rent paid by the tenant for the rented premises;
 - (e) not to demand or receive any payment or advantage from any merchant, salesman, tradesman, delivery man or any person in exchange for the privilege of access to the premises, the common areas or the property of which they form a part; and
 - (f) not to interfere unreasonably with the enjoyment of the rented premises for all usual purposes by the tenant and members of his household."
- (2) A tenant has the following responsibilities:
- (a) to pay the rent when it is due;
 - (b) not to interfere in any significant manner with the rights of either the landlord or other tenants in the premises, the common areas or the property of which they form a part;

- (c) not to perform illegal acts or to carry on an illegal trade, business or occupation in the premises, the common areas or the property of which they form a part;
- (d) not to endanger persons or property in the premises, the common areas or the property of which they form a part;
- (e) to repair damage to the premises, the common areas or the property of which they form a part caused by his willful or negligent conduct or by that of persons permitted by him to enter the premises, the common areas or the property of which they form a part;
- (f) to maintain the premises and any property rented with it in a reasonably clean condition;
- (g) not to use the premises for other than residential purposes except with the advance consent of the landlord, which shall not be withheld unreasonably; and
- (h) to vacate the premises upon the expiration or termination of the tenancy,"

9(1) The following are added immediately after section 75:

"75.1(1) Before making a tenancy agreement with any person, the landlord shall disclose in writing to that person all rules concerning the tenancy that exist at the time that the tenancy agreement is made.

- (2) After making the tenancy agreement, a landlord may from time to time make , amend, or replace the rules if the rules or the amendment or the replacement of the rules is reasonable and intended to
 - (a) promote the convenience, safety or welfare of the landlord's tenants;
 - (b) preserve the landlord's property from abusive use; or
 - (c) make a fair distribution of services and facilities held out by the landlord for the general use of his tenants.

 - (3) Rules made, amended, or replaced pursuant to subsection (2) are enforceable against the tenant only if
 - (a) the rules do not substantially modify the tenancy agreement,
 - (b) the rules apply and are applied to all residential tenants of the landlord in a fair manner,
 - (c) the rules are clear enough so as to fairly inform the tenant of what he must or must not do in order to comply with the rules, and
 - (d) reasonable notice in writing of the rules is given to the tenant.
- 75.2(1) Before making a tenancy agreement with any person, the landlord shall disclose in writing to that person all fees and charges payable by that person to the landlord in respect of the tenancy that are in addition to the rent payable.

- (2) After the tenancy agreement is made, the landlord shall not increase any fees or charges disclosed under subsection (1), or impose any additional fees or charges without giving the tenant written notice of the increase or addition at least three months before the date the increase or addition is to be effective.
 - (3) The landlord shall not increase any fees or charges disclosed under subsection (1), or impose any additional fees or charges, during the first year of the tenancy.
 - (4) An increase or addition contrary to subsections (1), (2) or (3) is void and unenforceable.
- 75.3(1) The Executive Council Member may designate any person to be a rentalsman for the purposes of this Act.
- (2) A rentalsman is authorized
 - (a) to provide information and advice to landlords and tenants in tenancy matters,
 - (b) to receive complaints from, and to mediate or arbitrate disputes between, landlords and tenants.
 - (c) to disseminate information for the purpose of advising landlords and tenants about residential premises, rights and remedies, and the initiation and conduct of legal proceedings, and

- (d) to investigate complaints about conduct in contravention of this Act in its application to residential tenancies.
- (3) Any person who is authorized by the landlord or tenant may file a complaint with a rentalsman on behalf of the landlord or tenant, as the case may be.
- (4) For the purpose of investigating a complaint under subsection (3), a rentalsman may inspect and copy any document or record relevant to the complaint, and
 - (a) he may enter the residential premises with the permission of the tenant, or
 - (b) he may enter the residential premises without the permission of the tenant at any reasonable time of day after giving not less than 24 hours' written notice to the tenant specifying the time at which he intends to enter the premises.
- (5) Except for the purposes of a prosecution under this Act, any court proceedings or the administration and enforcement of this Act, no rentalsman or other person shall
 - (a) knowingly communicate, or allow to be communicated, to any person any information obtained by or on behalf of a rentalsman under this section, or
 - (b) knowingly allow any person to inspect or have access to any copy of any document or record obtained by or on behalf of a rentalsman under this section.

- (6) Subsection (5) does not prohibit the communication of information, or the inspection or provision of access to documents or records, as the case may be, with the consent of the person to whom the information relates or who owns the document or record.
- 75.4(1) Subject to subsection (2), a rentalsman may mediate or arbitrate any dispute between a landlord and a tenant in respect of the tenancy including
- (a) a dispute with respect to the continued possession and occupancy of the residential premises by the tenant,
 - (b) a dispute as to arrears or non-payment of rent,
 - (c) a dispute with respect to compensation claimed by the landlord for use and occupancy of the residential premises by the tenant after the expiration or termination of the tenancy,
 - (d) a dispute as to damages caused to residential premises, the common areas or the property of which they form a part by the tenant or any other person, or
 - (e) any other dispute with respect to the performance by the landlord or the tenant of obligations under the tenancy agreement or section 75.
- (2) A rentalsman may refuse to mediate or arbitrate a dispute where he is of the opinion that

- (a) the dispute is of such a serious nature that it should be dealt with only by a court,
 - (b) the complaint is frivolous, vexatious, or concerns a trivial matter,
 - (c) the complaint primarily affects some person other than the complainant and the complainant does not have a sufficient personal interest in it.
- (3) A rentalsman shall not mediate or arbitrate a dispute where
- (a) the landlord or the tenant has commenced proceedings in a court for the resolution of the dispute, and
 - (b) the dispute has been previously resolved by the court or it remains before the court.
- 75.5(1) A rentalsman shall not arbitrate a dispute except upon the written request of the landlord and the tenant.
- (2) Where the landlord and the tenant have requested a rentalsman to arbitrate a dispute under subsection (1), neither of them is entitled to withdraw the dispute from arbitration and the decision of the rentalsman is final and binding on both of them:
- (3) The rentalsman may make such orders relating to the obligations of the landlord or the tenant to each other in respect of the tenancy as the rentalsman considers

necessary to give effect to his decision on the arbitration.

- (4) The rentalsman may file with the clerk of the court a copy of any order made by him under subsection (4) certified by him to be a true copy, and the order then becomes an order of the court and may be enforced as a judgment of the court.
- (5) A decision or order of a rentalsman in respect of the arbitration of a dispute is not subject to appeal in any court.
- (6) For the purposes of arbitrating a dispute, a rentalsman has the following powers:
 - (a) to enter upon and inspect the rented premises at any reasonable time;
 - (b) to require the attendance of witnesses and to receive their testimony;
 - (c) to require the production of documents;
 - (d) to administer oaths and affirmations; and
 - (e) to establish rules of procedure.
- (7) In the conduct of an arbitration a rentalsman is not bound by the technical rules of legal evidence, and the rentalsman may act upon evidence given orally or in writing obtained in such manner as the rentalsman considers proper, whether or not the evidence is given on oath or affirmation.

(8) No proceedings lie against a rentalsman or any person acting on behalf of a rentalsman for anything done or purporting to be done pursuant to this Act.

(9) The Arbitration Act does not apply to an arbitration under this Act.

75.6(1) In any proceedings under this Part, a judge may request a rentalsman to provide a report of any investigation conducted by or on behalf of the rentalsman relevant to the matter before the court.

(2) Upon the receipt of any report under subsection (1) at any time before or during the proceedings, the judge may make an order disposing of the matter in whole or in part without holding any further hearing.

75.7(1) Section 89 applies with the necessary changes to the giving and delivery of any notice, process or document by a rentalsman to a landlord or a tenant."

10(1) In subsection 77(4), "14" is substituted for "fifteen".

11(1) In subsection 78(1), "unless otherwise agreed upon" is deleted.

(2) The following is added to section 78:

"(2) Nothing in subsection (1) prevents a landlord or a tenant from accepting a notice that does not comply with subsection (1)."

An Act to Amend The
Landlord and Tenant Act

Chp. 23

- 12(1) Subsection 80(2) is repealed.
- 13(1) The following are substituted for subsection 82(1):
- "82(1) A notice by a tenant terminating a monthly tenancy shall be given to the landlord on or before the last day of one month of the tenancy to be effective on the last day of the immediately following month of the tenancy.
- (1.1) A notice by a landlord terminating a monthly tenancy shall be given to the tenant on or before the last day of one month of the tenancy to be effective on the last day of the immediately following month of the tenancy.
- (1.2) Notwithstanding section 81 and subsection (1.1), where the landlord gives a notice terminating the tenancy and the tenancy is in relation to a mobile home site, the tenancy shall not terminate in any of the months of December, January, or February."
- 14(1) In subsection 83(1), "ninetieth" is substituted for "sixtieth".
- 15(1) The following are added immediately after section 83:
- "83.1(1) A landlord or tenant may, at any time after a notice purporting to terminate a tenancy has been given, apply to a judge for a declaratory order respecting the validity of the termination of the tenancy under this

Act, and the judge may

- (a) confirm the termination of the tenancy on a date specified in the order, in which case the order becomes enforceable on that date, or
- (b) invalidate the termination of the tenancy.

83.2(1) Notwithstanding paragraph 78(1)(c) and sections 81, 82 and 83, where a tenant commits a substantial breach of his tenancy agreement, the landlord may

- (a) apply to a judge for an order terminating the tenancy, or
- (b) terminate the tenancy by giving 14 days' written notice of termination to the tenant, stating the effective date of the termination and the details of the alleged substantial breach.

(2) In subsection (1), "substantial breach" includes

- (a) a breach of a responsibility of the tenant set out in subsection 75(2), or
- (b) a series of breaches of a residential tenancy agreement, the cumulative effect of which is substantial."

16(1) In subsection 86(1),

- (a) "an application" is substituted for "a summary application",
- (b) "and may be started by a request to a judge or a clerk of the court for an appointment of a time

An Act to Amend The
Landlord and Tenant Act

Chp. 23

and place for the hearing of the application" is added immediately after "is made".

(2) The following is substituted for subsection 86(2):

"(2) The judge or clerk of the court who receives a request for an appointment under subsection (1) shall appoint a time and place for the hearing and the applicant shall serve a notice of the appointment and a copy of the application to the other parties to the tenancy agreement at least three days, exclusive of holidays and Saturdays, before the day appointed."

17(1) In subsection 88(1), "75.2, 77, or 87" is substituted for "77 or 87".

18(1) The following is substituted for paragraph 89(1)(b):

"(b) any notice, process, or document required or permitted to be delivered or given by a landlord to a tenant is sufficiently given or delivered if delivered personally to the tenant or sent by certified mail addressed to the tenant at the address of the residential premises described in the tenancy agreement to which the notice, process, or document relate or at any other address signified in writing by the tenant for the purpose."

19(1) In subsection 91(1), "a judge of the Supreme Court or the Territorial Court" is substituted for "a judge of the court or a magistrate".

An Act to Amend The
Landlord and Tenant Act

Chp. 23

- 20(1) In subsection 92(1), "Commissioner in Executive Council" is substituted for "Commissioner".
- 21(1) The following is added immediately after section 92:
- "92.1(1) For the purpose of section 63, interest on a security deposit held by a landlord in respect of residential premises consisting of a mobile home site when this Act comes into force begins to accrue on the later of
- (a) the coming-into-force of this Act, and
 - (b) the date on which the security deposit is received by the landlord."
- 22(1) This Act comes into force on January 1, 1983.
-

STATUTES OF THE YUKON TERRITORY
1982, Chapter 24

AN ACT TO AMEND THE
LEGISLATIVE ASSEMBLY ACT

(Assented to November 10, 1982)

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

- 1(1) This Act amends the Legislative Assembly Act.
 - 2(1) The following is added immediately after subsection 40.6(3):
 - "(4) Notwithstanding subsections (2) and (3), the indemnities and expense allowances payable under this Act to members shall be reduced to the amounts that were payable as of March 31, 1982.
 - (5) On April 1, 1983 and on April 1 of each succeeding year the reduced indemnities and expense allowances established by subsection (4) shall be adjusted pursuant to subsection (2).
 - (6) When the Commissioner in Executive Council declares that the reduced work schedule for the public service which was introduced on August 19, 1982 is abandoned and that some other longer work schedule is introduced in its place, subsection (4) shall cease to have any effect and the indemnities and expense allowances payable under this Act to members shall be restored to the amounts they would have been if the reduction described in subsection (4) had never been imposed."
 - 3(1) This Act shall have effect on and after November 11, 1982.
-

STATUTES OF THE YUKON TERRITORY
1982, Chapter 25

AN ACT TO AMEND THE
LIQUOR ACT

(Assented to December 9, 1982)

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

- 1(1) This Act amends the Liquor Act.
- 2(1) In subsections 3(2), 3(4), 3(5), 4(1), 10(2), 105(1), and 105(2), "Commissioner in Executive Council" is substituted for "Commissioner".
- 3(1) The following is substituted for section 12:
- "12(1) The accounts and financial transactions of the Corporation are subject to the audit of the Auditor General of Canada, and for the purpose he is entitled
- (a) to have access to all records, documents, books, accounts and vouchers of the Corporation, and
 - (b) to require from officers of the Corporation such information as he deems necessary.
- (2) The Auditor General of Canada shall report annually to the Executive Council Member the results of his examination of the accounts and financial statements of the Corporation, and the report shall state whether, in this opinion,
- (a) the financial statements represent fairly the financial position of the Corporation

An Act to Amend The
Liquor Act

Chp. 25

at the end of the financial year and the results of its operations for that year in accordance with the accounting policies of the Corporation applied on a basis consistent with that of the immediately preceding year,

- (b) proper books of account have been kept and the financial statements are in agreement with the books of account, and
 - (c) the transactions of the Corporation that have come under this notice are within the powers of the Corporation under this Act or any other Act that applies to the Corporation.
- (3) In his report, the Auditor General shall call attention to any other matter within the scope of his examination that in his opinion should be brought to the attention of the Executive Council Member.
- (4) The Auditor General from time to time may make to the Corporation or the Commissioner in Executive Council such other reports as he considers necessary or as the Executive Council Member may require.
- (5) The annual report of the Auditor General shall be included in the report referred to in subsection 14(1)."

4(1) The following is substituted for section 13:

"13(1) The Corporation shall after the end of each fiscal year prepare and submit to the

An Act to Amend The
Liquor Act

Chp. 25

Executive Council Member an annual report
for the twelve months ending on the 31st
day of March."

- 5(1) The following is substituted for subsection 15(1):
- "15(1) The Executive Council Member shall table a copy of the annual report at the next ensuing session of the Legislative Assembly."
- 6(1) In subsection 38(1), "except draught beer" is deleted.
- 7(1) In subsections 41(3) and 41(4), "and wine" is added immediately after "beer".
- 8(1) The following are substituted for subsection 47(1):
- "47(1) No licence shall be granted under this Act to a club which is a proprietary club or is operated for pecuniary gain.
- (1.1) No licence shall be granted under this Act unless:
- (a) the club premises are constructed, equipped and operated to the satisfaction of the Board and in accordance with the Act and regulations,
 - (b) the club has a permanent local membership of a number which, having regard to the size of the community, is satisfactory to the Board
 - (c) the application for the licence is approved by two-thirds of the club members who are

An Act to Amend The
Liquor Act

Chp. 25

present at a general or special meeting which is called to consider the application and is attended by not less than fifty per cent of the club members."

- 9(1) In subsection 61(1), "the Whitehorse metropolitan area or" is deleted.
- 10(1) The following are added to section 63:
- "(3) Notwithstanding anything else in this section the Board may authorize the licensee to use his cocktail lounge or tavern for purposes other than the sale of liquor during times when his premises are closed to the sale of liquor.
- (4) The licensee shall not sell liquor in or for consumption outside the licensed premises during the time he uses the premises for a purpose authorized pursuant to subsection (3)."
- 11(1) In subsection 66(2), "by the Commissioner" is deleted.
- 12(1) The following is substituted for subsection 69(1):
- "69(1) Except as permitted pursuant to sections 64 and 68 or a licence issued under section 44, a licensee shall not allow liquor which is purchased from him to be consumed outside that part of the licensed premises in which he is permitted to sell liquor."
- 13(1) In subsection 84(3), "Executive Council Member" is substituted for "Commissioner".

An Act to Amend The
Liquor Act

Chp. 25

- 14(1) In subsection 103(1),
- (a) "hamlet" is substituted for "Local improvement district", and
 - (b) "Commissioner in Executive Council" is substituted for "Commissioner".
- (2) The following is substituted for paragraph 103(2)(b):
- "(b) a licensed premises."
- (3) The following are substituted for subsections 103(3) to (6):
- "(3) Upon receiving a resolution which is duly passed by the council of a municipality and which requests that an area enforcement order be made or revoked in respect of the municipality, the Commissioner in Executive Council shall make or revoke the order in accordance with the request.
 - (4) The Commissioner in Executive Council may, upon receiving a request to do so from the Advisory Council of a hamlet, make or revoke an area enforcement order in respect of such public places in the hamlet as the Commissioner in Executive Council considers appropriate.
- (5) An area enforcement order applies to public places in a municipality or hamlet according to the terms of the order, but every such order made after this subsection comes into force shall state whether the order

An Act to Amend The
Liquor Act

Chp. 25

- (a) applies to all public places in the municipality or hamlet,
 - (b) applies to all public places in the municipality or hamlet except such public places as are specified in the order, or
 - (c) applies only to such public places in the municipality or hamlet as are specified in the order.
- (6) An area enforcement order that applies to a municipality may, in accordance with the resolution referred to in subsection (3), specify conditions under which the consumption of liquor is permitted or prohibited, as the case may be, in public places to which the order applies.
- (6.1) An area enforcement order that applies to a hamlet may, where it is considered appropriate by the Commissioner in Executive Council, specify conditions under which the consumption of liquor is permitted or prohibited, as the case may be, in public places to which the order applies.
- (6.2) No area enforcement order shall be held to be ineffective in whole or in part by reason only of any difference between the resolution of the municipality and the terms or conditions of the order.

An Act to Amend The
Liquor Act

Chp. 25

- (6.3) In this section, "hamlet" and "municipality" each have the same meaning as in the Municipal Act."
- (4) In subsection 103(7), "Commissioner in Executive Council" is substituted for "Commissioner".
- 15(1) For the purposes of section 103 of the Liquor Act, a local improvement district shall be deemed to be a municipality, and the provisions of that section and this Act apply with the necessary changes to local improvement districts.
- (2) Subject to subsection 103(7) of the Liquor Act, an area enforcement order made in respect of a local improvement district continues to be effective after the Municipal Act, chapter 17 of the Statutes of the Yukon Territory, 1980 (Second Session), comes into force until the order is revoked or is revoked and replaced by another such order in response to a resolution, in respect of all or part of the area to which the original order applies, made by the local improvement district or made by a municipality which replaces the local improvement district.
- 16(1) This Act does not come into force with respect to hamlets until the Municipal Act, chapter 17 of the Statutes of the Yukon Territory, 1980 (Second Session), comes into force.
-

STATUTES OF THE YUKON TERRITORY
1982, Chapter 26

AN ACT TO AMEND THE
MOTOR VEHICLES ACT

(Assented to November 10, 1982)

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

- 1(1) This Act amends the Motor Vehicles Act.
- 2(1) In subsection 2(1),
- (a) the definition of "Commissioner" is deleted,
 - (b) in the definition of "licence", "licence which has been issued under this Act and which has not been suspended or cancelled" is substituted for "and subsisting licence issued under this Ordinance",
 - (c) in the definition of "officer", "by the Commissioner" is deleted, and
 - (d) in the definition of "permit", "permit which has been issued under this Act and which has not been suspended or cancelled" is substituted for "and subsisting permit issued under this Ordinance".
- 3(1) In subsections 3(1), 3(3), 22(1), 22(3), 22(4), 35(1), 36(2), 37(1), 37(2), 38(1), 40(1), 50(4), 61(1), 64(3), 102(1), 102(2), 102(3), 102(4), 103(1), 103(2), 103(3), 104(1), 105(1), 105(2), 106(1), 107(1), and 241.1(3), "Commissioner in Executive Council" is substituted for "Commissioner".
- 4(1) In subsections 4(1), 6(1), 12(2), 12(3), 23.1(1), 59(1), 59(2), 59(3), 59(4), 64(1), 64(6), 65(3), 66(2), 67(1), 67(3), 88(1), 140(1), 142(2), 142(4) and 145(1), "Executive Council Member" is substituted for

An Act to Amend The
Motor Vehicles Act

Chp. 26

"Commissioner".

- 5(1) Subsection 5(1) is repealed.
- 6(1) In subsections 7(1) and 7(7), "an operator's licence" is substituted for "a subsisting operator's licence".
- (2) The following is added to section 7:
- "(5.1) Subsections (2) to (5) do not authorize a person to operate a vehicle on a highway at any time when he is disqualified under section 245 or 247 from holding an operator's licence."
- 7(1) In subsections 9(1) and 11(1) and in paragraph 18(1)(b), "an operator's licence" is substituted for "a subsisting operator's licence".
- 8(1) In subsection 17(1), "an operator's licence" is substituted for "a valid and subsisting operator's licence".
- 9(1) Subsection 20(3) is repealed.
- 10(1) The following are substituted for subsection 21(1):
- "(1) Where the Registrar or the Driver Control Board suspend or cancel a person's licence, certificate of registration, or permit, or make an order disqualifying a person from holding an operator's licence, the Registrar or Driver Control Board, as the case may be, shall notify that person of the suspension, cancellation or disqualification.

(2) Where a judge is satisfied that the Registrar or the Driver Control Board has made a reasonable attempt to notify the person of the suspension, cancellation or disqualification, and that the person is evading delivery of the notification, he may order that it shall be sufficient notification for the Registrar to send a written notice by certified mail to that person at his last recorded address as shown by the records of the Registrar.

(3) A person who has been notified of the suspension or cancellation of his operator's licence or of his disqualification from holding an operator's licence shall, as soon as possible after he received the notice, deliver the operator's licence to the Registrar or a peace officer or a judge.

- 11(1) Paragraph 23(1)(a) is repealed.
- 12(1) In paragraph 32(2)(a), "subsisting" is deleted.
- 13(1) In clause 36(6)(b)(ii), "he earns income" is substituted for "he earn income".
- 14(1) Section 36.1 is repealed.
- 15(1) In subsections 63(1) and 64(2), "the amount specified in subsection 147(1) of the Insurance Act" is substituted for "seventy-five thousand dollars".
- 16(1) Subsection 92(1) is repealed.
- 17(1) The following new sections are substituted for section 245:

- "245(1) Subject to section 247.1, upon the conviction of a person of an offence under section 234, 235 or 236 of the Criminal Code (Canada) anywhere in Canada, he is disqualified from holding an operator's licence under this Act
- (a) for not less than three months from the date of the conviction, where he has not been convicted of an offence under section 234, 235 or 236 of the Criminal Code (Canada) committed anywhere in Canada in the period of five years immediately preceding the date of the offence,
 - (b) for not less than one year from the date of the conviction, where he has been convicted of one offence under section 234, 235 or 236 of the Criminal Code (Canada) committed anywhere in Canada in the period of five years immediately preceding the date of the new offence, or
 - (c) for not less than two years from the date of the conviction, where he has been convicted of more than one offence under section 234, 235 or 236 of the Criminal Code (Canada) committed anywhere in Canada in the period of five years immediately preceding the date of the new offence.
- (2) Subject to subsection (1) and section 247.1, where a person is convicted in the Territory of an offence referred to in subsection (1), the court may make an order increasing the term of his disqualification by such length of

An Act to Amend The
Motor Vehicles Act

Chp. 26

time as the court considers appropriate.

- (3) Subsections (1) and (2) do not apply in relation to an offence that has been committed before this section comes into force but for which the person is not convicted until after this section comes into force."

18(1) The following new sections are substituted for section 247:

"247(1) Subject to section 247.1, upon the conviction of a person of an offence under section 233 of the Criminal Code (Canada) anywhere in Canada, he is disqualified from holding an operator's licence under this Act for not less than three months from the date of the conviction.

(2) Subject to section 247.1, upon the conviction of a person of an offence under section 203, 204 or 219 of the Criminal Code (Canada) committed by means of a motor vehicle, he is disqualified from holding an operator's licence under this Act for not less than three months from the date of the conviction.

(3) Subject to subsections (1) and (2), and to section 247.1, where a person is convicted in the Territory of an offence referred to in subsections (1) or (2), the court may make an order increasing the term of his disqualification by such length of time as the court considers appropriate.

- (4) Subsections (1), (2) and (3) do not apply in relation to an offence that has been committed before this section comes into force but for which the person is not convicted until after this section comes into force.

247.1(1) Where an order is made anywhere in Canada upon the conviction of a person under section 203, 204, 219, 233, 234, 235 or 236 of the Criminal Code (Canada) prohibiting him from operating a motor vehicle on a highway in Canada, his disqualification from holding an operator's licence under this Act is for the longer of

- (a) the period of time specified in the order, and
 - (b) the period specified or ordered under section 245 or 247 of this Act.
- (2) Where a person is disqualified from holding an operator's licence under section 245 or 247, any such licence held by him is suspended for the duration of the disqualification.
- (3) Where a person is disqualified from holding an operator's licence under section 245 or 247, he shall forthwith surrender any operator's licence held by him to the court to be forwarded to the Registrar
- (a) for retention or for re-issuance or replacement in accordance with section 247.3, or

(b) in the case of an operator's licence held by a person referred to in subsection 7(3), (4) or (5), to be forwarded to the issuing jurisdiction in accordance with section 60.

247.2(1) Where a person is disqualified for more than two years under section 245 or 247, he may apply to the Driver Control Board established under section 22 for its recommendation respecting the removal of the disqualification, but no such application shall be made before the expiration of two years from the commencement of the disqualification.

(2) Where the Driver Control Board recommends the removal of a disqualification, it shall give a written record of its recommendation to the applicant who may, upon receipt of the record, apply to the court for removal of his disqualification.

(3) In an application under subsection (2), the court may make such order as it considers appropriate respecting the removal of the disqualification, and may include in an order permitting the applicant to hold an operator's licence such conditions as the court considers appropriate respecting

(a) the hours or days during which the licence may be used, and

(b) the purpose for which the licence may be used.

An Act to Amend The
Motor Vehicles Act

Chp. 26

(4) No order under this section entitles a person to hold an operator's licence that he is not otherwise entitled to apply for or hold under this Act.

247.3(1) Except as provided by subsection (2), an operator's licence shall not be issued or reissued to a person disqualified from holding it under section 245 or 247 until the expiration of the disqualification.

(2) Upon the making of an order under subsection 247.2(3), the Registrar may issue or reissue an operator's licence, but before doing so he shall endorse on the licence a brief description of the order or any conditions to which it is subject."

19(1) The following is substituted for section 248:

"248(1) Every person who operates a vehicle on a highway at a time when he is disqualified from holding an operator's licence under section 245 or 247 commits an offence and is liable on summary conviction

(a) to a fine of not less than \$500 and not more than \$2,000, to imprisonment for not more than six months, or both, where the person has not been convicted of such an offence committed anywhere in Canada in the period of five years immediately preceding the date of the offence,

- (b) to imprisonment for not less than three months and not more than six months, where the person has been convicted on one such offence committed anywhere in Canada in the period of five years immediately preceding the date of the new offence, and
 - (c) to imprisonment of not less than six months and not more than two years less one day, where the person has been convicted of more than one such offence committed anywhere in Canada in the period of five years immediately preceding the date of the new offence."
- 20(1) In subsections 59(5), 64(4), 67.1(6), 67.1(7), 67.3(1), 67.4(1), 67.4(2) and 67.4(3), "Registrar" is substituted for "Commissioner".
- 21(1) In subsections 13.2(1), 48(4), 96(2), 96(3), 102(5), and 211(2), "Government of Yukon" is substituted for "Commissioner".
- 22(1) Subject to subsection (2), this Act or any part or parts of it comes into force on such day or days as may be fixed by the Commissioner in Executive Council.
- (2) Section 15 of this Act shall come into force on April 1, 1983.
-

STATUTES OF THE YUKON TERRITORY
1982, Chapter 27

AN ACT TO AMEND THE
MUNICIPAL FINANCE ACT

(Assented to December 9, 1982)

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

- 1(1) This Act amends the Municipal Finance Act.
- 2(1) In subsection 20(4), "for 1982 and 1983" is substituted for "for 1982",
- (2) In subsection 20(5), "in 1982 and 1983" is substituted for "in 1983".
- 3(1) In subsections 3(1), 4(1), 6(1), 7(1), 15(1), and 16(1), "Government of Yukon" is substituted for "Commissioner".
- (2) In subsections 4(1), 15(5), and 16(2), "Executive Council Member" is substituted for "Commissioner".
- (3) In subsections 10(1), 10(2), 10(4), 11(1), 15(5), 15(6), and 19(1), "Commissioner in Executive Council" is substituted for "Commissioner".

STATUTES OF THE YUKON TERRITORY
1982, Chapter 28

AN ACT TO AMEND THE
OPTOMETRY ACT

(Assented to December 9, 1982)

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

- 1(1) This Act amends the Optometry Act.
- 2(1) In subsections 3(1), 5(1), 14(1), 15(4), 18(1), 18(2) and 18(3), "Executive Council Member" is substituted for "Territorial Secretary".
- 3(1) The following is substituted for section 4:
 - "4(1) A person who has not practised as an optometrist in a province or state within the period of two years immediately preceding his application for registration under this Act is entitled to be registered in the Register if he has, during that period, graduated from a recognized school of optometry in Canada or passed the United States National Examination.
 - (2) A person who has practised as an optometrist in a province or state within the period of two years immediately preceding his application for registration under this Act is entitled to be registered in the Register if
 - (a) he has, at any time, graduated from a recognized school of optometry in Canada or passed the United States National Examination, and

- (b) he produces a certificate or other proof satisfactory to the Executive Council Member that he is in good standing as an optometrist in the province or state in which he practised most recently.
- (3) A person who is not entitled to be registered in the Register under subsection (1) or (2) may be registered in the Register upon production of proof satisfactory to the Executive Council Member that he has qualifications and competence to practice optometry that, in the opinion of the Executive Council Member, are similar to those required under subsection (1) or (2).
- (4) Notwithstanding subsections (1), (2) and (3), a person is not entitled to be registered in the Register until he has paid the prescribed registration fee."
- 4(1) The following is added immediately after section 8:
- "8.1(1) Notwithstanding any other Act, a person on whom a degree of doctor of optometry, or a degree of similar status, has been lawfully conferred and who is registered in the Register is entitled to use the title of "doctor" or its abbreviation in connection with his practice of optometry under this Act."
- 5(1) In subsections 14(2), 15(1), 15(6), 15(7), 17(1) and 17(2), "Executive Council Member" is substituted for "Commissioner".

An Act to Amend The
Optometry Act

Chp. 28

- 6(1) In subsection 14(3), "pays a fee in the prescribed amount" is substituted for "pays a fee of ten dollars".
- 7(1) In subsections 18(1) and (2), "Commissioner in Executive Council" is substituted for "Commissioner".
- 8(1) The following is added immediately after section 18:
- "19(1) The Commissioner in Executive Council may make such regulations as he deems necessary for the purpose of carrying into effect the provisions of this Act."
- (2) The following is added immediately after subsection 18(3):
- "(4) Notwithstanding subsections (2) and (3), a person is not entitled to be reinstated until he has paid the prescribed reinstatement fee in addition to the prescribed registration fee."
-

STATUTES OF THE YUKON TERRITORY
1982, Chapter 29

AN ACT TO AMEND THE
PARTNERSHIP ACT

(Assented to November 10, 1982)

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

- 1(1) This Act amends the Partnership Act.
- 2(1) In subsection 2(1),
 - (a) The following definitions are added:
 - "business name" means the name under which a business is carried on or is to be carried on and includes a firm name;
 - 'principal place of business' means the principal premises in the Territory where the business is carried on or is to be carried on," and
 - (b) "registrar" is substituted for "registration clerk".
- 3(1) The heading "PART I" is added immediately after section 2.
- 4(1) The heading "PART II" is added immediately after section 6.
- 5(1) In paragraph 13(1)(a), "receives" is substituted for "received".
- 6(1) In subsection 21(1) "Part" is substituted for "Ordinance".

An Act to Amend The
Partnership Act

Chp. 29

- 7(1) The following is added immediately after section 21:
- "21.1(1) A partner shall act with the utmost fairness and good faith towards the other members of the firm in the business of the firm.
- (2) The duties imposed by this section are in addition to, and not in derogation of, any enactment or rule of law or equity relating to the duties or liabilities of partners."
- 8(1) In subsection 22(1), "Subject to subsection (2)," is added immediately before "All property".
- 9(1) In subsection 27(1), "and the power is exercised in good faith" is added immediately after "between the partners".
- 10(1) The following is substituted for subsection 33(3):
- "(3) The assignee may enforce his rights under subsection 2 against the assigning partner, the other partners or both."
- 11(1) The following is substituted for section 35:
- "35(1) On the death, bankruptcy or dissolution of a partner,
- (a) a partnership of two partners is dissolved, and
- (b) subject to agreement among the partners, a partnership of more than two partners is dissolved as between the bankrupt, dead or dissolved

An Act to Amend The
Partnership Act

Chp. 29

partner and the other partners.

(2) Where the share in the partnership property of a partner is charged under section 25 for the separate debt of the partner, the other partners may, by notice in writing to the partner whose share is charged,

(a) dissolve the partnership, or

(b) where there are three or more partners, dissolve the partnership as between the partner whose share is charged and the other partners.

(3) A notice under subsection 2 takes effect at the time specified in the notice or forthwith if no time is specified."

12(1) In paragraph 37(1)(a), "to be incapable, because of mental infirmity, of discharging his duties as a partner" is substituted for "to be of permanently unsound mind".

(2) The following is added to section 37:

"(2) Where there are three or more partners, the partnership may be dissolved or may be dissolved as between the partner whose condition or conduct gave rise to the application and the remaining partners."

13(1) The following is substituted for subsection 38(2):

"(2) An advertisement in the Yukon Gazette as to a firm is notice as to persons who had no dealings

An Act to Amend The
Partnership Act

Chp. 29

with the firm before the date of dissolution or change so advertised."

14(1) In subsection 40(1), "Subject to subsection 2," is added immediately before "After the dissolution".

(2) The following is added to section 40:

"(2) The firm is in no case bound by the acts of a partner who has become insolvent; but this subsection does not affect the liability of any person who has after the insolvency, represented himself or knowingly suffered himself to be represented as a partner of the insolvent."

15(1) In subsection 44(1), "or to interest at a fair rate on the amount of his share" is substituted for "or to interest on the amount of his share".

(2) In subsection 44(2), "share of profits" is substituted for "share or profits".

16(1) The following are substituted for the headings and sections after section 46:

"PART III

LIMITED PARTNERSHIPS

47(1) In this Part, "certificate" means a certificate under section 50 and includes a certificate which has been amended.

48(1) The provisions of this Act shall, in the case

An Act to Amend The
Partnership Act

Chp. 29

of limited partnerships, be read subject to
this Part.

49(1) Subject to this Part, a limited partnership
may be formed to carry on any business that
a partnership without limited partners may
carry on.

- (2) A limited partnership shall consist of
- (a) one or more persons who are general
partners, and
 - (b) one or more persons who are limited
partners.

50(1) A limited partnership is formed when a
certificate signed by all the persons desiring
to form the limited partnership is filed with
the registrar.

- (2) A certificate under subsection (1) shall state
- (a) the business name under which the
limited partnership is to be conducted;
 - (b) the general nature of the business
carried on or intended to be carried
on;
 - (c) the full name and resident address of
each partner or, in the case of a
partner that is a corporation, an
address of the corporation in the
Territory, general and limited partners
being respectively designated as such;
 - (d) the term for which the limited
partnership is to exist;

- (e) the amount of cash and the nature and fair value of other property, if any, contributed by each limited partner;
 - (f) the amount of additional contributions, if any, agreed to be made by each limited partner and the times at which or events on the happening of which an additional contribution is to be made; and
 - (g) the share of the profits or other compensation by way of income which each limited partner is entitled to by reason of his contribution.
- (3) Where the partnership agreement contains provisions respecting any of the following matters, the certificate under subsection (1) shall also state:
- (a) the time when the contribution of each limited partner is to be returned;
 - (b) the right of a limited partner to substitute an assignee as contributor in his place, and the terms and conditions of the substitution;
 - (c) the right of the partners to admit additional partners;
 - (d) the right of one or more of the limited partners to priority over other limited partners, to a return of contributions or to compensation by way of income, and the nature of the priority;
 - (e) the right of a remaining general partner to continue the business on the bankruptcy, death, retirement, mental

- incompetence or dissolution of a general partner;
- (f) the right of a limited partner to demand and receive property other than cash in return for his contribution; and
 - (g) the right of the limited partners or any of them to admit an additional general partner to the partnership or to permit or require a general partner to retire from the partnership.

51(1) A person may be a general partner and a limited partner at the same time in the same limited partnership.

- (2) A person who is at the same time a general partner and a limited partner has the same rights and powers and is subject to the same restrictions as a general partner, but in respect of his contribution as a limited partner he has the rights against the other partners that he would have had if he were not also a general partner.

52(1) The business name of each limited partnership shall end with the words "Limited Partnership" in full or the French language equivalent.

- (2) The surname of a limited partner shall not appear in the firm name of the limited partnership unless it is also the surname of one of the general partners or the business of the limited partnership has been carried on under that name before the admission of

that partner as a limited partner.

- (3) The corporate name or a significant part of the corporate name of a limited partner shall not appear in the firm name of a limited partnership unless the business of the limited partnership has been carried on writing to the registrar
 - (a) of the location of the registered office at the time the certificate is filed under subsection 50(1), and
 - (b) promptly, of every change in the location of the registered office.

- 54(1) A limited partner may contribute money and other property to the limited partnership, but not services.

- (2) A limited partner's interest in the limited partnership is personal property.

- 55(1) A general partner in a limited partnership has all the rights and powers and is subject to all the restrictions and liabilities of a partner in a partnership without limited partners except that, without the written consent to or ratification of the specific act by all the limited partners, a general partner has no authority
 - (a) to do an act which makes it impossible to carry on the business of the limited partnership,
 - (b) to consent to a judgment against the limited partnership,

- (c) to possess limited partnership property, or dispose of any rights in limited partnership property, for other than a partnership purpose,
- (d) to admit a person as a general partner or admit a person as a limited partner, unless the right to do so is given in the certificate, or
- (e) to continue the business of the limited partnership on the bankruptcy, death, retirement, mental incompetence or dissolution of a general partner, unless the right to do so is given in the certificate.

56(1) Except as provided in this Part, a limited partner is not liable for the obligations of the limited partnership except in respect of the amount of property he contributes or agrees to contribute to the capital of the limited partnership.

57(1) A limited partner has the same right as a general partner

- (a) to inspect and make copies of or take extracts from the limited partnership books at all times,
- (b) to be given, on demand, true and full information of all things affecting the limited partnership,
- (c) to be given a formal account of partnership affairs whenever circumstances render it just and reasonable, and

(d) to obtain dissolution and winding up of the limited partnership by court order.

58(1) A limited partner has, subject to this Act and the partnership agreement, the right

(a) to a share of the profits or other compensation by way of income, and

(b) to have his contribution to the limited partnership returned.

(2) A limited partner may receive from the limited partnership the share of the profits or the compensation by way of income stipulated for in the certificate if, after payment is made, whether from the property of the limited partnership or that of a general partner, the limited partnership assets exceed all the limited partnership liabilities, excepting liabilities to limited partners on account of their contributions and to general partners.

59(1) A limited partner may lend money to, borrow money from and transact business with the limited partnership.

(2) Except where the limited partner is also a general partner, a limited partner having a claim against the assets of the limited partnership may receive a proportionate share of the assets along with other creditors.

- (3) A limited partner making a claim described in subsection (2) shall not, respecting the claim,
- (a) receive or hold as collateral security, property of the limited partnership, or
 - (b) where the assets of the limited partnership at the time of the claim are not sufficient to discharge partnership liabilities to persons who are not general partners or limited partners, receive from a general partner or from the limited partnership a payment, conveyance or release from liability.
- 60(1) Subject to subsection (2), limited partners, in relation to one another, share in the limited partnership assets in respect of their claims for capital, and for profits or compensation by way of income on their contributions, in proportion to the respective amounts of their claims.
- (2) Where there are several limited partners, the partners may agree that one or more of the limited partners is to have a priority over the other limited partners as to the return of contributions, as to compensation by way of income, or as to any other matter, but the existence of and nature of the agreement shall be stated in the certificate, and in the absence of a statement all limited partners, subject to subsection (1), stand on equal footing.

- 61(1) A limited partner is not entitled to receive from a general partner or out of the limited partnership property any part of his contribution until
- (a) all liabilities of the limited partnership, excepting liabilities to general partners and to limited partners on account of their contributions, have been paid or there remains sufficient limited partnership property to pay them,
 - (b) the consent of all partners is obtained, unless the return of the contribution may be rightfully demanded under subsection (2), and
 - (c) the certificate is cancelled or so amended as to set forth the withdrawal or reduction.
- (2) Subject to subsection (1), a limited partner may rightfully demand the return of his contribution
- (a) on the dissolution of the limited partnership,
 - (b) when the time specified in the certificate for its return has arrived, or
 - (c) after he has given 6 months' notice in writing to all other partners, if no time is specified in the certificate either for the return of the contribution or for the dissolution of the limited partnership.

- (3) A limited partner has, notwithstanding the nature of his contribution, only the right to demand and receive cash in return for it, unless
- (a) there is a statement to the contrary in the certificate, or
 - (b) all the partners consent to some other manner of returning the contribution.
- (4) A limited partner is entitled to have the limited partnership and its affairs wound up where
- (a) he rightfully but unsuccessfully demands the return of his contribution, or
 - (b) the other liabilities of the limited partnership have not been paid, or the limited partnership property is insufficient for their payment as required by paragraph (1)(a), and the limited partner seeking dissolution would otherwise be entitled to the return of his contribution.
- 62(1) A limited partner is liable to the limited partnership
- (a) for the difference, if any, between the amount of his contribution as actually made and the amount stated in the certificate as having been made, and
 - (b) for any unpaid contribution which he agreed in the certificate to make in the future at the time and on the conditions, if any, stated in the certificate.

- (2) A limited partner holds as trustee for the limited partnership
 - (a) specific property stated in the certificate as contributed by him, but which has not in fact been contributed or which has been wrongfully returned, and
 - (b) money or other property wrongfully paid or conveyed to him on account of his contribution.
- (3) The liabilities of a limited partner as set out in this section may, subject to subsection (4), be waived or compromised, but only with the consent of all partners.
- (4) A waiver or compromise agreed to under subsection (3) does not affect the right of a creditor of the limited partnership to enforce a liability arising from credit which was extended or a claim which arose subsequent to the filing of the certificate by which the limited partnership was formed, but before the cancellation or amendment of the certificate by which the waiver or compromise was effected.
- (5) Where a limited partner has rightfully received the return, in whole or in part, of the capital of his contribution, he is nevertheless liable to the limited partnership for any sum, not in excess of that return with interest, necessary to discharge the limited partnership's liabilities to all creditors who extended credit or whose claims otherwise arose before the return.

An Act to Amend The
Partnership Act

Chp. 29.

- 63(1) A limited partner is not liable as a general partner unless he takes part in the management of the business.
- 64(1) Additional limited partners may be admitted to the partnership by amendment of the certificate in accordance with this Part.
- 65(1) A limited partner may assign his interest in the limited partnership but the assignee does not become a limited partner except as provided in this section.
- (2) On amendment of the certificate to show the change an assignee becomes a limited partner
- (a) where all the limited partners and general partners have consented to the change, or
 - (b) where the terms of the certificate allow the assignor to substitute the assignee as a limited partner and the assignor does so.
- (3) An assignee who has not become a limited partner has no right
- (a) to require information to be given or an accounting to be made concerning partnership transactions, or
 - (b) to inspect the partnership books,
- (4) An assignee who has not become a limited partner may only receive the share of the profits, other compensation, or the return of contribution to which his assignor would have been entitled to receive if the assignment had not taken place.

An Act to Amend The
Partnership Act

Chp. 29

- (5) Subject to subsection (6), on becoming a limited partner, an assignee acquires the rights and powers and is subject to all the restrictions and liabilities that his assignor had immediately before the assignment.
- (6) On becoming a limited partner, an assignee does not acquire the liabilities of the assignor of which the assignee is ignorant and which are not specified in the certificate.
- (7) An assignor is not released from liability under section 62 or section 73 or from a liability described by subsection (6).
- 66(1) The bankruptcy, retirement, death, mental incompetence or dissolution of a general partner dissolves a limited partnership unless the business is continued by the remaining general partners under a right specified in the certificate, or with the consent of all the remaining partners.
- 67(1) The executor or administrator of the estate of a deceased limited partner has all the rights and powers of a limited partner for the purpose of settling the estate of the deceased limited partner, and he has the powers under section 65 that the deceased person held.
- (2) The estate of a deceased limited partner is liable for all his liabilities as a limited partner.

- 68(1) A certificate shall be cancelled when the limited partnership is wound up, or no person remains a limited partner in the partnership.
- 69(1) A certificate shall be amended when
- (a) there is a change in the name of the limited partnership or in the amount or character of the contribution of a limited partner not provided for in the certificate,
 - (b) a person is substituted as a limited partner,
 - (c) a person is added as a limited partner,
 - (d) a person is added as a general partner,
 - (e) a general partner becomes bankrupt, retires, dies, becomes mentally incompetent or is dissolved and the business is continued pursuant to section 66,
 - (f) there is a change in the nature of the business of the limited partnership,
 - (g) a false or erroneous statement is discovered in the certificate,
 - (h) there is a change in the time as stated in the certificate for the dissolution of the limited partnership or for the return of a contribution,
 - (i) a time is fixed for the dissolution of the limited partnership or for the return of a contribution, no time having been specified in the certificate, or
 - (j) the partners desire to make a change in any other statement in the certificate in order to make the certificate accurately reflect the agreement between them.

An Act to Amend The
Partnership Act

Chp. 29

- (2) The notice to amend a certificate shall set out clearly the change in or addition to the certificate which is desired, and it shall be signed by all the partners.
- (3) A notice to amend a certificate by substituting a limited partner or adding a limited or general partner shall also be signed by the person to be substituted or added and, where a limited partner is substituted, the amendment shall also be signed by the assigning limited partner.
- 70(1) Where a person designated by section 69 as being a person who must sign a notice to cancel or amend a certificate refuses to do so, a person desiring the cancellation or amendment may apply to the Court for an order directing the cancellation or amendment.
- (2) On hearing an application brought under subsection (1) the Court, if it finds that the applicant is entitled to have the notice in question signed, shall by order direct the registrar to record the cancellation or amendment of the certificate as set out in the order.
- 71(1) A certificate is cancelled or amended, as the case indicates, when there is filed with and recorded in the office of the registrar
- (a) a notice signed as required by this Part, or
 - (b) a certified copy of an order made under section 70.

- 72(1) Where accounts are settled after the dissolution of a limited partnership, the liabilities of the partnership to creditors, excepting liabilities to limited partners on account of their contributions and liabilities to general partners, shall be paid first and then, subject to a statement in the certificate or to subsequent agreement, the other liabilities of the partnership shall be paid in the following order:
- (a) to limited partners in respect of the capital of their contributions;
 - (b) to limited partners in respect of their share of the profits and other compensation by way of income on their contributions;
 - (c) to general partners other than for capital and profits;
 - (d) to general partners in respect of capital; and
 - (e) to general partners in respect of profits.
- 73(1) Where a certificate contains a false statement a person suffering loss as a result may hold liable as a general partner every party to the certificate who
- (a) knew when he signed the certificate that the statement relied on was false, or
 - (b) became aware that it was false subsequent to the time when he signed the certificate, but within a sufficient time before the false statement was relied on to enable him to have the

certificate cancelled or amended, and failed to have the certificate cancelled or amended promptly.

- 74(1) Where a person contributes to the capital of a business conducted by a person or partnership mistakenly believing that he has become a limited partner in a limited partnership and, on ascertaining the mistaken nature of his belief, he promptly renounces his interest in the profits or other compensation by way of income from the business,
- (a) he is not, by exercising the rights of a limited partner, a general partner with the person or in the partnership carrying on the business, and
 - (b) he is not bound by the obligations of the person or partnership carrying on the business.
- 75(1) The Court may, on application by a judgment creditor of a limited partner, charge the interest of the indebted limited partner with payment of the unsatisfied amount of the judgment debt, and may appoint a receiver of that interest and make all other orders, directions and inquiries which the circumstances of the case require.
- (2) Property of a limited partnership may not be disposed of in order to obtain the release of a charge created under subsection (1).

An Act to Amend The
Partnership Act

Chp. 29

- (3) The remedies conferred by subsection (1) are additional to others that may exist in law or equity.
- 76(1) In a legal proceeding against a limited partnership it shall not be necessary to name any of the limited partners.
- 77(1) A general or proposed general partner or limited or proposed limited partner may give written authority to a person to execute on his behalf a document under this Part.
- (2) Every document executed under an authority referred to in subsection (1) shall be filed with the registrar and a copy of the authority shall be file with it.
- 78(1) A limited partnership in existence on or before December 1, 1982, may become a limited partnership under this Part on registration of a certificate under section 50 where the certificate
- (a) sets out the amount of the original contribution of each limited partner and the time when the contribution was made, and
 - (b) states that the property of the partnership exceeds the amount sufficient to discharge its liabilities to persons not claiming as general or limited partners by an amount greater than the sum of the contributions of the limited partners.

- (2) A limited partnership in existence on or before December 1, 1982, that does not become a limited partnership under this Part continues to be governed by sections 59 to 77 of the Partnership Act in force before December 1, 1982, and for the purposes of this subsection, those sections are not repealed.
- 79(1) A limited partnership formed outside the Territory may carry on business in the Territory if it is registered under this Act.
- (2) Where persons form a limited partnership in and under the laws of a place outside the Territory, the name under which they carry on business shall not be registered unless
- (a) the place is designated by the Commissioner in Executive Council, and
 - (b) they file with the registrar, in addition to a declaration in prescribed form,
 - (i) a true copy of the original certificate of limited partnership or equivalent document and of all amendments to it verified by the proper authority of the jurisdiction in which the limited partnership was formed,
 - (ii) evidence to the satisfaction of the registrar that the limited partnership still exists as a limited partnership in the jurisdiction where it was formed,
 - (iii) the full names and residential addresses of the general partners, and

An Act to Amend The
Partnership Act

Chp. 29

- (iv) a notice of the location of the registered office required by section 53.
- (3) A limited partnership registered under this section has rights and privileges the same as but not greater than, and is subject to the same duties, restrictions, penalties and liabilities as are imposed on, a limited partnership formed under section 50.

PART IV
REGISTRATION

- 80(1) All persons associated in partnership for trading, manufacturing or mining purposes shall cause to be filed with the registrar, a declaration in the prescribed form.
- (2) When any of the members are absent from the place where they carry or intend to carry on business at the time of making the declaration, then the declaration shall be signed by the members present in their own names and also for the absent members, under their written authority to that effect, and that written authority shall be at the same time filed with the registrar and annexed to the declaration.
- 81(1) The declaration shall be filed within two months next after the formation of the firm and shall be accompanied by the prescribed fee.

An Act to Amend The
Partnership Act

Chp. 29

- 82(1) A similar declaration shall in a similar manner be filed when and so often as any change or alteration takes place in the membership of the firm or in the firm name, and every new declaration shall state the alteration in the membership of the firm or in the firm name.
- (2) A similar declaration may be filed in a similar manner at any time if a fiat is obtained from a judge.
- 83(1) The allegations made in a declaration required under this Act cannot be controverted by any person who has signed it; nor can they be controverted, as against any person who is not a partner, by any person who, although he did not sign it, was, at the time the declaration was made, a member of the partnership mentioned in the declaration.
- 84(1) Until a new declaration is made and filed by him or by his partners, or any of them as aforesaid, no signer shall be deemed to have ceased to be a partner; but nothing herein shall exempt from liability any person who, being a partner, fails to declare the same as already provided; and that person may, notwithstanding the omission, be sued jointly with the partners mentioned in the declaration, or they may be sued alone, and if judgment is recovered against them, any other partner or partners may be sued jointly or severally in an action on the

original cause of action on which the judgment was rendered; nor shall anything in this Part be construed to affect the rights of any partners with regard to each other, except that no declaration as aforesaid shall be controverted by any signer of it.

85(1) On the dissolution of a firm, any or all of the persons who composed the firm may sign a declaration certifying the dissolution of the firm which may be in the prescribed form.

86(1) If any persons are associated as partners for trading, manufacturing or mining purposes, and no declaration is filed under this Part with regard to that partnership, then any action which might be brought against all the members of the firm may also be brought against any one or more of them, as carrying on or having carried on business jointly with others, without naming those others in the writ or other process, under the name and style of their partnership or firm, and if judgment is recovered against him or them, any other partner or partners may be sued jointly or severally on the original cause of action on which the judgment is rendered.

(2) If the action is founded on any obligation or instrument in writing in which all or any of the partners bound by it are named, then all the partners named in it shall be made parties to the action and a judgment rendered against any member of such

existing firm for a firm debt or liability may be executed by process of execution against all and every firm stock, property and effects in the same manner and to the same extent as if the judgment had been rendered against the firm.

- 87(1) Every person who is engaged in business for trading, manufacturing or mining purposes, and who is not associated in partnership with any other person or persons, but who uses as his business name some name or designation other than his own name, or who in his business name uses his own name with the addition of "and company" or some other word or phrase indicating a plurality of members in the business, shall file with the registrar within two months after the day when the business name is first used, a declaration in the prescribed form.
- (2) A similar declaration may be filed in a similar manner at any time if a fiat is obtained from a judge.
- 88(1) The registrar shall not register a certificate under section 50 or a declaration under section 80 or 87 that contains a business name that is
- (a) identical to that by which another partnership, company, society or association of any kind is registered in the Territory,

An Act to Amend The
Partnership Act

Chp. 29

- (b) so similar to the name by which another partnership, company, society, or association of any kind is registered in the Territory that, in the opinion of the registrar, is deceiving, or
 - (c) objected to by the registrar for any other reason.
- (2) Paragraphs (1)(a) and (b) do not apply where a partnership, company, society or association of any kind registered in the Territory consents in writing to the use of its name in whole or in part by another partnership, company, society or association.
- 89(1) The registrar shall keep two indices of the declarations filed under this Act, one to be named the "firm index" and the other the "individual index".
- (2) In the firm index the registrar shall cause to be entered in alphabetical order the styles of the respective firms in respect of which declarations have been filed with him and he shall cause to be placed opposite to each entry the names of the persons composing the firm and the date of receipt by him of each declaration.
- (3) In the individual index the registrar shall cause to be entered in alphabetical order the names of each of the members of each firm in respect of which a declaration has been filed with him, and he shall cause to be placed opposite to each entry the style of the firm

An Act to Amend The
Partnership Act

Chp. 29

of which the persons are members and the date of receipt by him of each declaration.

- 90(1) Every member of any partnership or other person who is required to register a declaration under this Act and fails to do so commits an offence and is liable on summary conviction to a fine of not more than \$500.
- 91(1) The rules of equity and of common law applicable to partnerships continue in force, except so far as they are inconsistent with the express provisions of this Act.
- 92(1) The Commissioner in Executive Council may make regulations
- (a) prescribing the fees to be charged under this Act, and
 - (b) prescribing such forms as he may consider necessary for the administration of this Act."
- 17(1) This Act comes into force on December 1, 1982.
-

STATUTES OF THE YUKON TERRITORY
1982, Chapter 30

AN ACT TO AMEND
THE PERSONAL PROPERTY SECURITY ACT

(Assented to December 9, 1982)

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

- 1(1) This Act amends the Personal Property Security Act.

- 2(1) In paragraph (a) of the definition of "building materials" in subsection 2(1), "unbelting" is added immediately after "unscrewing".
 - (2) In the definition of "debtor" in subsection 2(1), "but where the debtor and the owner of the collateral are not the same person" is substituted for "and where a debtor is not the owner of the collateral".
 - (3) In subsection 2(1), the definition of "execution creditor" is repealed.
 - (4) In the definition of "financial institution" in subsection 2(1),
 - (a) "means a bank, credit union, trust company" is substituted for "means a bank", and
 - (b) "such bank, credit union, trust company or institution" is substituted for "such bank or institution".
 - (5) In the definition of "goods" in subsection 2(1), "tangible personal property other than money" is substituted for "all chattels personal other than choses in action and money".
 - (6) In paragraph (a) of the definition of "instrument" in subsection 2(1), "is" is substituted for "constitutes part of".

- (7) In subsection 2(1), the following is substituted for the definition of "person":
- "person' includes an individual, partnership, association, society, body corporate, trustee, executor, administrator or legal representative;"
- (8) In the definition of "purchase-money security interest" in subsection 2(1),
- (a) in paragraph (a), "a security interest in collateral that is taken or reserved by a seller, lessor or consignor of the collateral" is substituted for "a security interest that is taken or reserved by a seller, lessor or consignor of personal property", and
- (b) in paragraph (b), "applied" is substituted for "used".
- (9) In subsection 2(1), the following is substituted for the definition of "security interest":
- "security interest' means an interest in goods, documents of title, securities, chattel paper, instruments, money or intangibles that secures payment or performance of an obligation, and includes
- (a) an interest arising from an assignment of accounts or a transfer of chattel paper,
- (b) an interest of a person who delivers goods to another under a consignment, and
- (c) an interest of a lessor under a lease of goods for a term of one year or more,
- notwithstanding that the interests described in paragraphs (a) to (c) may not secure payment or performance of an obligation, but does not include the interest of a seller who has shipped goods to a buyer under a negotiable bill of lading to his own order or to the order of his agent, unless the parties have otherwise evidenced an intention to create or provide for a security interest;"

- (10) The following definition is added to subsection 2(1):
- "serial number" means, with respect to an aircraft governed by the Aeronautics Act (Canada), the registration marks assigned by the Minister of Transport;".
- (11) In subsection 2(1), the definition of "sufficient description" is repealed.
- (12) In the definition of "trust deed" in subsection 2(1), "a person" is substituted for "a body corporate".
- (13) Subsection 2(3) is repealed.
- 3(1) The following is substituted for subsection 3(1):
- "3(1) Subject to sections 4 and 55, this Act applies to every transaction without regard to its form and without regard to the person who has title to the collateral that in substance creates a security interest, including, without limiting the foregoing,
- (a) a chattel mortgage, conditional sale, equipment trust, floating charge, pledge, trust deed, trust receipt, lease, assignment, consignment or transfer of chattel paper, and
- (b) an assignment of accounts, transfer of chattel paper, consignment, or a lease for a term of one year or more, notwithstanding that such interest does not secure payment or performance of an obligation."
- 4(1) In paragraph 4(1)(l), "Matrimonial Property and Family Support Act" is substituted for "Matrimonial Property Ordinance".
- 5(1) In subsection 5(1), "are determined" is substituted for "is determined".

- (2) In subsection 5(3), "perfected in the Territory under" is substituted for "perfected under".
- 6(1) In subsection 8(2), "the last dealing giving rise to the interest in conflict occurs" is substituted for "the last dealing occurred which gave rise to the conflict".
- 7(1) In paragraph 9(1)(b), "a description of the collateral that enables the type or kind of collateral taken under the security agreement to be distinguished from types or kinds of collateral that are not collateral under the security agreement" is substituted for "a sufficient description of the collateral".
- (2) The following subsections are added to section 9:
- "(2) For the purposes of paragraph (1)(b), in the case of a security interest taken in all of the debtor's present and after-acquired property, a statement indicating that a security interest has been taken in all of the debtor's present and after-acquired property is sufficient.
- (3) A security interest in proceeds is not unenforceable against a person other than the debtor by reason only that the security agreement does not contain a description of the proceeds as required by paragraph (1)(b)."
- 8(1) In paragraph 12(1)(b), "or to" is deleted.
- (2) In paragraph 12(2)(a), "rights in goods" is substituted for "rights to goods".
- (3) In paragraph 12(2)(b),
- (a) "a debtor has" is substituted for "he has",
and
- (b) "rights in goods" is substituted for "rights to goods".
- (4) In subsection 12(3), "or to" is deleted.
- 9(1) The following is substituted for subsection 14(2):

- "(2) No obligation to make future advances is binding on a secured party if the collateral has been seized, attached or charged under circumstances described in clause 20(1)(b) or (c) and the secured party receives notice of this fact."
- 10(1) In paragraph 17(1)(a), a comma is added immediately after "instrument".
- (2) The following is substituted for subsection 17(3):
- "(3) A secured party does not lose his security interest for failing to meet any obligations imposed by subsection (1) or (2)."
- 11(1) In subsection 18(1),
- (a) "A debtor, creditor, sheriff or person" is substituted for "A debtor, creditor or other person", and
- (b) "or to" is deleted.
- (2) In subsection 18(2), "or to" is deleted.
- (3) In subsection 18(3), ", in addition to any other remedy provided under this Act, to apply to a judge for an order requiring the secured party to comply with the notice" is substituted for paragraphs (a) and (b).
- (4) In subsection 18(4), "the person who has given the notice is entitled to the same remedies as provided in subsections (3) and (6)" is substituted for "he is liable for any direct loss or damage caused thereby to the person who has given the notice".
- (5) The following is substituted for subsection 18(6):
- "(6) Where a secured party fails to comply with an order granted under subsection (3), a judge on application of the person who obtained the order may
- (a) declare the security interest of the secured party void and order registration of the security interest be removed from the registry, and

(b) make any order he considers necessary to ensure compliance with the order granted under subsection (3)."

(6) The following is substituted for subsection 18(8):

"(8) Upon application of the secured party or in an application under subsection (3), a judge may

(a) make any order that is reasonable and just, including an order exempting the secured party in whole or in part from complying with the notice, if the judge is satisfied that the person giving the notice, not being the debtor, is acting in bad faith and is seeking the information for other than ordinary commercial purposes, and

(b) make any order as to costs that he considers fair and reasonable."

(7) The following subsection is added to section 18:

"(12) The secured party is not required to provide a copy of any document registered in the registry."

12(1) The following is substituted for subsection 20(1):

"20(1) An unperfected security interest is subordinate to an interest of

(a) a person who has a perfected security interest or who is otherwise entitled to priority under this Act;

(b) a person who causes the collateral to be seized under legal process, including execution, attachment or garnishment, or who obtains a charging order or equitable execution affecting the collateral,

(c) a sheriff who has seized or has obtained a right to the collateral under the **Creditors' Relief Act**;

(d) a representative of the creditors of the debtor, but only for the purpose

of enforcing the rights of persons mentioned in paragraph (b), and a trustee in bankruptcy,

- (e) a transferee who is not a secured party and acquires his interest for value without notice of the security interest and before it is perfected
 - (i) in documents of title, securities, instruments or goods, where the transferee receives delivery of the collateral,
 - (ii) in intangibles other than accounts,
 - (iii) in accounts acquired through a transaction not otherwise governed by this Act, or
 - (iv) in chattel paper acquired through a transaction not otherwise governed by this Act, where the transferee receives possession of the chattel paper."

- (2) In subsection 20(2), "paragraphs (1)(b) to (d)" is substituted for "paragraphs (1)(b) or (c)".
- 13(1) In subsection 21(1), "paragraphs 20(1)(b) to (d)" is substituted for "paragraphs 20(1)(b) or (c)".
- 14(1) In subsection 26(3), "After the expiration of the periods of time mentioned in subsection (1) or (2)" is substituted for "Beyond the period of 15 days referred to in subsection (1)".
- 15(1) The following is substituted for paragraph 27(2)(a):
 - "(a) is perfected by the registration of a financing statement that covers the original collateral and proceeds from it, and contains a prescribed description,".
- (2) In paragraph 27(2)(c), "a deposit account" is substituted for "an account".

- (3) The following is substituted for subsection 27(3):
- "(3) In a case other than one mentioned in subsection (2), a security interest in proceeds is a continuously perfected security interest if the interest in the original collateral was perfected, and the security interest in the proceeds remains perfected for a period of 15 days after receipt of the proceeds by the debtor but becomes unperfected thereafter, unless the security interest in the proceeds is otherwise perfected by any of the methods and under the circumstances prescribed in this Act for original collateral of the same type or kind".
- 16(1) The following subsection is added to section 30:
- "(1.1) Where goods of a type in respect of which registration by serial number is permitted by the regulations are sold or leased otherwise than in the ordinary course of business of the seller or lessor and the goods were equipment of the seller or lessor, the buyer or lessee takes free from any security interest in the goods given by the seller or lessor and perfected under section 24 if
- (a) he buys or leases the goods without knowledge of the security interest, and
- (b) the goods are not described by serial number in a financing statement."
- (2) In subsection 30(3), "(1), (1.1) and (2) is substituted for "(1) and (2)" wherever it occurs.
- (3) In subsection 30(4), "subsections 46(2) to (5) during any of the 15-day periods mentioned in subsections 46(2) to (5)" is substituted for "subsection 46(2)".
- 17(1) In subsection 34(1), "before or within 15 days" is substituted for "within 15 days" wherever it occurs.

- (2) The following is substituted for paragraph 34(3)(b):
- "(b) contains a description of the inventory and its proceeds according to type or kind, and".
- (3) In subsection 34(6),
- (a) "value" is substituted for "a consideration", and
- (b) "giving the value has notice" is substituted for "giving the consideration knew".
- (4) The following subsection is added to section 34:
- "(7) A purchase-money security interest in collateral or its proceeds held by a seller, lessor or consignor of the collateral has priority over any other purchase-money security interest in the same collateral where the interest of the seller, lessor or consignor is perfected
- (a) in the case of an intangible, within 15 days after the purchase-money security interest in the intangible attaches, or
- (b) in the case of collateral other than an intangible, within 15 days after the debtor receives possession of the collateral."
- 18(1) The following is substituted for paragraph 38(5)(b):
- "(b) a description of the fixtures to be removed sufficient to enable them to be identified,".
- (2) In subsection 36(10),
- (a) "the Court" is substituted for "a court",
- (b) "or" at the end of paragraph (b) is deleted,
- (c) ", or" is added to the end of paragraph (c), and
- (d) the following new paragraph is added:
- "(d) prescribing the depository for the security".

- 19(1) In subsection 37(3), "a sheriff or a creditor" is substituted for "a creditor".
- (2) In subsection 37(4), "a sheriff or a creditor referred to in subsection (3)" is substituted for "an execution creditor as such".
- (3) The following is substituted for paragraph 37(5)(b):
- "(b) a description of the accession to be removed sufficient to enable it to be identified,".
- (4) The following is substituted for paragraph 37(5)(d):
- "(d) a description of the goods to which the accession is affixed or attached sufficient to enable the goods to be identified,".
- (5) In subsection 37(6), "and" is deleted.
- (6) In subsection 37(10),
- (a) "the Court" is substituted for "a court",
 - (b) "or" at the end of paragraph (b) is deleted,
 - (c) ", or" is added to the end of paragraph (c),
 - and
 - (d) the following new paragraph is added:
 - "(d) prescribing the depository for the security".
- 20(1) In subsection 40(3), "by the assignor" is added to the end.
- 21(1) The following paragraphs are substituted for paragraph 42(1)(a):
- "(a) issue a search report stating whether there is registered at the time mentioned in the search report a financing statement
 - (i) that bears the registration number given in the request,
 - (ii) that shows as a debtor the person named in the request,or

- (iii) that describes by serial number any collateral for which the serial number is given in the request.
- (a.1) if such a financing statement is registered, include in the search report the information respecting the financing statement contained in the registration system,".
- (2) The following subsection is added to section 42:
- "(6) A certificate of the registrar is receivable in evidence as prima facie proof of the time of the registration of a document without proof of his signature or official position."
- 22(1) In paragraph 43(1)(c), "prescribed" is substituted for "sufficient".
- (2) In paragraph 43(1)(d), "further or other" is substituted for "other".
- 23(1) The following is substituted for paragraph 44(4)(a):
- "(a) it contains a description of the land to which it relates that is satisfactory to the registrar or deputy registrar appointed under the Land Titles Act (Canada), and".
- 24(1) In subsection 45(2), "a prescribed description of the assigned collateral" is substituted for "a sufficient description of the collateral to which the assignment relates".
- 25(1) The following is substituted for section 46:
- "46(1) Where a security interest has been perfected by registration and the debtor has the consent of the secured party to transfer his interest in the collateral or part of the collateral, the transferee is deemed to be the debtor for the purposes of registration, and the security interest is unperfected as against any interest arising subsequent

to the transfer and before the secured party registers a financing statement amending the original financing statement.

- (2) Where a security interest has been perfected by registration and the secured party has notice that the debtor has transferred his interest in the collateral or part of the collateral, the security interest, as against any interest arising subsequent to the transfer and before the secured party registers a financing statement in respect of the transfer, is unperfected 15 days after the secured party has notice of the transfer.
- (3) Where a security interest has been perfected by registration and the secured party has notice that the debtor has changed his name, the security interest, as against any interest arising subsequent to the change and before the secured party registers a financing statement in respect of the change, is unperfected 15 days after the secured party has notice of the change.
- (4) Where a security interest has been perfected by registration and the secured party has notice that the debtor is about to transfer his interest in the collateral or part of the collateral, the security interest, as against any interest arising subsequent to the transfer and before the secured party registers a financing statement in respect of the transfer, is unperfected on the later of
 - (a) the day on which the transfer takes place, and
 - (b) 15 days after the secured party has such notice.

- (5) Where a security interest has been perfected by registration and the secured party has notice that the debtor is about to change his name, the security interest, as against any interest arising subsequent to the change and before the secured party registers a financing statement in respect of the change, is unperfected on the later of
- (a) the day on which the debtor changes his name, and
 - (b) 15 days after the secured party has such notice.
- (6) This section does not have the effect of unperfected
- (a) a prior security interest, as defined in subsection 71(1), that is registered under a prior registration law, as defined in subsection 71(1), or
 - (b) a security interest in collateral that is permitted by the regulations to be and is described by its serial number in a registered financing statement.
- (7) A security interest that becomes unperfected under this section may thereafter be perfected by registering a financing statement or as otherwise provided in this Act."
- 26(1) The following is substituted for paragraph 50(1)(a):
- "(a) when the registration of the financing statement is no longer effective,".
- 27(1) Section 51 is repealed.
- 28(1) The following subsection is added to section 52:
- "(1.1) Where a financing statement relating to a security interest in consumer goods is registered, the discharge of the registration under subsection (1) shall

be effected by the secured party within one month after all the obligations under the security agreement creating the security interest are performed, unless the registration ceases to be effective within that month."

- (2) In subsection 52(4), "without reasonable excuse" is deleted.
- 29(1) In subsections 53(1), (2), (3) and (4), "registrar" is substituted for "Commissioner".
 - (2) In subsection 53(8), "Government of Yukon" is substituted for "Commissioner".
- 30(1) The following is substituted for subsection 54(3):
 - "(3) Registration of a document in the registry does not constitute constructive notice or knowledge of its contents to third parties."
- 31(1) In subsection 55(8), "Subject to any other Act or rule of law to the contrary, where" is substituted for "where".
 - (2) In subsection 55(9), everything following "reduced his claim to judgement" is deleted.
- 32(1) In subsection 56(2), "Court" is substituted for "judge".
- 33(1) In subsection 57(2), "shall proceed in a commercially reasonable manner and" is deleted.
- 34(1) In paragraph 58(1)(b), "in a reasonable manner" is deleted.
- 35(1) In subsection 59(1),
 - (a) "commercially reasonable" is deleted, and
 - (b) "seizing" is substituted for "re-taking".
- (2) The following is substituted for subsection 59(2):
 - "(2) Collateral may be disposed of
 - (a) by public or private sale at any time of day or place,

- (b) as a whole or in commercial units or parts, or
 - (c) if the security agreement so provides, by lease or by deferred payment."
- (3) In paragraph 59(4)(b), "indexed in the name of the debtor or according to the serial number of the collateral, when it is permitted by the regulations for registration" is substituted for "indexed in the name of the debtor".
- (4) The following is substituted for paragraph 59(5)(a):
- "(a) a description of the collateral sufficient to enable it to be identified,".
- (5) In subsection 59(7), "paragraphs (5)(c) and (f)" is substituted for "paragraphs (5)(e) and (f)".
- (6) In subsection 59(9), "and only for a price that bears a reasonable relationship to market value" is added to the end.
- 36(1) The following is substituted for paragraph 60(1)(a):
- "(a) any person who has a subordinate security interest in the collateral who registers a financing statement indexed in the name of the debtor or according to the serial number of the collateral, when it is permitted by the regulations for registration, prior to the distribution of the proceeds,".
- (2) In paragraph 60(1)(b), "distribution of the proceeds" is substituted for "distribution of the surplus".
- (3) The following subsections are added to section 60:
- "(1.1) The secured party is relieved from liability in respect of any sums paid by him in accordance with subsection (1).

- (4) If the security interest secures an indebtedness, the secured party shall, if requested in writing by the debtor or any other person with an interest in the collateral, provide a statement of the results of any dealing with the collateral under section 57 or 58 or a disposition of the collateral under section 59 or otherwise.
 - (5) For each statement under subsection (4), the secured party may require payment of the prescribed charges in advance, but the debtor is entitled to a statement without charge."
- 37(1) In paragraph 61(1)(b), "indexed in the name of the debtor or according to the serial number of the collateral, when it is permitted by the regulations for registration" is substituted for "indexed in the name of the debtor".
- (2) In subsection 61(3), "15-day period or periods mentioned in subsection (2)" is substituted for "15-day period".
 - (3) In subsection 61(6), "after expiration of the period mentioned in subsection (3)" is deleted.
- 38(1) The following is substituted for section 63:
- "63(1) Upon application by a debtor, a creditor of a debtor, a secured party, any person who has an interest in collateral that may be affected by an order under this section or a receiver or a receiver-manager, whether appointed by a court or pursuant to a security agreement, and after notice has been given to any person that the Court directs, the Court may
 - (a) make any order, including binding declarations of right and injunctive relief, that is necessary to ensure compliance with this Part or section 17,
 - (b) give directions to any party regarding the exercise of his rights

- or discharge of his obligations under this Part or section 17,
- (c) relieve any party from compliance with the requirements of this Part or section 17, but only on terms that are just and reasonable for all parties concerned,
 - (d) stay enforcement of rights provided in this Part, section 17 or the security agreement on such terms as the Court considers just and reasonable,
 - (e) make any order necessary to ensure protection of the interests of any person in the collateral, or
 - (f) make an order requiring a receiver or receiver-manager, or a person by or on behalf of whom he is appointed, to make good any default in connection with the receiver's or receiver-manager's custody, management or disposition of the collateral of the debtor or to relieve such person from any default on such terms as the Court thinks fit, and to confirm any act of the receiver or receiver-manager."

39(1) The following is substituted for subsection 64(3):

"(3) Except as otherwise provided in this Act, any provision in any agreement that purports to exclude any duty imposed on a person under this Act or to exclude or limit the liability of a person for failure to discharge duties imposed upon him by this Act is void."

(2) The following subsection is added to section 64:

"(4) In assessing damages under this Act, the Court may consider as a mitigating factor evidence that the defendant employed reasonable diligence and took all reasonable precautions to discharge the duties imposed upon him by this Act."

- 40(1) In clause 67(1)(b)(i), "general partners" is substituted for "partners".
- (2) The following is substituted for clause 67(1)(b)(ii):
- "(ii) by registered mail mailed to the post office address of the principal place of business of the partnership within the Territory and addressed to the partnership, to any one or more of the general partners, or to any person having control or management of the partnership business at that place of business at the time of service,".
- 41(1) In subsection 68(1), "sections 5, 6, 7 and 13, Part III," is substituted for "sections 5 to 7, 13 and 34,".
- 42(1) In subsection 69(1), "Commissioner in Executive Council" is substituted for "Commissioner".
- 43(1) In subsection 71(1), the following is substituted for the definition of "prior security interest":
- "prior security interest' means an interest created, reserved or provided for by a security agreement or other transaction validly created or entered into, before this section comes into force, that is a security interest within the meaning of this Act and to which this Act would have applied if it had been in force at the time the security agreement or other transaction was entered into; and".
- (2) In subsection 71(2),
- (a) "registered and perfected" is substituted for "registered", and
- (b) "where the security interest could be perfected by registration if it were to arise

after this Act comes into force" is added to the end.

- (3) In subsection 71(9), "comes into force under" is substituted for "come into force under".
 - 44(1) In subsection 78(1), "103, 104" is deleted.
 - 45(1) In subsection 77(2), "Section 6" is substituted for "Section 7".
 - 46(1) In subsections 85(1) and (2), in each case "the name of the owner or the serial number of the goods pursuant to" is substituted for "the name of the owner of the goods under".
 - 47(1) In subsection 87(1), "Crown" is substituted for "Commissioner".
 - 48(1) Notwithstanding section 1, the **Companies Act** is amended by adding sections 103 and 104 which were repealed by subsection 76(1) of the **Personal Property Security Act**.
 - 49(1) Subsections 2(11), 2(13), 17(2), 24(1), 27(1), 28(1), 35(3), 35(4), 35(6), 37(1), 44(1) and 48(1) come into force on the date of assent.
 - (2) Except as provided by subsection (1), this Act shall be deemed to have come into force on June 1, 1982.
-

STATUTES OF THE YUKON TERRITORY
1982, Chapter 31

PUBLIC SECTOR COMPENSATION RESTRAINT (YUKON) ACT
(Assented to December 9, 1982)

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

1(1) This Act may be cited as the Public Sector Compensation Restraint (Yukon) Act.

2(1) In this Act,

"compensation" means all forms of pay, benefits, and perquisites paid or provided, directly or indirectly, by or on behalf of an employer to or for the benefit of an employee and includes all forms of holiday or leave;

"employee" has the same meaning as in the Public Service Commission Act and includes order-in-council employees;

"in a managerial or confidential capacity" has the same meaning as in the Public Service Staff Relations Act;

"public service" has the same meaning as in the Public Service Commission Act;

"teacher" has the same meaning as in the School Act;

"wage rate" means a single rate of pay or a range of pay, including cost-of-living adjustments, or, where no such rate or range exists, any fixed or ascertainable amount of pay.

Public Sector Compensation Restraint (Yukon) Act

Chp. 31

- 3(1) Subject to subsection (3), all provisions of this Act apply notwithstanding any other Act, any regulation, any order-in-council, or any by-law.
- (2) All provisions of this Act apply notwithstanding any contract, or arbitral award regardless of when that contract or arbitral award is made.
- (3) Nothing in this Act applies to the compensation defined in and payable under the Workers Compensation Act.
- 4(1) This section applies to all employees who are employed in the public service in a managerial or confidential capacity and to all persons, including judges of the Territorial Court, who are deemed to be employed in a managerial or confidential capacity.
- (2) Subject to subsection (3), the wage rate for each person to whom this section applies shall be deemed to have been reduced with effect from August 19, 1982 to the rate that was payable on December 31, 1981 in relation to the position he now occupies and, for so long as he occupied it, any other position he occupied after August 19, 1982.
- (3) If the reduced work schedule that was introduced effective August 19, 1982 is abandoned and some other longer work schedule is introduced in its place, then the wage rates for the persons to whom this section applies will be increased to not less than the rates payable on January 1, 1982.
- (4) Subject to subsection (3), nothing in this section prevents or restricts the establishment of a different wage to be effective after March 31, 1982 or the establishment of a different work schedule.

Public Sector Compensation Restraint (Yukon) Act

Chp. 31

- 5(1) This section applies to all employees other than teachers and to all persons, including judges of the Territorial Court, who are deemed to be employees or who are deemed to be employed in a managerial or confidential capacity.
- (2) The rate of compensation payable to persons to whom this section applies shall not
- (a) exceed before April 1, 1984 the amount that is 6% greater than the wage rates payable to those persons, effective August 18, 1982, and
 - (b) exceed before April 1, 1985 the amount that is 5% greater than the rate of the compensation that is permitted under paragraph (a).
- 6(1) The rate of compensation payable to teachers shall not
- (a) exceed before September 1, 1984 the amount that is 6% greater than the wage rates payable to teachers, effective September 1, 1982, and
 - (b) exceed before September 1, 1985 the amount that is 5% greater than the rate of the compensation that is permitted under paragraph (a).
- 7(1) The indemnity payable under the Municipal Act to a mayor or an alderman and the allowances payable to trustees under the Local Improvement District Act shall not
- (a) exceed before January 1, 1984 the amount that is 6% greater than the indemnity payable to a mayor or alderman on the day this Act comes into force, and
 - (b) exceed before January 1, 1985 the amount that is 5% greater than the amount that is permitted under paragraph (a).

Public Sector Compensation Restraint (Yukon) Act

Chp. 31

- (2) The definition of "employee" given by section 2 does not apply in subsection (3).

- (3) The rate of compensation payable to employees of a municipality or of a local improvement district shall not
 - (a) exceed before January 1, 1984 the amount that is 6% greater than the wage rates payable to those employees, effective the day this Act comes into force, and
 - (b) exceed before January 1, 1985 the amount which is 5% greater than the rate of the compensation that is permitted under paragraph (a).

- 8(1) The fees payable under the Legal Aid Act to lawyers shall not, in relation to any matter,
 - (a) exceed before April 1, 1984 the amount that is 6% greater than those fees that are payable to lawyers when this Act comes into force, and
 - (b) exceed before April 1, 1985 the amount that is 5% greater than the fees that are permitted under paragraph (a).

- 9(1) For the purposes of the Electrical Public Utilities Act and subject to subsection (2), the rates that a public utility may charge for the supply of electricity shall not, in relation to any classification of user,
 - (a) exceed before December 31, 1983 the amount that is 6% greater than the rates that are charged when this Act comes into force, and
 - (b) exceed before December 31, 1984, the amount that is 5% greater than the rates that are permitted under paragraph (a).

Public Sector Compensation Restraint (Yukon) Act

Chp. 31

- (2) Subsection (1) does not restrict an increase that is caused by an increase in the cost or the quantity of petroleum used in the supply of the electricity for which an increase in the rate to be charged is sought.
- 10(1) Nothing in this Act restricts or prevents the granting of an increase of pay to a person in recognition of the merit of that person or the quality of the work performed by him.

STATUTES OF THE YUKON TERRITORY
1982, Chapter 31

SECOND APPROPRIATION ACT, 1982-83

(Assented to November 30, 1982)

Whereas it appears by message from the Commissioner and in the estimates accompanying the message that, in addition to the sums previously appropriated, the sums mentioned in Schedule "A" of this Act are required for the purpose of defraying certain expenses of the public service of Yukon and for related purposes for the period of 12 months ending on March 31, 1983:

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 Act may be cited as the Second Appropriation Act, 1982-83.

- 2(1) In addition to the sum of \$37,438,000 provided for in the First Appropriation Act, 1982-83, but including the sum of \$11,493,000 provided for in the Interim Supply Appropriation Act, 1982-83, the sum of \$38,541,000 provided for in the Interim Supply Appropriation Act, 1982-83 (No. 2), and the sum of \$46,310,000 provided for in the Interim Supply Appropriation Act, 1982-83 (No. 3), from and out of the Yukon Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole \$133,557,000 for defraying the several charges and expenses of the public service of Yukon for the period of 12 months ending on March 31, 1983, as set forth in Schedule "A" of this Act and that sum shall not be paid or applied except in accordance with Schedule "A".

- 3(1) The due application of all monies paid or applied pursuant to section 2 shall be accounted for.
-

SECOND APPROPRIATION ACT, 1982-83

Chp. 32

SCHEDULE A

<u>Appropriation or Item</u>	<u>\$ (Dollars in 000's)</u>
Yukon Legislative Assembly	1,157
Executive Council Office	1,431
Education	25,323
Consumer and Corporate Affairs	1,074
Health and Human Resources	25,136
Municipal and Community Affairs	6,223
Economic Development and Inter- Governmental Relations	1,637
Justice	9,288
Highways and Transportation	25,640
Public Service Commission	1,126
Finance	3,338
Tourism, Heritage and Cultural Resources	2,588
Renewable Resources	4,817
Government Services	6,276
Yukon Housing Corporation	1,454
Loan Capital	10,000
Loan Amortization	7,049
Total	133,557

STATUTES OF THE YUKON TERRITORY
1982, Chapter 33

THIRD APPROPRIATION ACT, 1982-83

(Assented to December 9, 1982)

Whereas it appears by message from the Commissioner and in the estimates accompanying the message that, in addition to the sums previously appropriated, the sums not appearing in parenthesis in Schedule "A" of this Act are required for the purpose of defraying certain expenses of the public service of Yukon and for related purposes for the period of 12 months ending on March 31, 1983:

And whereas, out of the sums previously appropriated, the sums appearing in parenthesis in Schedule "A" of this Act are not required for the purpose of defraying certain expenses of the public service of Yukon or for related purposes for the period of 12 months ending on March 31, 1982.

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

- 1(1) This Act may be cited as the Third Appropriation Act, 1982-83.

- 2(1) In addition to the sum of \$37,438,000 provided for in the First Appropriation Act, 1982-83, and the sum of \$133,557,000 provided for in the Second Appropriation Act, 1982-83, from and out of the Yukon Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole \$5,226,000 for defraying the several charges and expenses of the public service of Yukon for the period of 12 months ending on March 31, 1983, as set forth in Schedule "A" of this Act and appearing there as sums not in parentheses, and that

Third Appropriation Act, 1982-83

Chp. 33

sum shall not be paid or applied except in accordance with Schedule "A".

- (2) The sums previously appropriated to an appropriation of item that is listed in Schedule "A" and that has a sum appearing in parentheses after it are reduced by the amount of the sum appearing in the parentheses.
 - 3(1) The due application of all monies paid or applied pursuant to section 2 shall be accounted for.
 - (2) The sums appearing in Schedule B are the total sums that have been appropriated by the First Appropriation Act, 1982-83, the Second Appropriation Act, 1982-83 and this Act.
-

THIRD APPROPRIATION ACT, 1982-83

Chp. 33

SCHEDULE A

<u>Appropriation or Item</u>	<u>\$ (Dollars in 000's)</u>
Sums that are required:	
Education	1,124
Highways and Transportation	1,279
Finance	1,643
Renewable Resources	114
Government Services	323
Yukon Liquor Corporation	743
Sub-Total (sums required)	<u>5,226</u>
Sums previously appropriated that are not required:	
Executive Council Office	(4)
Health and Human Resources	(42)
Municipal and Community Affairs	(5,595)
Economic Development and Inter- governmental Relations	(2,228)
Justice	(746)
Tourism, Heritage and Cultural Resources	(41)
Yukon Housing Corporation	(1,378)
Sub-Total (sums not required)	<u>(10,034)</u>
TOTAL	(4,808)

THIRD APPROPRIATION ACT, 1982-83

Chp. 33

SCHEDULE B

\$ (Dollars in 000's)

<u>Appropriation or Item</u>	<u>Capital</u>	<u>O & M</u>	<u>TOTAL</u>
Yukon Legislative Assembly	-	1,157	1,157
Executive Council Office	2	1,431	1,433
Education	8,633	25,323	33,956
Consumer and Corporate Affairs	2	1,074	1,076
Health and Human Resources	322	25,136	25,458
Municipal and Community Affairs	7,234	6,223	13,457
Economic Development and Intergovernmental Relations	1,440	1,637	3,077
Justice	322	9,288	9,610
Highways and Transportation	8,174	25,640	33,814
Public Service Commission	-	1,126	1,126
Finance	1,643	3,338	4,981
Tourism, Heritage and Cultural Resources	1,802	2,588	4,390
Renewable Resources	626	4,817	5,443
Government Services	1,396	6,276	7,672
Yukon Housing Corporation	194	1,454	1,648
Yukon Liquor Corporation	840	-	840
Loan Capital	-	10,000	10,000
Loan Amortization	-	7,049	7,049
	<hr/>	<hr/>	<hr/>
TOTAL	<u>32,630</u>	<u>133,557</u>	<u>166,187</u>

STATUTES OF THE YUKON TERRITORY
1982, Chapter 34

AN ACT TO AMEND
THE WILDLIFE ACT

(Assented to December 9, 1982)

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

- 1(1) This Act amends the Wildlife Act.
- 2(1) In subsection 3(1), "Eskimos" is substituted for "Eskimo".
- 3(1) In the third line of subsection 51(1), "of a licence" is substituted for "or a licence".
- 4(1) In subsection 83(1), "subsection 37(2)" is substituted for "subsections 37(2) and (5)".
- 5(1) The following is substituted for subsection 94(1):
- "(1) A concession granted to a person who has not previously held the same kind of concession shall not be renewed more than once under paragraph 93(3)(a)."
- 6(1) In subsection 96(2), "subsections 102(3) and 104(2)" is substituted for "subsection 102(3)".
- (2) The following is added to section 96:
- "(4) Notwithstanding any other provision of this Act, no compensation is payable for the revocation, suspension or non-renewal of

An Act to Amend
The Wildlife Act

Chp. 34

- (a) a concession granted to a person who has not previously held a concession of the same kind, or
 - (b) a concession renewed under paragraph 93(3)(a),
- and no reference to the Concession and Compensation Review Board established under section 168 is required in respect of the revocation, suspension or non-renewal of such a concession."
- 7(1) Paragraph 101(1)(a) is repealed.
- 8(1) In subsection 104(1), "equal to twice the average annual net income of the holder of the concession and his assignees, if any, in the period of three years immediately preceding the date on which notice is given" is substituted for "not exceeding such amount as may be recommended by the Concession and Compensation Review Board established under section 168".
- (2) The following is added to section 104:
- "(1.1) For the purposes of subsection (1), "net income" means the net income of the holder of the concession, as reported for income tax purposes, in relation to the trapping area described in the concession."
- (3) In subsection 104(2), "Board established" is substituted for "Board".

An Act to Amend
The Wildlife Act

Chp. 34

- 9(1) The following are added to section 107:
- "(1.1) A natural person who applies for an outfitter's certificate shall disclose in writing to the Executive Council Member whether and the extent to which he owns, or owns an interest in, any share capital having voting rights of any corporation which is carrying on the business of outfitting non-resident hunters or which has carried on that business during any part of the year immediately preceding the date of the application.
- (1.2) If the natural person who applies for an outfitter's certificate owns, or owns an interest in, any share capital having voting rights of a corporation of the kind described in subsection (1.1), an outfitter's certificate shall not be issued to that natural person and may be issued to the corporation only if the corporation qualifies for it under paragraph (1)(a)."
- (2) In subsection 107(4), "A corporation that is the holder of an outfitter's certificate" is substituted for "A corporation".
- 10(1) In paragraph 109(2)(c), "subsection 19(1), 20(1), 20(3), 21(1), 40(1), 41(1), 43(1), 49(1) or 52(1)" is substituted for "subsection 19(1), 20(1), 20(3), 21(1) or 52(1)".

An Act to Amend
The Wildlife Act

Chp. 34

- (2) In subsection 109(3), "the offence" is substituted for "offence".
- 11(1) The following is substituted for paragraph 134(2)(a):
- "(a) the court may order the release of the thing to any other person, if the court is satisfied that the person was not a party to the offence, in which case the maximum fine that may be imposed upon the accused may be increased by an amount equal to the fair value of the thing, or."
- 12(1) In paragraph 136(1)(a), "justice of the peace" is substituted for "a justice of the peace".
- 13(1) In subsection 145(2), the following new paragraphs are substituted for all words which appear after "he may":
- "(a) order the forfeiture to the Crown of any security provided under section 134, or
- (b) where no security has been provided, increase the fine, if any, imposed by him under subsection 141(1) or (3) by an amount equal to the fair value of the thing released from seizure."
-

STATUTES OF THE YUKON TERRITORY

1982, Chapter 35

AN ACT TO AMEND

THE WORKERS' COMPENSATION ACT

(Assented to December 9, 1982)

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

- 1(1) This Act amends the Workers' Compensation Act.
- 2(1) In subsection 2(1), the definitions of "Commissioner", "referee", and "Secretary" are deleted.
- (2) In subsection 2(1), the following is substituted for the definition of "employer":
- "employer" means every person, firm, association, body or corporation having in his or its service one or more workers, and includes
- (a) an independent operator to whom this Act has been made applicable under section 5.1,
 - (b) the Government of Yukon, and
 - (c) the Crown in right of Canada insofar as it submits to the operation of this Act."
- (3) The following definitions are added to subsection 2(1):
- "executive director" means the executive director appointed under subsection 10.1(2);
- 'independent operator' means a person who carries on or engages in any industry and does not employ any workers in connection with that industry;

An Act to Amend
The Workers' Compensation Act

Chp. 35

'volunteer worker' means a person who does any work for a person as a volunteer receiving no remuneration or only nominal remuneration."

(4) In the definition of "medical aid" in subsection 2(1), "Board" is substituted for "Commissioner or referee".

(5) The following are added to section 2:

"(2) Where a person does any work in an industry to which this Act applies for a person engaged in that industry, the person who does the work shall, for the purposes of this Act, be deemed to be a worker of the person for whom he does the work except when the person doing the work

(a) is himself an employer, or the worker of an employer, in an industry whether this Act does or does not apply to that industry,

(b) is a person to whom compensation is not payable by reason of his being a director of a corporation, or

(c) is an independent operator whose application to have this Act apply to him has been approved by the Board under section 5.1.

(3) Notwithstanding subsection (2), the Board may, upon the application of a person engaged in an industry to which this Act applies, deem all persons doing work for that person in that industry to be his workers for the purposes of this Act.

An Act to Amend
The Workers' Compensation Act

Chp. 35

(4) Notwithstanding subsection (2), the Board, if it considers it advisable to do so, may by order declare subsection (2) not to apply to any designated class of persons."

3(1) The following is substituted for subsection 3(1):

"3(1) Subject to subsection 5(2), this Act applies to all employers and all workers in all industries in the Territory, except
(a) persons referred to in paragraph 5(1)(a), (b), or (c), and
(b) employers and workers in the industries designated by order of the Board."

(2) Subsection 3(2) is repealed.

4(1) The following is substituted for subsection 4(1):

"4(1) The Board may by order establish such subclassifications, differentials and proportions in the rates as between the different kinds of employment in the same class as the Board considers advisable, and where any particular industry in the opinion of the Board is so circumstanced or conducted that the hazard is greater than the average of the class or subclass to which the industry is assigned, the Board may by order impose upon the industry a special rate, differential or assessment to correspond with the excessive hazard of the industry."

An Act to Amend
The Workers' Compensation Act

Chp. 35

5(1) The following is added immediately after section 5:

"5.1(1) Subject to subsection (4), (5) and (7), compensation shall not be paid to a volunteer worker, an independent operator, an employer or a director of a corporation unless an application to have this Act apply to him has been approved by the Board.

(2) Subject to subsections (4), (5) and (7), compensation shall not be paid to a member of the Council of a municipality unless an application has been made by resolution of the Council of the municipality to have the Act apply to the members of the Council, and the application has been approved by the Board.

(3) An application under subsection (1) or (2) shall state the sum for which coverage is requested, which shall not exceed the maximum wage rate, and such assessment shall be levied in respect of the application as the Board may order.

(4) Where an application under subsection (1) or (2) is approved, the provisions of this Act relating to workers shall be deemed to apply to the person in respect of whom the application was made with the necessary changes and, where applicable, he shall for the purposes of assessment under this Act be deemed to be his own employer.

An Act to Amend
The Workers' Compensation Act

Chp. 35

- (5) Where the approval by the Board of an application under subsection (1) or (2) is delayed by inadvertance, the Board in its discretion may make its approval effective from the date on which the application might otherwise have been approved.
 - (6) Subject to subsection (7), the approval of an application under this section is effective until the last day of February in the year immediately following the year in which the approval is made.
 - (7) The Board may at any time revoke its approval of an application made under subsection (1) or (2), and upon the revocation subsection (4) ceases to apply to the person in respect of whom the application was made."
- 6(1) In subsection 6(8), "the Executive Council Member on the recommendation of the Board" is substituted for "the Commissioner".
- (2) In subsection 6(9),
(a) "Board" is substituted for "Commissioner".
(b) "it" is substituted for "him".
- (3) In subsection 6(10),
(a) "Yukon" is deleted, and
(b) "Board" is substituted for "Commissioner".
- 7(1) Section 8 is repealed.

An Act to Amend
The Workers' Compensation Act

Chp. 35

- 8(1) In subsection 10(1),
- (a) "three" is substituted for "four",
 - (b) "Commissioner in Executive Council" is substituted for "Commissioner",
 - (c) "and" is added to the end of paragraph (b), and
 - (d) the following is substituted for paragraph (c):
 - "(c) one member from the public service of the Territory, who shall be the Chairman."
- (2) In subsection 10(2),
- (a) "Members of the Board other than the Chairman" is substituted for "Members of the Board" and
 - (b) "Commissioner in Executive Council" is substituted for "Commissioner".
- (3) The following is added to section 10:
- "(2.1) The Chairman of the Board shall hold office during good behaviour for five years at a time."
- (4) The following is substituted for subsection 10(3):
- "(3) The Commissioner in Executive Council shall fix the remuneration of each member of the Board other than the Chairman, and such remuneration shall be paid out of the Compensation Fund."
- (5) In subsection 10(4), "two" is substituted for "three".
- 9(1) In subsection 10.1(1), "and in the exercise of its powers under this Act the Board shall be deemed to be acting on behalf of the Commissioner" is substituted for "on behalf of the Commissioner".

An Act to Amend
The Workers' Compensation Act

Chp. 35

- (2) In subsections 10.1(2) and (4), "executive director" is substituted for "Secretary".
- (3) The following is substituted for subsection 10.1(8):
- "(8) Orders of the Board under subsections 2(4), 3(1), 4(1), 38(2), 41(3), 58(11), 75(2), 79(4), 80(2) and 81(2) come into force upon their publication in the Yukon Gazette."
- (4) In subsection 10.1(9),
- (a) "Executive Council Member" is substituted for "Commissioner",
- (b) "not later than May 31" is added immediately after "once in each year", and
- (c) "before the Legislative Assembly within 15 days after it has been made if the Assembly is then sitting, and otherwise within 15 days after the commencement of the next ensuing session." is substituted for "before the next session of the Territorial Council".
- 10(1) Subsection 11(1) is amended
- (a) "Board" is substituted for "referee",
- (b) "and referred to him by the Commissioner" is deleted,
- (c) "by it" is substituted for "by him", and
- (d) "its" is substituted for "his".
- (2) Subsection 11(9) is repealed.

An Act to Amend
The Workers' Compensation Act

Chp. 35

- 11(1) The following sections are substituted for section 15:
- "15(1) An application for compensation shall be dealt with and determined in the first instance on behalf of the Board by one or more claims officers.
- (2) Where a permanent disability results from an accident, the evaluation of the worker's disability shall be made on behalf of the Board by one medical and one non-medical person selected by the Board.
- 15.1(1) Where the Board makes a decision as to the entitlement of a worker or his dependant to compensation, it shall advise the worker and his employer as soon as practicable of the particulars of its decision, and upon request it shall provide him or his employer with a summary of the reasons for its decision, including medical reasons.
- 15.2(1) Upon the written request of a worker or his employer, the Board shall cause the record of the worker's claim for compensation to be reviewed by a review committee appointed by the Board, and the review committee may
- (a) hear representations on behalf of the worker or his employer, and
 - (b) confirm, vary, or reverse any decision made in respect of the claim.

An Act to Amend
The Workers' Compensation Act

Chp. 35

- (2) For the purposes of its review of a claim, the review committee may require the worker to submit himself to a medical examination by a medical practitioner who is not employed by the Board, and subsection 21(2) and (3) apply with the necessary changes.
- (3) A decision of a review committee under subsection (1) may be appealed to the Board by the worker, and in considering the appeal the Board shall
 - (a) consider the records of the claims officers and the review committee relating to the claim, and
 - (b) give the worker and his employer an opportunity to be heard and to present new or additional evidence.

15.3(1) In the case of the death of a worker, sections 15 to 15.2 apply with the necessary changes to a dependant of the worker in respect of his claim for or entitlement to compensation."

12(1) In subsection 21(3), "in either case" is deleted.

13(1) The following is substituted for subsection 22(1):

"22(1) In connection with an appeal to the Board under subsection 15.2(3), the worker may make a written request to the Board for examination pursuant to the provisions of this section, and after consultation with the worker and his attending medical

An Act to Amend
The Workers' Compensation Act

Chp. 35

practitioner, if any, the Board may nominate a duly qualified medical practitioner for the purpose of the examination."

14(1) In subsection 26(2), "the Board" is substituted for "the referee shall forthwith notify the Commissioner of the request, and the Commissioner".

15(1) In paragraph 30(1)(d), "\$650" is substituted for "two hundred seventy-five dollars".

(2) In paragraph 30(1)(e), "\$165" is substituted for "ninety dollars".

(3) In paragraph 30(1)(f), "\$180" is substituted for "one hundred five dollars".

(4) The following subsections are substituted for subsections 30(2) and (3):

"(2) Where the worker dies as a result of an accident and leaves no dependant spouse, or the dependant spouse subsequently dies, and any suitable person acts as foster parent in keeping up a household and maintaining and taking care of the children in a manner that the Board considers satisfactory, the foster parent while so acting is entitled to receive compensation until the child attains the age of 16 years.

(3) Where the worker dies as a result of an accident and leaves no dependant spouse, or the dependant spouse subsequently dies, and

An Act to Amend
The Workers' Compensation Act

Chp. 35

the children are maintained by more than one of the persons referred to in subsection (2), the amount that would be payable to a foster parent under subsection (2) shall be divided between them according to the number of children maintained by each of them, and any discontinuance of payment to any one of them does not affect payment to any of the others."

16(1) Sections 38 to 41 are repealed and the following new sections are substituted for them:

"38(1) Where a worker is entitled to compensation because of an accident occurring after 1982 that causes permanent disability he shall be paid, on account of the disability but not on account of any impairment of his earning capacity, a lump sum award in an amount calculated in accordance with subsection (2).

(2) The Board shall by order establish a rating schedule for application in calculating the amounts of awards made under subsection (1).

39(1) When a worker who is entitled to compensation because of an accident which occurs after 1982 and which causes permanent or temporary disability suffers a loss of earnings as a result after the day of the accident, the Board shall estimate the impairment of his earning capacity and the weekly loss of earnings resulting from that

An Act to Amend
The Workers' Compensation Act

Chp. 35

impairment, and he shall be paid for each week an amount equal to 75 per cent of that weekly loss.

- (2) Subject to the other provisions of this Act, the weekly amount referred to in subsection (1) continues to be payable as long as the loss of earnings continues as a result of the impairment of the worker's earning capacity, or until the worker attains the age of 65 years, whichever occurs first.
 - (3) The weekly amount referred to in subsection (1) shall not exceed the weekly equivalent of the maximum wage rate.
- 39.1(1) Subject to section 40, calculation of the impairment of earning capacity for the purposes of subsection 39(1) shall be based on the difference between the worker's average weekly earnings at the commencement of his loss of earnings because of the injury, and the wage the worker is estimated by the Board to be capable of earning at a suitable occupation after sustaining that injury.
- 39.2(1) Notwithstanding subsection 39(2), where a worker is 63 years of age or more at the commencement of his loss of earnings because of an accident occurring after 1982 that causes permanent disability, the Board may make the payments under subsection 39(1) for a period of not more than two years following the date of the accident.

An Act to Amend
The Workers' Compensation Act

Chp. 35

- 39.3(1) Where a worker injured in an accident occurring after 1982 returns to full employment and thereafter suffers a recurrence of the injury, the compensation payable to him shall be based on the greater of
- (a) his average weekly earnings at the time of the commencement of his loss of earnings resulting from the injury when the injury was initially sustained, and
 - (b) the average weekly earnings at the time of his loss of earnings resulting from the recurrence of the injury,
- less any compensation he is already receiving in respect of that injury.
- 40(1) The amount of payments made under sections 39, 39.2 and 39.3 shall be reviewed annually, and adjustments in any amount shall be based on the difference between
- (a) the worker's average weekly earnings at the commencement of his loss of earnings because of the accident varied by the percentage change in the average annual Consumer Price Index established each year by Statistics Canada, and
 - (b) the wage it is estimated the worker, at the time of the review, is capable of earning.
- (2) The amount determined under paragraph 40(1)(a) shall not exceed the maximum wage rate in effect at the time of the review.

An Act to Amend
The Workers' Compensation Act

Chp. 35

- (3) Calculations of the percentage change in the average annual Consumer Price Index shall be the percentage change for a period of 12 months ending on the last day of a month chosen by the Board in each year, and that percentage shall be applied to the average weekly earnings of the worker under review under subsection (1) on the anniversary date of the commencement of his loss of earnings because of the accident in the year following the year in which the calculation is made.
- 41(1) Where compensation in respect of an accident occurring after 1982, is payable to a worker for a period exceeding 24 consecutive months, the Board shall set aside an amount equal to 10 per cent of the compensation as it is paid, and that amount, together with accrued interest, shall be used to provide an annuity for the worker at age 65.
- (2) The amount set aside pursuant to subsection (1) may be set aside in the reserves of the Board or, on the request of the worker, it may be paid into an established superannuation plan.
- (3) Where the annuity provided to a worker under subsection (1) is less than an amount fixed by order of the Board, the Board shall, in lieu of that annuity, pay to the worker the accumulated capital and interest.
- (4) Where the Board determines that the effect of the injury on the pension of the worker is

An Act to Amend
The Workers' Compensation Act

Chp. 35

greater than is recognized by the payments under subsection (1) and that it causes undue hardship to the worker, the Board may supplement the income of that worker upon his attaining the age of 65 years to increase the amount of his income to the minimum amount of compensation payable at that time.

41.1(1) Where a worker is entitled to compensation because of an accident occurring in 1982 or earlier, his entitlement to compensation and the amount of compensation to which he is entitled shall be determined pursuant to this Act as it was in force before January 1, 1983.

41.2(1) Notwithstanding any other provision of this Act, any compensation payable by the Board under this Act to a worker in respect of an accident occurring after 1982 shall be reduced by the amount that person is entitled to receive in respect of the injury under the Canada Pension Plan."

17(1) In subsections 43(1) and (2), "sections 39.1, 39.3, and 40" are substituted for "section 40".

18(1) In subsection 44(1),
(a) "section 39 or 42" is substituted for "sections 38 to 42".
(b) "basis, result in a" is added immediately before "rate of remuneration that exceeds".

An Act to Amend
The Workers' Compensation Act

Chp. 35

- (2) In subsection 44(6), "section 39 or 42" is substituted for "sections 39 to 42".
- 19(1) In subsection 52(2),
(a) paragraph (c) is deleted, and
(b) in paragraph (h), "Executive Council Member" is substituted for "Commissioner".
- (2) The following are added immediately after subsection 52(2):
- "(2.1) No funds shall be paid or lent out of the Compensation Fund except as expressly provided by this Act.
- (2.2) Except as provided under subsection 16.1(4), no legal costs or expenses incurred by any person other than the Board in the conduct of any proceedings before, or in the making of representations to, a review committee or the Board shall be paid out of the Compensation Fund."
- (3) In subsection 52(3), "Commissioner in Executive Council" is substituted for "Commissioner".
- (4) The following is added immediately after subsection 52(3):
- "(3.1) Notwithstanding subsection (3), the Board may delete from the accounts in whole or in part any obligation or debt due to the Compensation Fund that does not exceed \$1,000."

An Act to Amend
The Workers' Compensation Act

Chp. 35

20(1) In subsection 53(1), "Commissioner in Executive Council" is substituted for "Commissioner".

21(1) the following new section is added immediately after section 54:

"54.1(1) Notwithstanding any other provision of this Act, the receipt, investment and payment of money by the Board is subject to the Financial Administration Act; all money received, invested or spent by the Board shall be deemed to be received, invested or spent by it on behalf of the Commissioner; all money owing to the Board shall be deemed to be owed to it in its capacity as a representative of the Commissioner; and all proceedings taken by the Board for the collection for any money due to the Board under this Act shall be deemed to be taken by the Board for and on behalf of the Commissioner."

22(1) In subsection 55(1), "subject to section 54.1 and the regulations, the Board" is substituted for "The Commissioner".

23(1) The following is substituted for section 56:

"56(1) The Board shall cause an actuarial evaluation of the Compensation Fund to be performed at least once every three years by a qualified actuary, and the report of the actuary shall be included in the next report of the Board under subsection 10.1(9).

An Act to Amend
The Workers' Compensation Act

Chp. 35

- (2) The accounts and financial transactions of the Compensation Fund administered by the Board are subject to the audit of the Auditor General of Canada, and for that purpose he is entitled
- (a) to have access to all records, documents, books, accounts and vouchers of the Board, and
 - (b) to require from members and officers of the Board such information as he deems necessary.
- (3) The Auditor General of Canada shall report annually to the Executive Council Member the results of his examination of the accounts and financial statements of the Compensation Fund administered by the Board, and the report shall state whether, in his opinion,
- (a) the financial statements represent fairly the financial position of the Compensation Fund at the end of the financial year and the results of its operations for that year in accordance with the accounting policies of the Board applied on a basis consistent with that of the immediately preceding year,
 - (b) proper books of account have been kept and the financial statements are in agreement with the books of account, and
 - (c) the transactions of the Board that have come under his notice are within the powers of the Board under this Act or any other Act that applies to the Board.

An Act to Amend
The Workers' Compensation Act

Chp. 35

- (4) In his report the Auditor General shall call attention to any matter within the scope of his examination that in his opinion should be brought to the attention of the Legislative Assembly.
 - (5) The Auditor General from time to time may make to the Board or the Executive Council Member such other reports as he considers necessary or as the Executive Council Member may require.
 - (6) The annual report of the Auditor-General shall be included in the report referred to in subsection 10.1(9) next laid before the Legislative Assembly."
- 24(1) The following is substituted for subsection 58(11):
- "(11) The Board may, by order, adopt a system of merit rating."
- 25(1) Subsection 60(2) is repealed.
- 26(1) In paragraph 67(1)(b), "or partly from one and partly from the other" is substituted for "or partly from one or partly from the other".
- 27(1) Section 68 is repealed.
- 28(1) In subsection 71(1), "\$2,000" is substituted for "one thousand dollars".

An Act to Amend
The Workers' Compensation Act

Chp. 35

- (2) In subsection 71(3),
(a) "by" is substituted for "on behalf of", and
(b) "Board" is substituted for "Commissioner".
- 29(1) In subsection 72(2), "or a copy of it certified by the executive director to be a true copy" is substituted for "or a certified copy of it".
- (2) Subsections 72(5) and (6) are repealed.
- 30(1) In subsection 75(2), "Board by order" is substituted for "Commissioner".
- 31(1) In subsection 76(1), "\$1,000" is substituted for "five hundred dollars".
- (2) In subsection 76(3), "\$500" is substituted for "two hundred fifty dollars".
- (3) In subsection 76(4), "\$200" is substituted for "one hundred dollars".
- (4) The following is added to section 76:
- "(6) Proceedings in respect of an offence under this Act may be instituted at any time within one year after the subject matter of the proceedings arises."
- 32(1) In subsection 77(1), "\$1,000" is substituted for "five hundred dollars".
- 33(1) In subsection 79(1), "this section or section 40" is substituted for "this section".

An Act to Amend
The Workers' Compensation Act

Chp. 35

- (2) In subsection 79(2), "1982" is substituted for "1973".
 - (3) In subsection 79(4), "Board shall by order in January of each year or as early as possible thereafter, establish" is substituted for "Commissioner shall in January 1975 and in January of each succeeding year or as early as possible thereafter, proclaim".
 - (4) The following is added to section 79:
 - "(5) Subsection (3) applies only to compensation payable in respect of accidents occurring before 1983."
- 34(1) Subsection 80(1) is repealed.
- (2) In subsection 80(2), "Board shall by order in January of each year or as early as possible thereafter, establish" is substituted for "Commissioner shall in January 1975 and in January of each year succeeding year or as early as possible thereafter, proclaim".
 - (3) The following is substituted for subsection 80(3):
 - "(3) The amount of the maximum wage rate established by the Board from time to time pursuant to subsection (2) shall be the annual earnings of a worker paid at the weekly rate established by the Board as the average weekly earnings in the immediately preceding period of 12 months of workers who received compensation under this Act in respect of accidents occurring in that period."

An Act to Amend
The Workers' Compensation Act

Chp. 35

35(1) In subsection 81(1), "Commissioner in Executive Council" is substituted for "Commissioner".

(2) The following is added to section 81:

"(2) The Board may by order make rules consistent with this Act and the regulations relating to

(a) the conduct of proceedings before the Board,

(b) the making of applications to the Board, including the information and evidence to be furnished by applicants,

(c) the establishment of forms,

(d) the certification or publication of orders and decisions of the Board not required to be published in the Gazette under subsection 10.1(8), and

(e) any other matter that reasonably is necessary or advisable for the effective and orderly performance of the duties of the Board."

36(1) In subsections 5(3), 6(2), 6(4), 6(5), 6(6), 6(11), 6(12), 13(1), 13(3), 14(1), 16(3), 16(4), 16.1(1), 16.1(2), 16.1(4), 17(3), 18(1), 18(2), 19(1), 19(2), 19(3), 20(1), 20(3), 20(4), 21(1), 21(2), 21(3), 23(1), 23(2), 24(1), 25(1), 25(2), 25(3), 25(4), 25(5), 25(6), 25(7), 25(8), 25(9), 26(3), 26(4), 26(5), 26(6), 27(1), 28(1), 29(1), 46(1), 46(2), 46(3), 47(1), 48(2), 51(1), 51(3), 51(4), 51(5), 51(6), 51.1(1), 51.1(2), 54(1.1), 57(1), 58(2), 58(4), 58(5), 58(6), 58(7), 58(8), 58(9), 58(10), 58(13), 58(14), 58(15), 56(17), 59(2), 60(1), 61(1), 61(2), 61(3), 61(4), 61(5), 61(6), 61(8), 61(9),

An Act to Amend
The Workers' Compensation Act

Chp. 35

61(11), 61(13), 61(14), 62(1), 62(2), 62(3), 63(1), 64(1), 65(1), 65(3), 65(4), 66(1), 66(2), 66(3), 66(4), 66(5), 66(6), 66(7), 66(9), 67(3), 67(4), 71(1), 71(2), 72(1), 72(3), 72(4), 72(7), 72(8), 73(2), 74(1), 75(1), 75(4), 75(6), 75(7), 76(5) and 77(1), "Board" is substituted for "Commissioner".

- 37(1) In subsections 6(2), 6(12), 11(4), 12(1), 16.1(1), 16.1(4), 22(2), 25(2), 25(3), 26(3), 51(1), 57(1), 61(5), 66(5), 72(3) and 72(7), "it" is substituted for "he".
- 38(1) In subsections 11(2), 11(3), 11(4), 11(5), 11(6), 11(7), 11(8), 12(1), 22(2), 22(3), 22(4), 26(1), 30(1), 32(1), 32(2); 33(1), 36(2), 37(1), 49(1), 49(2) and 51(2), "Board" is substituted for "referee".
- 39(1) In subsections 11(3), 11(4), 11(6), 14(1), 19(3), 25(4), 25(6), 51(3), 61(4), 61(5), 61(8), 66(5), 72(8) and 76(5), "it" is substituted for "him".
- (2) In subsections 61(2), 66(1) and 66(3), "it" is substituted for "him" where the latter first occurs.
- (3) In subsection 75(4), "it" is substituted for "him" where the latter last occurs.
- 40(1) In subsections 11(4), 16(3), 22(2), 26(3), 32(1), 62(1) and 72(1), "its" is substituted for "his".
- (2) In subsection 16.1(2), "its" is substituted for "his" where the latter last occurs.
- (3) In paragraph 16.1(4)(b), "its" is substituted for "his".

An Act to Amend
The Workers' Compensation Act

Chp. 35

- (4) In paragraph 16.1(4)(c), "its" is substituted for "his" where the latter last occurs.
- 41(1) In paragraph 16.1(4)(d) and subsection 54(1.1), "Board's" is substituted for "Commissioner's".
- 42(1) In subsections 18(2), 21(1), 21(2) and 21(3), "or the referee" and "as the case may be" are deleted.
- 43(1) This Act comes into force on January 1, 1983.
- (2) Notwithstanding subsection (1), section 9 comes into force on a day to be fixed by the Commissioner in Executive Council.

TABLE OF STATUTES

This is a table of those Statutes included in the Revised Ordinances, 1971, those subsequently added to the consolidation and 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:

(i) enactment; or

Re. = Re-enacted

(ii) inclusion in R.O.Y.T., 1971

N.C.N.R. = Not Consolidated, Not Repealed.

R.S.Y.T. = Revised Statutes of the Yukon Territory, originally published under the title Revised Ordinances of the Yukon Territory.

S.Y.T. = Statutes of the Yukon Territory, published before November 12, 1981, under the title Ordinances of the Yukon Territory or Ordinances of the Government of Yukon.

* = On December 31, 1982 a date for the commencement of this Act had yet to be proclaimed.

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

<u>STATUTE</u>	<u>CONSOLIDATION CHAPTER No.</u>	<u>HISTORY</u>
Adult Occupational Training Agreements Repeal	N.C.N.R.	En. S.Y.T. 1975 (1st), c. 10
Age of Majority	A-O.1	En. S.Y.T. 1972 (1st), c. 1
Agriculture Development	A-0.01	En. S.Y.T. 1982, c.17
Alaska Highway Maintenance (1972)	N.C.N.R.	En. S.Y.T. 1972 (1st), c. 2
Animal Protection	A-O.2	En. S.Y.T. 1977 (2nd), c. 1
Apprentice Training	A-1	In. R.S.Y.T. 1971, c. A-1
Appropriation		See First, Second, etc. to Sixth
Arbitration	A-2	In. R.S.Y.T. 1971, c. A-2
Archives	A-3	In. R.S.Y.T. 1971, c. A-3
Area Development	A-4	In. R.S.Y.T. 1971, c. A-4; Am. S.Y.T. 1975 (3rd), c.3

Assessment and Taxation	A-4.1	En. S.Y.T. 1972 (1st), c. 13; Am. S.Y.T. 1975 (1st), c. 18; Am. S.Y.T. 1979 (2nd), c. 16; Am. S.Y.T. 1980 (1st), c. 20, s. 2; Am. S.Y.T. 1980 (2nd), c. 17, s. 440
Assessment in the City of Whitehorse	N.C.N.R.	En. S.Y.T. 1977 (2nd), c. 11
Assignment of Book Debts	A-5	In. R.S.Y.T. 1971, c. A-5; Rp. S.Y.T. 1980 (2nd), c. 20, s. 74
Bills of Sale	B-1	In. R.S.Y.T. 1971, c. B-1; Rp. S.Y.T. 1980 (2nd), c. 20, s. 74
Blasting	B-2	In. R.S.Y.T. 1971, c. B-2
Boiler and Pressure Vessels	B-2.1	En. S.Y.T. 1979 (2nd), c. 1; Am. S.Y.T. 1980 (2nd), c. 16, s. 1
Brands	B-3	In. R.S.Y.T. 1971, c. B-3; Am. S.Y.T. 1980 (1st), c. 20, s. 3
Building Standards	B-3.1	En. S.Y.T. 1973 (1st), c. 1; Am. S.Y.T. 1980 (2nd), c. 17, s. 440;* Am. S.Y.T. 1981 (2nd), c. 1
Bulk Sales	B-4	In. R.S.Y.T. 1971, c. B-4
Bulk Sales	B-4.05	En. S.Y.T. 1981 (2nd), c. 2*
Business Development Assistance	B-4.1	En. S.Y.T. 1980 (1st), c. 1*
Business Licence	B-5	In. R.S.Y.T. 1971, c. B-5; Am. S.Y.T. 1980 (1st), c. 20, s. 4
Cancer Diagnosis	C-1	In. R.S.Y.T. 1971, c. C-1
Cemeteries and Burial Sites	C-2	In. R.S.Y.T. 1971, c. C-2
Change of Name	C-3	In. R.S.Y.T. 1971, c. C-3
Child Welfare	C-4	In. R.S.Y.T. 1971, c. C-4; Am. S.Y.T. 1972 (1st), c. 15
Chiropractic	C-5	In. R.S.Y.T. 1971, c. C-5; Am. S.Y.T. 1972 (1st), c. 16
Choses in Action	C-6	In. R.S.Y.T. 1971, c. C-6; Am. S.Y.T. 1980 (2nd), c. 20, s. 75
Citizenship Instruction Agreement	C-7	In. R.S.Y.T. 1971, c. C-7
Civil Defence Workers' Compensation Agreement	N.C.N.R.	En. S.Y.T. 1973 (1st), c. 26
Civil Emergency Measures	C-8	In. R.S.Y.T. 1971, c. C-8

Collection	C-9	In. R.S.Y.T. 1971, c. C-9
Community Assistance	C-9.1	En. S.Y.T. 1975 (1st), c. 1; Am. S.Y.T. 1975 (3rd), c. 4; Am. S.Y.T. 1976 (1st), c. 4; Am. S.Y.T. 1977 (1st), c. 8; Am. S.Y.T. 1978 (1st), c. 3; Am. S.Y.T. 1980 (1st), c. 2; Am. S.Y.T. 1980 (2nd), c. 1; Am. S.Y.T. 1980 (2nd), c. 16, s. 2; Am. S.Y.T. 1981 (1st), c. 11, s. 21
Companies	C-10	In. R.S.Y.T. 1971, c. C-10; Am. S.Y.T. 1975 (3rd), c. 5; Am. S.Y.T. 1980 (1st), c. 3; Am. S.Y.T. 1980 (2nd), c. 2; Am. S.Y.T. 1980 (2nd), c. 20, s. 76 Am. S.Y.T. 1982, c. 18
Compensation for Victims of Crime	C-10.1	En. S.Y.T. 1975 (1st), c. 2; Am. S.Y.T. 1976 (1st), c. 5; Am. S.Y.T. 1980 (2nd), c. 3; Am. S.Y.T. 1981 (1st), C. 10, s. 1
Conditional Sales	C-11	In. R.S.Y.T. 1971, c. C-11; Rp. S.Y.T. 1980 (2nd), c. 20, s. 74
Condominium	C-12	In. R.S.Y.T. 1971, c. C-12; Am. S.Y.T. 1977 (2nd), c. 5; Am. S.Y.T. 1980 (1st), c. 4
Conflict of Laws (Traffic Accidents)	C-12.1	En. S.Y.T. 1972 (1st), c. 3
Consumers' Protection	C-13	In. R.S.Y.T. 1971, c. C-13
Contributory Negligence	C-14	In. R.S.Y.T. 1971, c. C-14; Am. S.Y.T. 1980 (1st), c. 20, s. 5
Controverted Elections	C-15	In. R.S.Y.T. 1971, c. C-15; Am. S.Y.T. 1977 (2nd), c. 3, s. 103
Cooperative Associations	C-16	In. R.S.Y.T. 1971, c. C-16; Am. S.Y.T. 1973 (1st), c. 8; Am. S.Y.T. 1975 (2nd), c. 7; Am. S.Y.T. 1980 (2nd), c. 4; Am. S.Y.T. 1981 (1st), c. 10, s. 2
Cornea Transplant	C-17	In. R.S.Y.T. 1971, c. C-17; Rp. S.Y.T. 1980 (1st), c. 14, s. 16
Coroners	C-18	In. R.S.Y.T. 1971, c. C-18; Am. S.Y.T. 1972 (2nd), c. 17
Corporation Securities Registration	C-19	In. R.S.Y.T. 1971, c. C-19; Am. S.Y.T. 1980 (1st), c. 20, s. 6; Rp. S.Y.T. 1980 (2nd), c. 20, s. 74

Corrections	C-19.1	En. S.Y.T. 1973 (1st), c. 2; Am. S.Y.T. 1980 (1st), c. 20, s. 7
Court of Appeal	C-20	In. R.S.Y.T. 1971, c. C-20; Am. S.Y.T. 1981 (2nd), c. 3
Court Worker Agreement	N.C.N.R.	En. S.Y.T. 1975 (1st), c. 3
Credit Union	C-20.1	En. S.Y.T. 1977 (1st), c. 2; Rp. S.Y.T. 1980 (1st), c. 5*
Credit Unions	C-21	In. R.S.Y.T. 1971, c. C-21; Am. S.Y.T. 1975 (2nd), c. 8; Am. S.Y.T. 1976 (1st), c. 6; Rp. S.Y.T. 1977 (1st), c. 2, s. 158
Creditors' Relief	C-22	In. R.S.Y.T. 1971, c. C-22
Curfew	C-23	In. R.S.Y.T. 1971, c. C-23
Custody of Federal Parole Violators Agreement	N.C.N.R.	En. S.Y.T. 1975 (1st), c. 4
Dawson, City of, General Purposes Loan	N.C.N.R.	En. S.Y.T. 1973 (1st), c. 25
Dawson City Utilities Replacement	N.C.N.R.	En. S.Y.T. 1978 (1st), c. 14; Am. S.Y.T. 1980 (2nd), c. 16, s. 3; Am. S.Y.T. 1981 (2nd), c. 11, s. 1
Dawson General Purposes Loan	N.C.N.R.	En. S.Y.T. 1972 (1st), c. 31
Dawson Historic Sites Aid Grants	N.C.N.R.	En. S.Y.T. 1977 (1st), c. 21
Day Care	D-01	En. S.Y.T. 1979 (2nd), c. 3; Am. S.Y.T. 1980 (2nd), c. 16, s. 4
Defamation	D-1	In. R.S.Y.T. 1971, c. D-1; Am. S.Y.T. 1980 (2nd), c. 5
Dental Profession	D-2	In. R.S.Y.T. 1971, c. D-1; Am. S.Y.T. 1973 (1st), c. 9; Am. S.Y.T. 1979 (1st), c. 1
Dependants' Relief	D-3	In. R.S.Y.T. 1971, c. D-3; Rp. S.Y.T. 1980 (2nd), c. 6
Dependants' Relief	D-3.1	En. S.Y.T. 1980 (2nd), c. 6; Am. S.Y.T. 1981 (1st), c. 10, s. 3
Devolution of Real Property	D-4	In. R.S.Y.T. 1971, c. D-4
Disabled Persons' Allowance	D-5	In. R.S.Y.T. 1971, c. D-5; Rp. S.Y.T. 1975 (1st), c. 11
Distress	D-6	In. R.S.Y.T. 1971, c. D-6; Am. S.Y.T. 1980 (2nd), c. 20, s. 77

Dog	D-7	In. R.S.Y.T. 1971, c. D-7; Am. S.Y.T. 1980 (2nd), c. 16, s. 5
Elections	E-1	In. R.S.Y.T. 1971, c. E-1; Am. S.Y.T. 1974 (2nd), c. 5; Am. S.Y.T. 1975 (3rd), c. 6; Am. S.Y.T. 1977 (1st), c. 9; Am. S.Y.T. 1977 (2nd), c. 2; Am. S.Y.T. 1977 (2nd), c. 3, s. 104; Am. S.Y.T. 1978 (1st), c. 4; Rp. S.Y.T. 1979 (2nd), c. 18, s. 5
Elections	E-1.1	En. S.Y.T. 1977 (2nd), c. 3; Am. S.Y.T. 1980 (1st), c. 20, s. 8; Am. S.Y.T. 1980 (2nd), c. 7; Am. S.Y.T. 1981 (2nd), c. 4
Elections, 1977	E-1.2	See Elections, c. E-1.1
Electoral District Boundaries	E-1.3	En. S.Y.T. 1977 (2nd), c. 2; Am. S.Y.T. 1981 (2nd), c. 11, s. 2; Am. S.Y.T. 1982 (1st), c. 1
Electoral District Boundaries Commission	N.C.N.R.	En. S.Y.T. 1974 (2nd), c. 1; Sp. June 17, 1974
Electoral District Boundaries Commission	N.C.N.R.	En. S.Y.T. 1977 (1st), c. 3; Sp. November 7, 1977
Electrical Protection	E-2	In. R.S.Y.T. 1971, c. E-2; Rp. S.Y.T. 1976 (3rd), c. 3
Electrical Protection	E-2.01	En. S.Y.T. 1976 (3rd), c. 3
Electrical Public Utilities	E-2.1	En. S.Y.T. 1972 (1st), c. 4; Am. S.Y.T. 1974 (2nd), c. 6
Elevator and Fixed Conveyances	E-3	In. R.S.Y.T. 1971, c. E-3
Emergency Medical Aid	E-3.1	En. S.Y.T. 1976 (3rd), c. 1
Employment Agencies	E-4	In. R.S.Y.T. 1971, c. E-4; Rp. S.Y.T. 1972 (1st), c. 5
Employment Agencies	E-4.1	En. S.Y.T. 1972 (1st), c. 5
Energy Conservation Agreement	N.C.N.R.	En. S.Y.T. 1980 (1st), c. 6*
Engineering Profession	E-5	In. R.S.Y.T. 1971, c. E-5
Evidence	E-6	In. R.S.Y.T. 1971, c. E-6; Am. S.Y.T. 1980 (1st), c. 7; Am. S.Y.T. 1980 (1st), c. 20, s. 9; Am. S.Y.T. 1981 (1st), c. 10, s. 4
Executions	E-6.1	En. S.Y.T. 1980 (1st), c. 8
Executive Council	E-6.2	En. S.Y.T. 1982, c. 16

Exemptions	E-7	In. R.S.Y.T. 1971, c. E-7
Expropriation	E-8	In. R.S.Y.T. 1971, c. E-8
Factors	F-1	In. R.S.Y.T. 1971, c. F-1; Am. S.Y.T. 1980 (2nd), c. 16, s. 6; Am. S.Y.T. 1980 (2nd), c. 20, s. 78
Fair Practices	F-2	In. R.S.Y.T. 1971, c. F-2; Am. S.Y.T. 1974 (2nd), c. 7
Faro General Purposes Loan	N.C.N.R.	En. S.Y.T. 1972 (1st), c. 30
Faro General Purposes Loan	N.C.N.R.	En. S.Y.T. 1973 (1st), c. 27
Fatal Accidents	F-3	In. R.S.Y.T. 1971, c. F-3; Rp. S.Y.T. 1980 (1st), c. 9
Fatal Accidents	F-3.1	En. S.Y.T. 1980 (1st), c. 9
Fifth Appropriation, 1971-72	N.C.N.R.	En. S.Y.T. 1972 (1st), c. 28
Fifth Appropriation, 1973-74	N.C.N.R.	En. S.Y.T. 1974 (2nd), c. 16
Fifth Appropriation, 1974-75	N.C.N.R.	En. S.Y.T. 1974 (2nd), c. 21
Fifth Appropriation, 1977-78	N.C.N.R.	En. S.Y.T. 1979 (1st), c. 5
Financial Administration	F-4	In. R.S.Y.T. 1971, c. F-4; Rp. S.Y.T. 1976 (3rd), c. 4
Financial Administration	F-4.1	En. S.Y.T. 1976 (3rd), c. 4
Financial Agreement, 1973	N.C.N.R.	En. S.Y.T. 1973 (1st), c. 28
Financial Agreement, 1974	N.C.N.R.	En. S.Y.T. 1974 (2nd), c. 22
Financial Agreement, 1975	N.C.N.R.	En. S.Y.T. 1975 (1st), c. 21
Financial Agreement, 1976	N.C.N.R.	En. S.Y.T. 1976 (1st), c. 10
Financial Agreement, 1977	N.C.N.R.	En. S.Y.T. 1977 (1st), c. 14
Financial Agreement, 1978	N.C.N.R.	En. S.Y.T. 1978 (1st), c. 19
Financial Agreement, 1979	N.C.N.R.	En. S.Y.T. 1979 (1st), c. 8
Financial Agreement, 1980	N.C.N.R.	En. S.Y.T. 1980 (1st), c. 10
Financial Agreement, 1981	N.C.N.R.	En. S.Y.T. 1981 (1st), c. 1
Financial Agreement, 1982	N.C.N.R.	En. S.Y.T. 1982, c. 10
Fire Prevention	F-5	In. R.S.Y.T. 1971, C. F-5; Am. S.Y.T. 1972 (1st), c. 18; Am. S.Y.T. 1973 (1st), c. 10; Am. S.Y.T. 1980 (2nd), c. 12; Am. S.Y.T. 1980 (2nd), c. 16, s. 7

Firearms Administration Agreement	N.C.N.R.	En. S.Y.T. 1979 (1st), C. 3
First Appropriation, 1972-73	N.C.N.R.	En. S.Y.T. 1972 (1st), c. 27
First Appropriation, 1973-74	N.C.N.R.	En. S.Y.T. 1973 (1st), c. 21
First Appropriation, 1974-75	N.C.N.R.	En. S.Y.T. 1974 (2nd), c. 17
First Appropriation, 1975-76	N.C.N.R.	En. S.Y.T. 1975 (1st), c. 20
First Appropriation, 1976-77	N.C.N.R.	En. S.Y.T. 1976 (1st), c. 11
First Appropriation, 1977-78	N.C.N.R.	En. S.Y.T. 1977 (1st), c. 15
First Appropriation, 1978-79	N.C.N.R.	En. S.Y.T. 1978 (1st), c. 18
First Appropriation, 1979-80	N.C.N.R.	En. S.Y.T. 1979 (1st), c. 7
First Appropriation, 1980-81	N.C.N.R.	En. S.Y.T. 1979 (2nd), c. 4
First Appropriation, 1981-82	N.C.N.R.	En. S.Y.T. 1980 (2nd), c. 8
First Appropriation, 1982-83	N.C.N.R.	En. S.Y.T. 1980 (2nd), c. 5
First Appropriation, 1983-84	N.C.N.R.	En. S.Y.T. 1982, c. 20
Fitness and Amateur Sport Agreement	F-6	In. R.S.Y.T. 1971, C. F-6
Fifth Appropriation, 1974-75	N.C.N.R.	En. S.Y.T. 1974(2nd), c. 21
Fifth Appropriation, 1981-82	N.C.N.R.	En S.Y.T. 1982, c. 19
Flag	F-7	In. R.S.Y.T. 1971, C. F-7
Floral Emblem	F-8	In. R.S.Y.T. 1971, c. F-8
Forest Protection	F-9	In. R.S.Y.T. 1971, c. F-9; Am. S.Y.T. 1980 (1st), c. 20, s. 10
Fourth Appropriation, 1972-73	N.C.N.R.	En. S.Y.T. 1973 (1st), c. 20
Fourth Appropriation, 1973-74	N.C.N.R.	En. S.Y.T. 1973 (4th), c. 24
Fourth Appropriation, 1974-75	N.C.N.R.	En. S.Y.T. 1974 (2nd), c. 20
Fourth Appropriation, 1975-76	N.C.N.R.	En. S.Y.T. 1976 (1st), c. 12
Fourth Appropriation, 1977-78	N.C.N.R.	En. S.Y.T. 1978 (1st), c. 17
Fourth Appropriation, 1980-81	N.C.N.R.	En. S.Y.T. 1980 (2nd), c. 6
Fourth Appropriation, 1981-82	N.C.N.R.	En. S.Y.T. 1982 (1st), c. 2
Fraudulent Preferences and Conveyances	F-9.1	En. S.Y.T. 1973 (1st), c. 3

Frustrated Contracts	F-10	In. R.S.Y.T. 1971, c. F-10; Rp. S.Y.T. 1980 (1st), c. 11
Frustrated Contracts	F-10.1	En. S.Y.T. 1980 (1st), c. 11
Fuel Oil Tax	F-11	In. R.S.Y.T. 1971, c. F-11; Rp. S.Y.T. 1973 (1st), c. 4
Fuel Oil Tax	F-11.1	En. S.Y.T. 1973 (1st), c. 4; Am. S.Y.T. 1975 (2nd), c. 9; Am. S.Y.T. 1979 (1st), c. 2; Am. S.Y.T. 1981 (1st), c. 2
Fur Export	F-12	In. R.S.Y.T. 1971, c. F-12; Am. S.Y.T. 1979 (2nd), c. 5; Rp. S.Y.T. 1981 (2nd), c. 16, s. 193
Game	G-1	In. R.S.Y.T. 1971, C. G-1; Am. S.Y.T. 1972 (1st), c. 19; Am. S.Y.T. 1973 (1st), c. 11; Am. S.Y.T. 1975 (2nd), c. 10; Am. S.Y.T. 1975 (3rd), c. 7; Am. S.Y.T. 1979 (2nd), c. 6; Am. S.Y.T. 1980 (2nd), c. 9; Am. S.Y.T. 1980 (2nd), c. 16, s. 8; Rp. S.Y.T. 1981 (2nd), c. 16, s. 193
Gaols	G-2	In. R.S.Y.T. 1971, c. G-2
Garage Keepers' Lien	G-3	In. R.S.Y.T. 1971, c. G-3; Am. S.Y.T. 1980 (2nd), c. 20, s. 79
Garnishee	G-4	In. R.S.Y.T. 1971, c. G-4; Rp. S.Y.T. 1980 (1st), c. 12
Garnishee	G-4.1	En. S.Y.T. 1980 (1st), c. 12
Gasoline Handling	G-5	En. S.Y.T. 1972 (1st), c. 6
General Development Agreement	G-5.1	En. S.Y.T. 1977 (1st), c. 4
Government Employee Housing Plan	G-6	En. S.Y.T. 1975 (1st), c. 5; Am. S.Y.T. 1980 (1st), c. 13; Am. S.Y.T. 1980 (1st), c. 20, s. 11
Health Care Insurance Plan	H-1	In. R.S.Y.T. 1971, c. H-1; Am. S.Y.T. 1981 (1st), c. 3
Highways	H-1.1	En. S.Y.T. 1975 (3rd), c. 1; Am. S.Y.T. 1976 (3rd), c. 5; Am. S.Y.T. 1978 (1st), c. 5
Historic Sites and Monuments	H-2	In. R.S.Y.T. 1971, c. H-2; Am. S.Y.T. 1975 (2nd), C. 11

Home Owners' Grant	H-2.1	En. S.Y.T. 1976 (1st), c. 1; Am. S.Y.T. 1976 (3rd), c. 6; Am. S.Y.T. 1978 (1st), c. 6; Am. S.Y.T. 1980 (2nd), c. 10; Am. S.Y.T. 1981 (1st), c. 4
Hospital Insurance Services	H-3	In. R.S.Y.T. 1971, c. H-3; Am. S.Y.T. 1975 (3rd), c. 8
Hotels and Tourist Establishments	H-4	In. R.S.Y.T. 1971, c. H-4
Housing	H-5	In. R.S.Y.T. 1971, c. H-5
Housing Corporation	H-5.1	En. S.Y.T. 1972 (1st), c. 7
Housing Development	H-6	In. R.S.Y.T. 1971, c. H-6; Am. S.Y.T. 1975 (2nd), c. 12
Human Tissue Gift	H-7	En. S.Y.T. 1980 (1st), c. 14
Immunity of Members	I-1	In. R.S.Y.T. 1971, c. I-1; Rp. S.Y.T. 1978 (1st), c. 2, s. 42
Income Tax	I-1.01	En. S.Y.T. 1979 (2nd), c. 7; Am. S.Y.T. 1980 (2nd), c. 11; Am. S.Y.T. 1981 (2nd), c. 7
Institute of Chartered Accountants	I-1.1	En. S.Y.T. 1976 (3rd), c. 2
Insurance	I-2	In. R.S.Y.T. 1971, c. I-2; Rp. S.Y.T. 1977 (1st), c. 1, s. 236
Insurance	I-2.01	En. S.Y.T. 1977 (1st), c. 1; Am. S.Y.T. 1977 (2nd), c. 4, s. 257; Am. S.Y.T. 1980 (1st), c. 15; Am. S.Y.T. 1980 (1st), c. 20, s. 12; Am. S.Y.T. 1980 (2nd), c. 16, s. 9 Am. S.Y.T. 1982, c. 21
Insurance Premium Tax	I-2.1	En. S.Y.T. 1976 (1st), c. 2; Am. S.Y.T. 1976 (3rd), c. 7; Am. S.Y.T. 1980 (2nd), c. 12
Interim Supply Appropriation, 1974-75	N.C.N.R.	En. S.Y.T. 1974 (2nd), c. 23
Interim Supply Appropriation, 1980-81	N.C.N.R.	En. S.Y.T. 1980 (1st), c. 16
Interim Supply Appropriation, 1981-82	N.C.N.R.	En. S.Y.T. 1981 (1st), c. 5
Interim Supply Appropriation, 1982-83	N.C.N.R.	En. S.Y.T. 1982 (1st), c. 4
Interim Supply Appropriation, 1982-83 (no. 2)	N.C.N.R.	En. S.Y.T. 1982, c. 11

Interim Supply Appropriation, 1982-83 (no. 3)	N.C.N.R.	En. S.Y.T. 1982, c. 12
International Child Abduction (Hague Convention)	I-2.2	En. S.Y.T. 1981 (1st), c. 6
Interpretation	I-3	In. R.S.Y.T. 1971, c. I-3; Am. S.Y.T. 1973 (1st), c. 12; Am. S.Y.T. 1974 (2nd), c. 8; Am. S.Y.T. 1979 (2nd), c. 2, s. 4; Am. S.Y.T. 1980 (1st), c. 20, s. 13; Am. S.Y.T. 1980 (1st), c. 30, s. 35; Am. S.Y.T. 1980 (2nd), c. 20, s. 80; Am. S.Y.T. 1982 (1st), c. 4
Interprovincial Subpoena	I-3.1	En. S.Y.T. 1981 (1st), c. 7
Intestate Succession	I-4	In. R.S.Y.T. 1971, c. I-4
Judicature	J-1	In. R.S.Y.T. 1971, c. J-1; Am. S.Y.T. 1975 (2nd), c. 13; Am. S.Y.T. 1980 (1st), c. 28, s. 1; Am. S.Y.T. 1980 (1st), c. 30, s. 35; Am. S.Y.T. 1980 (2nd), c. 13; Am. S.Y.T. 1980 (2nd), c. 15; Am. S.Y.T. 1980 (2nd), c. 20, s. 81; Am. S.Y.T. 1981 (2nd), c. 8
Jury	J-2	In. R.S.Y.T., c. J-2
Justice of the Peace	J-3	In. R.S.Y.T. 1971, c. J-3; Am. S.Y.T. 1976 (3rd), c. 8; Rp. S.Y.T. 1979 (2nd), c. 8, s. 23
Justice of the Peace Court	J-3.1	En. S.Y.T. 1979 (2nd), c. 8; Am. S.Y.T. 1981 (2nd), c. 9
Labour Standards	L-1	In. R.S.Y.T. 1971, c. L-1; Am. S.Y.T. 1973 (1st), c. 13; Am. S.Y.T. 1974 (2nd), c. 9; Am. S.Y.T. 1975 (1st), c. 14; Am. S.Y.T. 1975 (3rd), c. 9
Land Acquisition Fund	L-1.1	En. S.Y.T. 1976 (2nd), c. 1
Land Planning	L-1.2	En. S.Y.T. 1982, c. 22*
Landlord and Tenant	L-2	In. R.S.Y.T. 1971, c. L-2; Am. S.Y.T. 1972 (1st), c. 20; Am. S.Y.T. 1980 (1st), c. 20, s. 14; Am. S.Y.T. 1981 (2nd), c. 10 Am. S.Y.T. 1982, c. 23
Lands	L-3	In. R.S.Y.T. 1971, c. L-3; Rp. S.Y.T. 1972 (1st), c. 8, 14
Lands	L-3.01	En. S.Y.T. 1972 (1st), c. 8, 14; Am. S.Y.T. 1981 (1st), c. 8

Legal Aid	L-3.1	En. S.Y.T. 1975 (3rd), c. 2
Legal Profession	L-4	In. R.S.Y.T. 1971, c. L-4; Am. S.Y.T. 1975 (3rd), c. 10; Am. S.Y.T. 1979 (2nd), c. 9; Am. S.Y.T. 1980 (1st), c. 20, s. 15
Legal Profession Accounts	L-5	In. R.S.Y.T. 1971, c. L-5; Am. S.Y.T. 1980 (1st), c. 20, s. 16
Legislative Assembly	L-5.1	En. S.Y.T. 1978 (1st), c. 2; Am. S.Y.T. 1979 (2nd), c. 18; Am. S.Y.T. 1980 (2nd), c. 25; Am. S.Y.T. 1981 (1st), c. 20; Am. S.Y.T. 1982 (1st), c. 9 Am. S.Y.T. 1982, c. 24
Legitimation	L-6	In. R.S.Y.T. 1971, c. L-6
Limitation of Actions	L-7	In. R.S.Y.T. 1971, c. L-7
Liquor	L-8	In. R.S.Y.T. 1971, c. L-8; Am. S.Y.T. 1976 (1st), c. 3, s. 5; Am. S.Y.T. 1976 (3rd), c. 9; Am. S.Y.T. 1977 (1st), c. 13; Am. S.Y.T. 1979 (2nd), c. 10*; Am. S.Y.T. 1980 (1st), c. 17; Am. S.Y.T. 1980 (1st), c. 20, s. 17 Am. S.Y.T. 1982, c. 25
Liquor Tax	L-8.1	En. S.Y.T. 1976 (1st), c. 3; Am. S.Y.T. 1977 (1st), c. 10; Am. S.Y.T. 1980 (1st), c. 18
Loan Agreement (1972), No. 1	N.C.N.R.	En. S.Y.T. 1972 (1st), c. 26
Loan Agreement (1973), No. 1	N.C.N.R.	En. S.Y.T. 1973 (1st), c. 29
Loan Agreement (1973), No. 2	N.C.N.R.	En. S.Y.T. 1973 (1st), c. 30
Loan Agreement (1974), No. 1	N.C.N.R.	En. S.Y.T. 1974 (2nd), c. 24
Loan Agreement (1975), No. 1	N.C.N.R.	En. S.Y.T. 1975 (1st), c. 22
Loan Agreement (1975), No. 2	N.C.N.R.	En. S.Y.T. 1976 (1st), c. 14
Loan Agreement (1976), No. 1	N.C.N.R.	En. S.Y.T. 1976 (1st), c. 13
Loan Agreement (1977), No. 1	N.C.N.R.	En. S.Y.T. 1977 (1st), c. 19
Loan Agreement (1978), No. 1	N.C.N.R.	En. S.Y.T. 1978 (1st), c. 20
Loan Agreement (1979), No. 1	N.C.N.R.	En. S.Y.T. 1979 (1st), c. 9
Loan Agreement (1980), No. 1	N.C.N.R.	En. S.Y.T. 1980 (1st), c. 19; Rp/Re. S.Y.T. 1980 (2nd), c. 14
Loan Agreement (1981), No. 1	N.C.N.R.	En. S.Y.T. 1981 (1st), c. 9

Loan Agreement (1982), No. 1	N.C.N.R.	En. S.Y.T. 1982 (1st), c. 5
Local Improvement District	L-9	In. R.S.Y.T. 1971, c. L-9; Am. S.Y.T. 1972 (1st), c. 21; Am. S.Y.T. 1972 (2nd), c. 22; Am. S.Y.T. 1977 (1st), c. 11; Am. S.Y.T. 1977 (1st), c. 22; Am. S.Y.T. 1977 (2nd), c. 6; Rp. S.Y.T. 1980 (2nd), c. 17, s. 441*
Lord's Day	L-10	In. R.S.Y.T. 1971, c. L-10
Lotteries	L-10.1	En. S.Y.T. 1974 (2nd), c. 2
Low Cost Housing	L-11	In. R.S.Y.T. 1971, c. L-11
Magistrate's Court	M-1	See Territorial Court
Maintenance	M-2	In. R.S.Y.T. 1971, c. M-2; Am. S.Y.T. 1980 (1st), c. 30, s. 34; Rp. S.Y.T. 1980 (2nd), c. 15 See Matrimonial Property & Family Support.
Marriage	M-3	In. R.S.Y.T. 1971, c. M-3; Am. S.Y.T. 1981 (1st), c. 10, s. 5
Married Women's Property	M-4	In. R.S.Y.T. 1971, c. M-4
Matrimonial Property	M-4.1	See Matrimonial Property & Family Support
Matrimonial Property & Family Support	M-4.1	En. S.Y.T. 1979 (2nd), c. 11; Am. S.Y.T. 1980 (2nd), c. 15; Am. S.Y.T. 1980 (2nd), c. 16, s. 10; Am. S.Y.T. 1981 (2nd), c. 11, s. 3
Mechanics' Lien	M-5	In. R.S.Y.T. 1971, c. M-5; Am. S.Y.T. 1980 (2nd), c. 20, s. 82
Mediation Board	M-5.1	En. S.Y.T. 1972 (1st), c. 9
Medical Profession	M-6	In. R.S.Y.T. 1971, c. M-6; Am. S.Y.T. 1975 (3rd), c. 11; Am. S.Y.T. 1978 (1st), c. 7; Rp. S.Y.T. 1979 (2nd), c. 12, s. 63
Medical Profession	M-6.1	En. S.Y.T. 1979 (2nd), c. 12; Am. S.Y.T. 1980 (2nd), c. 16, s. 11
Mental Health	M-7	In. R.S.Y.T. 1971, c. M-7; Am. S.Y.T. 1973 (1st), c. 14; Am. S.Y.T. 1980 (1st), c. 20, s. 18
Metric Information Agreement	N.C.N.R.	En. S.Y.T. 1977 (2nd), c. 12
Miners' Lien	M-8	In. R.S.Y.T. 1971, c. M-8

Mining Safety	M-9	In. R.S.Y.T. 1971, c. M-9; Am. S.Y.T. 1974 (2nd), c. 10; Am. S.Y.T. 1975 (1st), c. 15; Am. S.Y.T. 1978 (1st), c. 8
Motion Pictures	M-10	In. R.S.Y.T. 1971, c. M-10; Rp. S.Y.T. 1981 (2nd), c. 12, s. 2
Motor Vehicles	M-11	In. R.S.Y.T. 1971, c. M-11; Am S.Y.T. 1972 (1st), c. 23; Am. S.Y.T. 1973 (1st), c. 15; Am. S.Y.T. 1974 (2nd), c. 11; Am. S.Y.T. 1975 (3rd), c. 12; Am. S.Y.T. 1976 (2nd), c. 4; Am. S.Y.T. 1977 (1st), c. 1, s. 236; Rp. S.Y.T. 1977 (2nd), c. 4, s. 258
Motor Vehicles	M-11.1	En. S.Y.T. 1977 (2nd), c. 4; Am. S.Y.T. 1980 (1st), c. 20, s. 19; Am. S.Y.T. 1980 (1st), c. 21; Am. S.Y.T. 1980 (1st), c. 30, s. 35; Am. S.Y.T. 1980 (1st), c. 32, s. 26; Am. S.Y.T. 1980 (2nd), c. 17, s. 440; Am. S.Y.T. 1981 (2nd), c. 11, s. 4 Am. S.Y.T. 1982, c. 26
Municipal	M-12	En. S.Y.T. 1972 (1st), c. 10; Am. S.Y.T. 1975 (1st), c. 16; Am. S.Y.T. 1975 (2nd), c. 14; Am. S.Y.T. 1976 (3rd), c. 10; Am. S.Y.T. 1977 (2nd), c. 7; Am. S.Y.T. 1980 (1st), c. 20, s. 20; Am. S.Y.T. 1980 (1st), c. 30, s. 35; Rp. S.Y.T. 1980 (2nd), c. 17, s. 441*
Municipal	M-12.1	En. S.Y.T. 1980 (2nd), c. 17*; Am. S.Y.T. 1981 (1st), c. 10, s. 7; Am. S.Y.T. 1981 (2nd), c. 11, s. 5; Am. S.Y.T. 1981 (2nd), c. 13; Am. S.Y.T. 1982, c. 13
Municipal Aid	M-13	En. S.Y.T. 1972 (1st), c. 11; Rp. S.Y.T. 1981 (1st), c. 11, s. 21
Municipal Elections	M-14	En. S.Y.T. 1972 (1st), c. 12; Rp. S.Y.T. 1980 (2nd), c. 17, s. 441*
Municipal Employees Benefits	M-15	En. S.Y.T. 1975 (2nd), c. 1; Rp. S.Y.T. 1980 (2nd), c. 17, s. 441*
Municipal Finance	M-15.1	En. S.Y.T. 1981 (1st), c. 11; Am. S.Y.T. 1981 (2nd), c. 11, s. 6; Am. S.Y.T. 1981 (2nd), c. 14 Am. S.Y.T. 1982, c. 27
Municipal General Purposes Loan (1974)	N.C.N.R.	En. S.Y.T. 1974 (2nd), c. 25

Municipal General Purposes Loan (1975)	N.C.N.R.	En. S.Y.T. 1975 (1st), c. 23
Municipal General Purposes Loan (1976)	N.C.N.R.	En. S.Y.T. 1976 (1st), c. 15
Municipal General Purposes Loan (1977)	N.C.N.R.	En. S.Y.T. 1977 (1st), c. 20
Municipal General Purposes Loan (1978)	N.C.N.R.	En. S.Y.T. 1978 (1st), c. 21
Municipal General Purposes Loan (1979)	N.C.N.R.	En. S.Y.T. 1979 (1st), c. 10
Municipal General Purposes Loan (1980)	N.C.N.R.	En. S.Y.T. 1980 (1st), c. 22; Am. S.Y.T. 1980 (2nd), c. 18
Municipal General Purposes Loan (1981)	N.C.N.R.	En. S.Y.T. 1981 (1st), c. 12
Newspaper	N-1	In. R.S.Y.T. 1971, c. N-1; Rp. S.Y.T. 1981 (2nd), c. 12, s. 3
Noise Prevention	N-2	In. R.S.Y.T. 1971, c. N-2
Notaries	N-3	In. R.S.Y.T. 1971, c. N-3; Am. S.Y.T. 1974 (2nd), c. 12
Northern Natural Gas Pipeline Agreement	N.C.N.R.	En. S.Y.T. 1979 (1st), c. 4
Occupational Training	O-0.1	En. S.Y.T. 1975 (1st), c. 6
Old Age Assistance and Blind Persons' Allowance	O-1	In. R.S.Y.T. 1971, c. O-1; Rp. S.Y.T. 1975 (1st), c. 12
Optometry	O-2	In. R.S.Y.T. 1971, c. O-2 Am. S.Y.T. 1982, c. 28
Parks	P-01	En. S.Y.T. 1979 (2nd), c. 13; Am. S.Y.T. 1980 (2nd), c. 16, s. 12
Partnership	P-1	In. R.S.Y.T. 1971, c. P-1; Am. S.Y.T. 1977 (2nd), c. 8; Am. S.Y.T. 1980 (1st), c. 20, s. 21; Am. S.Y.T. 1980 (2nd), c. 19; Am. S.Y.T. 1980 (2nd), c. 20, s. 83 Am. S.Y.T. 1982, c. 29
Pawnbrokers and Second-Hand Dealers	P-2	In. R.S.Y.T. 1971, c. P-2
Perpetuities	P-3	In. R.S.Y.T. 1971, c. P-3; Rp. S.Y.T. 1980 (1st), c. 23
Perpetuities	P-3.1	En. S.Y.T. 1980 (1st), c. 23

Personal Property Security	P-3.2	En. S.Y.T. 1980 (2nd), c. 20 Am. S.Y.T. 1982, c. 30
Pharmaceutical Chemists	P-4	In. R.S.Y.T. 1971, c. P-4; Am. S.Y.T. 1973 (1st), c. 16; Am. S.Y.T. 1975 (3rd), c. 13
Pioneer Utility Grant	P-4.1	En. S.Y.T. 1978 (1st), c. 1; Am. S.Y.T. 1980 (1st), c. 20, s. 22; Am. S.Y.T. 1981 (1st), c. 13; Am. S.Y.T. 1981 (2nd), c. 11, s. 7; Am. S.Y.T. 1982 (1st), c. 6
Plebiscite	P-5	In. R.S.Y.T. 1971, c. P-5.
Pounds	P-6	In. R.S.Y.T. 1971, c. P-6; Am. S.Y.T. 1973 (1st), c. 17; Am. S.Y.T. 1980 (1st), c. 20, s. 23
Presumption of Death	P-7	In. R.S.Y.T. 1971, c. P-7; Rp. S.Y.T. 1980 (1st), c. 24
Presumption of Death	P-7.1	En. S.Y.T. 1980 (1st), c. 24
Public Health	P-8	In. R.S.Y.T. 1971, c. P-8; Am. S.Y.T. 1972 (1st), c. 24; Am. S.Y.T. 1975 (3rd), c. 14
Public Inquiries	P-8.1	En. S.Y.T. 1973 (1st), c. 5
Public Printing	P-9	In. R.S.Y.T. 1971, c. P-9
Public Sector Compensation Restraint (Yukon)	P-9.1	En. S.Y.T. 1982, c. 31
Public Service	P-10	In. R.S.Y.T. 1971, c. P-10; Rp. S.Y.T. 1976 (2nd), c. 2, s. 217
Public Service Commission	P-10.1	En. S.Y.T. 1976 (2nd), c. 2
Public Service Staff Relations	P-11	In. R.S.Y.T. 1971, c. P-11; Am. S.Y.T. 1974 (2nd), c. 13; Am. S.Y.T. 1976 (3rd), c. 11
Purchase and Supply Services Agreement	N.C.N.R.	En. S.Y.T. 1973 (1st), c. 31
Real Estate Agents' Licensing	R-0.1	En. S.Y.T. 1977 (1st), c. 5; Am. S.Y.T. 1980 (1st), c. 20, s. 24
Reciprocal Enforcement of Judgments	R-1	In. R.S.Y.T. 1971, c. R-1; Am. S.Y.T. 1980 (2nd), c. 21; Am. S.Y.T. 1981 (1st), c. 10, s. 8
Reciprocal Enforcement of Maintenance Orders	R-2	In. R.S.Y.T. 1971, c. R-2; Rp. S.Y.T. 1980 (1st), c. 25
Reciprocal Enforcement of Maintenance Orders	R-2.1	En. S.Y.T. 1980 (1st), c. 25

Recording of Evidence by Sound Apparatus	R-3	In. R.S.Y.T. 1971, c. R-3
Recreation Development	R-3.1	En. S.Y.T. 1977 (1st), c. 6; Am. S.Y.T. 1980 (2nd), c. 17, s. 440*
Regulations	R-4	In. R.S.Y.T. 1971, c. R-4; Am. S.Y.T. 1980 (1st), c. 20, s. 25
Rehabilitation Services	R-5	In. R.S.Y.T. 1971, c. R-5; Am. S.Y.T. 1975 (1st), c. 17
Rental-Purchase Housing	N.C.N.R.	En. S.Y.T. 1972 (1st), c. 25
Retirement Plan Beneficiaries	R-5.1	En. S.Y.T. 1979 (2nd), c. 14
Robert Campbell Bridge Agreement	N.C.N.R.	En. S.Y.T. 1973 (4th), c. 32
Sale of Goods	S-1	In. R.S.Y.T. 1971, c. S-1
Saw Logs Driving	S-2	In. R.S.Y.T. 1971, c. S-2; Rp. S.Y.T. 1981 (2nd), c. 12, s. 4
School	S-3	In. R.S.Y.T. 1971, c. S-3; Rp. S.Y.T. 1974 (2nd), c. 14
School	S-3.1	En. S.Y.T. 1974 (2nd), c. 14; Am. S.Y.T. 1980 (2nd), c. 22
School Trespass	S-3.2	En. S.Y.T. 1981 (1st), c. 14
Scientists and Explorers	S-4	In. R.S.Y.T. 1971, c. S-4
Second Appropriation, 1972-73	N.C.N.R.	En. S.Y.T. 1972 (1st), c. 29
Second Appropriation, 1973-74	N.C.N.R.	En. S.Y.T. 1973 (1st), c. 22
Second Appropriation, 1974-75	N.C.N.R.	En. S.Y.T. 1974 (2nd), c. 18
Second Appropriation, 1975-76	N.C.N.R.	En. S.Y.T. 1975 (2nd), c. 17
Second Appropriation, 1976-77	N.C.N.R.	En. S.Y.T. 1977 (1st), c. 18
Second Appropriation, 1977-78	N.C.N.R.	En. S.Y.T. 1977 (1st), c. 16
Second Appropriation, 1978-79	N.C.N.R.	En. S.Y.T. 1979 (1st), c. 6
Second Appropriation, 1979-80	N.C.N.R.	En. S.Y.T. 1980 (1st), c. 26
Second Appropriation, 1980-81	N.C.N.R.	En. S.Y.T. 1980 (1st), c. 27
Second Appropriation, 1981-82	N.C.N.R.	En. S.Y.T. 1981 (1st), c. 15
Second Appropriation, 1982-83	N.C.N.R.	En. S.Y.T. 1982, c. 32

Securities	S-5	In. R.S.Y.T. 1971, c. S-5; Am. S.Y.T. 1976 (3rd), c. 12; Am. S.Y.T. 1980 (1st), c. 20, s. 26; Am. S.Y.T. 1980 (2nd), c. 20, s. 84
Seniors' Income Supplement	S-5.1	En. S.Y.T. 1982 (1st), c. 7
Sixth Appropriation, 1974-75	N.C.N.R.	En. S.Y.T. 1975 (1st), c. 19
Small Claims		See Judicature
Social Assistance	S-6	In. R.S.Y.T. 1971, c. S-6; Am. S.Y.T. 1980 (2nd), c. 16, s. 13
Societies	S-7	In. R.S.Y.T. 1971, c. S-7; Am. S.Y.T. 1974 (2nd), c. 15; Am. S.Y.T. 1980 (1st), c. 20, s. 27; Am. S.Y.T. 1980 (2nd), c. 23
Society of Industrial Accountants	S-7.1	See Society of Management Accountants
Society of Management Accountants	S-7.2	En. S.Y.T. 1975 (2nd), c. 2; Am. S.Y.T. 1977 (2nd), c. 9
Special Rural Development Agreement (Special ARDA)	N.C.N.R.	En. S.Y.T. 1978 (1st), c. 15
Stabilization Fund Loan	S-7.3	En. S.Y.T. 1977 (1st), c. 7; Am. S.Y.T. 1978 (1st), c. 9; Rp. S.Y.T. 1980 (1st), c. 29*
Steam Boilers	S-8	In. R.S.Y.T. 1971, c. S-8; Rp. S.Y.T. 1979 (2nd), c. 1, s. 4
Students' Financial Assistance	S-8.1	En. S.Y.T. 1975 (2nd), c. 3; Am. S.Y.T. 1978 (1st), c. 10; Am. S.Y.T. 1982, c. 14
Students' Grants	S-9	In. R.S.Y.T. 1971, c. S-9; Rp. S.Y.T. 1975 (2nd), c. 6
Summary Convictions	S-9.1	En. S.Y.T. 1980 (1st), c. 30
Superannuation, Territorial Employees	S-10	In. R.S.Y.T. 1971, c. S-10; Am. S.Y.T. 1975 (2nd), c. 16
Supervision of Federal Parolees Agreement	N.C.N.R.	En. S.Y.T. 1975 (1st), c. 7
Supreme Court	S-10.1	In. R.S.Y.T. 1971, c. T-2; Am. S.Y.T. 1971 (3rd), c. 3; Am. S.Y.T. 1979 (2nd), c. 2; Am. S.Y.T. 1980 (1st), c. 28, s. 3
Survival of Actions	S-10.2	En. S.Y.T. 1981 (1st), c. 16
Survivorship	S-11	In. R.S.Y.T. 1971, c. S-11; Rp. S.Y.T. 1980 (1st), c. 31
Survivorship	S-11.1	En. S.Y.T. 1980 (1st), c. 31

Taxation	T-0.1	See Assessment and Taxation
Tenants in Common	T-1	In. R.S.Y.T. 1971, c. T-1
Territorial Court	T-2	See Supreme Court
Territorial Court	T-2.05	In. R.S.Y.T. 1971, c. M-1; Am. S.Y.T. 1979 (2nd), c. 2; Am. S.Y.T. 1980 (1st), c. 28, s. 2
Territorial Municipal Employment Loans	N.C.N.R.	En. S.Y.T. 1973 (1st), c. 33
Third Appropriation, 1972-73	N.C.N.R.	En. S.Y.T. 1973 (1st), c. 19
Third Appropriation, 1973-74	N.C.N.R.	En. S.Y.T. 1973 (3rd), c. 23
Third Appropriation, 1974-75	N.C.N.R.	En. S.Y.T. 1974 (2nd), c. 19
Third Appropriation, 1975-76	N.C.N.R.	En. S.Y.T. 1975 (3rd), c. 15
Third Appropriation, 1976-77	N.C.N.R.	En. S.Y.T. 1978 (1st), c. 16
Third Appropriation, 1977-78	N.C.N.R.	En. S.Y.T. 1977 (1st), c. 17
Third Appropriation, 1978-79	N.C.N.R.	En. S.Y.T. 1979 (2nd), c. 17
Third Appropriation, 1979-80	N.C.N.R.	En. S.Y.T. 1980 (2nd), c. 24
Third Appropriation, 1980-81	N.C.N.R.	En. S.Y.T. 1981 (1st), c. 17
Third Appropriation, 1981-82	N.C.N.R.	En. S.Y.T. 1981 (1st), c. 18
Third Appropriation, 1982-83	N.C.N.R.	En. S.Y.T. 1982, c. 33
Tobacco Tax	T-2.1	En. S.Y.T. 1974 (2nd), c. 3; Am. S.Y.T. 1976 (1st), c. 9; Am. S.Y.T. 1978 (1st), c. 12; Am. S.Y.T. 1981 (1st), c. 19
Trade Schools Regulation	T-3	In. R.S.Y.T. 1971, c. T-3
Transfer of Prisoners Agreement	N.C.N.R.	En. S.Y.T. 1975 (1st), c. 8
Transport Public Utilities	T-4	In. R.S.Y.T. 1971, c. T-4; Am. S.Y.T. 1980 (1st), c. 32; Am. S.Y.T. 1980 (2nd), c. 16, s. 14; Am. S.Y.T. 1982 (1st), c. 8
Travel for Medical Treatment	T-4.1	En. S.Y.T. 1975 (2nd), c. 4
Travel Industry Development Agreement	N.C.N.R.	En. S.Y.T. 1975 (2nd), c. 5
Trustee	T-5	In. R.S.Y.T. 1971, c. T-5; Am. S.Y.T. 1980 (1st), c. 33; Am. S.Y.T. 1981 (1st), c. 16, s. 12

Unemployment Assistance Agreement Repeal	N.C.N.R.	En. S.Y.T. 1975 (1st), c. 13
Variation of Trusts	V-1	In. R.S.Y.T. 1971, c. V-1
Vital Statistics	V-2	In. R.S.Y.T. 1971, c. V-2; Am. S.Y.T. 1973 (1st), c. 18
Wages Recovery	W-1	In. R.S.Y.T. 1971, c. W-1
Warehouse Receipts	W-1.5	En. S.Y.T. 1981 (2nd), c. 15*
Warehousemen's Lien	W-2	In. R.S.Y.T. 1971, c. W-2; Am. S.Y.T. 1980 (2nd), c. 20, s. 85
Whitehorse, An Ordinance to open a certain portion of Land in the City of	N.C.N.R.	En. S.Y.T. 1978 (1st), c. 13
Whitehorse General Purposes Loan (1972)	N.C.N.R.	En. S.Y.T. 1972 (1st), c. 32
Whitehorse General Purposes Loan (1973)	N.C.N.R.	En. S.Y.T. 1973 (1st), c. 34
Whitehorse (Takhini and Valleyview) Lands	N.C.N.R.	En. S.Y.T. 1975 (2nd), c. 18
Wildlife	W-2.5	En. S.Y.T. 1981 (2nd), c. 16; Am. S.Y.T. 1982, c. 15 Am. S.Y.T. 1982, c. 34
Wills	W-3	In. R.S.Y.T. 1971, c. W-3
Woodmen's Lien	W-4	In. R.S.Y.T. 1971, c. W-4; Am. S.Y.T. 1980 (2nd), c. 20, s. 86
Workers' Compensation	W-4.1	In. R.S.Y.T. 1971, c. W-5; Rp/Re. S.Y.T. 1973 (3rd), c. 6; Am. S.Y.T. 1975 (3rd), c. 6, s. 4; Am. S.Y.T. 1977 (2nd), c. 10; Am. S.Y.T. 1980 (1st), c. 20, s. 28; Am. S.Y.T. 1981 (1st), c. 10, s. 6 Am. S.Y.T. 1982, c. 35
Workmen's Compensation	W-5	See Workers' Compensation
Workmen's Compensation Supplementary Benefits	N.C.N.R.	En. S.Y.T. 1973 (3rd), c. 7
Young Offenders Welfare Agreement	N.C.N.R.	En. S.Y.T. 1976 (2nd), c. 3
Young Voyageur Agreement	N.C.N.R.	En. S.Y.T. 1975 (1st), c. 9
Yukon Council	Y-1	See Legislative Assembly
Yukon River Basin Study Agreement	N.C.N.R.	En. S.Y.T. 1980 (1st), c. 34

