



STATUTES
OF THE
YUKON TERRITORY

PASSED BY THE LEGISLATURE OF
THE YUKON TERRITORY
IN THE YEAR
1983

IN THE THIRD SESSION OF THE TWENTY-FIFTH
LEGISLATIVE ASSEMBLY

CHAPTERS 12 - 30

VOLUME 1

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1983

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STATUTES OF THE YUKON TERRITORY

1983, Chapter 12

ACCESS TO INFORMATION ACT

(Assented to November 3, 1983)

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 Access to Information Act.
- 2 (1) In this Act,
 - "Archivist" means the person appointed as the Archivist under the Archives Act;
 - "department" means
 - (a) any department, branch, or unit of the public service of the Government of Yukon, and
 - (b) any board, commission, foundation, corporation or other similar agency established as an agent of the Commissioner of Yukon;
 - "information" means information in any form including information that is written, photographed, recorded or stored in any manner whatsoever;
 - "public business" means any activity or function carried on or performed by a department;
 - "record" means the form in which information is kept.
- 3 (1) The purpose of this Act is to provide reasonable access by the public to information in records of departments and to subject that right only to specific and limited exceptions necessary for the effective operation of departments in the public interest.
- 4 (1) Subject to this Act, every person shall have access to information relating to the public business of the Government of Yukon.

- 5 (1) Any person may request information in a record of a department by applying to the Archivist.
- (2) The request may be made orally or in writing, and if the request is made orally the person who receives it shall make a written record of the relevant particulars of the request.
- (3) The person who makes the request shall describe the record or the subject matter of the information he wants with enough detail about time, place, person, or event to enable a person familiar with the subject matter to identify the relevant record.
- (4) If the record containing the requested information cannot be identified, the Archivist shall, in writing, tell the person who made the request that the record cannot be identified and ask him to give more details that might help a departmental official identify the relevant record.
- (5) If the record containing the requested information can be identified but the information cannot be supplied immediately or the record cannot be located, the Archivist official shall, in writing, tell the person who made the request when he can return for the information..
- (6) If the record that contained the information no longer exists the Archivist shall, in writing, tell the person who made the request that the record no longer exists and, if possible, when it was destroyed.
- (7) A request for information shall be made during the regular working hours of the office of the Archivist.
- 6 (1) A request for information shall be granted or denied within 30 days after the day on which the request is made.
- (2) A request for information that is not granted within 30 days of the day on which the request was made or within the extended time allowed under subsection (3), shall be deemed to have been denied and the reasons for the denial shall be provided.

- (3) If the record containing the requested information cannot be identified and the person who requested it has been asked to give more details to help identify the relevant record, the request shall be granted or denied within 30 days after enough additional details are given to enable the record to be identified.
- 7 (1) If the request for information is granted and the prescribed fee has been paid the Archivist shall make the information available and provide copies of the record upon request.
- 8 (1) There is no right to information under this Act where access to it or its release
- (a) would disclose information the confidentiality of which is protected by law;
 - (b) would reveal information concerning another person's identity, residence, dependents, marital status, employment, financial transactions, income, assets and liabilities, credit worthiness, education, character, reputation, health, physical or personal characteristics, or mode of living, where that information was given in the reasonable expectation that its confidentiality would be protected;
 - (c) would violate the confidentiality of information that was given by another government;
 - (d) would violate the confidentiality of information that was given by another person and is of a kind consistently treated as confidential by that person;
 - (e) would likely cause a financial loss to or gain for a person or department, or affect the competitive position of a person or department;
 - (f) would jeopardize negotiations in relation to an existing or proposed agreement or contract;
 - (g) would disclose the substance of proposed legislation or regulations;
 - (h) would disclose the existence or content of opinions or recommendations communicated to, between, or from members of the Executive Council on matters relating to the formulation of government policy and the making of government decisions;
 - (i) would disclose any agenda for or record of the deliberations of the Executive Council;

- (j) would disclose legal opinions or advice given to a person or department, or privileged communications as between solicitor and client in a matter of departmental business;
 - (k) would be detrimental to the proper enforcement of any law of Canada or of the Territory, the conduct of lawful investigations in respect of such laws, the administration of justice, or the proper custody, control or supervision of persons under sentence;
 - (l) would violate any right respecting intellectual property, including any copyright, patent right or trade mark right;
 - (m) would hamper an audit in progress or reveal an auditing program or auditing operation plan;
 - (n) would likely prejudice the outcome of judicial proceedings in progress.
- 9 (1) If a record contains some information that cannot be disclosed, that portion of the record shall not be disclosed and the remainder shall be disclosed.
- (2) If it is not practical to separate the portion of the record that can be disclosed from the portion that cannot be disclosed, the portion that can be disclosed shall, if the prescribed fee is paid, be transcribed into a form that can be disclosed to and used by the person who requests the information.
- 10 (1) A request for information may only be denied
- (a) where the record of the information does not exist, or
 - (b) in accordance with section 8.
- (2) If a request for information is denied the Archivist shall give to the person who made the request
- (a) written reasons for the denial, and
 - (b) a written description of the right and procedure for appealing against the denial.

- 11 (1) If the request for information is denied, the person who made the request may appeal the denial by delivering to the Archivist a written notice of appeal within 15 days after the day his request was denied.
 - (2) The appeal shall be considered and decided by the Executive Council member charged with responsibility for the department to whose operation the information relates.
 - (3) The appeal to the Executive Council Member is not a judicial proceeding and he may review the request and the denial in any manner and consult with any person and hear any representations and receive any recommendations as he thinks appropriate.
 - (4) The Executive Council Member shall, within 30 days after the notice of appeal is delivered to the Archivist, uphold, vary or overrule the denial and shall give reasons for the decision.
 - (5) If the Executive Council Member overrules or varies the denial, he shall issue appropriate instructions to ensure that the requested information, or the portion that he decides can be released, is made available to the person who made the request.
- 12 (1) If the request for information has been denied by the Executive Council Member, the person who requested the information may appeal by means of a petition to a judge of the Supreme Court.
 - (2) On the appeal to him the Supreme Court judge may require the production of and may inspect the information that is the subject of the appeal, if the information exists, but that inspection shall be conducted without the presence of any person and the confidentiality of the information shall be preserved pending the judge's decision about whether the person who requests the information has a right to it.
 - (3) Upon hearing the appeal, the Supreme Court judge may
 - (a) order that the Archivist grant the request for some or all of the requested information,

- (b) order that the denial of the request be upheld in relation to some or all of the information, or
 - (c) make any order in consequence of, or to implement, an order under paragraph (a) and (b) that seems necessary and just in the circumstances.
 - (4) If under section 8 there is no right to the requested information the Supreme Court judge shall not order the Archivist to grant the request.
 - 13 (1) The Commissioner in Executive Council may make regulations
 - (a) prescribing fees for the purposes of this Act,
 - (b) without requiring the use of any particular form, prescribing forms that may be used under this Act, and
 - (c) prescribing such procedures as are not established by the Act as may be necessary to carry out the purposes of the Act.
 - 14 (1) This Act comes into force on a date to be fixed by the Commissioner in Executive Council.
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STATUTES OF THE YUKON TERRITORY
1983, Chapter 13

THE BUSINESS CORPORATIONS ACT

(Assented to November 3, 1983)

This Act is printed in a separate volume.

STATUTES OF THE YUKON TERRITORY
1983, Chapter 14

CERTIFIED GENERAL ACCOUNTANTS ACT

(Assented to November 3, 1983)

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 Certified General Accountants Act.
- 2(1) There is hereby established a corporation to be known as the Certified General Accountants Association of Yukon, in this Act referred to as the "Association".
- (2) The head office of the Association shall be in the City of Whitehorse or such other place as may be determined by the Board.
- 3(1) The general objects of the Association are
- (a) to furnish means and facilities by which its members may increase their knowledge, skill, and proficiency in all things relating to the business or profession of an accountant or an auditor;
 - (b) to hold examinations and establish tests of competency for admission to membership in the Association; and
 - (c) to discipline a member guilty of misconduct in the practice of his business or profession.
- 4(1) The affairs and business of the Association shall be managed by a Board of Governors, in this Act referred to as the "Board", comprising three or, if the by-laws so provide, more than three members elected by and from among the members of the Association.
- (2) The Board shall elect from its members a president and at least one vice-president.

- (3) The Board shall appoint a secretary-treasurer or a secretary and a treasurer, who need not be a member of the Board.
- (4) When there is a vacancy in the membership of the Board, the Board shall appoint some other member of the Association to fill the vacancy.
- (5) A vacancy in the membership of the Board does not impair the right of the remaining members of the Board to act.
- 5(1) The following persons are entitled to be admitted to membership in the Association:
- (a) a member of any incorporated association of certified general accountants in Canada that has objects and purposes similar to those of the Association;
 - (b) a member of any association of accountants or auditors within or outside of Canada that has objects and purposes similar to those of the Association and who has training and experience similar to that of persons eligible to be admitted to membership in the Association under paragraph (a) and who passes such examinations as may be prescribed by a by-law; and
 - (c) any candidate or any registered student who has passed the examinations and met any other requirements for enrollment as members that have been prescribed by bylaw.
- 6(1) In addition to the powers vested in it by the Interpretation Act, the Association has, for the attainment of its objects, power to
- (a) acquire and dispose of real property;
 - (b) to borrow money and mortgage or otherwise charge or encumber its property;
 - (c) employ persons, including members, in pursuit of its objects;
 - (d) establish branches or chapters in various parts of Yukon;

- (e) establish educational programs for members and students and, for that purpose, make agreements with the Government of Yukon, or with any university, college, or school in Yukon or a province, or with any incorporated association of accountants;
 - (f) establish and administer a benevolent fund for the benefit of members or the dependents of deceased members, and for that purpose may make and receive contributions and donations;
 - (g) contract or arrange for insurance for the benefit of members and the dependents of deceased members; and
 - (h) affiliate with any incorporated association of accountants for the mutual benefit of members, for the establishment of uniform qualifications or examinations, and for the recognition of qualifications and examinations.
- 7(1) The objects and powers of the Association may be carried out and exercised by bylaws or by resolutions passed by the Board, but the Board shall not exercise any power or do any act that is directed or required by this Act or by a by-law to be exercised or done by the Association in a general meeting.
- 8(1) The Board may pass bylaws to carry out the objects of the Association and without limiting the generality of the foregoing the Board may pass bylaws respecting
- (a) membership fees and the termination of membership;
 - (b) nomination, election or appointment, terms of office and remuneration of members of the Board or employees of the Association;
 - (c) the election or appointment, and the replacement of officers of the Association and the duties and powers of those officers;
 - (d) the time, place, calling and conduct of general meetings of the members of the Association;
 - (e) the management of the property and financial affairs of the Association;

- (f) rules of professional conduct and the reprimanding of members, and the suspension or termination of membership for breach of the rules of professional conduct;
 - (g) a student class of membership and the rights and privileges thereof and the conditions upon which persons wishing to become members of the Association may be registered as students;
 - (h) a non-practicing class of membership and the rights and privileges thereof and the conditions upon which persons may maintain non-practicing membership and change to practicing membership.
 - (i) the enrollment of members and registration of students;
 - (j) the curriculum of studies and examinations to test the competence of registered students or of candidates for enrollment as members;
 - (k) the granting, suspension, revocation and renewals of certificates of registration; and
 - (l) other matters that are necessary for the management of the Association and the attainment of its objects.
- (2) No such bylaw or any repeal thereof or amendment thereto shall take effect until it has been approved by the members of the Association in a general meeting.
- (3) Any bylaw passed by the Board may be amended or rejected by the members of the Association in a general meeting, and the members may propose and pass a by-law in a general meeting whether or not it has already been passed by the Board.
- (4) The Board shall file with the Executive Council Member a copy of each bylaw within two weeks after the bylaw has been approved by the members of the Association.
- (5) The Commissioner in Executive Council may annul any bylaw of the Association.

- 9(1) At least one general meeting of the members of the Association shall be held in each year for the transaction of such business as may be brought before the meeting.
- (2) The Board may convene other general meetings of the members of the Association at its discretion and shall convene such other general meetings as are required pursuant to a bylaw.
- 10(1) Every member of the Association, other than a student member, may use the designation "certified general accountant" and the initials "C.G.A." to indicate that he is a certified general accountant.
- (2) No person shall use the designation "certified general accountant" or the initials "C.G.A." alone or in combination with any other words or initials as his occupational, business or professional designation, where he is not a member of the Association and no person shall in any other way represent or imply that he is a certified general accountant, unless he is a member of the Association.
- (3) Any firm of certified general accountants whose members are entitled to practice as certified general accountants outside Yukon and whose head office is outside Yukon, but which maintains a practice within Yukon, may describe themselves in Yukon as certified general accountants, or C.G.A.'s, if at least one member of the firm is a member, other than a student or non-practicing member, of the Association.
- (4) Each day's continuance of any contravention of this section constitutes and is deemed to be a new and distinct offence.
- 11(1) Nothing in the Act affects or interferes with the right of a person who is not a member of the Association to practice as an accountant or auditor in Yukon.

- 12(1) Any person of the age of majority, upon making application for membership and paying examination fees as required by a bylaw, has the right to try the examination set by the Board as the test of competency for membership in the Association.
- 13(1) The Board shall keep a register in which shall be entered in alphabetical order the names of all members and their class of membership.
- (2) The register of members shall be open to any person for inspection free of charge during reasonable business hours.
- (3) The register, or a copy of it or of an extract from it certified true by an officer of the Association, shall be received in evidence as prima facie proof of the facts stated in the register or extract produced.
- (4) The certificate of an officer of the Association certifying that he has examined the register and that a person is not shown on the register as a member of the Association shall be received in evidence as prima facie proof that the person is not a member.
- 14(1) Any surplus derived from carrying on the affairs and business of the Association shall be applied solely in promoting and carrying out the objects and purposes of the Association, and shall not be divided among the members of the Association.
- (2) No person who ceases to be a member of the Association, and no representative of any member who dies, shall, by reason of the membership, have any interest in or claim against the funds and property of the Association.
- (3) The Association may be wound up in the same way as if it were incorporated under the Companies Act but dissolution of the Association in consequence of the winding up may occur only by repeal of this Act.

- 15(1) A member who has been reprimanded or whose membership in the Association has been suspended or expelled may, after exhausting all other rights of appeal provided by a bylaw, appeal to the Supreme Court of Yukon against the decision imposing the reprimand, suspension or termination.
- (2) The appeal shall be taken within 30 days of the decision appealed against or such longer time as a judge of the Court may allow.
- (3) The procedure for the conduct of an appeal to the Court under this section shall be, with such reasonable modifications directed by the Court as may be necessary, the same as for an appeal in the Court of Appeal.
- (4) Upon hearing the appeal, the Court may affirm, reverse, or modify the decision appealed against, and make such other order as seems proper to the Court.
- 16(1) The first general meeting of the Association shall be held within six months after the date on which this Act comes into force and may be called by notice given by any three persons entitled to be members of the Association.
- (2) The notice of the first general meeting may be given or published by any method likely to give reasonable notice to persons who are practicing accountancy in Yukon and who would likely qualify as certified general accountants under this Act and are not members of the Institute of Chartered Accountants or of the Society of Management Accountants.
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STATUTES OF THE YUKON TERRITORY
1983, Chapter 15

AN ACT TO AMEND
THE COMPENSATION FOR VICTIMS OF CRIME ACT

(Assented to November 21, 1983)

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 Compensation for Victims of Crime Act.
- 2 (1) In subsection 21(1), "section 19" is substituted for "subsection (19)".
- 3 (1) The following is substituted for section 26:
 - "26 (1) Subject to subsections (2), (3), (4) and (5), nothing in this Act affects the rights of any person to recover from any other person, by civil proceedings, damages as a result of an occurrence.
 - (2) The Executive Council Member has the right to recover from the person whose act or omission caused the injury or death the amount of compensation awarded in respect of the occurrence and that amount shall be deemed to be a debt owing to the Government of Yukon.
 - (3) In an action taken by the Executive Council Member under subsection (2), the defendant may have the benefit of any defence he would have in an action by the victim, or his heirs, successors or assigns, for damages resulting from the occurrence.
 - (4) Notwithstanding subsection (3), in an action taken by the Executive Council Member under subsection (2), evidence that the Board has found the defendant responsible for the occurrence or that he has been convicted of a crime arising out of the occurrence shall be prima facie proof that it was his act or omission which caused the injury or death.

- (5) In an action against any other person for damages arising out of the occurrence, a person who has received an award under this Act has no right to recover the amount of the award from the other person and the amount of the award shall be deducted from the damages that would otherwise be granted."
- 4 (1) In section 27, "Commissioner in Executive Council" is substituted for "Commissioner".
- 5 (1) In section 29, "Executive Council Member" is substituted for "Commissioner".
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STATUTES OF THE YUKON TERRITORY
1983, Chapter 16

CONSTITUTIONAL QUESTIONS ACT

(Assented to November 21, 1983)

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 Constitutional Questions Act.

- 2 (1) In this Act,
"enactment" includes an Act, a regulation, and any other statutory instrument of a legislative nature, such as an order, order-in-council, or Ordinance, that is made by or under the authority of the Parliament of Canada, the Parliament of the United Kingdom, the Legislature, Her Majesty, the Governor General, the Governor-in-Council, a Minister of the Government of Canada, the Commissioner, the Commissioner in Executive Council, or an Executive Council Member;

"enactment of Canada" includes all enactments other than those made by or under the authority of the Legislature, the Commissioner, the Commissioner in Executive Council, or an Executive Council Member;

"Yukon enactment" means any enactment made by or under the authority of the Legislature, the Commissioner, the Commissioner in Executive Council, or an Executive Council Member.

- 3 (1) When in a proceeding in any Yukon court or before any judge or justice in Yukon the constitutional validity of an enactment of Canada or of a Yukon enactment is brought in question, the enactment shall not be held to be invalid unless
 - (a) in the case of an enactment of Canada, notice has been given to the Attorney General for Canada, and

- (b) in the case of a Yukon enactment, notice has been given to the Executive Council Member.
- (2) When in a proceeding in any Yukon court or before any judge or justice in Yukon a question arises as to whether an enactment is the appropriate legislation applying to or governing any matter or issue, no decision may be made on it unless notice has been given to both the Attorney General for Canada and the Executive Council Member.
- (3) The notice referred to in subsection (1) and (2) shall specify the enactment, and what part thereof, that is in question, shall give such other particulars as are necessary to show the constitutional issue proposed to be argued, and shall be served at least 30 days before the day proposed for argument of the issue.
- (4) The Attorney General for Canada and the Executive Council Member are entitled to be heard on the constitutional question notwithstanding that the Crown is not a party to the proceeding in which the question arises.
- 4 (1) The Supreme Court has jurisdiction to hear an action at the instance of either the Attorney General for Canada or the Executive Council Member for a declaration as to the constitutional validity of a Yukon enactment, even though no other remedy is sought.
- (2) An action under this section is sufficiently constituted if both the Attorney General for Canada and the Executive Council Member are parties to it.
- (3) A judgment in an action under this section may be appealed as other judgments of the Court in an action.

- 5 (1) The Commissioner in Executive Council may refer to the Court of Appeal for hearing or consideration any matter he thinks fit to refer, other than the constitutional validity of an enactment of Canada, and the Court of Appeal shall thereupon hear or consider the matter.
- (2) Where the matter referred to the Court of Appeal relates to the constitutional validity of a Yukon enactment the Attorney General for Canada shall be notified of the hearing and is entitled to be heard in the hearing.
- (3) Where any matter relating to an agreement between the Government of Canada and the Government of Yukon is referred to the Court of Appeal under this section, the Attorney General for any province that has made an agreement of like nature and having like purposes may be heard in the Court of Appeal on the reference.
- (4) The Court of Appeal or any judge thereof may direct that a person interested in the matter referred to it or that any one or more persons representative of a class of persons interested in the matter referred to it be notified of the hearing and be entitled to be heard in the hearing.
- (5) The Court of Appeal or a judge thereof may grant to any person interested in the matter referred to it or to any person representative of a class of persons interested in the matter leave to appear and be heard in the hearing.
- (6) When any interest affected in the matter referred to the Court of Appeal is not represented by counsel, the Court of Appeal may permit counsel to argue the case for that interest.

(7) The Court of Appeal shall certify the Court's opinion on the matter, with reasons, and the opinion shall be given in the same manner as a judgment in an ordinary action and a judge who differs from the opinion or reasons of the majority or of another judge may in like manner certify his opinion and reasons.

(8) The opinion of the Court of Appeal shall be deemed a judgment of the Court of Appeal and may be appealed against as other judgments of the Court of Appeal in an action.

6 (1) Section 9 of the Supreme Court Act is repealed.

STATUTES OF THE YUKON TERRITORY
1983, Chapter 17

ECONOMIC AND REGIONAL DEVELOPMENT AGREEMENT ACT, 1983

(Assented to November 21, 1983)

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 Economic and Regional Development Agreement Act, 1983.

- 2 (1) The Commissioner in Executive Council may make on behalf of the Government of Yukon an agreement with the Government of Canada providing for the creation and implementation of programs, the cost of which will be shared by the Government of Yukon and the Government of Canada, for economic and socio-economic planning and development of the Yukon Territory.
 - (2) The agreement authorized by subsection (1)
 - (a) may provide for subsidiary agreements between the Government of Yukon and the Government of Canada or between the Government of Yukon and any person for the purpose of implementing a plan, program or development,
 - (b) shall provide that no expenditure of money under its terms shall be made by the Government of Yukon unless the Legislative Assembly has appropriated money for the purpose, and
 - (c) may be executed on behalf of the Commissioner in Executive Council by the Executive Council Member.

- 3 (1) The Commissioner in Executive Council may do every act and exercise every power, including delegation to the Executive Council Member, necessary for the purpose of fulfilling every obligation assumed by the Government of Yukon under this Act.

STATUTES OF THE YUKON TERRITORY
1983, Chapter 18

AN ACT TO AMEND THE ELECTIONS ACT

(Assented to November 21, 1983)

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 Elections Act.
- 2 (1) In the definition of "Administrator" in subsection 2(1), "appointed by the Chief Electoral Officer" is substituted for "employed by the Board".

(2) In subsection 2(1), the definition of "Board" is repealed.

(3) The following new definition is added to subsection 2(1):
"Chief Electoral Officer" means the Chief Electoral Officer appointed pursuant to section 4."

(4) The definition of "election officer" in subsection 2(1) is amended by adding "the Chief Electoral Officer" immediately before "the Administrator".
- 3 (1) Except as otherwise provided in this Act, in every provision of the Elections Act containing the word "Board"
 - (a) "Chief Electoral Officer" is substituted for "Board", and
 - (b) in order to give effect to paragraph (a), "he", "him" and "his" are substituted for "it" and "its", as the case may require, wherever they refer to the "Board".
- 4 (1) The following is substituted for the heading immediately preceding section 4: "Chief Electoral Officer".

(2) The following is substituted for section 4:
 - "4(1) The Commissioner in Executive Council shall appoint a Chief Electoral Officer.
 - (2) The Chief Electoral Officer shall refrain from any active or public support or criticism of any candidate or any political party endorsing a candidate."

- 5 (1) The following is substituted for subsection 6(1):
"6(1) The Chief Electoral Officer shall appoint an Administrator of Elections who shall be his assistant."
- (2) In subsection 6(2), "during his employment" is struck out.
- (3) The following new subsections are added to section 6:
"(3) The Administrator shall assist the Chief Electoral Officer in the performance of the duties of his office and, where the Chief Electoral Officer fails to perform his duties or is unable at any time for any reason to perform his duties, the Administrator shall act in his place.

(4) The Chief Electoral Officer may authorize the Administrator or any other officer on the staff of the Chief Electoral Officer to exercise any of the powers, or perform any of the duties, assigned to the Chief Electoral Officer by this Act."
- 6 (1) The following new section is added immediately after section 6:
"6.1(1) The Chief Electoral Officer and the Administrator shall, upon their respective appointments, take an oath to perform their duties without partiality, fear, favour or affection."
- 7 (1) In subsection 7(1), "Chief Electoral Officer" is substituted for "Board or the Administrator".
- 8 (1) In subsection 9(4), "Chief Electoral Officer" is substituted for "Administrator".
- 9 (1) In subsection 12(1), "the person" is substituted for "him".
- 10 (1) In subsection 14(2), "the returning officer's electoral district" is substituted for "his electoral district".

(2) In paragraph 14(4)(b), "300" is substituted for "two hundred and fifty".

(3) In subsection 14(5), "300" is substituted for "two hundred and fifty".

- 11 (1) The following is substituted for subsection 15(1):
"15(1) Every election shall be instituted by a writ of election in Form 1, issued by the Commissioner and transmitted to the Chief Electoral Officer."
- 12 (1) The following new paragraph is added to subsection 18(2):
"(a.1) the Chief Electoral Officer and the Administrator;".
- (2) In paragraph 18(2)(c), "trial" is struck out.
- 13 (1) In subsection 20(5), "or receiving care or treatment in a hospital or home for the aged" is struck out.
- (2) The following new subsections are added to section 20:
"(9) A person who has his residence outside of Yukon in order to pursue his ordinary occupation with the Government of Yukon and who is otherwise qualified as an elector is deemed to be ordinarily resident in Yukon.
(10) A person who has his residence outside of Yukon in order to attend an educational institution who is otherwise qualified as an elector is deemed to be ordinarily resident in Yukon.
(11) The spouse or any dependent of a person mentioned in subsection (9) or (10), if otherwise qualified as an elector, is deemed to be ordinarily resident in Yukon."
- 14 (1) In subsections 21(5), (6) and (7), "17th" is substituted for "twenty-ninth".
- (2) In subsection 21(8.1), "those lists" is substituted for "the appropriate list of electors".
- 15 (1) The following new subsections are substituted for subsection 22(1.1):
"(1.1) Where 50 or less electors are known to reside in a polling division, only one enumerator shall be appointed for that polling division."

- (1.2) Where only one person is appointed under subsection (1) or subsection (1.1) to enumerate the electors in any polling division, the returning officer for the polling division shall forthwith report the fact to the Chief Electoral Officer."
- (2) In subsection 22(2), "subsection (1) or (1.1)" is substituted for "subsection (1)".
- (3) In paragraph 22(7)(a), "residence address" is substituted for "address".
- (4) In paragraph 22(14)(b), "residence address" is substituted for "address".
- (5) In subsection 22(16),
- (a) "13th" is substituted for "twenty-sixth",
 - (b) "residence addresses" is substituted for "addresses", and
 - (c) "he has" is substituted for "they have".
- (6) The following new subsection is added to section 22:
- "(16.1) For the purposes of paragraphs (7)(a) and (14)(b), and subsection (16), "residence address" means the numbers or letters, and the street name, designating the location of a residence, but where there is no such number, letter or street name, a mailing address may be provided."
- (7) In subsection 22(20), "13th" is substituted for "twenty-sixth".
- (8) The following is substituted for subsection 22(23):
- "(23) The times and dates endorsed pursuant to subsection (22) shall be six o'clock to nine o'clock in the afternoon on the 18th and 19th days after the issuance of the writ."
- 16 (1) In subsection 23(2), "sufficient" is substituted for "three".

- 17 (1) In subsection 24(3), "verified by a statutory declaration in the prescribed form" is substituted for "and by independent inquiry".
- (2) In subsection 24(4), "and by independent inquiry" is struck out.
- (3) The following new subsections are added to section 24:
- "(3.1) A person shall not make more than two declarations under this section at revision hearings.
- (4.2) The returning officer shall, in the prescribed manner, within three days of the close of revision hearings, transmit to each candidate a list of changes and additions to the list of electors."
- 18 (1) In subsection 25(3)
- (a) "nine o'clock" is substituted for "five o'clock",
- (b) "certify as many copies of the revised preliminary list as the returning officer may require" is substituted for "certify the revised preliminary list",
- (c) "to each copy of" is added immediately before "the revised preliminary list" in paragraph (b), and
- (d) "lists" is substituted for "list" in paragraph (d).
- (2) In subsection 25(3.1), "lists" is substituted for "list".
- (3) In subsection 25(4.1), "lists of electors and the copies of the" is substituted for "list of electors and the".
- 19 (1) In subsection 27(1), the following new paragraph is added:
- "(b.1) the days on which an advance poll is to be held and the hours between which ballots may be cast;".
- (2) In subsection 27(5), "transmit a copy of the proclamation to the Chief Electoral Officer and" is added immediately after "every returning officer shall".

- 20 (1) In subsection 30(1), "31st" is substituted for "forty-fifth".
- 21 (1) In subsection 31(1), "tenth" is substituted for "twenty-sixth".
- 22 (1) In subsection 33(2), "21st" is substituted for "sixteenth".
- 23 (1) In subsection 37(1), "seven days" is substituted for "three days".
- 24 (1) In subsection 38(1), "13th" is substituted for "twenty-ninth".
- 25 (1) In paragraph 40(2)(b),
(a) "shall not comprise more than ten polling divisions unless the Chief Electoral Officer has given his prior permission" is substituted for "shall not comprise more than five polling divisions unless the Board has given its prior permission", and
(b) "comprising more than ten" is substituted for "comprising more than five".
- 26 (1) In subsection 41(1), "by writing" and "executed under his hand" are struck out.
- (2) In subsection 41(4), "as deputy returning officer" is substituted for "and in such case the returning officer shall forthwith report the appointment to the Board".
- (3) In subsection 41(8), "by writing under his hand" is struck out.
- (4) In subsection 41(13), "who shall report it forthwith to the Board" is struck out.
- 27 (1) In paragraph 43(2)(a), "arranged in the order established pursuant to subsection 31(15)" is struck out.

(2) The following new subsection is added to section 43:

- "(2.1) The order of the names on the ballot paper shall be as follows:
- (a) the name of the candidate of the political party represented by the Government Leader shall be placed at the top of the ballot paper;
 - (b) the name of the candidate of the political party represented by the Leader of the Official Opposition at the time of dissolution of the last Legislative Assembly shall be placed next on the ballot paper;
 - (c) the names of all other candidates shall be placed next on the ballot paper in alphabetical order."

28 (1) The following new section is added immediately after section 43:

- "43.1(1) Every ballot paper for a mail-in poll shall be in Form 4A.
- (2) All ballot papers for a mail-in poll shall be in the same form and as nearly as possible identical, and each ballot paper shall be a printed paper on which shall appear a space for writing the name of one candidate.
 - (3) The ballot paper shall be printed upon paper of the prescribed dimensions, colour, weight and quality.
 - (4) The ballot papers shall bear the name of the printer who shall upon delivering the ballot papers to the Administrator, deliver therewith an affidavit in the prescribed form setting forth the description of the ballot papers so printed by him and the number of ballot papers supplied to the Administrator, and stating that no other ballot papers relating to a mail-in poll for that electoral district have been supplied by him to any other person or retained by him.
 - (5) Upon receipt of ballot papers from the Administrator, the returning officer shall forthwith mail or deliver to the Administrator a receipt in the prescribed form for the number of ballot papers received."

- 29 (1) In paragraph 44(1)(f) and subsection 44(2), "lists" is substituted for list.
- 30 (1) In subsection 45(2), "for each polling division in the electoral district" is substituted for "for his polling station".
- (2) In subsection 45(3), "to each deputy returning officer, and they shall use the list for the taking of the poll" is substituted for "to the deputy returning officer concerned, and in such case the deputy returning officer shall, for the taking of the poll, use the certified revised preliminary list of electors as though he had received it from the returning officer".
- 31 (1) In paragraph 46(2)(e), "or in the absence of agents, two electors to represent each candidate" is struck out.
- (2) In subsection 46(3), "or if there be no agent present, one elector, for each candidate" is struck out.
- (3) In subsection 46(5), "and, in the absence of agents, each of the electors representing the candidate" is struck out.
- (4) In subsection 46(6), "in preference to, and to the exclusion of, and elector who might otherwise claim the right of representing the candidate" is struck out.
- (5) In subsection 46(10), "or agent" is substituted for "agent or elector".
- 32 (1) In subsection 47(1), "and electors" is struck out.
- (2) In subsection 47(3),
- (a) "or agent" is substituted for "agent or elector", and
- (b) "or agents" is substituted for "agents or electors".
- 33 (1) In subsection 48(2), "or electors representing candidates" is struck out.
- (2) In subsection 48(10),
- (a) "certificate" is substituted for "application", and

(b) "an official list of electors for the electoral district" is substituted for "the official list of electors for the polling station".

34 (1) Subsection 49(2) is repealed.

35 (1) In subsection 50(1), "or an agent of a candidate" is substituted for "an agent of a candidate or any elector present".

36 (1) In paragraph 52(1)(e), "deputy" is struck out.

37 (1) In subsection 54(4), "or an agent representing a candidate" is struck out.

(2) In subsection 54(5), "or agents of candidates" is substituted for "agents of candidates or electors representing candidates".

(3) The following new subsections are substituted for subsections 54(13) to (16):

"(13) The deputy returning officer, on the application of anyone who is blind, unable to read or so physically incapacitated as to be unable to vote in the manner prescribed by this Act, shall

(a) require the elector to take an oath in the prescribed form of his incapacity to vote without assistance,

(b) assist the elector in the presence of no other persons by marking his ballot paper in the manner directed by him, and

(c) place the ballot paper in the ballot box.

(14) Where a physically handicapped elector is unable to enter the polling place without undue difficulty and so requests, the deputy returning officer may remove the ballot box, together with all unused or spoiled ballot papers in the polling station, the poll book and other documents from the polling place to a place, either within the same building or outside the building but not further than fifty metres from an entrance to the building.

- (15) A deputy returning officer who removes a ballot box from a polling station as provided in subsection (14) shall be accompanied by the poll clerk and any candidate or candidate's agent may accompany the deputy returning officer.
 - (16) A deputy returning officer who removes a ballot box from a polling station as provided in subsection (14) shall ensure that the elector may mark his ballot paper without being observed and cast the ballot paper without interference or interruption."
- (4) In subsection 54(17), "subsection (13)" is substituted for "subsections (13) to (16)".
- 38 (1) The following is substituted for section 55:
- "55(1) Where an elector whose name appears on a list of electors for an electoral district is qualified to vote in the electoral district and has reason to believe that he will be unable to vote at the election by reason of his absence from Yukon, he may by proxy application in the prescribed form, appoint another elector whose name appears on a list of electors for, and who is qualified to vote in, the electoral district to be his proxy voter to vote for him and in his place at the election.
 - (2) A proxy application shall be consented to in the prescribed form by the elector who is appointed by another elector to be his proxy voter.
 - (3) Any elector who has signed a proxy application pursuant to subsection (1) or any proxy voter named in such application may apply in person for a proxy certificate
 - (a) at any time prior to polling day, to the returning officer, or
 - (b) at a revision hearing, to be the revising officer.
 - (4) A returning officer shall issue a proxy certificate in the prescribed form where
 - (a) he receives a completed proxy application and consent in the prescribed form prior to polling day, and

- (b) he is satisfied that
 - (i) the elector is entitled to appoint a proxy voter under subsection (1), and
 - (ii) the names of the elector and the proxy voter both appear on a list of electors for the electoral district in which the elector is qualified to vote.
- (5) A revising officer shall issue a proxy certificate in the prescribed form where
 - (a) he receives a completed proxy application and consent in the prescribed form at a revision hearing, and
 - (b) he is satisfied as to the matters referred to in clauses 4(b)(i) and (ii).
- (6) Upon the completion of a proxy certificate pursuant to subsection (4) or (5) the returning officer or revising officer shall
 - (a) deliver the original copy of the certificate to the elector or proxy voter who has applied to him,
 - (b) transmit a copy of the proxy certificate to the deputy returning officer for the polling division in which the elector is qualified to vote, and
 - (c) retain a copy of the certificate together with the application.
- (7) Where a proxy certificate has been issued for an elector, he may withdraw the certificate by mailing or delivering a statement in the prescribed form to the returning officer for his electoral district or the deputy returning officer for his polling division, but the withdrawal is of no effect if the proxy has been exercised.
- (8) Where a returning officer receives a withdrawal of proxy he shall:
 - (a) transmit one copy to the elector,
 - (b) transmit one copy to each of the deputy returning officers for the polling division in which the elector is qualified to vote, and
 - (c) retain one copy.
- (9) Where a deputy returning officer receives a withdrawal of proxy, he shall give one copy to the elector and retain one copy.

- (10) Notwithstanding subsection 49(5), but subject to the other provisions of this Act, a proxy voter is entitled to vote at the election for and in the place of the elector who appointed him where the elector has not voted and the proxy voter
- (a) delivers to the deputy returning officer of the polling division in which the elector who appointed him to be his proxy voter is qualified to vote, a proxy certificate under this section, and
 - (b) verifies by statutory declaration made before the deputy returning officer that he has not already voted in the election as a proxy voter, and that, to the best of his knowledge the elector who appointed him is absent from Yukon.
- (11) Where a proxy voter is allowed to vote at an election as provided under subsection (10);
- (a) the poll clerk shall enter in the poll book opposite the elector's name, in addition to any other required entry, the fact that the elector voted by proxy, together with the name of the proxy voter, and
 - (b) the deputy returning officer shall retain the proxy certificate and, in accordance with section 59.1, transmit it to the returning officer.
- (12) An elector who has been appointed, in accordance with this section, to be a proxy voter at an election, and who votes as a proxy voter at the election, is, notwithstanding subsection 49(5), but subject to any other provision of this Act, entitled to vote in his own right at the election.
- (13) Every person commits an offence who, at an election,
- (a) appoints more than one proxy voter,
 - (b) being ineligible to vote by proxy, fraudulently appoints a proxy voter,
 - (c) having appointed a proxy voter and not having withdrawn the appointment in accordance with this section, himself votes,
 - (d) applies to vote as a proxy voter for more than one elector, or
 - (e) except in accordance with this section, makes a proxy application or votes as a proxy at an election."

- 39 (1) The following heading is added immediately after section 55:
"Advance Polls".
- (2) The following is substituted for section 55.1:
"55.1(1) For the purpose of polling the vote of an elector or a proxy voter who has reason to believe that he will be absent from the polling division on polling day, or an elector who is physically incapacitated, the Chief Electoral Officer shall direct the returning officer to establish an advance poll in a polling place either within the electoral district or in another electoral district.
- (2) The Chief Electoral Officer may direct that one or more advance polling stations be established for an electoral district.
- (3) Advance polls shall be the 23rd and 24th days after the issue of the writ between the hours of two and eight o'clock in the afternoon.
- (4) Except as otherwise provided herein, an advance poll shall be conducted in the same manner as is provided for in this Act for the conduct of a poll and counting of the ballots on the polling day of an election.
- (5) Every returning officer shall, in the prescribed form, appoint a deputy returning officer for one or more polling stations, who shall take an oath in the prescribed form.
- (6) The returning officer shall furnish to the deputy returning officer of an advance poll,
- (a) for each polling division in the electoral district a copy of the certified revised preliminary list of electors marked "ADVANCE POLL", and
- (b) for each polling division for which the deputy returning officer is responsible, copies of issued proxy certificates.
- (7) At an advance poll each elector shall declare his name and address, whereupon the poll clerk shall ascertain if the name of the elector appears on the list of electors for that polling division.

- (8) Where it has been ascertained that an applicant elector is qualified to vote or to exercise a proxy,
 - (a) his name and address shall be entered in the poll book in the prescribed form to be kept by the poll clerk, a consecutive number being prefixed to the elector's name in the appropriate column of the poll book,
 - (b) he shall take an oath or affirmation in the prescribed form, and
 - (c) subject to section 50, he shall be allowed to vote.
- (9) The poll clerk shall enter in the poll book opposite the name of each elector, as soon as the elector's ballot paper has been deposited in the ballot box, the words " VOTED" and "ADVANCE POLL".
- (10) At the close of the advance poll each day the deputy returning officer shall
 - (a) affix a seal in the prescribed form across the slit in the ballot box,
 - (b) place the poll book, the oaths of electors in the envelope provided for that purpose, the unused ballot papers and stubs in the envelope provided for that purpose, the spoiled ballot papers, if any, in the envelope provided for that purpose and the other election materials into a document envelope provided for that purpose and seal it in the prescribed form, and
 - (c) prevent any person from having unlawful access to the ballot box and other election materials.
- (11) At the close of the advance poll the deputy returning officer shall
 - (a) count the number of electors whose names appear in the poll book as having voted, and make an entry thereof on the line immediately below the name of the elector who voted last, thus: "The number of electors who voted at this election in this polling station is (stating the number), and sign his name thereto,

- (b) prepare in the prescribed form a list of all electors who voted at the advance poll including the name, address, number on the official list of electors and polling division number of each elector, and
 - (c) transmit it to the returning officer for the electoral district.
- (12) Upon receiving the list of electors referred to in paragraph (11)(b) of an advance poll, the returning officer shall
- (a) draw a line through the name of each advance elector on the list of electors to be used on polling day and enter the words "ADVANCE POLL", and
 - (b) transmit to each candidate, not later than three days prior to polling day, a copy of the list of electors who voted at the advance poll.
- (13) Immediately after the close of the poll on polling day, the deputy returning officer and the poll clerk shall, and one witness for each candidate may, attend at the returning office or the place to which they may be directed by the returning officer and count the ballots pursuant to section 59."
- 40 (1) The following new headings and sections are added immediately after section 55.1:

"Institution Polls

- 55.2 (1) For the purpose of a general election or a by-election, where a person is a resident in a nursing or retirement home and is qualified as an elector, he shall vote in the electoral district in which the home is located.
- (2) The returning officer of an electoral district containing any nursing or retirement home shall determine the need for an institution poll to be held in the home.

- (3) The returning officer for the electoral district in which a nursing or retirement home is situated shall appoint in the prescribed form, for each institution poll under this section, one enumerator, who shall take an oath in the prescribed form.
- (4) Enumeration for an institution poll under this section shall be conducted in the same manner as provided elsewhere in this Act for the conduct of enumeration.
- (5) Immediately after the preliminary lists of electors have been reproduced for an institution poll under this section, and not later than the 17th day after the issue of the writ, the returning officer shall
 - (a) deliver or mail three copies of the list to each candidate,
 - (b) post one copy of the list in the nursing or retirement home, and
 - (c) deliver or mail one copy of the list to the Chief Electoral Officer.
- (6) The returning officer for the electoral district in which an institution poll under this section is to be held shall appoint in the prescribed form a deputy returning officer for the polling station, who shall take an oath in the prescribed form.
- (7) Polling at an institution poll under this section shall be between ten o'clock in the forenoon and four o'clock in the afternoon on polling day.
- (8) Polling at an institution poll under this section shall be conducted in a polling station located in the nursing or retirement home.
- (9) Except as otherwise provided in this section, polling at an institution poll under this section shall be conducted in the same manner as provided elsewhere in this Act for the conduct of a poll and counting of the ballots on the polling day of an election.
- (10) The deputy returning officer shall prevent any person from having unlawful access to the ballot box and any other election materials at an institution poll under this section.

(1) Immediately after eight o'clock in the afternoon on polling day, the deputy returning officer and the poll clerk shall, and one witness for each candidate may, attend at the returning office or the place to which they may be directed by the returning officer and count the ballots for each candidate in the electoral district.

55.3 (1) A person who is qualified to vote in an electoral district is entitled to be enumerated to vote by mail-in ballot in that district where, at the time of enumeration,

(a) he is in a hospital in Yukon to which he has been admitted as a patient, or

(b) he is in a corrections centre in Yukon where he is being held on remand.

(2) The returning officer for an electoral district in which a hospital or corrections centre is situated shall appoint in the prescribed form one enumerator for each such institution, who shall take an oath in the prescribed form.

(3) Where a person is enumerated under subsection (1),

(a) he shall advise the enumerator if he knows he has been enumerated to vote at a polling station,

(b) he shall not vote by proxy, and

(c) he shall not vote as a proxy voter for any other person.

(4) Where a person referred to in subsection (1) chooses not to be enumerated to vote by mail-in ballot,

(a) the enumerator shall advise him of the date, time and place of revision hearings in his electoral district, and

(b) this section does not affect his entitlement to vote in person, to vote by proxy, or to vote as a proxy voter for another person.

(5) Except as otherwise provided in this section, enumeration under this section shall be conducted in the same manner as provided elsewhere in this Act for the conduct of enumeration.

- (6) For each hospital or corrections centre, one list of electors for each electoral district for which electors have been enumerated shall be prepared in alphabetical order of surnames, showing
 - (a) the number or letters and street name designating the location of the residence of each elector in his electoral district, or
 - (b) where there is no such number, letter or street name, the mailing address of the elector.
- (7) Immediately after the preliminary lists of electors enumerated under subsection (1) have been reproduced, and not later than the 17th day after the issue of the writ, the returning officer shall
 - (a) deliver or mail one copy of the list to each relevant candidate,
 - (b) post one copy of the list in the hospital or corrections centre, and
 - (c) deliver or mail one copy of the list to the Chief Electoral Officer.
- (8) The returning officer of an electoral district containing a hospital or corrections centre shall, not later than nine days prior to polling day, mail or cause to be delivered to each elector enumerated under subsection (1) a mail-in ballot paper initialled by the returning officer and envelopes in the prescribed forms, and instructions for marking the mail-in ballot paper.
- (9) Where the returning officer is not satisfied as to the identity of an elector enumerated under subsection (1), upon receipt of the elector's ballot paper, he shall retain the certificate envelope unopened and mark it "NOT IDENTIFIED", and the envelope shall be placed in a spoiled ballot paper envelope.
- (10) Immediately after the close of the poll, the returning officer shall
 - (a) place all the rejected ballots in separate special envelopes for any electoral district, and seal each envelope in the prescribed form, and

- (b) place all the ballots counted for candidates in the same electoral district in a special envelope for each electoral district, indicate thereon the number of ballots for each candidate, and seal each of the envelopes in the prescribed form.
- (11) The returning officer shall make the necessary number of copies of the statement of the poll in the prescribed form as follows:
- (a) one copy for each electoral district, which shall remain in the poll book;
 - (b) one copy for the returning officer of each electoral district sealed in the prescribed form in the special envelope provided for that purpose, which shall be immediately delivered or mailed to the returning officer of each electoral district;
 - (c) one copy for each candidate in each electoral district, which shall be mailed in a special envelope provided for that purpose; and
 - (d) one copy for each electoral district for the returning officer of the electoral district in which the hospital or corrections centre is located.
- (12) Except as otherwise provided in this section, the polling of electors in a hospital or corrections centre shall be done in the same manner as provided in section 55.4 for the conduct of mail-in polls.
- (13) This section applies only during the conduct of a general election and does not apply during any by-election.

Mail-in Polls

- 55.4 (1) Where in an electoral district after enumeration it is found by the returning officer that 15 or less electors are resident in a polling division, the returning officer may direct the electors to vote by a mail-in poll.

- (2) The returning officer shall, not later than nine days prior to polling day, mail or cause to be delivered to each qualified elector in the polling division
 - (a) a ballot paper in the prescribed form pursuant to section 43.1, which has been initialled by the returning officer,
 - (b) a ballot paper envelope in the prescribed form for the marked ballot paper,
 - (c) a certificate envelope in the prescribed form,
 - (d) an outer envelope in the prescribed form for transmission to the returning officer,
 - (e) a list of the candidates and the name of the registered political party endorsing each candidate or the word "Independent", and
 - (f) instructions for marking the mail-in ballot paper.
- (3) The returning officer shall draw a line through the name of the elector on the preliminary list of electors and enter opposite the elector's name the words "MAIL-IN BALLOT".
- (4) The returning officer shall keep a record in a separate poll book in the prescribed form of the name of each elector to whom he has mailed or delivered a mail-in ballot paper.
- (5) Where a revising officer removes a name from the list of electors for a polling division designated under subsection (1), he shall immediately advise the returning officer, who shall
 - (a) draw a line through the name of the elector in the poll book prescribed under subsection (4), and
 - (b) enter opposite the elector's name "NAME REMOVED" and initial the entry.
- (6) Where a revising officer enters a name on the list of electors for a polling division designated under subsection (1), he shall immediately advise the returning officer, who shall mail or cause to be delivered a mail-in ballot to that elector.

- (7) An elector to whom a ballot paper has been mailed or delivered under this section shall, in order to vote,
 - (a) mark the ballot paper, and
 - (b) deliver, cause to be delivered or mail the outer envelope containing the ballot paper, the ballot paper envelope and the certificate envelope to the returning officer.
- (8) A ballot paper under this section not in fact received by the returning officer by the close of polls on polling day shall not be counted.
- (9) Upon receipt of a mail-in ballot paper, the returning officer shall remove the certificate envelope from the outer envelope and
 - (a) if fully satisfied as to the identity of the elector whose ballot paper is enclosed he shall
 - (i) place the certificate envelope in a ballot box kept by him for that purpose, and
 - (ii) make a note in the poll book opposite the name of the elector that the mail-in ballot paper has been returned, or
 - (b) if he is not satisfied as to the identity of the elector he shall retain the certificate envelope unopened, mark it "NOT IDENTIFIED", and place the envelope unopened in the envelope for spoiled ballot papers.
- (10) Immediately after the close of the poll the returning officer shall
 - (a) proceed pursuant to paragraphs 59(1)(a) to (c),
 - (b) open the ballot box and remove the certificate envelopes,
 - (c) open the certificate envelopes, remove the ballot envelopes and place the certificate envelopes in the special envelope provided for that purpose,
 - (d) ensuring that any elector's identity shall not be recognized, open the ballot envelopes and remove the ballots,
 - (e) count the ballots pursuant to section 59, otherwise following procedures required for an ordinary poll.

- (11) In the event of a communications disruption during an election the returning officer shall
 - (a) direct that polling stations and ordinary polling procedures be used,
 - (b) cancel all mail-in ballots, and
 - (c) publish the location of the polling place for the polling division.
 - (12) Where an envelope referred to in paragraph (7)(b) is received by a returning officer after the close of polls on polling day, he shall transmit it, unopened, to the Chief Electoral Officer, who shall destroy it without opening it."
- 41 (1) In subsection 56(4), "enable the employee to vote at an advance poll" is substituted for "enable the employee to appoint a proxy voter".
- 42 (1) The following is substituted for subsection 58(4):
"(4) No person shall use, wear, or display any flag, ribbon, label, poster, or badge in a polling station or within 100 metres of a polling station on polling day, if the item appears to support any candidate or the political or other opinions entertained or supposed to be entertained by a candidate."
- 43 (1) In paragraph 59(15)(d), "or the electors present representing the candidates" is struck out.
- 44 (1) In paragraph 59.1(1)(c), "certificates" is substituted for "applications".

(2) Paragraph 59.1(1)(d) is repealed.
- 45 (1) In subsection 60(1), "or agent" is substituted for "agent, or elector representing a candidate in the absence of an agent".
- 46 (1) In subsection 61(1),
(a) "and each unopened envelope containing the statement of the poll for a hospital or corrections centre" is added immediately after "receipt of each ballot box", and
(b) "their" is substituted for "its" in paragraph (a).

- (2) The following is substituted for subsection 61(2):
- "(2) After all the ballot boxes and each envelope containing the statement of the poll for a hospital or corrections centre have been received, the returning officer shall, at ten o'clock in the forenoon, at the place and day fixed in the proclamation issued by him pursuant to section 27 for the official addition and in the presence of such of the candidates or their official agents as attend the proceedings, open the ballot boxes and each envelope containing the statement of the poll for a hospital or corrections centre and, from statements of the poll contained in the ballot boxes and each envelope, officially add up the number of ballots cast for each candidate and the number of rejected ballots."
- 47 (1) The following new subsection is added to section 64:
- "(5.1) The judge to whom an application for a recount is made shall issue a summons directing a returning officer of an electoral district in which ballots were cast under section 55.3 for any candidate in the electoral district for which a recount is to take place to attend at the time and place appointed pursuant to subsection (3) with the envelopes containing all the ballot papers and ballots for that electoral district."
- (2) In subsection 64(6), "or (5.1)" is added immediately after "subsection (5)".
- (3) In subsection 64(7), "but where any candidate is not present or represented at a recount held pursuant to this section, any three electors who may demand to attend in his behalf are entitled to attend," is struck out.
- 48 (1) In paragraph 65(2)(h), "proxy certificates" is substituted for "proxy applications".

- (2) The following is substituted for subsection 65(7):
"(7) The Chief Electoral Officer, on receiving the return to the writ for any member elected to serve in the Legislative Assembly, shall advise the Commissioner of the return to the writ forthwith and immediately publish, in the prescribed manner, the name of the candidate so elected."
- 49 (1) In subsection 67(3), "the Chief Electoral Officer" is substituted for a "member of the Board".
- (2) In subsection 67(8), "at the prescribed rate" is substituted for "at the rate of twenty cents per page".
- 50 (1) The following new subsection is added to section 72:
"(1.1) Subsection (1) does not apply to any day on which an advance poll is held."
- 51 (1) The following is substituted for section 74:
"74(1) Every printed advertisement, poster or banner having reference to an election shall include the name and address of its sponsor.
(2) Subsection (1) does not apply to any printed advertisement, poster or banner bearing only one or more of the following:
(a) the colours or logo of a registered political party,
(b) the name of a registered political party, or
(c) the name of a candidate."
- 52 (1) In subsection 79(1), "The Chief Electoral Officer or any person nominated by him" is substituted for "the Board or any person nominated by it".
- 53 (1) In paragraph 90(1)(c), "police officers or" is struck out.
- 54 (1) The following new paragraph is added immediately after the third paragraph of Form 2:
"And in case a poll is demanded and granted in the manner by law prescribed, an advance poll will be held on the _____ and _____ days of _____, 19____, between the hours of two and eight o'clock in the afternoon."

(2) In Form 2 "during the hours from six o'clock to nine o'clock in the afternoon of Tuesday and Wednesday the ____ and ____ days of _____, 19__" is substituted for "during the hours from seven o'clock to nine o'clock in the afternoon of Wednesday, the ____ day of _____, 19__, (inclusive) and from one o'clock to five o'clock in the afternoon on Saturday, the ____ day of _____, 19__".

55 (1) The following is substituted for the reverse of Form 4:

"

Initials of DRO

Electoral District of
Logo Yukon Date
Returning Officer
Printed by

"

56 (1) The following is Form 4A for the purposes of section 43.1:

" FRONT

A diagram of the front of Form 4A. It is a vertical rectangle. Near the top, there are two horizontal dashed lines. At the bottom, there is a horizontal rectangle on the left and a circle on the right.

REVERSE

A diagram of the reverse of Form 4A. It is a vertical rectangle. Near the top, there are two horizontal dashed lines. Below the lines, there are labels for "Initials of DRO", "Logo", "Printed by", "Electoral District of", "Yukon", "Date", and "Returning Officer".

STATUTES OF THE YUKON TERRITORY
1983, Chapter 19

FINANCIAL ADMINISTRATION ACT

(Assented to November 3, 1983)

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 Financial Administration Act.

Interpretation

- 2 (1) In this Act,

"Appropriation Act" means an Act, entitled as an Appropriation Act, authorizing payments to be made from the Consolidated Revenue Fund in respect only of a fiscal year specified in the Act, and only for the purposes specified in the Act;

"Consolidated Revenue Fund" means the Yukon Consolidated Revenue Fund established by the Yukon Act;

"contract" means any agreement or undertaking providing for the expenditure of public money in exchange for goods or services, and includes purchase orders, service contracts, construction contracts, employment contracts, and any agreement or undertaking providing for the payment of money by the government;

"court" means the Court of Appeal, the Supreme Court of the Yukon Territory, the Territorial Court or the Justice of the Peace Court;

"department" means any department or agency of the government and includes any corporation, board, commission or committee established under any Act;

"Deputy Head" means a person who is a Deputy Head within the meaning of the Public Service Commission Act;

"fiscal year" means the fiscal year of the government under subsection (2);

"fund" means a fund within the Consolidated Revenue Fund, and includes a trust fund, special fund, revolving fund, pension fund, sinking fund, or any other fund called by any other name;

"government" means the Government of Yukon and includes every department of the government;

"Management Board" means the Management Board established by this Act;

"money in court" means money paid to or held by a court or its registry otherwise than as payment of a fee or as payment of a fine, costs or other penalty imposed in respect of an offence under an Act of Parliament or the Legislature, or a by-law of a municipality, and includes such money paid to the Treasurer or held in a trust fund;

"negotiable instrument" includes any cheque, draft, traveller's cheque, bill of exchange, postal note, money order, postal remittance or other similar instrument;

"public money" means all money and negotiable instruments received, held or collected by, for or on behalf of the government, and includes

- (a) revenues of the government including interest on investments,
- (b) money in funds designated as special funds under this Act or by the Commissioner in Executive Council,
- (c) money borrowed by the government or received through the issue and sale of securities,
- (d) money in sinking funds,
- (e) money paid to or held by a court or its registry as payment of a fee or as payment of a fine, costs or other penalty imposed in respect of an offence under an Act of Parliament or the Legislature, or a by-law of a municipality,
- (f) money in revolving funds, and
- (g) money in trust funds;

"public officer" means a person who is an employee, casual employee or part-time employee within the meaning of the Public Service Commission Act, and includes a person who is a Member of the Executive Council, a teacher within the meaning of the School Act or an employee under a contract;

"public property" means all property, other than public money, belonging to the government;

"securities" means bonds, debentures, deposit certificates, promissory notes, treasury bills or other evidences of indebtedness, shares and stocks, and includes any documents commonly known as securities;

"Treasurer" means the Deputy Head of the Department of Finance;

"trust fund" means a fund established for trust money under section 12 or by any other Act;

"trust money" means

- (a) money held in trust by the government or a public officer,
- (b) money in pension funds maintained by the government,
- (c) money paid to the government as a deposit to ensure the doing of any act or thing,
- (d) money in court, and
- (e) money that is paid to the government or a public officer under an agreement or other undertaking, or by way of a gift or bequest, and that is to be paid to another person specified in the agreement or undertaking or by the donor of the gift or bequest, except money received as reimbursement for or as a contribution or grant towards expenditures made or to be made by the government;

"vote" means that part of an Appropriation Act identified as a vote and authorizing the payment of a specified amount from the Consolidated Revenue Fund for specified purposes.

- (2) The fiscal year of the government shall be the period from April 1 in one year to March 31 in the next year, inclusive.

- (3) The headings in this Act, other than the headings identifying the Parts into which this Act is divided, form no part of this Act and have been inserted for convenience of reference only.

APPLICATION

- 3 (1) If there is a conflict between this Act and any other Act of the Legislature enacted before or after this section comes into force, this Act prevails unless the other Act contains an express provision that it, or the relevant provision of it, applies notwithstanding the Financial Administration Act.
- (2) This Act does not affect the jurisdiction of a court to make an order appointing a person other than a judge or public officer as a trustee, and money held by such a trustee pursuant to an order of a court is not "trust money" for the purposes of this Act.

PART I

ORGANIZATION

Management Board

- 4 (1) There shall be a committee of the Executive Council called the Management Board which shall consist of the Executive Council Member as chairman and two other members of the Executive Council appointed by the Commissioner in Executive Council.
- (2) The Treasurer shall be the secretary of the Management Board.
- (3) Subject to this Act and the direction of the Executive Council, the Management Board may determine its rules and methods of procedure.
- 5 (1) The Management Board shall act as a committee of the Executive Council in matters relating to
- (a) accounting policies and practices of the government, including the form and content of the Public Accounts,
 - (b) government management practices and systems,

- (c) government financial management and control of revenue, disbursements and assets,
 - (d) evaluation of government programs as to economy, efficiency and effectiveness,
 - (e) the management, control and direction of the public service, including organization and staff establishments,
 - (f) internal audit, and
 - (g) other matters referred to it by the Executive Council.
- (2) The estimates of revenue and expenditure for the government for each fiscal year shall be prepared in a form directed by the Management Board for presentation to the Legislative Assembly by the Executive Council Member.
- (3) The Management Board may, for the performance of its powers and duties under this or any other Act, issue directives.

Department of Finance

- 6 (1) There shall be a department of the government called the Department of Finance.
- (2) The Executive Council Member shall preside over the Department of Finance and be responsible to the Commissioner in Executive Council for its direction.
- (3) The Commissioner in Executive Council may authorize a seal for the department which shall be known as the Seal of the Department of Finance.
- (4) The Seal of the Department of Finance may be reproduced on securities issued by the government by engraving, lithographing, printing or any other method of reproduction, and when reproduced on them has the same effect as the Seal of Yukon.

Executive Council Member

- 7 (1) The Executive Council Member is responsible for
- (a) the management and administration of the Consolidated Revenue Fund,
 - (b) the supervision of the revenues and expenditures of the government,
 - (c) all matters relating to the fiscal policy of the government, and
 - (d) the direction of the financial affairs of the government that are not assigned by this or any other Act to the Commissioner in Executive Council, the Management Board or any other person.
- (2) Each Member of the Executive Council is responsible for the management of the financial affairs of his department under the general direction of the Executive Council Member and the Management Board.

Treasurer

- 8 (1) Subject to the direction of the Executive Council Member, the Treasurer shall
- (a) ensure the proper collection, receipt, recording and disposition of public money and ensure that proper authority exists for disbursements of public money,
 - (b) establish the method by which the accounts of the government are to be kept and the method by which any public officer or other person shall account for public money which comes into his hands,
 - (c) maintain the accounts of the government,
 - (d) evaluate accounting and financial management systems throughout the government and recommend improvements he considers necessary to the Executive Council Member,
 - (e) prepare any financial statements and reports required by the Executive Council Member, and
 - (f) perform other duties given to him by the Executive Council Member and any other Act.

- (2) Notwithstanding any other Act, the Treasurer shall at all times have access to all departments and to their records and may
 - (a) require from any public officer information and explanations necessary for the performance of the duties of the Treasurer, and
 - (b) on the direction of the Management Board, require from any person who receives or is responsible for public money such information and explanations as may be necessary to enable the Treasurer to determine whether money paid from the Consolidated Revenue Fund has been or is being
 - (i) applied for the purpose for which it was authorized to be paid and applied, and
 - (ii) paid or dealt with in accordance with this or any other Act.
- (3) Every person who receives information under subsection (2) from a person whose right to disclose that information is restricted by law, holds that information under the same restrictions respecting disclosure as govern the person from whom the information is obtained.

Public Accounts

- 9 (1) A report, called the Public Accounts, shall be prepared by the Treasurer for each fiscal year.
- (2) On or before October 31 in each year, the Executive Council Member shall lay the Public Accounts for the immediately preceding fiscal year before the Legislative Assembly or distribute them to the members of the Assembly.
- (3) Where the Public Accounts are distributed to the members of the Legislative Assembly under subsection (2) on or before October 31 in any year, they shall be laid before the Legislative Assembly with 15 days thereafter, if the Assembly is sitting or, if not, within 15 days after the commencement of the next sitting.

- (4) The Public Accounts for each fiscal year shall be prepared by the Treasurer in accordance with the government's accounting policies as established by the Management Board, and shall contain
- (a) statements of assets and liabilities showing the government's financial position at the end of the fiscal year,
 - (b) statements of the revenues and expenditures of the government showing the results of operations for the fiscal year,
 - (c) statements of changes in the financial position of the government for the fiscal year,
 - (d) statements of payments made from the Consolidated Revenue Fund, under sections 20 and 59, and paragraph 35(1)(c),
 - (e) The Auditor General's report on his examination of the government's accounts and financial transactions, and
 - (f) such other information as may be necessary to show the financial position of the government respecting the fiscal year.
- (5) In the Public Accounts, no money except money received or receivable for a fiscal year or a previous fiscal year shall be included in the annual revenues of a fiscal year.

Internal Audit

- 10 (1) The Commissioner in Executive Council shall appoint a person to be the Internal Auditor.
- (2) The Internal Auditor has the authority to audit
- (a) public money, trust money and public property that are the responsibility of any department or public officer,
 - (b) the accounts and financial transactions of any department,
 - (c) securities belonging to the government,
 - (d) systems of financial management, control and reporting in the government,
 - (e) the organization, management and operations of any department, and .

- (f) the compliance of any department with legislation and the directives of the Management Board.
- (3) The Internal Auditor shall report to the Management Board in such manner and at such times as the Management Board directs.

PART II

REVENUE

Public Money

- 11 (1) Every person who collects or receives public money shall pay or give all public money coming into his hands to the Treasurer or deposit it to the credit of the Consolidated Revenue Fund in a bank account authorized by the Commissioner in Executive Council.
- (2) The Treasurer shall deposit all public money he receives to the credit of the Consolidated Revenue Fund.
- (3) Every person who collects or receives public money shall keep a record thereof in such form and manner as the Treasurer directs.
- (4) The Commissioner in Executive Council may make regulations establishing
 - (a) rates for the payment of fees or commissions to persons collecting, managing or accounting for public money as remuneration for all services performed, and
 - (b) the methods by which fees or commissions may be paid.

Trust Money

- 12 (1) Trust money shall be paid into and shall be maintained in trust funds established by the Treasurer within the Consolidated Revenue Fund.
- (2) Where money in court is paid or received for payment into a trust fund under subsection (1), a receipt shall be issued setting out the amount received and the cause or matter in respect of which it is received.
- (3) A receipt purporting to be issued in compliance with subsection (2) and purporting to be signed by or on behalf of the Treasurer is
- (a) evidence of the facts stated in it without proof of the appointment, authority or signature of the person signing it, and
 - (b) binding on the government.
- (4) Where trust money under subsection (1) consists of money in court,
- (a) the Treasurer shall, as soon as practicable after the receipt of the request of a judge of the appropriate court, make a statement as to the amount of money paid into a trust fund in respect of the cause or matter for which the request is made, together with any income attributable to the money under paragraph 40(9)(c), and
 - (b) subject to subsection 19(3), the Treasurer is not otherwise subject to the supervision or direction of a court respecting the money.

Collection and Deposit of Money

- 13 (1) No person shall open or close a bank account for the receipt, deposit or transfer of public money or trust money except as authorized by the Commissioner in Executive Council.
- (2) The Commissioner in Executive Council may make regulations respecting the collection, receipt or deposit of public money or trust money.

Refunds

- 14 (1) Money that is received by the government under a mistake as to the entitlement of the government to receive or collect it, and money that is received by the government for any purpose that is not fulfilled shall be refunded from the Consolidated Revenue Fund in part or in full as circumstances require.
- (2) The Management Board may by directive authorize specified persons to make refunds under subsection (1).

Write-off of Uncollectable Debts

- 15 (1) The Management Board may by directive
- (a) write off all or part of a debt or an obligation that it considers to be unrealizable or uncollectable, and
 - (b) authorize specified persons to write off all or part of a debt or obligation that is due and owing to the government and that the authorized person considers to be uncollectable.
- (2) The write-off of all or part of a debt or obligation under this section does not extinguish the right of the government to collect the debt or obligation written off.
- (3) This section does not apply to a forfeiture, fine, pecuniary penalty, tax, royalty, fee or other sum imposed or authorized to be imposed by any Act.
- (4) Every account written off shall be reported in the Public Accounts for the fiscal year in which the account is written off.

Remissions

- 16 (1) Where the Commissioner in Executive Council considers it in the public interest to do so in a case or class of cases where great public inconvenience, great injustice, or great hardship to a person has occurred or is likely to occur, he may authorize the remission of
- (a) any tax, royalty, fee or other sum that is paid or payable to the government and that is imposed or authorized to be imposed by any Act, or
 - (b) any forfeiture, fine or pecuniary penalty imposed or authorized to be imposed by any Act.
- (2) A remission authorized under subsection (1) may be total or partial, conditional or unconditional.
- (3) A remission of an item referred to in paragraph (1)(a) may be granted before, during or after any proceeding for the recovery of the money, and either before or after any payment of it has been made or has been enforced by process or execution.
- (4) Where a condition of a remission authorized under subsection (1) is not performed, the authorization of the remission has no effect and all proceedings may be taken as if the remission had not been authorized.
- (5) No tax on any goods shall be remitted by reason only that after the payment of the tax the goods were lost or destroyed.
- (6) Money required to be paid by the government under this section may be paid from the Consolidated Revenue Fund.
- (7) Where an amount of not more than one dollar is owed to the government, the debtor is entitled to a remission under this section.
- (8) Every remission, other than under subsection (7), shall be reported in the Public Accounts for the fiscal year in which the remission is made.

- (9) Subject to the regulations, no provision of any other Act authorized a remission of public money.

Interest on Overdue Accounts

- 17 (1) The Commissioner in Executive Council may make regulations requiring persons who owe or are liable to pay money to the government to pay interest on the money at a rate prescribed in the regulations.
- (2) A rate prescribed under subsection (1) may be general or specific, and the interest is recoverable as a debt due to the government.
- (3) Regulations made under this section do not apply where another Act requires or authorizes the imposition of interest on money owed to the government.

PART III

EXPENDITURE

Statutory Authority

- 18 (1) No payment shall be made at any time from the Consolidated Revenue Fund for any purpose unless a provision of this or another Act authorizes the payment to be made for that purpose at that time.
- (2) A vote does not authorize any payment to be made
- (a) in excess of the amount specified in the vote,
 - (b) for any purpose not within the general purposes of the vote, or
 - (c) except as provided by sections 26 and 38, after the end of the fiscal year to which the vote applies.

Trust Funds

- 19 (1) Subject to any other Act, money may be paid from a trust fund if the payment is made in accordance with both
- (a) the provisions of this Act, and
 - (b) the provisions of the Act, trust, instrument or other authority under which the money is held in trust.
- (2) Notwithstanding subsection (1), money received by the government as a deposit to ensure the doing of anything shall be held or disposed of in accordance with the contract or agreement pursuant to which the deposit is held, but if there is no contract or agreement, or if the contract or agreement contains no provision or insufficient provision for the disposition of the deposit, it shall be disposed of in accordance with this Act and the directives of the Management Board.
- (3) Where money in a trust fund consists of money in Court, the Treasurer shall, as soon as practicable after receipt of an order of the appropriate court,
- (a) in accordance with the order, pay money from the fund or income attributable to the money under paragraph 40(9)(c), and
 - (b) if insufficient money has been received to enable compliance with the order, advise the court accordingly.

Special Warrants

- 20 (1) Money may be paid from the Consolidated Revenue Fund under the authority of a special warrant under this section.
- (2) The Commissioner in Executive Council may order a special warrant to be prepared for the signature of the Commissioner where
- (a) a report is received from the Management Board that no provision of an Act authorizes a payment from the Consolidated Revenue Fund that is urgently and immediately required for the public good, and

- (b) the Legislative Assembly is dissolved, prorogued, adjourned indefinitely, or adjourned with more than seven days remaining in its period of adjournment.
- (3) A special warrant shall be signed by the Commissioner, and it shall set out
 - (a) the amount that may be paid from the Consolidated Revenue Fund under the authority of the warrant,
 - (b) the purpose for which payments may be made, and
 - (c) the fiscal year in which payments may be made.
- (4) The amount paid from the Consolidated Revenue Fund under the authority of a special warrant shall be submitted to the Legislative Assembly as part of an Appropriation Bill at the next sitting of the Assembly, and the amount shall be identified as such in the Bill.
- (5) A special warrant shall be deemed to be a vote for the purposes of all of the provisions of this Act except subsections 2(1) and 40(6).

Contributions and Grants

- 21 (1) Except as provided by subsection (2), where money is payable to or received by the government under any Act or agreement for the purposes of or as a contribution toward expenditures to be made by the government, the Management Board may by directive authorize the payment of money from the Consolidated Revenue Fund for those expenditures in an amount not exceeding the amount payable to or received by the government.
- (2) Where money is received or receivable by the government from the government of Canada or a province under any Act, agreement or undertaking for the purposes of or as a contribution toward expenditures to be made by the government, the Management Board may by directive authorize the payment of money from the Consolidated Revenue Fund for those expenditures in an amount not exceeding the amount received or receivable by the government.

- (3) This section does not apply to money received or receivable under the Federal-Territorial Financial Agreement.
- (4) The amount paid from the Consolidated Revenue Fund under the authority of this section shall be submitted to the Legislative Assembly as part of an Appropriation Bill at the next sitting of the Assembly, and the amount shall be identified as such in the Bill.

Regulation of Expenditure

- 22 (1) The Management Board may by directive control or limit payments from votes, and for that purpose it may by directive
 - (a) identify allotments, programs or projects within a vote, and distribute money among programs and projects,
 - (b) transfer money between allotments, programs or projects within a vote,
 - (c) distribute money among activities within a program or project, or authorize a public officer to do so, and
 - (d) transfer money between activities within a program or project, or authorize a public officer to do so.
- (2) The Management Board may issue directives
 - (a) regulating the charging of expenditures to votes, funds, allotments, programs, projects and activities, and
 - (b) assigning responsibility for a vote or fund to a public officer.

Interest

- 23 (1) Subject to any other Act, the Commissioner in Executive Council may make regulations providing for the payment of interest on such debt obligations of the government, at such rate and subject to such conditions as he may specify in the order.

- (2) Where a regulation under subsection (1) provides for the payment of interest on a debt obligation of the government, the payment of interest shall be deemed to be authorized by the vote or other authority under which payment of the principal amount of the debt may be paid.

Contracts

- 24 (1) The Management Board may, by directive, authorize public officers to enter into contracts subject to such terms and conditions as the Management Board considers necessary.
- (2) Where the Management Board has authorized a public officer to enter into contracts, it may by directive authorize him to delegate all or part of his authority to another public officer, subject to such terms and conditions as the Management Board considers necessary.
- (3) Notwithstanding any other Act, a contract shall not be entered into, and is not enforceable against the government, unless entered into by a public officer authorized to do so under subsection (1) or (2).
- 25 (1) A contract shall not be entered into by a public officer, and is not enforceable against the government, unless the responsible Deputy Head or a public officer designated in writing by the Deputy Head has certified that
- (a) every payment out of the Consolidated Revenue Fund contemplated by the contract in the then current fiscal year is authorized by this or another Act, and
- (b) there is sufficient money in the vote or fund from which the payments are to be made.
- (2) It is a term of every contract that money that becomes due under the contract is not payable unless a provision of this or another Act authorizes the payment to be made in the fiscal year when the payment falls due.

- (3) The Commissioner in Executive Council may make regulations establishing terms and conditions that shall apply to contracts, or any class of contracts specified in the regulations.

Holdbacks

- 26 (1) Where a payment under a contract is withheld, the payment may, subject to this Act and the directives of the Management Board, be credited to a special fund established by the Treasurer in the Consolidated Revenue Fund for payments withheld under the contract to be dealt with in accordance with the contract.
- (2) Money credited to a special fund under subsection (1) shall remain available for the purposes of the contract after the end of the fiscal year in which it is credited.

Assignments

- 27 (1) Except as provided by the regulations, a debt obligation of the government is not assignable, and no transaction purporting to be an assignment confers on any person a right or remedy in respect of a debt obligation of the government.
- (2) The Commissioner in Executive Council may make regulations prescribing classes of debt obligations of the government and the conditions under which each class of debt obligation may be assigned.
- (3) An assignment of a debt obligation of the government is subject to all the claims that are entitled to priority over the right of the assignee, and is subject to all the terms and conditions that relate to the original debt.
- (4) This section does not apply to securities or negotiable instruments or to telegraphic or electronic transfers of money.

Advances

- 28 (1) Subject to directives of the Management Board, the regulations and any other Act, an advance may be made from the Consolidated Revenue Fund to any person to enable that person to pay expenses that are authorized to be paid by this or any other Act.

Record of Commitments

- 29 (1) Every public officer shall keep records of commitments for the expenditures chargeable to each vote or fund for which he has been assigned responsibility under paragraph 22(2)(b).
- (2) The Management Board may direct the form and manner in which records of commitments under subsection (1) shall be kept.

Certificate of Performance

- 30 (1) Notwithstanding any other Act, no payment shall be made from the Consolidated Revenue Fund unless a certificate as to the information required under subsection (2) is signed in accordance with this section by a public officer authorized to do so under this section.
- (2) A certificate shall contain such of the following statements as may be applicable:
- (a) in the case of a payment for goods that have been supplied, or services that have been performed, under a contract, a statement to that effect and a statement that the proposed payment is in accordance with the contract;
 - (b) in the case of a payment for goods that have yet to be supplied or services that have yet to be performed, a statement to that effect and a statement that the proposed payment is in accordance with a contract;

- (c) in the case of a payment not provided for in paragraphs (a) or (b), a statement as to the purpose of the proposed payment, and a statement that all conditions precedent to the making of the payment have been met;
 - (d) in any case, such further statements as the Management Board, by directive, may require.
- (3) The Management Board may by directive authorize public officers to sign certificates, subject to such terms and conditions as the Management Board considers necessary.
- (4) Where the Management Board has authorized a public officer to sign certificates, it may by directive authorize him to delegate all or part of his authority to another public officer subject to such terms and conditions as the Management Board considers necessary.
- (5) The authority of a public officer to sign certificates extends only to payments to be made from a vote or fund for which he or the public officer delegating authority to him has been assigned responsibility under paragraph 22(2)(b).

Requisition for Payment

- 31 (1) Notwithstanding any other Act, no payment shall be made from the Consolidated Revenue Fund unless a requisition for payment containing the statements required by subsection (2)
- (a) is signed in accordance with this section by a public officer authorized to do so under this section, and
 - (b) is accepted by the Treasurer or a person authorized by him.
- (2) A requisition for payment shall contain the following statements respecting the proposed payment and the vote or fund from which the payment is to be made:
- (a) a statement that the payment lawfully may be made from the vote or fund;
 - (b) a statement that the making of the payment does not contravene any directive of the Management Board;

- (c) a statement that there is sufficient money in the vote or fund to make the payment;
 - (d) a statement that the making of the payment will not reduce the balance of the vote or fund so that it would not be sufficient to meet commitments recorded under section 29 for other payments to be made from the vote or fund.
- (3) The Management Board may by directive authorize public officers to sign requisitions for payment subject to such terms and conditions as the Management Board considers necessary.
- (4) Where the Management Board has authorized a public officer to sign requisitions for payment, it may by directive authorize him to delegate all or part of his authority to another public officer, subject to such terms and conditions as the Management Board considers necessary.
- (5) The authority of a public officer to sign requisitions for payment extends only to payments to be made from a vote or fund for which he or the public officer delegating authority to him has been assigned responsibility under paragraph 22(2)(b).

Rejection of Requisitions

- 32 (1) The Treasurer shall reject a requisition for payment where he is of the opinion that the requirements of any Act have not been complied with.
- (2) Where the Treasurer rejects a requisition, he shall, at the request of the Deputy Head responsible for the relevant vote or fund, state his reasons in writing to the Deputy Head.

- (3) The Management Board may, on the written request of the responsible Deputy Head, confirm the Treasurer's decision under subsection (1) or, on the certificate of the Executive Council Member responsible for the Department of Justice that the requisition for payment would not contravene any enactment of Parliament or the Legislature, order that the payment be made subject to any conditions that the Management Board may specify.

Accounting for Public Money

- 33 (1) Every person authorized to spend public money shall account for it in the manner provided under this Act or the regulations, and the Act authorizing the expenditure.

Statement by Treasurer

- 34 (1) The Treasurer shall, by September 30 next following the end of each fiscal year, deliver to the Management Board a statement listing details of every case during the fiscal year in which a payment has been made that, in his opinion, is irregular or unlawful in any way.
- (2) The Treasurer shall supply to a Deputy Head a copy of the part of the statement referred to in subsection (1) that refers to payments from funds within the responsibility of the Deputy Head.

Money Not Applied

- 35 (1) Where a person has received money from the government to be applied to any purpose, and has not applied it to that purpose within the time or in the manner required,
- (a) the Executive Council Member may demand repayment under section 68,
 - (b) the money may be recovered from the person as a debt due to the government, and

- (c) an equal sum may in the meantime be applied to the purpose to which the money ought to have been applied.

Set-off of Amounts Owed

- 36 (1) The Management Board may by directive authorize the Treasurer to retain money in specified circumstances by way of set-off from any money due or payable to a person from the Consolidated Revenue Fund where
 - (a) the person owes money to the government,
 - (b) an overpayment has been made by the government to the person, or
 - (c) an advance made to the person under subsection 28(1) has not been repaid or accounted for.
- (2) Notwithstanding subsection (1), the Treasurer may recover any overpayment made from the Consolidated Revenue Fund on account of salary, wages, pay or allowances out of any sum of money that may be due and payable by the government to the person to whom the overpayment was made.
- (3) No money shall be retained under this section by way of set-off from an amount due or payable as or on account of compensation under the Workers' Compensation Act.

Expenditure Refunds, Repayments and Recoveries

- 37 (1) Money received by the government as a refund or repayment of an expenditure or advance shall be included in the unexpended balance of the vote or fund from which it was paid.
- (2) Money received or receivable under any Act or agreement as the recovery of a sum authorized to be paid by any Act shall be reported in the Public Accounts for a fiscal year as an expenditure recovery of the year in respect of which the money was authorized to be paid.

Payments After a Fiscal Year End

- 38 (1) Subject to subsection (2), the balance of a vote that remains unexpended at the end of a fiscal year shall lapse.
- (2) Where debt obligations have been incurred by the government for goods supplied, or services performed, prior to the end of a fiscal year under a contract, payment of the obligations shall be made from a vote for that fiscal year.
- (3) Every Deputy Head shall at the end of each fiscal year send to the Treasurer a list of the payments to be made after the end of the fiscal year under this section from votes for which he is responsible together with the certificates required by section 30.

Payments

- 39 (1) The Management Board may issue directives respecting payments made from the Consolidated Revenue Fund providing for the form in which payments shall be made, the way in which payments shall be authenticated, and the places from which payments shall be issued.
- (2) The Commissioner in Executive Council may make regulations respecting the verification of debt obligations of the government prior to their payment.

PART IV

ASSETS

Power to Invest

- 40 (1) Where money in the Consolidated Revenue Fund, other than money in a trust fund, is not immediately required for payments, it may be invested in any of the following:
- (a) securities that are obligations of or guaranteed by Canada or a province;

- (b) fixed deposits, notes, certificates and other short term paper of or guaranteed by a bank including swapped deposit transactions in currency of the United States of America;
 - (c) commercial paper issued by a company incorporated under the laws of Canada or a province, the securities of which are rated in the highest rating category by at least two recognized security rating institutions.
- (2) Subject to any other Act, where money in a trust fund is not immediately required for payments, it may be invested in accordance with the Act or the trust, instrument or other authority by which the money is held in trust, in any investment permitted by the Trustee Act.
- (3) Where an Act authorizes the Commissioner in Executive Council to guarantee a debenture or other security, he may guarantee a debenture or other security issued to or held by the government, and a debenture or other security so guaranteed is eligible as an investment under this section.
- (4) An investment held under this section may be disposed of, or exchanged or traded for another investment authorized under this section.
- (5) Subject to any other Act, where money from a trust fund or money from a fund designated as a special fund by the Commissioner in Executive Council is invested, interest earnings or proceeds from an exchange, trade or disposition in respect of the trust fund or the special fund may, subject to the regulations, be paid into the appropriate trust fund or special fund.
- (6) Any net income resulting in any fiscal year from the purchase, holding or sale of securities pursuant to this section shall be credited to revenues of that fiscal year and any net loss resulting in any fiscal year from such purchase, holding or sale shall be charged to a vote established for that purpose.

- (7) For the purposes of subsection (6), the net income or loss in any fiscal year shall be determined by taking into account realized profits and losses on securities sold in the fiscal year, the amortization applicable to the fiscal year of premiums and discounts on securities, and accrued interest applicable to the fiscal year.
- (8) The Commissioner in Executive Council may, on the recommendation of the Executive Council Member, appoint a committee to provide advice on the exercise of the power of investment and on other matters related to investments.
- (9) Notwithstanding any other provision of this section, where money in a trust fund consists of money in Court,
- (a) the Executive Council Member may invest the money in any investment permitted by the Trustee Act,
 - (b) where any net loss results from an investment under paragraph (a), any amount required to make up the deficiency shall be paid from the Consolidated Revenue Fund so that payment out of the amount received may be made pursuant to subsection 19(3),
 - (c) there shall be attributed to the money in the fund income at such rate as may be prescribed, and
 - (d) reasonable costs of making or managing the investments may be charged only against the net income or profits of the investments.

Loans, Advances and Equity Investment

- 41 (1) No loan of public money shall be made without the authority of an Act.
- (2) Notwithstanding any other Act, the power to make loans, advances or direct equity investments from the Consolidated Revenue Fund shall not be exercised except in accordance with the regulations.

Public Property

- 42 (1) No disposition or loan of public property shall be made to any person without authorization under this or another Act.
- (2) Subject to this Act, the Management Board may issue directives governing
- (a) the acquisition of property by the government,
 - (b) the custody and control of public property, including the maintenance of inventories,
 - (c) the sale of public property, and
 - (d) the deletion of public property from inventory.
- (3) The Commissioner in Executive Council may make regulations respecting the recovery of loss of or damage to public property caused by the negligence or willful misconduct of a public officer who is responsible for the operation, care or custody of the public property.

Provision of Services or Use of Property

- 43 (1) Subject to any other Act, where a service or the use of public property is provided by the government to any person, the Commissioner in Executive Council may make regulations
- (a) establishing fees for the provision of the service or the use of the public property,
 - (b) establishing terms and conditions subject to which the service or the use of the public property may be provided, or
 - (c) authorizing the Management Board or a public officer to enter into agreements respecting the provision of the service or use of public property.
- (2) Subject to the regulations, the Management Board may by directive authorize public officers to provide to any person a service or the use of public property, subject to such fees, terms and conditions as the Management Board may specify by directive.

Revolving Funds

- 44 (1) No revolving fund shall be established by the government unless authorized by an Act.
- (2) Money may be paid from a revolving fund if the payment is made in accordance with both
- (a) the provisions of this Act, and
 - (b) the provisions of the Act authorizing the establishment of the revolving fund.
- (3) Revenues shall not be credited to, and expenditures shall not be charged against, a revolving fund
- (a) beyond the limits set out in the Act authorizing the establishment of the fund, or
 - (b) in respect of a transaction outside the purposes for which the fund is authorized to be established.
- (4) Where a revolving fund is established for the maintenance of inventory, the inventory shall not exceed the limit established for the fund under subsection 45(1) or any other Act under which the fund may be established.
- (5) Where the establishment of a revolving fund is authorized, the Management Board may issue directives respecting
- (a) the accounts to be kept,
 - (b) the method of charging and crediting the fund,
 - (c) the method of valuing the inventory of the fund, and
 - (d) any other matter it considers necessary governing the operation of the fund.
- (6) For each revolving fund there shall be included in the Public Accounts a statement for the year showing
- (a) the assets and liabilities of the fund, and
 - (b) a summary of the transactions of the fund.
- 45 (1) The following revolving funds shall be established within the Consolidated Revenue Fund with the following purposes and limits:
- (a) Road Equipment Replacement Fund, to be used for the replacement of road equipment, with a limit of \$3,000,000;

- (b) Central Stores Fund, to be used for the maintenance of the central stores inventories, with a limit of \$750,000;
 - (c) Garage Parts and Fuel Inventory Fund, to be used for the maintenance of garage parts and fuel inventories, with a limit of \$800,000;
 - (d) Highway Materials Fund, to be used for the maintenance of highway materials inventories, with a limit of \$1,200,00.
- (2) Notwithstanding subsection 44(2), expenditures from the Road Equipment Replacement Fund shall not exceed the accumulated revenues in the Fund at the time of the expenditure.
- (3) Subsection 44(4) does not apply to the Road Equipment Replacement Fund.

PART V

LIABILITIES

Authority to Borrow

- 46 (1) No money shall be borrowed or security issued by the government without the authority of this or another Act.

Borrowing Money

- 47 (1) Where this or another Act confers on the government authority to borrow money, the Commissioner in Executive Council may, subject to the Act that confers the borrowing authority, make regulations authorizing the borrowing of money by the issue and sale of securities in a form, in an amount, payable in a currency or unit of monetary value, at a rate of interest and on other terms or conditions the Commissioner in Executive Council approves.

Borrowings for Redemption

- 48 (1) Subject to the Act that confers the borrowing authority, the Commissioner in Executive Council may authorize the borrowing of sums of money that are required for the repayment of any securities issued by the government that are maturing or that have been called for redemption.

Temporary Borrowings

- 49 (1) Where it appears to the Commissioner in Executive Council that the Consolidated Revenue Fund will be insufficient to meet the disbursements lawfully authorized to be made from it, the Commissioner in Executive Council may authorize the borrowing; for a period not exceeding 365 days, of an amount that is considered necessary to ensure that the Consolidated Revenue Fund will be sufficient to meet those disbursements.

Overdrafts, Notes and Treasury Bills

- 50 (1) The Commissioner in Executive Council may make regulations, for the efficient operation of the Consolidated Revenue Fund,
- (a) authorizing arrangements with a bank for money overdrafts, or
 - (b) authorizing the borrowing of money by the issue and sale of notes or treasury bills in a form, in an amount, at a rate of interest, if any, on terms and conditions and executed in a way he determines.
- (2) To secure overdrafts under paragraph (1)(a), the Commissioner in Executive Council may authorize the issuance to a bank of a security in a form, in an amount, on terms and conditions, and executed in a way he determines.

Borrowing in Foreign Currencies

- 51 (1) Where any Act confers authority on the government to borrow a specific or maximum amount of money, the authority shall be deemed to authorize the borrowing of an equivalent amount in the currency of any other country.
- (2) For the purposes of this section the equivalent amount of the currency of another country shall be calculated in accordance with the nominal rate of exchange between the Canadian dollar and the currency concerned as quoted by any chartered bank in Canada as of any time in the last business day before the date on which the Commissioner in Executive Council authorizes the borrowing.

Change in Form of Public Debt

- 52 (1) The Commissioner in Executive Council may authorize changes in the form of any part of the debt obligations of the government by substituting one security for another, but no substitution shall be made if the effect is to increase the principal amount of the debt obligations of the government.
- (2) A substitution under this section may be made by the sale of a new security and the purchase or redemption of an existing security from the proceeds.
- (3) A substitution under this section shall not be made unless
- (a) the holder of the security for which another security is substituted consents, or
 - (b) the terms and conditions of the issue of the security allow for the early redemption or substitution of the security.

Provision for Redemption

- 53 (1) The Commissioner in Executive Council may by regulation provide
- (a) for the creation, management and application of sinking funds with respect to securities issued by the government,

- (b) for other means of ensuring the repayment of securities issued by the government, and
 - (c) in the case of securities issued subject to redemption in advance of maturity, for the redemption by call of securities issued by the government.
- (2) Any securities of the government acquired with money from a sinking fund established with respect to the securities may be cancelled, but if they are cancelled no others shall be issued in substitution for them and the aggregate amount of that issue of securities shall be reduced accordingly.
- (3) Interest earned on a sinking fund shall be applied for the benefit of the sinking fund and the redemption of the securities secured by it until the Executive Council Member is satisfied that enough money has been accumulated in the sinking fund to repay the debt with respect to which it was established, taking into account expected interest earnings.

Effect of Declaration

- 54 (1) In an order of the Commissioner in Executive Council made under this or any other Act authorizing the issue and sale of securities by the government, a declaration to the effect that the amount of the issue is necessary to realize the net sum required to be raised by way of loan is conclusive evidence of that fact.

Execution of Government Securities

- 55 (1) Securities issued by the government shall be signed by the Executive Council Member and the securities shall be countersigned by the Treasurer or another public officer designed by the Commissioner in Executive Council.

- (2) The engraved, lithographed or printed signature of a person required to execute a security under this section is for all purposes the signature of that person and is binding on the government notwithstanding that the person whose signature is reproduced may not have held office at the date of the securities or at the date of the delivery of them.

Fiscal Agents and Registrars

- 56 (1) The Executive Council Member is the fiscal agent of the government for the purpose of negotiating borrowing by the government under this or any other Act, and as fiscal agent he may arrange all details and do, transact and execute all deeds, matters and things required during the negotiations for the borrowing.
- (2) The Commissioner in Executive Council may appoint other persons recommended by the Executive Council Member to act as fiscal agent for the purposes referred to in subsection (1) under the direction of the Executive Council Member.
- (3) The Executive Council Member may appoint one or more registrars to perform under his direction services in respect of the registration of securities, and he may fix their remuneration or compensation.
- (4) Every fiscal agent and registrar shall, as often as required by the Executive Council Member, give to the Executive Council Member an accounting, in a form and containing information specified by the Executive Council Member, of all his transactions as fiscal agent or registrar.

Immunity

- 57 (1) A person employed in the inscription, registration, transfer, management or redemption of securities issued by the government, or in the payment of any dividend or interest on them, is not bound to see to the execution of a trust, express or implied, to which the securities are subject, and is not liable for anything done by him in accordance with this Act or the regulations.

Protection for Holders of Securities

- 58 (1) Nothing in this Part impairs or prejudicially affects the rights of the holder of securities issued by the government before or after this Part comes into force.

Expenses of Public Debt

- 59 (1) Money required for the following purposes shall be paid out of the Consolidated Revenue Fund:
- (a) to pay interest on securities issued by the government;
 - (b) to provide and maintain a sinking fund or other means of ensuring the repayment of securities issued by the government;
 - (c) to redeem or repay the principal amount of securities issued by the government;
 - (d) to pay a premium in connection with redemption or repayment of securities issued by the government.

Records and Statement of Debt

- 60 (1) The Treasurer shall maintain a system of books and records
- (a) showing all money authorized to be borrowed by the government under this or any other Act,
 - (b) containing a description and record of all money borrowed, and all securities issued, by the government,

- (c) showing all amounts paid in respect of the principal of, premium on and interest on all money borrowed by the government,
 - (d) showing all money borrowed by the government by way of temporary loans, overdrafts, notes or treasury bills, and
 - (e) showing the status of all sinking funds and other means of ensuring the repayment of money borrowed by the government.
- (2) A statement of the debt obligations of the government outstanding at the end of the fiscal year and of each borrowing transaction during the fiscal year under this Part shall be included in the Public Accounts for that fiscal year.

Regulations for Securities

- 61 (1) The Commissioner in Executive Council may make regulations for the management of the debt obligations of the government.
- (2) Without limiting subsection (1), the Commissioner in Executive Council may make regulations
- (a) for the inscription, registration, transfer, management and redemption of securities,
 - (b) for the surrender of securities and the substitution for them of securities of a like total amount and class, but of a different denomination or form,
 - (c) for converting securities of one class into securities of another class,
 - (d) for reissuing, reinstating or otherwise dealing with lost, stolen, destroyed, damaged, defaced or mutilated securities or interest coupons, and for the payment of them,
 - (e) for examining, cancelling or destroying debentures or other government securities and interest coupons that have been redeemed, and
 - (f) for the custody and protection of securities and of materials used in their production.

Guarantees and Indemnities

- 62 (1) Without the authority of an Act, no guarantee of a debt or other obligation shall be given by or on behalf of the government, and no undertaking shall be given by or on behalf of the government
- (a) to perform an obligation of a person under an agreement on the default of that person, or
 - (b) to hold harmless a party to an agreement from a loss suffered as a result of the default of another party to the agreement, or as a result of a provision of the agreement.
- (2) The Commissioner in Executive Council may make regulations respecting terms and conditions under which guarantees and undertakings referred to in subsection (1) may be given by or on behalf of the government under any Act.
- (3) The government is not liable under guarantee or undertaking referred to in subsection (1) given after this section comes into force unless it is given in accordance with this Act.
- (4) Nothing in this section affects the rights of any person under a guarantee or undertaking given before this section comes into force.

Effect of and Power to Guarantee

- 63 (1) Where the government has guaranteed or is empowered to guarantee the principal and interest of a security or other obligation, the guarantee is a guarantee of, and the power includes the power to guarantee the performance of, any obligation for the payment of money, including any premium, pursuant to the security or other obligation.

PART VI

ENFORCEMENT

Accounting for Public Money

- 64 (1) Where the Executive Council Member has reason to believe that a person has received public money for the government and has not paid it to the government, the Executive Council Member may cause a written notice to be served on the person showing the amount of money not paid, and requiring the person to pay it to the government within the time stated in the notice.
- (2) Where the Executive Council Member has reason to believe that a person has received public money for which he is accountable to the government and has not accounted for it, the Executive Council Member may cause a written notice to be served on the person showing the amount of money not accounted for, and requiring the person to account for it to the government within the time stated in the notice.
- (3) Where the Executive Council Member has reason to believe that a person has received public money that is applicable to a purpose to which it has not been applied, he may cause a written notice to be served on the person showing the amount of money not applied, and requiring the person, within the time stated in the notice, to apply it to its purpose and to furnish evidence that he has done so to the Executive Council Member.
- 65 (1) A notice under section 64 may be served by delivering it to the person or by mailing it to him by registered or certified mail addressed to any address for the person of which the government has received written notice from the person, subject to any written change of address received from that person before the notice from the Executive Council Member is served.

- (2) If a person fails to comply with a notice served on him under subsection (1) within the time stated in the notice, the Executive Council Member may state an account between that person and the government, showing the amount of money not duly paid over, accounted for or applied, and charging interest on the whole or any part of it at a rate and from a date established by the Commissioner in Executive Council.
- (3) In a proceeding for the recovery of public money, a copy of the account under subsection (2) certified by the Executive Council Member is evidence that the amount stated in it, with interest, is due and payable to the government without proof of the appointment or signature of the Executive Council Member, and the amount and interest, at the rate established under subsection (2) to the date of recovery, may be recovered as a debt due to the government.

Loss Through Misconduct

- 66 (1) Where public money is lost or is not collected through the misconduct, neglect of duty or negligence of a person responsible for handling public money, the person is liable for the money and it may be recovered from him as a debt due to the government.
- (2) The Commissioner in Executive Council may make regulations providing for the recovery from a public officer of the amount of any award or reasonable settlement in respect of damages for death, injury or private property damage as a result of the negligence or willful misconduct of the public officer in the performance of his duties or in the operation, care or custody of public property.
- (3) No liability shall be imposed on an employee under subsection 42(3) or 66(1) in excess of the amount for which the employee would have been liable if those provisions had not been enacted.

Evidence

- 67 (1) An affidavit deposing to the facts and sworn by a person having knowledge of them shall be admissible in a court as prima facie proof of the facts stated in it in a proceeding for the recovery of public money from a person responsible for the collection, management or disbursement of public money where it appears from the following documents or things that he has received money belonging to the government and has refused or neglected to pay the money to the proper persons at the proper times:
- (a) books or accounts kept by him or in his office;
 - (b) an accounting by him;
 - (c) a written acknowledgment or confession by him.

Failure to Deliver Money or Documents

- 68 (1) Where a person refuses or neglects to deliver money or an account, statement, return of proper voucher to the public officer to whom the person is required under this or any other Act to deliver it, the Executive Council Member may direct the person to deliver it within a stated time, not less than 14 days after the date of service of the direction on him.
- (2) A direction referred to in subsection (1) may be served by delivering it to the person to whom it is addressed or by mailing it by registered or certified mail addressed to any address for the person of which the government has received written notice from the person, subject to any written change of address received from that person before the direction is served.
- (3) A person who does not comply with a direction under this section commits an offence.

Other Remedies

- 69 (1) Nothing in this Act affects or abrogates the right of the government or any other person to institute any civil or criminal proceeding against a person contravening this Act, against his sureties, or against any other person.

Records Respecting Public Money

- 70 (1) All records respecting public money that are kept or used by, or received or taken into the possession of person who is or has been responsible for the collection, management or disbursement of public money or the accounting for it, and all money, securities or things of value received or taken into his possession by reason of his responsibility for public money, belong to the government.
- (2) The Commissioner in Executive Council may make regulations authorizing the destruction of records respecting public money.
- (3) Any person who destroys records respecting public money, except as authorized by the regulations, commits an offence.

Recovery of Penalties and Forfeitures

- 71 (1) The Executive Council Member may sue for and recover on behalf of the government a penalty or enforce a forfeiture imposed by any law relating to public money.

Defences to Action for Recovery of Public Money

- 72 (1) Where money is paid to a person by the government in excess of the authority conferred by an Act, without the authority of an Act, or contrary to an Act, and a right is asserted by the government to recover the payment or part of it, or to retain other money in full or partial satisfaction of a claim arising out of the payment, the person against whom the right is asserted may, subject to

subsection (2), rely on any matter of fact or law, including estoppel, which would constitute a defence in a proceeding brought to recover the payment as if it had been made under a mistake.

- (2) Subsection (1) does not enable a person to rely on a defence that a payment made by the government was made under a mistake of law, and the right of the government to recover the money paid by it is not impaired by reason only that the payment was made under a mistake of law.

PART VII

MISCELLANEOUS

Standing Appropriations

- 73 (1) This Act authorizes the following payments to be made at any time without the authority of another Act or special warrant:
- (a) payments of refunds under subsection 14(1),
 - (b) payments of remissions under subsection 16(6),
 - (c) payments based on contributions or grants under subsection 21(1) or (2),
 - (d) payments pending recovery of money not applied to its purpose under subsection 35(1),
 - (e) payments to make good losses on the investment of money in court under paragraph 40(9)(b),
 - (f) payment of the expenses of the public debt under subsection 59(1), and
 - (g) payments required to make good losses on investments made on behalf of
 - (i) the Workers' Compensation Board, under subsections 55(2) and (3) of the Workers' Compensation Act,
 - (ii) the Yukon Housing Corporation, under section 16.1 of the Housing Corporation Act, and
 - (iii) the Public Administrator, under subsections 23(3) and (4) of the Judicature Act.

- (2) Subject to subsection (3), paragraphs (1)(a) to (f), and clauses (1)(g)(i) to (iii), shall be deemed to be votes for all the purposes of this Act, except subsections 2(1), 38(1) and 40(6), and paragraphs 18(2)(a) and (c).
- (3) Instead of the statements required by paragraphs 31(2)(c) and (d), a requisition for payment under paragraphs (1)(d) to (f), or clauses (1)(g)(i) to (iii), of this section shall contain a statement that the payment is to be made under the authority of a standing appropriation.

Offences

- 74 (1) A public officer commits an offence who
 - (a) in connection with the performance of his duties respecting public money, wilfully makes or signs a false entry, certificate, requisition, return or other document, or
 - (b) having knowledge or information of the violation of any Act that provides for the expenditure or collection of public money, or of fraud committed by any person against the government, fails to report such knowledge or information in writing to the Treasurer.

Penalty

- 75 (1) A person who commits an offence under this Act is liable on summary conviction to a fine not exceeding \$1,000 or to imprisonment for a term not exceeding six months, or both.

Directives

- 76 (1) A directive is not an enactment within the meaning of section 4 of the Summary Convictions Act.
- (2) A directive under this Act is not a regulation within the meaning of the regulations Act.

Regulations

- 77 (1) In addition to the regulations authorized to be made by any other provision of this Act, the Commissioner in Executive Council may make regulations for carrying out the purposes and provisions of this Act.

Exemptions

- 78 (1) The Commissioner in Executive Council, on the recommendation of the Executive Council Member, may by regulation exempt a department or public officer from this Act to the extent prescribed in the regulation.

Transition

- 79 (1) A regulation made under the authority of the Financial Administration Act repealed by this Act and not authorized by any other provision of this Act shall be deemed to be authorized by this Act until the regulation is repealed or continued under another Act.

Repeal

- 80 (1) The Financial Administration Act is repealed.
- (2) The Land Acquisition Fund Act is repealed.

Consequential Amendments

- 81 (1) The following is added immediately after section 10 of the Interpretation Act:
- "10.1(1) Where an Act provides for the payment of public money within the meaning of the Financial Administration Act for the administration of the Act or for any of the purposes of the Act, the provision shall be deemed to authorize the making of payments from the Consolidated Revenue Fund with money authorized by an Act of the Legislature to be paid for the purposes."

- (2) The following is added to subsection 20(1) of the Interpretation Act:
" 'Treasurer' means the Treasurer under the Financial Administration Act."
- 82 (1) This section amends the Workers' Compensation Act.
- (2) The following subsection is added to section 52:
"(2.1) The Fund is a trust fund within the meaning of the Financial Administration Act, and contributions under this Act and the income of the Fund are trust money within the meaning of the Financial Administration Act."
- (3) Subsection 52(3) is repealed.
- (4) In subsection 54.1(1),
(a) "investment" and "invested" are deleted, and
(b) "collection of money" is substituted for "collection for money".
- (5) The following subsection is added to section 54.1:
"(2) Notwithstanding any other provision of this Act, the investment of money by the Board is subject to the Financial Administration Act, except section 40 of that Act."
- (6) The following subsections are added to section 55:
"(2) Notwithstanding subsection (1), the Board may authorize the Executive Council Member responsible for the Department of Finance to make and manage investments on behalf of the Board.

(3) Where investments are made or managed by the Executive Council Member under subsection (2) on behalf of the Board,
(a) investments may be made in any investment permitted by the Trustee Act,
(b) no net losses resulting from the investments, and no costs of making or managing the investments, shall be charged to the principal of the Compensation Fund,

- (c) reasonable costs of making or managing the investments may be charged to the net income or profit of the investments, and
 - (d) all other interest, sale proceeds and other income resulting from the investments shall be credited to the Compensation Fund."
- 83 (1) This section amends the Health Care Insurance Plan Act.
- (2) In subsection 4(1), "or" is deleted from the end of paragraph (b), and the following new paragraphs are added:
- "(d) to a person who is entitled to practice as a dentist under the Dental Profession Act, or to a person on his behalf, the amount in respect of the prescribed insured services, as determined by the Administrator in accordance with the regulations, provided by the dentist to the prescribed class of insured persons, or
 - (e) to a person who is entitled to practice optometry under the Optometry Act, or to a person on his behalf, the amount in respect of the prescribed insured services as determined by the Administrator in accordance with the regulations, provided by the optometrist to the prescribed class of insured persons."
- (3) In paragraph 6(1)(b), "4(1)(e)" is substituted for "4(1)(c)".
- 84 (1) The following new subsection is added to section 9 of the Day Care Act:
- "(2) The Commissioner in Executive Council may make regulations
- (a) establishing a subsidy program for persons who are parents or guardians of children to whom day care may be provided under this Act, and
 - (b) governing all aspects of the program, including eligibility for the subsidy, the making of applications, the calculation of the amount of the subsidy and such other matters as the Commissioner in Executive Council considers appropriate."

- 85 (1) The following new subsection is added to section 22 of the Parks Act:
- "(2) The Commissioner in Executive Council may make regulations
- (a) establishing campgrounds,
 - (b) controlling the use of campgrounds and activities in campgrounds,
 - (c) requiring and providing for the issuance of permits for the use of campgrounds, subject to the payment of such fees as may be prescribed,
 - (d) governing the supply and use of firewood and other services in campgrounds, and
 - (e) providing for any other matter he considers necessary for the operation of campgrounds."

86 (1) The following new subsection is added to section 14 of the Students' Financial Assistance Act:

"(2) The Commissioner in Executive Council may make regulations providing for the payment of training allowances and assistance to persons attending full time vocational courses not sponsored by the Government of Canada or any agency thereof."

87 (1) This section amends the Housing Corporation Act.

(2) The following section is added immediately after section 16:

"16.1(1) Notwithstanding section 16, the Corporation may authorize the Executive Council Member responsible for the Department of Finance to make and manage investments on behalf of the Corporation.

(2) Where investments are made or managed by the Executive Council Member under subsection (1) on behalf of the Corporation,

 - (a) investments may be made in any investment permitted by the Trustee Act,
 - (b) no net losses resulting from the investments, and no costs of making or managing the investments, shall be charged to the principal of any amount the Executive Council Member is authorized to invest under subsection (1),

- (c) reasonable costs of making or managing the investments may be charged to the net income or profit of the investments, and
 - (d) all other interest, sale proceeds and other income resulting from the investments shall be paid to the Corporation."
- (3) The following subsections are substituted for subsections 17(1) and (2):
- "17 (1) Subject to subsection (2), there shall be advanced to the Corporation, from time to time, such amounts as it may request for the operation and capital costs of the Corporation, and there shall be paid to the Corporation after the end of the fiscal year of the Corporation a grant in an amount equal to the deficit of the Corporation as shown on its audited financial statements."
- (2) Payments under subsection (1) shall be made out of a vote on the direction of the Management Board under the Financial Administration Act, but no such payment shall be made unless it is authorized to be made by that Act or an Appropriation Act.
- (4) The following new section is added immediately after section 17 of the Housing Corporation Act:
- "17.1(1) Notwithstanding any other provision of this Act,
- (a) the receipt and payment of money by the Corporation is subject to the Financial Administration Act, and
 - (b) the investment of money by the Corporation is subject to the Financial Administration Act, except section 40 of that Act."

(5) The following is substituted for section 18:

"18 (1) The accounts and financial transactions of the Corporation 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 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 Member the results of the his examination of the accounts and financial statements of the Corporation, and the report shall state whether, in his opinion,
- (a) the financial statements represent fairly the financial position of the Corporation 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 his 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 Legislative Assembly.
- (4) The Auditor General from time to time may make to the Corporation or the Executive Council Member such other reports as he considers necessary or as the Executive Council Member may require."
- (6) The following is substituted for paragraph 19(1)(b):
- "(b) the report of the Auditor General referred to in section 18 for that fiscal year, and".
- 88 (1) In subsection 12(1) of the Government Employee Housing Plan Act, "\$800,000" is substituted for "Five Hundred Thousand Dollars (\$500,000)".

- (2) The following subsection is added to section 13 of the Government Employee Housing Plan Act:
- "(2) The costs of the Corporation for administration of the Plan under subsection (1), including operation and maintenance costs for housing units under the Plan, shall be charged to the revolving fund established under section 12."
- 89 (1) This section amends the Liquor Act.
- (2) In subsections 10(1), (2) and (3), "Liquor Corporation Fund" is substituted for "Liquor Corporation Account".
- (3) In subsection 11(1),
- (a) "Liquor Corporation Fund" is substituted for "Liquor Corporation Account", and
- (b) "the Treasurer" is substituted for "the General Account in the Yukon Consolidated Revenue Fund".
- (4) The following new section is added immediately after section 11:
- "11.1(1) A reference to the Liquor Corporation Account in any Act, regulation or document shall be deemed to be a reference to the Liquor Corporation Fund."
- 90 (1) The following subsections are added to section 23 of the Judicature Act:
- "(2) Subsection (1) applies notwithstanding section 40 of the Financial Administration Act.
- (3) The Public Administrator may authorize the Executive Council Member responsible for the Department of Finance to make and manage investments on behalf of the Public Administrator.
- (4) Where investments are made or managed by the Executive Council Member responsible for the Department of Finance under subsection (3),
- (a) investments may be made in any investment permitted by the Trustee Act,
- (b) no net losses resulting from the investments, and no costs relating to the making or managing of the investments, shall be charged to the principal of the estate of any person for whom the Public Administrator is acting as executor or administrator under subsection (1),

- (c) reasonable costs of making or managing the investments may be charged to the net income or profit of the investments, and
- (d) all other interest, sale proceeds and other income resulting from the investments shall be credited to the Public Administrator in the capacity as executor or trustee under subsection (1)".

Coming into Force

- 91 (1) This Act or any section of this Act shall come into force on a day or days to be fixed by the Commissioner in Executive Council.
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STATUTES OF THE YUKON TERRITORY
1983, Chapter 20

FIRST APPROPRIATION ACT, 1984-85

(Assented to November 21, 1983)

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, 1985.

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, 1984-85.

 - 2 (1) From and out of the Yukon Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole \$25,959,000 for defraying the several charges and expenses of the public service of Yukon payable in the period of twelve months ending on March 31, 1985, as set forth in Schedule "A" of this Act and that sum shall not be paid or applied except in accordance with Schedule "A" and the Financial Administration Act.

 - 3 (1) The due application of all monies paid or applied pursuant to section 2 shall be accounted for.
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FIRST APPROPRIATION ACT, 1984-85

SCHEDULE A

<u>Appropriation or Item</u>	<u>\$(Dollars in 000's)</u>
Yukon Legislative Assembly	8
Economic Development	2,958
Education, Recreation and Manpower	2,261
Executive Council Office	1
Government Services	2,112
Health and Human Resources	301
Highways and Transportation	5,695
Justice	68
Municipal and Community Affairs	9,858
Renewable Resources	730
Tourism, Heritage and Cultural Resources	1,344
Yukon Housing Corporation	591
Yukon Liquor Corporation	<u>32</u>
TOTAL	25,959

STATUTES OF THE YUKON TERRITORY
1983, Chapter 21

FOURTH APPROPRIATION ACT, 1983-84

(Assented to November 21, 1983)

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, 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 Fourth Appropriation Act, 1983-84.

- 2 (1) In addition to the sum of \$24,412,000 provided for in the First Appropriation Act, 1983-84, the sum of \$144,407,000 provided for in the Second Appropriation Act, 1983-84, and the sum of \$1,000,000 provided for in the Third Appropriation Act, 1983-84, from and out of the Yukon Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole \$28,331,000 for defraying the several charges and expenses of the public service of Yukon payable in the period of 12 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" and the Financial Administration Act.

- 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, 1983-84, the Second Appropriation Act, 1983-84, the Third Appropriation Act, 1983-84, and this Act.

FOURTH APPROPRIATION ACT, 1983-84

SCHEDULE A

<u>Appropriation or Item</u>	<u>\$ (Dollars in 000's)</u>
Sums that are required:	
Yukon Legislative Assembly	43
Consumer and Corporate Affairs	157
Economic Development	301
Education, Recreation and Manpower	3,282
Executive Council Office	322
Finance	292
Government Services	3,715
Health and Human Resources	1,467
Highways and Transportation	9,239
Justice	761
Municipal and Community Affairs	2,164
Public Service Commission	242
Renewable Resources	2,127
Tourism, Heritage and Cultural Resources	1,962
Yukon Housing Corporation	635
Yukon Liquor Corporation	186
Loan Amortization	<u>1,436</u>
TOTAL	28,331

FOURTH APPROPRIATION ACT, 1983-84

SCHEDULE B

	<u>\$ (Dollars in 000's)</u>		
	Operation & Maintenance	Capital	Total
Yukon Legislative Assembly	1,078	10	1,088
Consumer and Corporate Affairs	955	-	955
Economic Development	2,201	1,728	3,929
Education, Recreation & Manpower	30,812	6,342	37,154
Executive Council Office	2,681	8	2,689
Finance	3,272	1	3,273
Government Services	9,497	3,373	12,870
Health and Human Resources	30,023	1,993	32,016
Highways and Transportation	30,199	13,599	43,798
Justice	10,942	537	11,479
Municipal and Community Affairs	6,834	9,764	16,598
Public Service Commission	1,486	-	1,486
Renewable Resources	5,091	2,036	7,127
Tourism, Heritage & Cultural Resources	3,210	2,416	5,626
Yukon Housing Corporation	2,048	294	2,342
Yukon Liquor Corporation	-	256	256
Loan Capital	5,000	-	5,000
Loan Amortization	<u>7,464</u>	<u>-</u>	<u>7,464</u>
TOTAL	152,793	42,357	195,150

STATUTES OF THE YUKON TERRITORY
1983, Chapter 22

AN ACT TO AMEND
THE LEGISLATIVE ASSEMBLY ACT

(Assented to November 3, 1983)

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) In subsections 40.1(1) and 40.1(2), "\$21,766" is substituted for "\$18,750", and "\$10,883" is substituted for "\$9,250".

(2) In subsection 40.1(3), "\$21,766" is substituted for "\$18,750", and "\$8,551" is substituted for "\$7,250".
- 3 (1) In paragraph 40.2 (1)(a), "\$6,360" is substituted for "\$6,000".

(2) In paragraph 40.2 (1)(b), "\$3,180" is substituted for "\$3,000".

(3) In paragraph 40.2 (1)(c), "\$2,120" is substituted for "\$2,000".
- 4 (1) In subsection 40.3(1), "\$21,200" is substituted for "\$20,000".
- 5 (1) In subsection 40.4(1), "\$5,300" is substituted for "\$5,000".
- 6 (1) In subsection 40.5(1), "\$2,650" is substituted for "\$2,500".

(2) In subsection 40.5(2), "\$1,060" is substituted for "\$1,000".
- 7 (1) Subsections 40.6(2), (3), (4), (5), and (6) are repealed.
- 8 (1) This Act shall be deemed to have come into force on April 1, 1983.

STATUTES OF THE YUKON TERRITORY
1983, Chapter 23

AN ACT TO AMEND THE
LEGISLATIVE ASSEMBLY ACT (NO.2)

(Assented to November 21, 1983)

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) In subsection 40.7(3), "\$4,400" is substituted for "2,200".
(2) In subsection 40.7(5), "24" is substituted for "12".
- 3 (1) The following new section is added immediately after section 40.7:
"40.7.1 (1) Notwithstanding subsections 40.7(1), 40.7(2) and 40.7(6), a member who qualifies for reimbursement of actual expenditures for accommodation under section 40.7 may be reimbursed for renting or leasing accommodation in the City of Whitehorse and shall be reimbursed under this section by delivering a notice in the prescribed form to the Clerk of the Legislative Assembly.
(2) Where a member is reimbursed under this section, he is entitled to receive the amount certified to have been paid by him to a maximum of \$400 per month.
(3) Where a member is reimbursed under this section, the maximum amount payable to him in each fiscal year for meals and incidental expenses under subsection 40.7(3) is \$2,200."

- 4 (1) In subsections 40.9(1) and 40.9(2), "sections 40.7, 40.7.1 or 40.8" is substituted for "section 40.7 or 40.8".
- 5 (1) The following new section is added immediately after section 40.11:
"40.12 . (1) The Commissioner in Executive Council may prescribe forms for the purposes of this Act."
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STATUTES OF THE YUKON TERRITORY
1983, Chapter 24

AN ACT TO AMEND
THE MOTOR VEHICLES ACT

(Assented to November 21, 1983)

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) The following subsection is added to section 8:
"(3) Every person who holds a licence issued outside Yukon authorizing him to operate a motor vehicle shall, when a licence is issued to him under this Act, surrender that licence to the Registrar unless the Registrar waives the surrender on the grounds that the person is not able to surrender the licence."
- 3 (1) The following subsection is added to section 62:
"(1.1) Notwithstanding section 2, in this Part 'motor vehicle' means a vehicle that is designed to be self-propelled in any manner except solely by muscular power."
- 4 (1) In subsection 240(5), "section 34 or 46" is substituted for "section 34, 46 or 81".

(2) The following is substituted for subsection 240(9):
"(9) A person who is guilty of an offence under section 195 is liable on summary conviction
(a) for a first offence under section 195, to a fine of not less than \$200 and not more than \$1,000, or to imprisonment for as long as 90 days, or both; and
(b) for a second or subsequent offence under section 195, to a fine of not less than \$500 and not more than \$2,000, or to imprisonment for as long as six months, or both."

- 5 (1) In subsection 241.1(1), "sections 33, 45, 72, 91, 100, 136, 142" are substituted for "sections 33, 45, 91, 100, 142".
- (2) The following subsection is added to section 241.1:
"(2.1) For the purposes of the enforcement of this Act an officer designated by the regulations has and may exercise all the powers of a peace officer under sections 33, 45, 72, 91, 99, 136 and 144."
- (3) In subsection 241.1(3), "subsection (1) or (2.1)" is substituted for "subsection (1)".
- (4) In subsection 241.1(4), "subsection (1), (2), or (2.1)" is substituted for "subsection (1) or (2)".
- 6 (1) The following section is added:
"244.1(1) Where a judge makes an order under subsection 243(1) or 244(1), the judge shall order the convicted person to surrender his operator's licence to the court to be forwarded to the Registrar."
- 7 (1) In subsection 245(1), "section 246.1 of this Act or under section 234, 234.1, 235 or 236 of the Criminal Code (Canada) is substituted for "section 234, 235 or 236 of the Criminal Code (Canada)".
- (2) The following subsections are added to section 245:
"(1.1) When a person is convicted of an offence referred to in subsection (1), the convicting judge or justice shall
(a) inform the convicted person that he is disqualified under subsection (1) from holding an operator's licence, and
(b) inform the convicted person of the requirement under subsection 247.1(3) to surrender any operator's licence that he holds."

(1.2) The failure of the convicting judge or justice to inform the convicted person as required by subsection (1.1) shall not constitute a defence in any proceedings taken against the convicted person in respect of the care and control or the operation of a motor vehicle during the period of his disqualification or in respect of his failure to surrender any operator's licence held by him."

8 (1) The following sections are added:

"246.1(1) Every person who drives a motor vehicle on a highway or who has the care or control of a motor vehicle on a highway, whether it is in motion or not, who is unable to comply with a demand under section 235 of the Criminal Code (Canada) for samples of his breath and who has consumed alcohol in such a quantity that the proportion of alcohol in his blood exceeds 80 milligrams of alcohol in 100 milligrams of blood, commits an offence and is liable on summary conviction

(a) for a first offence, to a fine of not less than \$200 and not more than \$1,000, or to imprisonment for as long as 90 days, or both; and

(b) for a second or subsequent offence, to a fine of not less than \$500 and not more than \$2,000, or to imprisonment for as long as six months, or both.

246.2(1) Where a peace officer on reasonable and probable grounds believes that a person is committing, or at any time within the preceding two hours has committed, an offence under section 246.1 he may forthwith or as soon as practicable require or compel, by reasonable force if necessary, that person to provide such samples of his blood as in the opinion of a duly qualified medical practitioner or a nurse are necessary to enable a proper analysis to be made in order to determine the proportion, if any, of alcohol in that person's blood, and to accompany the peace officer for the purpose of enabling such samples to be taken.

- (2) Any blood sample that a person must provide under subsection (1) shall be taken by a duly qualified medical practitioner or a nurse and where that medical practitioner or nurse is instructed by a peace officer that the sample has been demanded under subsection (1) the medical practitioner or nurse has sufficient authority to take and shall not have any liability for taking such samples as may be necessary for the purposes of subsection (1).
- (3) In this section, "nurse" means any person who is a member of the Canadian Nurses Association.

246.3(1) In proceedings under section 246.1

- (a) where it is proved that the accused occupied the seat ordinarily occupied by the driver of a motor vehicle, he shall be deemed to have had the care and control of the vehicle unless he establishes that he did not enter or mount the vehicle for the purpose of setting it in motion,
- (b) the result of a chemical analysis of a sample of the blood of the accused may be admitted in evidence notwithstanding that, before he gave the sample or the sample was taken, the accused was not warned that the result of the analysis of the sample might be used in evidence,
- (c) where a sample of the blood of the accused has been taken, if the sample was taken as soon as practicable after the time when the offence was alleged to have been committed and in any event not later than two hours after that time, evidence of the result of the chemical analysis of the sample of blood is, in the absence of any evidence to the contrary, proof of the proportion of alcohol in the blood of the accused at the time when the offence was alleged to have been committed, and

- (d) a certificate of an analyst stating that he has made a chemical analysis of a sample of the blood and stating the result of his analysis is evidence of the statements contained in the certificate without proof of the signature or the official character of the person appearing to have signed the certificate.
 - (2) An accused against whom a certificate described in paragraph (1)(d) is produced may, with leave of the court, require the attendance of the analyst for the purpose of cross-examination.
 - (3) No certificate shall be received in evidence pursuant to paragraph (1)(d) unless the party intending to produce it has, before the trial, given to the accused reasonable notice of his intention together with a copy of the certificate.
 - (4) In this section, "analyst" means a person designated by the Commissioner in Executive Council as an analyst for the purposes of this section".
- 9 (1) The following subsections are added to section 247:
- "(2.1) When a person is convicted of an offence referred to in subsections (1) or (2), the convicting judge or justice shall
 - (a) inform the convicted person that he is disqualified under subsection (1) or (2), as the case may be, from holding an operator's licence, and
 - (b) inform the convicted person of the requirement under subsection 247.1(3) to surrender any operator's licence that he holds.
 - (2.2) The failure of the convicting judge or justice to inform the convicted person as required by subsection (2.1) shall not constitute a defence in any proceedings taken against the convicted person in respect of the care and control or the operation of a motor vehicle during the period of his disqualification or in respect of his failure to surrender any operator's licence held by him."

- 10 (1) In subsection 247.1(1), "section 203, 204, 219, 233, 234, 234.1, 235 or 236 of the Criminal Code (Canada)" is substituted for "section 203, 204, 219, 233, 234, 235 or 236 of the Criminal Code (Canada)".
- 11 (1) The heading "Part X, Enforcement and Offences in Relation to Vehicular Equipment" is substituted for "Part X, Equipment Required on Vehicles".
- 12 (1) The following is substituted for section 112:
"112 (1) Every person who operates a vehicle on a highway or who permits another person to operate a vehicle on a highway when that vehicle does not conform to the requirements of this Act or the regulations in respect of the standards and specifications for design, construction or maintenance of the vehicle or any equipment or material used in it commits an offence".
- 13 (1) Sections 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 135.1, 137, 138, 139, and 142.1 are repealed.
- 14 (1) The following is substituted for section 129.1:
"129.1 (1) Any officer may require the owner or operator of a vehicle that is being operated on a highway to submit the vehicle to examination and tests to ensure that the motor vehicle can be operated in compliance with section 112.
(2) The operator of the vehicle shall drive the vehicle to and park it at the place designated by the officer for the examination or test.
(3) Where the officer making the examination or test under subsection (1) determines on reasonable and probable grounds that the vehicle is being operated in contravention of section 112, he may, instead of charging an offence against section 112

- (a) order that the operator have the vehicle modified or repaired within a stated time so that it can be operated in compliance with section 112, or
 - (b) order that the vehicle not be operated on a highway until it can be operated in compliance with section 112.
- (4) Where an officer makes an order under paragraph (3)(a) the vehicle may, notwithstanding section 112, be operated on a highway during the time the officer permits for its modification or repair.
- (5) Where an officer makes an order under paragraph (3)(b) he may also seize the licence plates and the certificate of registration of the vehicle until the vehicle can be operated in compliance with section 112.
- (6) Any person who does not comply with an order under subsection (1), (2) or (3) commits an offence.
- 15 (1) Sections 8, 11, 12, 13 and 14 of this Act shall come into force on a day or days to be fixed by the Commissioner in Executive Council.
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STATUTES OF THE YUKON TERRITORY
1983, Chapter 25

AN ACT TO AMEND THE
MUNICIPAL ACT

(Assented to November 21, 1983)

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 Act assented to on November 13, 1980 and published as Chapter 17 of the Acts of the Yukon Territory, 1980 (2nd Session).
- 2 (1) In subsection 2(1), the definition of "alderman" is repealed.

(2) In subsection 2(1), the following definitions are added
"councillor" means a member of a council elected as a councillor,
'Indian Band' has the same meaning as "band" has in the Indian Act (Canada)."

(3) In subsection 2(1),
(a) in the definition of "assessor", "by the Commissioner" is deleted.
(b) in the definition of 'municipal services', "as may be prescribed" is substituted for "the Commissioner may prescribe".

(4) Wherever "alderman" appears in the Act, "councillor" is substituted for "alderman".

(5) Wherever "aldermen" appears in the Act, "councillors" is substituted for "aldermen".
- 3 (1) Subsection 6(2) is repealed.
- 4 (1) In subsection 7(2), ", crown property" is deleted.

(2) The following subsections are added to section 7:

"(3) The corporation of the City of Dawson is continued as a town under this Act and, notwithstanding subsection (1), it shall have the name City of Dawson and the boundaries prescribed by the Commissioner in Executive Council."

(4) The corporation of the City of Whitehorse is continued as a municipality under this Act and with the boundaries prescribed by the Commissioner in Executive Council.

(5) The corporation of the Town of Faro is continued as a municipality under this Act and with the boundaries prescribed by the Commissioner in Executive Council.

(6) The corporations continued under subsections (3), (4), and (5) shall, for the purposes of this Act, be deemed to have been incorporated as municipal corporations under this Act.

(7) The Commissioner in Executive Council may establish as a municipality under this Act any local improvement district that exists when this Act comes into force."

5 (1) The following is substituted for section 8:

"8 (1) Where the population of the area proposed to be established as a municipality is at least 300 people, the Executive Council Member may propose, and either of the following may submit a proposal to the Executive Council Member, for the establishment of a municipality and the Executive Council Member or either of the following may appeal to the Yukon Municipal Board against such a proposal:

(a) any 10 persons who would qualify as taxpayers in the area proposed to be established as a municipality;

(b) an Indian Band that, in the opinion of the Executive Council Member, represents at least 25 persons who are eligible to vote in a Band election and who would qualify as electors in the area proposed to be established as a municipality.

- (2) The Executive Council Member shall give public notice of the proposal under subsection (1) in two issues a week apart of a newspaper circulating in the area proposed to be established as a municipality and cause a copy of the notice to be posted in four conspicuous places in the area.
- (3) The notice shall include
 - (a) the area proposed to be included in the municipality,
 - (b) the estimated or actual population of the area,
 - (c) the estimated tax rate that will be required to be established in order to meet the commitments of the proposed municipality in each of the first two years following its establishment, and
 - (d) the time limit for appealing and the procedure to be followed in appealing against the proposed establishment of the municipality.
- (4) The appeal shall be taken within 60 days after the second date of publication of the notice in a newspaper under subsection (2).
- (5) If the Yukon Municipal Board receives a valid appeal pursuant to this section, it shall fix a time and place to hold an inquiry within such time as may be prescribed.
- (6) Where it appears to the Yukon Municipal Board that a large number of the residents of the area are opposed to the establishment of a municipality or are opposed to the terms upon which it is to be established, the Yukon Municipal Board may ascertain the wishes of the inhabitants in the matter in a suitable manner.
- (7) The Yukon Municipal Board shall within the prescribed time, prepare and furnish to the Commissioner in Executive Council a report on the inquiry and shall make recommendations concerning the proposal that the appeal was taken against."

- 6 (1) The following are substituted for subsection 9(1):
- "9 (1) If the time limited for an appeal under subsection 8(1) has expired and no appeal has been taken, or if an appeal was taken within that time and the Yukon Municipal Board has made its report or the time prescribed for the Board to make its report has expired, the Commissioner in Executive Council may establish the municipality as it was originally proposed or with modifications.
- (1.1) Nothing in this Act shall be construed as impeding the incorporation of a municipality under a separate act to meet special circumstances or needs."
- (2) In subsection 9(2), "Except in the case of a hamlet," is deleted, and "Commissioner in Executive Council" is substituted for "Commissioner".
- (3) The following is substituted for paragraph 9(2)(a):
- "(a) the name, boundaries, area, and class of the municipality."
- (4) The following are substituted for subsections 9(3) and (4):
- "(3) All taxes due to the Government of Yukon, levied in the area established as a municipality, shall be deemed to be arrears or taxes due to the new municipality and shall be dealt with as if it had imposed the taxes.
- (4) All business licences, utility charges or other debts due to the Government of Yukon and remaining unpaid by residents of the area established as a municipality at the time of the order under subsection (2) shall be deemed to be debts owing to the new municipality and dealt with accordingly."
- (5) The Executive Council Member may direct that all monies collected by the new municipality under subsections (3) and (4) shall be paid to the Government of Yukon.
- (6) The Commissioner in Executive Council may make any regulations he deems necessary to carry out the provisions of subsections (3), (4), and (5)."

- 7 (1) In subsection 10(1), "class" is substituted for "type".
- 8 (1) The following is substituted for section 13:
- "13 (1) The status of a municipality may be changed to some other class that the municipality is eligible for under section 10, and the change may be made by the same proponents and procedure and be subject to the same appeal as is established under section 15 for a boundary alteration to reduce the area of the municipality.
- (2) If the time for an appeal under subsection (1) has expired and no appeal has been taken, or if an appeal was taken within that time and the Yukon Municipal Board has made its report or the time prescribed for the Board to make its report has expired, the Commissioner in Executive Council may order that the status of the municipality be changed to some other class that the municipality is eligible for under section 10."
- 9 (1) The following is substituted for section 15:
- "15 (1) The Executive Council Member may propose and any of the following may submit to the Executive Council Member a proposal for the alteration of the boundaries of a municipality so as to include within its boundaries an area that is not part of another municipality and the Executive Council Member or any of the following may appeal to the Yukon Municipal Board against such a proposal:
- (a) by by-law, the council of the municipality proposed to be enlarged;
- (b) any 10 persons who would qualify as taxpayers resident in the area proposed to be added to the municipality,
- (c) an Indian Band that, in the opinion of the Executive Council Member, represents at least 25 persons who are eligible to vote in a Band election and who would qualify as electors resident in the area proposed to be added to the municipality;

- (2) The Executive Council Member shall give public notice of the proposal under subsection (1) in two issues a week apart of a newspaper circulating in the municipality and the area proposed to be added to the municipality and cause a copy of the notice to be posted in four conspicuous places in the area.
- (3) Either the Executive Council Member or, by by-law, the council of the Municipality proposed to be reduced may, upon notice to the other, propose the alteration of the boundaries of the municipality so as to reduce the area of the municipality, or may appeal to the Yukon Municipal Board against such a proposal.
- (4) Either the Executive Council Member or, by by-law, approved by the taxpayers, the council of the municipality proposed to be dissolved may, upon notice to the other, propose the dissolution of the municipality, or may appeal to the Yukon Municipal Board against such a proposal.
- (5) An appeal under subsection (1) shall be taken within 60 days after the second publication of the notice in a newspaper under subsection (2).
- (6) An appeal under subsection (3) or (4) shall be taken within 60 days after the appellant received the notice of the submission of the proposal.
- (7) If the Yukon Municipal Board receives a valid appeal pursuant to this section, it shall fix a time and place inside the area to hold an inquiry within such time as may be prescribed.
- (8) Where it appears to the Yukon Municipal Board that a large number of the residents of the area are opposed to a proposal made under this section, the Yukon Municipal Board may ascertain the wishes of the inhabitants in the matter in a suitable manner.

- (9) The Yukon Municipal Board shall within the prescribed time, prepare and furnish to the Commissioner in Executive Council a report on the inquiry and shall make recommendations as described in section 15.1 concerning the proposal that the appeal was taken against.
- 15.1 (1) If the appeal concerns a change of status of the municipality, the Yukon Municipal Board may recommend
- (a) that the status of the municipality be changed to some other class that it is eligible for under section 10, or
 - (b) that the status of the municipality not be changed.
- (2) If the appeal concerns an alteration of the boundaries of a municipality the Yukon Municipal Board may recommend
- (a) that the boundaries be altered as proposed, or with modifications, or
 - (b) that the boundaries not be altered.
- (3) If the appeal concerns the dissolution of the municipality, the Yukon Municipal Board may recommend
- (a) that the municipality be dissolved,
 - (b) provisions, if any, that the Commissioner in Executive Council ought to make for the winding up of the affairs of the municipality and for the payment of debts and obligations of the municipality, or
 - (c) that the municipality not be dissolved.
- 15.2 (1) If the time limited for an appeal under subsection 15(1) or (3), as the case may be, has expired and no appeal has been taken, or if an appeal has been taken and the Yukon Municipal Board has made its report or the time prescribed for the Board to make its report has expired, the Commissioner in Executive Council may order that the boundaries of the municipality be altered as proposed or with modifications in the proposal."

- 10 (1) In subsection 16(1), "When the boundaries of a municipality are altered" is substituted for "When the boundaries of a municipality (herein called the 'old municipality') are altered so as to include within its boundaries an additional area not part of another municipality, so as to create a larger municipality (herein called the 'new municipality')."
- (1.1) In paragraph 16(1)(a), "the mayor, if he continues to reside in the municipality", is substituted for "the mayor of the old municipality".
- (2) In paragraph 16(1)(b), "each other member of the council who continues to reside in the municipality" is substituted for "each other member of council".
- (3) In paragraph 16(1)(g), "Executive Council Member" is substituted for "Commissioner" and "the Government of Yukon" is substituted for "him".
- (4) The following subsections are added to section 16.
- "(2) If the boundaries of a municipality are altered so as to include a new area with the municipality more than six months before the next regular municipal election under this Act, the Commissioner in Executive Council may order that the new area shall constitute one or more wards and that there be an election of a councillor from each ward.
- (3) A ward created under subsection (2) shall continue only until the next regular municipal election under this Act.
- (4) A councillor elected under subsection (2) shall, by virtue of that election, hold office only until he is elected again or his successor is elected in the next regular municipal election under this Act."
- (5) When a local improvement district becomes a municipality, the Chairman and the members of the board of trustees of the local improvement district shall respectively be the mayor and councillors of the municipality until the first election of a mayor and councillors for the municipality."

- 11 (1) The following is substituted for subsection 17(1):
"(1) If the time for an appeal under subsection 15(4) has expired and no appeal has been taken, or if an appeal has been taken and the Yukon Municipal Board has made its report or the time prescribed for the Board to make its report has expired, the Commissioner in Executive Council may order that the municipality be dissolved."
- 12 (1) In paragraph 22(1)(c), "if" is deleted.
- 13 (1) In paragraph 33(3)(a), "corporation other than a society" is substituted for "company".
- (2) In paragraph 33(3)(b), "or association" is deleted.
- (3) The following subsection is added to section 33:
"(4) Every member of a municipal council when this Act comes into force shall be deemed qualified to continue in that office until the expiration of the term for which he was elected or until he could have been disqualified under the provisions of the Act under which he was elected."
- 14 (1) In paragraph 34(1)(a), "corporation, other than a society," is substituted for "corporation", and "in relation to" is substituted for "affecting".
- (2) The following is substituted for paragraph 34(1)(b):
"(b) being a member, officer, or employee of a society that has dealings or contracts with the municipality, he does not declare his relationship to the society in a council meeting before voting on or participating in the consideration by council of any question in relation to the society."
- 15 (1) The following section is added:
"34.1(1) The Commissioner in Executive Council may order that paragraphs 33(2)(d) and 34(1)(a) shall not apply in relation to any corporation or society that is named in the order."

- 16 (1) In subsection 37(2), "of" is deleted.
- 17 (1) In subsection 56(1), "the last Monday in September" is substituted for "the first Monday in October".
- (2) The following are substituted for subsection 56(3):
- "(3) The clerk shall give notice of the application for revision to any person other than the applicant, who the applicant alleges is
- (a) an eligible voter whose name is incorrectly set out in the preliminary list of electors, or
- (b) a person who is not eligible to vote.
- (4) The notice required by subsection (3) may be given by ordinary mail addressed to the address shown on the preliminary list of electors for the person who is entitled to be given the notice."
- 18 (1) In subsection 64(2) "by the returning officer" is substituted for "by returning officer".
- 19 (1) In subsection 68(2), "shall cause the Executive Council Member" is substituted for "shall cause the Commissioner", and "the Commissioner in Executive Council may fill" is substituted for "the Commissioner may fill".
- 20 (1) In subsection 69(3), "Notwithstanding subsection (1)" is deleted.
- (2) The following subsection is added to section 69:
- "(4) Subsection (3) does not apply in relation to a poll established under section 36 or 43."
- 21 (1) The following subsection is added to section 72:
- "(2) The number of ballot papers printed in accordance with subsection (1) shall be not less than the number of electors on the revised list of electors".
- 22 (1) In subsection 77(1), "revised list of electors" is substituted for "latest certified list of electors".

- 23 (1) The following is substituted for subsection 81(1):
"(1) When the name of a qualified elector appearing on the electors list certified under section 59 has been omitted from the revised list of electors printed by the clerk in accordance with section 61, the clerk may authorize the returning officer or deputy returning officer at the proper polling place to supply a ballot paper to that person, and that person may apply for and be given a ballot paper."
- 24 (1) In subsection 82(1), "revised list of electors" is substituted for "latest certified list of electors".
- (2) Subsection 82(2) is repealed.
- 25 (1) In subsection 88(2), "made under section 80" is substituted for "made on behalf of under section 80".
- 26 (1) In subsection 89(1), "cannot properly be used" is substituted for "cannot be conveniently used".
- 27 (1) In subsection 92(2), "the clerk or, in the absence or incapacity of the clerk, the person lawfully performing the duties of the clerk" is substituted for "the municipal clerk".
- 28 (1) In subsection 98(1), "or summon to his assistance" is substituted for "or to summon to his assistance", and "deputy returning officer, be obstructing" is substituted for "deputy returning officer be obstructing".
- 29 (1) In subsection 104(2), "prepare and sign in duplicate" is substituted for "prepare and sign".
- (2) In subsection 104(3), "the sealed packets and an original ballot account" is substituted for "the sealed packets and ballot account".
- (3) In subsection 104(4), "The locked boxes and a separate duplicate of the ballot account" is substituted for "The locked boxes".

- 30 (1) The following is substituted for subsection 105(2):
- "(2) Where a count is necessary under subsection (1), the returning officer shall give notice of the time and place of the count to the candidates or their agents, and the count shall be held within 24 hours of the close of the polls on polling day."
- 31 (1) The following is substituted for subsection 106(1):
- "(1) Where a count is held under section 105, the returning officer shall, in the presence of the candidates or their agents, open the ballot boxes and ascertain the results of the poll by counting the votes given to each candidate."
- (2) The following subsections are added to section 106:
- "(6) Immediately after examining the ballot accounts and, if he did a count under this section, immediately after counting the votes in any poll under this section, the returning officer shall proclaim elected the candidate or candidates having the highest number of votes for the office or offices for which they have been nominated.
- (7) The returning officer shall give the clerk and each candidate a statement in the prescribed form showing the total number of votes cast for each candidate and the number of rejected ballot papers and post a copy of the statement in the municipal office."
- 32 (1) The following is substituted for subsection 111(1):
- "(1) The returning officer shall
- (a) proclaim the results of any submission to the electors or the taxpayers immediately after examining the ballot accounts or, if the count was done, after counting the votes, and
- (b) within 24 hours of the close of polls on polling day, give to the clerk a statement in the prescribed form showing the number of votes cast for and against each submission, and post a copy of the statement in the municipal office."

- (2) In subsection 111(2):
- (a) "the result of the election and until" is substituted for "the result of the election until",
 - (b) "shall cause them to be destroyed and shall record the time, place, and method of destruction" is substituted for "may cause them to be destroyed".
- 33 (1) The following are substituted for subsections 112(1) and (2):
- "(1) Within one month after proclaiming the result of the election or of the submission the returning officer shall
- (a) submit to council a copy of the statement issued by him under section 106 or 111, together with a compilation of the information contained in the ballot accounts, and
 - (b) give the clerk the names of all electors who were sworn in at the polls.
- (2) Immediately after receiving the names under paragraph (1)(a), the clerk shall incorporate into the list of electors the names of all electors who were sworn in at the polls."
- 34 (1) In subsection 115(2), "the statement issued by him under section 106 or 111" is substituted for "the statement posted under section 110".
- 35 (1) The following is substituted for paragraph 130(1)(c):
- "(c) has his office declared vacant by resolution, and the member has not appealed under section 129 within the time limited for the appeal or the member has so appealed and his appeal has been dismissed or he has abandoned his appeal."
- 36 (1) In subsection 134(1), "council, but no earlier" is substituted for "council but, not earlier".
- (2) In subsection 134(2) "may, with an affirmative vote of at least two thirds of the number of members of which the council is required to consist according to Part II" is substituted for "may with an affirmative vote of two thirds of the members".

- 37 (1) In subsections 142(1) and 142(2), "Executive Council Member" is substituted for "Commissioner or the Inspector".
- 38 (1) The following is substituted for subsection 143(1):
"(1) In at least 10 days before the polling day, the clerk shall post a copy of the submission in the municipal office and
(a) in at least four conspicuous places in the municipality, if the municipality is not divided into polling divisions, or
(b) in a conspicuous place in each polling division, if the municipality is divided into polling divisions."
- (2) In subsection 143(2), "copy of the submission" is substituted for "copy of the proposed submission".
- (3) In subsection 143(3),
(a) "in one or more of the following forms" is substituted for "in one section of the following forms",
(b) in the first form, "for a proposed submission" is deleted and "submission" is substituted for "proposed submission", and
(c) at the beginning of the third form, "For" is deleted.
- (4) In subsection 165(2), "Any matter" is substituted for "Any by-law or resolution".
- 39 (1) The following are substituted for subsections 166(2) and (3):
"(2) A by-law under subsection (1) may provide that up to one-third of the annual indemnity shall be paid as an allowance to pay for expenses necessarily incurred by the mayor or councillor in the discharge of the duties of his office.
(3) In addition to the indemnity under subsection (1), a council may by by-law provide for the payment to members of remuneration for attending meetings of the council or its committees, or for performing any other duties as mayor or councillor.

- (4) In addition to any allowance referred to in subsection (2), a council may provide for the payment of reasonable allowances for travelling, for meals and accommodation and out of pocket expenses necessarily incurred in attending meetings of the council or its committees, or for performing other duties as mayor or councillor."
- 40 (1) The following are substituted for subsection 169(2):
- "(2) The minutes of the proceedings of any committee of council or of any board or commission established by a council shall be legibly recorded in a minute book and shall be signed by the chairman or presiding member and, with the exception of minutes relating to matters requiring adoption by the council, the minutes shall be open for inspection by any person, who may make copies thereof and extracts therefrom, at all reasonable times upon payment each time of a fee in an amount prescribed by by-law.
- (3) One copy of the minutes referred to in subsections (1) and (2) shall, when adopted, be forwarded forthwith to the inspector."
- 41 (1) The following is substituted for subsection 173(1):
- "(1) The council may appoint from among the members a deputy mayor who shall
- (a) in the absence or incapacity of the mayor, have all the powers and duties of the mayor, and
- (b) when the mayor is not absent or incapacitated, and subject to the mayor taking precedence, have such powers and duties as the council may direct."
- 42 (1) In paragraph 176(1)(c), "special committees" is substituted for "standing committees".
- 43 (1) Section 179 is repealed.
- 44 (1) The following is substituted for subsection 180(1):
- "(1) The council may establish committees to consider matters referred to them by council, may appoint the members of such committees, and may require reports of the findings or recommendations of the committees."

- 45 (1) In subsection 187(3):
- (a) "under such direction as the mayor may give," is substituted for "under the direction of the mayor", and
 - (b) "submit those estimates to council" is substituted for "submit to council".
- 46 (1) The following is substituted for subsection 187(5):
- "(5) The chief administrative officer may, in accordance with conditions and procedures prescribed by council, appoint and dismiss employees, other than employees or officers described in subsection 188(7)."
- 47 (1) The following is substituted for paragraph 188(4)(d):
- "(d) may provide a benefits program comprising some or all of death, illness, accident, retirement and other similar benefits."
- (2) The following is substituted for paragraphs 188(6)(a) and (b):
- "(a) if lawful cause is not shown, may be terminated only upon reasonable notice or adequate compensation in place of reasonable notice, or
 - (b) if lawful cause is shown, may be terminated without notice or compensation in place of reasonable notice."
- (3) In paragraph 188(7)(b), "For the purposes of subsection (6)" is deleted, and "with powers, duties and responsibilities as prescribed by by-law" is deleted.
- (4) Subsections 188(8) and (9) are repealed.
- 48 (1) Sections 193, 194, 195, 196, 197, 198 and 199 are repealed.
- 49 (1) In subsection 201(2), "Executive Council Member" is substituted for "Commissioner or the Inspector".
- 50 (1) Section 204 is repealed.
- 51 (1) In subsection 216(2), "as adopted or amended by council" is substituted for "except with the written approval of the Inspector".

- 52 (1) The following is substituted for subsection 219(1):
"(1) Subject to section 216, no expenditure shall be made that is not provided for in the annual operational budget as adopted or amended by council."
- 53 (1) In subsection 221(1), "shall be set out in the prescribed format and shall include" is substituted for "shall include".
- (2) Paragraph 221(1)(d) is deleted.
- (3) The following subsection is added to section 221:
"(2) A copy of the operational budget prepared under subsection (1) shall be annexed to the minutes of the meeting in which it is adopted."
- 54 (1) In paragraphs 222(2)(a) and (b), "province or territory of Canada" is substituted for "Province of Canada".
- 55 (1) The following section is added:
"222.1 (1) Council may by by-law establish one or more reserve funds in the name of the municipality.
(2) A by-law to establish a reserve fund shall specify:
(a) the purpose for which the reserve fund is established,
(b) whether or not the reserve fund is cash funded,
(c) the method of calculating contribution to the reserve fund, and
(d) the criteria and conditions governing withdrawals from the reserve fund."
- 56 (1) The following are substituted for subsections 224(1), (2) and (3):
"(1) Except as permitted under subsection 235(3), where a council proposes an expenditure on any capital item or aggregation of capital items in one scheme, and the expenditure exceeds one-quarter of one per cent of the total current assessed value of all real property

within the municipality that is subject to property taxes or grants in lieu of property taxes, the council shall not authorize the expenditure unless the taxpayers assent to the expenditure.

(2) Where the assent of the taxpayers is required under subsection (1), the procedures established under sections 235, 236 and 237 for obtaining that assent shall be followed with such changes as may be necessary."

(2) The following is substituted for subsection 224(6):

"(6) For the purposes of subsections (1) and (2), where the cost of the capital item or aggregation of capital items in one scheme is being shared by the municipality and the Government of Yukon or the Government of Canada, the expenditure proposed by council shall be deemed to be only the share of the cost that will be paid by the municipality, rather than the entire cost of the item or items."

57 (1) In subsection 225(1), "council may expend" is substituted for "council may, by by-law expend".

(2) Paragraph 225(1)(a) is repealed.

(3) In paragraph 225(1)(d), "when they" is substituted for "outside the limits of the municipality when, on the instructions of the council, they".

(4) In paragraph 225(1)(e), "when they" is substituted for "when, on the instructions of council, they".

(5) The following subsections are added to section 225:

"(3) The council may by by-law establish and operate airports and seaplane harbours for aircraft.

(4) A by-law under subsection (3) may, with the approval of the Executive Council Member, provide for the establishment and operation of the works beyond the boundaries of the municipality."

- 58 (1) The following are substituted for subsection 226(1):
 "(1) A council may, by by-law, make grants to any person or association of persons.
 (2) If any grant under subsection (1) would reduce property taxes levied or fees established for services that are provided, then the grant shall not be made without the approval of the Executive Council Member."
- 59 (1) In subsection 227(1), "service charges imposed in respect of local improvements" is substituted for "local improvement taxes".

 (2) In subsection 227(2), "On or before the 15th of April in each year," is deleted.
- 60 (1) The following is substituted for section 229:
 "229 (1) Where borrowed money is used to purchase an asset of the municipality and the asset is sold or any interest in it is disposed of for consideration, the debt in respect of its purchase shall first be satisfied before the proceeds of the sale or disposition are used for any other purpose."
- 61 (1) Paragraphs 230(2)(a) and (b) are deleted.

 (2) Subsection 230(4) is repealed.
- 62 (1) In subsection 231(1), "budgeted" is substituted for "lawful".
- 63 (1) In subsection 232(2), "balance shall be used" is substituted for "balance may be used".
- 64 (1) The following are substituted for subsections 233(1) and (2):
 "(1) Notwithstanding subsection 235(3), the total principal amount of debt that a municipality may owe at any time shall not exceed two per cent of the current assessed value of all real property within the municipality that is subject to property taxes or grants in lieu of taxes

unless both the Executive Council Member and taxpayers assent to the by-law that authorizes borrowing in excess of that limit.

(2) Except as permitted under subsection 235(3), the total amount that a municipality may borrow in any fiscal year shall not exceed one quarter of one per cent of the current assessed value of all real property within the municipality that is subject to property taxes or grants in lieu of taxes unless the taxpayers assent to the by-law that authorizes borrowing in excess of that limit.

(3) Where an amount is borrowed in accordance with subsections (1) and (2), the by-law that authorizes the borrowing shall not be rendered invalid by a subsequent reduction in the current assessed value of all real property within the municipality that is subject to property taxes or grants in lieu of taxes."

65 (1) Section 234 is repealed.

66 (1) The following are substituted for subsections 235(1), (2) and (3):

"(1) Where under section 233 the assent of the Executive Council Member or of the taxpayers is required, no by-law for the borrowing of money shall be valid unless the required assent is obtained before third reading of the proposed by-law.

(2) Where under subsection 233(1) the assent of both the taxpayers and the Executive Council Member is required, the assent of the Executive Council Member shall be sought only after the taxpayers have assented.

(3) The assent of the taxpayers is not required for borrowing or expenditure

(a) when the money to be borrowed or expended is to be used to pay for local improvement works under section 249 and, is expended for that purpose, or

(b) when the money to be borrowed or expended is to be used for capital expenditures for primary municipal services and, is expended for that purpose."

- 67 (1) The following is substituted for subsection 237(1):
"(1) If a by-law for which the assent of the Executive Council Member or the taxpayers is required receives the necessary assent, the council may adopt the by-law or refuse to adopt it."
- 68 (1) In subsection 238(1), "and every such by-law shall recite that the approval of the Inspector has been obtained" is deleted, and the following paragraph is added:
- "(aa) the total existing indebtedness of the municipality".
- (2) Subsection 238(2) is repealed.
- 69 (1) The following are substituted for subsections 239(1) and (2):
"(1) Where a municipality is in default of payment of a debt, the Commissioner in Executive Council may require that the municipality not contract any new debt without his approval.
(2) When the Commissioner in Executive Council is satisfied that the municipality is again able to manage its debts, he shall revoke the order under subsection (1)".
- 70 (1) The following section is added:
"239.1 (1) Where the assent of the Commissioner in Executive Council, or the Executive Council Member, or the taxpayers to a by-law for the borrowing or expenditure of money is required under this Act, any by-law that purports to authorize the borrowing or expenditure and that does not have the required assent shall be invalid."
- 71 (1) In clause 243(1)(d)(ii), "in accordance with this Act and generally accepted accounting principles for municipalities" is substituted for "in accordance with generally accepted accounting principles applied on a basis consistent with that of the preceding year".

- 72 (1) Section 245 is repealed.
- 73 (1) The following is substituted for subsection 248(2):
- "(2) The financial statements referred to in this section shall be prepared and submitted to the auditor no later than the last day of February in each year, and shall include:
 - (a) balance sheets,
 - (b) statements of revenue and expenditures,
 - (c) a schedule of all reserve funds,
 - (d) a schedule of all debentures, and
 - (e) such other information as the Inspector may require from time to time upon reasonable notice".
- (2) The following is substituted for subsection 248(4):
- "(4) The balance sheets referred to in subsection (2) shall be signed by the treasurer or other officer of the municipality and all financial statements referred to in subsection (2) and the auditor's report or a summary of it shall be published not later than June 30 in each year in a newspaper circulated within the municipality."
- (3) In subsection 248(6), "forward to the council and the Inspector" is substituted for "forward to the Inspector".
- (4) The following subsection is added to section 248:
- "(7) A copy of the financial statements and the auditor's report shall be made available at the treasurer's office without charge to any taxpayer or elector who requests a copy of it."
- 74 (1) The following is substituted for subsection 250(1):
- "(1) A council may by by-law
 - (a) provide for a local improvement,
 - (b) prescribe the procedures and conditions according to which petitions for local improvements shall be prepared, presented to, and considered by council,
 - (c) prescribe the means of determining the parcels of land that will benefit from a local improvement,

- (d) prescribe the means of determining the total cost of a local improvement and the proportion of that cost that is to be levied against parcels of land that will benefit from a local improvement, and
 - (e) levy a proportion of the cost of a local improvement against the parcels of land that will benefit from a local improvement."
- 75 (1) Paragraph 251(1)(b) is deleted.
- 76 (1) In subsection 252(1), "Where the Government of Yukon has incurred the cost" is substituted for "Where the Commissioner has incurred the cost", and "at the request of the Executive Council Member" is substituted for "at the request of the Commissioner".
- (2) In subsection 252(2), "as certified by the officer appointed by the Commissioner for that purpose" is deleted.
- (3) The following is substituted for subsection 252(3):
"Where a council has passed a by-law under subsection (1) the amount of money to be collected under that by-law shall be paid by the council to the Government of Yukon forthwith after it becomes due, regardless of whether the municipality has collected the money."
- 77 (1) Section 253 is repealed.
- 78 (1) In subsection 254(1), "of the municipality a portion" is substituted for "of the municipality, a portion" and "thereof, and such" is substituted for "thereof and such".
- 79 (1) In subsection 255(1), "as certified by the officer appointed by the council for that purpose" is deleted.
- 80 (1) Section 256 is repealed.
- 81 (1) In subsection 257(1), "Council may by by-law acquire" is substituted for "Council may acquire", and "or personal" is deleted.
- (2) In subsection 257(3), ", with the approval of the Commissioner," is deleted.

- (3) In subsection 257(4), "Council may by by-law sell" is substituted for "Council may sell", and "or personal" is deleted.
- (4) Subsection 257(6) is repealed.
- 82 (1) Subsections 259(2) and (3) are repealed.
- 83 (1) The following is substituted for paragraph 263(1)(i):
"(i) authorize an encroachment over, on, or under a highway, subject to such terms and conditions and to such single or annual fee as council prescribes,"
- (2) The following subsection is added to section 263:
"(2) Where an encroachment has been authorized under paragraph (1)(i) and an annual fee has been set in respect of the encroachment, that annual fee shall be deemed to be part of the taxes levied on the real property that the encroachment appertains to."
- 84 (1) In subsection 269(1), "with the approval of the Commissioner" is deleted.
- (2) The following subsections are added to section 269:
"(1.1) No by-law under subsection (1) shall be valid without the approval of the Executive Council Member unless, when it is made, the foreseen and foreseeable capital and operating costs of the works will be paid by the municipality from its own revenue or borrowing.
(1.2) A by-law under subsection (1) may, with the approval of the Executive Council Member, provide for the extension and operation of the works beyond the boundaries of the municipality."
- 85 (1) In subsection 270(1), "Subject to the Public Health Ordinance" is deleted.
- (2) In paragraph 270(1)(c), "with the approval of the Commissioner" is deleted.

- 86 (1) The following subsections are added to section 271:
- "(2) A by-law under subsection (1) may, with the approval of the Executive Council Member, provide for the extension and operation of the works beyond the boundaries of the municipality.
 - (3) Council may by by-law provide for the use or sale of any product, including heat and other energy, obtained through the processing of any matter or operation of any works referred to in subsection (1)."
- 87 (1) In subsection 272(1), "with the approval of the Commissioner," is deleted.
- (2) The following subsections are added to section 272:
- "(1.1) No by-law under subsection (1) shall be valid without the approval of the Executive Council Member unless when it is made the foreseen and foreseeable capital and operating costs of the works will be paid by the municipality from its own revenue and borrowing.
 - (1.2) A by-law under subsection (1) may, with the approval of the Executive Council Member, provide for the extension and operation of the works beyond the boundaries of the municipality."
- 88 (1) Section 275 is repealed.
- 89 (1) The following is substituted for subsection 277(1):
- "(1) Subject to any other Act, council shall by by-law establish a fire department."
- (2) In subsection 277(2),
- (a) "and regulations made thereunder" is deleted,
 - (b) in paragraph (b), "to establish" is substituted for "establish",
 - (c) in paragraph (d), "subject to subsection (3), to enter" is substituted for "enter", and "within the municipality" is substituted for "in the municipality or in such other municipalities",
 - (d) in paragraph (f), "to regulate" is substituted for "regulate", and

- (e) in paragraph (1), "regulating the installation" is substituted for "regulating and installation".
- (3) The following subsection is added to section 277:
- "(2.1) A by-law under subsection (1) or (2) may, with the approval of the Executive Council Member, provide for the extension and operation of fire protection and fire fighting services and equipment outside the municipality."
- 90 (1) The following is substituted for paragraph 280(1)(a):
- "(a) providing for the acquisition of ambulances and the operation of an ambulance service within and subject to subsection (3), outside of the municipality".
- (2) The following subsections are added to section 280,
- "(2) An ambulance service operated pursuant to a by-law under subsection (1) is not subject to the Transport Public Utilities Act.
- (3) A by-law under subsection (1) may, with the approval of the Executive Council Member, provide for the extension and operation of an ambulance service outside the municipality."
- 91 (1) Subsection 282(2) is repealed.
- 92 (1) The following is substituted for subsection 284(1):
- "(1) Council may by by-law authorize an agreement between the municipality and the Government of Yukon under which the Government of Yukon provides public health services to the municipality and the municipality pays some or all of the cost of those services."
- 93 (1) In subsection 286(1), "shall be consistent with those of the building code established under the Building Standards Act" is substituted for "shall be no less than those of the current National Building Code, as amended from time to time".

- (2) The following is substituted for subsection 286(2):
- "(2) Notwithstanding subsection (1), where council believes that there are local conditions that would make the standards of the building code established under the Building Standards Act inappropriate in the municipality, council may by by-law and with the approval of the Executive Council Member establish different standards."
- 94 (1) In paragraph 288(2)(c), "make any provision of the by-law applicable to one or more classes of business" is substituted for "make any provision of the by-law applicable to one or more business or one or more classes thereof".
- (2) The following subsection is added to section 288:
- "(3) Council may, by by-law, define resident and non-resident businesses and prescribe for any class of non-resident business a licence fee that is greater than but not more than double the licence fee that is prescribed for a resident business of the same class."
- 95 (1) In subsection 291(1), "in his opinion" is deleted.
- 96 (1) In subsection 295(1), "Subject to the approval of the Commissioner", and "or within the municipality and adjacent localities" are deleted.
- (2) The following subsections are added to section 295:
- "(1.1) No by-law under subsection (1) shall be valid without the approval of the Executive Council Member unless when it is made the foreseen and foreseeable capital and operating costs will be paid by the municipality from its own revenue and borrowing.
- (1.2) A by-law under subsection (1) may provide for the operation of the system for the public transport of persons and property outside the municipality and such operation shall be subject to the Transport Public Utilities Act".
- 97 (1) Section 296 is repealed.

- 98 (1) In paragraph 299(1)(m), "and if any by-law departs from the rules laid down in this section and the departure is indicated to drivers by signs or devices for controlling traffic or by traffic officers, every driver within the municipality shall conform to the by-law" is deleted.
- 99 (1) In subsection 302(1), "or prohibit" is deleted.
- (2) Paragraphs 302(1)(c), (d) and (e) are repealed.
- 100 (1) In subsection 309(1), "of a municipality other than the City of Dawson, the City of Whitehorse, or the Town of Faro" is substituted for "of a municipality".
- (2) The following subsection is added to section 309:
- "(1.1) Within two years of the coming into force of this Act, the council of each of the City of Dawson, the City of Whitehorse, and the Town of Faro shall, if it has not already done so when this Act comes into force, adopt by by-law a community plan in accordance with this Act."
- (3) The following is substituted for subsection 309(4):
- "(4) A community plan already adopted by by-law when this Act comes into force shall continue in force until amended or replaced under this Act."
- (4) The following subsection is added to section 309:
- "(5) A by-law respecting the adoption or amendment of a community plan is not valid unless before it is given third reading it is approved by the Executive Council Member."
- 101 (1) The following is substituted for paragraph 310(1)(c):
- "(c) to identify policies concerning the future physical, social, and economic development of the municipality".

102 (1) The following are substituted for subsections 311(1) and (2):

"(1) An official community plan may consist of any descriptive documents such as maps, drawings, photographs, plans, reports, or statements, and it shall be published in a documentary form that is easily made available to taxpayers and electors in the municipality.

(2) The content of an official community plan shall be presented or written in a way that is understandable by lay persons who do not have special training or expertise in the fields of learning represented in the plan."

103 (1) Section 312 is repealed.

104 (1) The following subsection is added to section 313:

"(2) Before its first publication under subsection (1), a copy of the notice described in subsection (1) shall be given to the Executive Council Member, the Yukon Municipal Board, and such other persons as the Yukon Municipal Board may direct."

105 (1) The following are substituted for sections 315 and 316:

"315 (1) Council shall submit to the Yukon Municipal Board any official community plan or any amendment thereto that it proposes to adopt.

(2) No by-law in respect of an official community plan under this division shall be valid unless prior to third reading of the by-law:

(a) the Yukon Municipal Board has approved the community plan as submitted to it or with modifications that the council concurs in, or

(b) where the Yukon Municipal Board does not approve the community plan, the Executive Council Member has approved the community plan as submitted to him or with modifications.

- (3) Neither the Yukon Municipal Board nor the Executive Council Member shall approve a community plan where:
 - (a) the plan does not conform to the requirements of this Act, or
 - (b) the council, in preparing, considering or submitting the plan has not complied with this Act."

- 316 (1) The Yukon Municipal Board shall:
 - (a) approve the community plan as submitted to it, or
 - (b) refer the community plan back to council with recommendations for modifications or for remedial action."
- (2) Before making its decision and acting under subsection (1), The Yukon Municipal Board may hold a public hearing about the community plan submitted to it by a council under this division, in which case the provisions of section 313 shall be followed with the necessary changes.
- (3) When reviewing a community plan under this division, the Yukon Municipal Board and the Executive Council Member shall consider
 - (a) such matters as they think the council has or should have considered,
 - (b) whether the plan conforms to the requirements of this Act, and
 - (c) whether the council, in preparing, considering, and submitting the plan has complied with this Act."

106 (1) Section 319 is repealed.

107 (1) In subsection 320(1), "in accordance with the procedure and subject to the same approvals as established" is substituted for "in accordance with the procedure established".

- 108 (1) In subsection 321(1), "by the Executive Council Member" is substituted for "by the Yukon Municipal Board or by the Inspector".
- (2) Subsection 321(3) is repealed.
- 109 (1) The following is substituted for subsection 322(1):
- "(1) When the boundaries of a municipality are altered the council shall forthwith review the official community plan and shall, within one year of the boundary alteration, or such additional time as the Executive Council Member may allow, propose and submit an amended community plan to the Yukon Municipal Board for approval."
- 110 (1) The following subsection is added to section 323:
- "(2) A regulation under the Area Development Act shall remain in force in relation to an area that becomes part of a municipality under this Act until it is repealed or amended by a by-law passed by the council of the municipality."
- 111 (1) Sections 325 and 326 are repealed.
- 112 (1) The following is substituted for paragraph 327(1)(a):
- "(a) to implement development control provisions".
- (2) Subsection 327(3) is repealed.
- 113 (1) In subsection 328(1), "to it" is substituted for "thereto", and "an appeal from it to the Yukon Municipal Board" is substituted for "therefrom to the Yukon Municipal Board".
- (2) The following are substituted for subsection 328(2):
- "(2) A zoning by-law shall not contain any provision that would permit only public development or that would not permit any use of the land, buildings, or structures."

- (2.1) Subsection (2) does not apply to any by-law in respect of land, buildings or structures that are
- (a) owned by the Territory or Canada, if the Territory or Canada, as the case may be, consent to the by-law, or
 - (b) owned by the municipality."
- 114 (1) In paragraph 329(3)(p), "regulate" is substituted for "permit, regulate or prohibit".
- (2) The following is substituted for paragraph 329(3)(q):
"(q) regulate the cutting of trees".
- 115 (1) In subsection 333(3), "Notwithstanding subsection (1), where a change in the zoning classification is proposed," is substituted for "Notwithstanding subsection (1)", and "the change in zoning classification" is substituted for "any zoning amendment", and "shall be delivered" is substituted for "shall be deliver".
- 116 (1) In paragraph 338(1)(b), "is adopted or amended" is substituted for "is reviewed".
- 117 (1) In subsection 340(1), "After" is substituted for "From and after".
- (2) The following is substituted for paragraph 340(1)(a),
"(a) the date of a resolution passed by council that authorizes the preparation or amendment of an official community plan or a zoning by-law, or".
- (3) Paragraph 340(1)(c) is repealed.
- 118 (1) The following is substituted for subsection 342(1):
"(1) Subject to section 341, a municipality shall not refuse a permit or impose conditions upon a permit for any development unless the refusal or the imposition of the conditions is authorized by an official community plan or a zoning by-law and is justified by the facts of the case."

- 119 (1) The following is substituted for subsection 344(1):
"(1) No subdivision of land shall be valid unless it is made in accordance with this Act."
- 120 (1) In subsection 345(1), "The Commissioner in Executive Council may" is substituted for "the Commissioner may by Order".
- (2) In paragraph 345(1)(c), "Executive Council Member" is substituted for "Commissioner".
- 121 (1) The following are substituted for subsection 346(1):
"(1) Every person who applies for subdivision of land shall provide for adequate highway access to each lot created by the subdivision.
(1.1) The highway access that is required under this section shall be made to conform to any standards that may be set under this Act or under any subdivision or zoning by-law of the municipality.
(1.2) The cost of providing the highway access under this section shall be borne by the applicant."
(2) In subsections 346(2) and (3), "subsections (1), (1.1) and (1.2)" are substituted for "subsection (1)".
- 122 (1) The following section is added:
"346.1(1) A council may make by-laws for controlling the subdivision of land within the municipality".
- 123 (1) In subsection 347(1), "of up to ten per cent" is substituted for "to a maximum of ten per cent".
- (2) The following is substituted for subsection 347(6):
"(6) Each parcel of land dedicated to public use shall vest in the Crown as Yukon lands."
- 124 (1) In subsection 348(1), "and the buffer strips shall vest in the Crown as Yukon lands" is substituted for "and the parcels shall be designated Buffer Strip B1 or Buffer Strip B2 and so on and the lands comprising the buffer strips vest in the Crown."

- 125 (1) In subsection 349(1), "and shall only be used for such a utility and shall vest in the Crown as Yukon lands" is substituted for "and shall be designated Utility Lot U1 or Utility Lot U2 and so on as may be appropriate and shall only be used for such a utility."
- (2) Subsections 349(3) is repealed.
- 126 (1) Section 350 is repealed.
- 127 (1) In subsection 351(1), "vested in the Crown as Yukon lands" is substituted for "vested in the Commissioner".
- 128 (1) In subsection 352(1), "the subdivision of land where under subsection 345(1) the Inspector is the approving authority" is substituted for "the subdivision of land."
- (2) Subsection 352(2) is repealed.
- 129 (1) Section 353 is repealed.
- 130 (1) The following is substituted for subsection 354(2): .
- "(2) If the applicant is not the owner of the land to be subdivided the applicant shall submit to the approving authority the owner's written consent to the subdivision."
- 131 (1) The following is substituted for subsection 355(1):
- "(1) If the application for subdivision complies with this or any other Act and with any by-law or regulation made thereunder, the approving authority shall approve the subdivision."
- (2) In subsection 355(2), "Approval of an application" is substituted for "A certificate of approval".
- 132 (1) In subsection 357(1), "if the plan" is substituted for "if in the opinion of the authority, the plan is not in the public interest, or".
- 133 (1) In subsection 370(1), "with the approval of the Commissioner" is deleted.
- 134 (1) Section 371 is repealed.

- 135 (1) The following is substituted for subsection 372(2):
"(2) In a city the board of variance shall be composed of persons who are not members of the council."
- (2) The following subsections are added to section 372:
"(3) A board of variance already established when this Act comes into force may continue for up to six months after this Act comes into force.
(4) Where no board of variance is established, a council may act as the board of variance for up to six months
(a) after this Act comes into force, where the municipality exists when this Act comes into force, or
(b) after the municipality is incorporated, where the municipality is incorporated after this Act comes into force."
- 136 (1) In subsection 373(1), "variance otherwise" is substituted for "variance, otherwise", and "Part, a person" is substituted for "Part a person".
- (2) The following is substituted for subsection 373(3):
"(3) The Board of variance shall not grant an appeal that would allow a change to a use that is not similar to a use that would be permissible without a variance."
- 137 (1) In subsection 374(1), "such sum not exceeding \$200 as may be fixed by by-law" is substituted for "such sum, as may be prescribed by the board to meet its expenses."
- 138 (1) In subsection 377(8), "where that owner is not required to enter into a land development agreement with council" is deleted.
- 139 (1) The following subsection is added to section 379:
"(2) The Executive Council Member may act as the Yukon Municipal Board for up to six months after this Act comes into force or until the Board is appointed, whichever shall first occur."

140 (1) The following are substituted for subsections 380(1), (2), and (3):

- "(1) The Yukon Municipal Board shall consist of the following members who shall be appointed by the Commissioner in Executive Council to serve at pleasure:
- (1) A Chairman,
 - (2) a Deputy Chairman,
 - (3) one member, and an alternate to act in his absence or incapacity, from among persons nominated by the Association of Yukon Communities,
 - (4) one member, and an alternate to act in his absence or incapacity, from among persons nominated by the Council for Yukon Indians, and
 - (5) one member, and an alternate to act in his absence or capacity, nominated by the Executive Council Member.
- (2) 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 prescribed, the payment of such expenses shall conform as nearly as possible in all respects to the payment of such expenses for the members of the public service of Yukon.
- (2.1) A member of the board may be paid such remuneration as may be prescribed for the performance of his duties as a member of the board.
- (3) A quorum shall consist of a majority of the members of the board but a vacancy shall not impair the right of the members to act."

141 (1) In section 381, "For the purposes of this Act, the Yukon Municipal Board has all the powers of a board of inquiry appointed under the Public Inquiries Act" is substituted for "The board for all purposes of this Act, shall have the powers of a court of record".

- (2) The following subsections are added to section 381:
- "(2) In conducting its proceedings The Yukon Municipal Board is not bound by any rules of evidence other than that it may hear and consider any relevant evidence and give to that evidence such credence and weight as the board thinks it deserves.
- (3) The Yukon Municipal Board may adopt a seal bearing its name."
- 142 (1) The following is substituted for subsection 382(1):
- "(1) In addition to its powers in relation to appeals and approvals given to it under other provisions of this Act, the Yukon Municipal Board may
- (a) perform such duties as the Commissioner in Executive Council delegates to it, and
- (b) hear any appeals to it that may be provided for under the Area Development Act or the Building Standards Act."
- 143 (1) The following is substituted for paragraph 384(1)(a):
- "(a) establish a parks and recreation commission as an agent of the municipality".
- 144 (1) In subsection 385(1), "Civil Emergency Measures Act" is substituted for "Civil Emergency Act".
- 145 (1) The following is substituted for paragraph 386(1)(a)
- "(a) establish a public transit commission as an agent of the municipality and provide for the appointment and remuneration of its members".
- (2) The following is substituted for paragraph 386(1)(b):
- "(b) delegate to the public transit commission the performance of some or all the functions council may provide for under section 295".
- 146 (1) Section 387 is repealed.
- 147 (1) In subsection 388(1), "Subject to section 329" is deleted.
- 148 (1) In subsection 391(1), "with the approval of the Commissioner" is deleted.

149 (1) The following are substituted for subsection 393(1):

- "(1) A council may by by-law provide the following forms of assistance to help an industrial or commercial enterprise or undertaking, but only with the approval of the Executive Council Member:
- (a) a gift or loan of money or of any municipal property,
 - (b) a guarantee of any borrowing,
 - (c) granting an exemption from taxation or service charges or fees.
- (2) Any by-law, contract, or obligation contrary to subsection (1) is unenforceable."

150 (1) The following is substituted for subsection 395(1):

- "(1) A municipality may become a member of any association of municipalities for furthering the interests of municipalities and the council may authorize payment of fees for such membership, and the payment of contributions to any such association and of the cost of sending delegates of the municipality to meetings of any such association."

151 (1) In subsection 397(2), "approved by the Commissioner" is deleted.

152 (1) The following section is added:

- "400.1(1) When a local improvement district is incorporated as a municipality, that municipality shall be deemed not to be a taxing authority in respect of the taxation year in which it was incorporated, and the Commissioner in Executive Council shall continue to be the taxing authority for that taxation year.
- (2) Every local improvement district shall each year, on or before the first day of April, establish by by-law the rate of taxes for general purposes it wants the Commissioner in Executive Council to levy for that taxation year.

- (3) When a local improvement district is incorporated as a municipality before the first day of April in any year, that municipality shall, on or before the first of April next following its date of incorporation, establish by by-law the rate of taxes for general purposes it wants the Commissioner in Executive Council to levy for the taxation year in which that month of April falls.
- (4) The Commissioner in Executive Council shall levy taxes on all taxable real property within the local improvement district or municipality at the rate established under subsection (2) or (3), as the case may be, and the Government of Yukon shall collect those taxes and shall pay to the local improvement district or municipality, on or before July 2 of the taxation year in respect of which the levy is made, a grant equal to the aggregate of the taxes so levied and the amounts payable as grants in lieu of taxes on real property of the Government of Yukon and the Government of Canada."

153 (1) The following subsection is added to section 403:

- "(2) A by-law in relation to charges in respect of sewerage works, the removal and disposal of garbage and other waste matter, and the water distribution system may provide that in default of payment of the charge the outstanding amount owing may be charged against the real property in respect of which the service was provided and recovered as part of the taxes levied on that real property."

154 (1) In section 422(2), "subject to the direction of the Executive Council Member" is substituted for "subject to the Commissioner".

155 (1) Paragraph 425(1)(c) is repealed.

156 (1) The following is substituted for subsection 433(1):

- "(1) All by-laws passed by the administrator must be approved by the Executive Council Member before becoming effective."

- 157 (1) The heading "Division (7) - Repeals and Miscellaneous" is substituted for the heading "Division (7) - Certification of Municipal By-Laws and Securities".
- (2) Sections 436 and 437 are repealed.
- 158 (1) The following is substituted for section 438:
- "438 (1) This section applies only in respect of the Town of Faro.
- (2) All property and all liabilities that passed from the Government of Yukon to the Town of Faro as of April 1, 1970 under section 170 of the Municipal Act that is repealed by this Act shall continue to be the property or liability of the Town.
- (3) Where a by-law of the Town of Faro is in relation to an expenditure on any capital item or aggregation of capital items in one scheme, and the expenditure exceeds one-quarter of one per cent of the total current assessed value of all real property with the municipality that is subject to property taxes or grants in lieu of property taxes, that by-law shall not be valid if, prior to third reading, it is objected to in a written objection delivered to the office of the Town clerk and signed by or on behalf of one or more taxpayers who represent not less than 50 per cent of the current assessed value of real property in the Town subject to taxes.
- (4) A copy of every proposed by-law referred to in subsection (3), or of an accurate synopsis of it, shall be posted in at least four conspicuous public places in the Town of Faro for at least four consecutive weeks immediately before the date of third reading, and the council shall not give the proposed by-law third reading until at least 30 days after it was given second reading.
- (5) Where a by-law of the Town of Faro is in relation to the imposition of taxes or in relation to borrowing, other than borrowing under section 231, the by-law shall not be valid unless it has the assent of the Executive Council Member."

- 159 (1) In subsections 12(1), 17(2), 17(6), 18(1), 20(1), 22(1), 28(1), 29(1), 135(2), 137(1), 152(4), 201(4), 258(2), 261(3), 352(1), 379(1), 383(1), 396(1), 398(1), 408(1), 422(1), 425(1), 425(2), 428(1), 429(2), 431(1), and 439(1), and in paragraphs 16(1)(h) "Commissioner in Executive Council" is substituted for "Commissioner".
- 160 (1) In subsections 38(1), 135(1), 151(4), 207(1), 209(1), 210(1), 241(3), 309(2), 309(3), 324(2), 324(3), 336(1), 336(2), 336(3), 336(4), 336(5), 340(4), 360(2), 377(7), 380(8), 380(9), 394(1), 403(1), 429(1), 430(2), 432(1), and 432(2), "Executive Council Member" is substituted for "Commissioner".
- 161 (1) In subsection 27(1), and in paragraphs 16(1)(e) and (f), "Government of Yukon" is substituted for "Commissioner".
- 162 (1) In subsections 201(3), 217(1), 218(2), 218(3), 223(3), 231(1), 232(2), 241(5), 242(1), 242(2), and 363(7), "Executive Council Member" is substituted for "Inspector".
- 163 (1) The following subsection is added to section 440:
"(10) Subsections (3), (4), (6), (7), (8), and (9) shall come into force only when the repeal of the Local Improvement District Act becomes effective."
- 164 (1) The following is substituted for section 442:
"442 (1) Subject to subsection (2), this Act shall come into force on a day to be proclaimed by the Commissioner in Executive Council.
(2) The repeal of the Local Improvement District Act shall not become effective until the day that is 12 months after the day this Act is proclaimed in force."
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STATUTES OF THE YUKON TERRITORY
1983, Chapter 26

PUBLIC LOTTERIES ACT

(Assented to November 21, 1983)

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 Lotteries Act.

2 (1) In this Act,

"Commission" means the Yukon Lottery Commission established under section 3;

"public lottery" means a lottery scheme conducted pursuant to an agreement under section 12

Yukon Lottery Commission

3 (1) There shall be a Yukon Lottery Commission consisting of not more than 12 members appointed by the Executive Council Member.

(2) The term of membership in the Commission is two years.

(3) Notwithstanding subsection (2), of the members first appointed to the Commission after this Act comes into force, half shall be appointed for a term of one year.

4 (1) Where a member of the Commission has a direct or indirect personal interest, otherwise than as a member of the public or an organization, in any matter under review by the Commission, he shall refrain from participating in the review of the matter by the Commission.

- (2) Where any member of the Commission is prevented for any reason from performing his duties, the Executive Council Member may appoint a substitute for such period of time as the Executive Council member considers appropriate, subject to subsection 3(2).
- 5 (1) The Executive Council Member shall appoint one of the members of the Commission to be the chairman and another to be the vice-chairman.
- (2) The chairman is the chief executive officer of the Commission, and he shall
- (a) supervise and direct the work of the Commission, and
 - (b) preside at sittings of the Commission.
- (3) Where the chairman is unable at any time for any reason to exercise the powers and perform the duties of his office, the vice-chairman shall act in his place.
- 6 (1) The Commission 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 Commission.
- 7 (1) A majority of the members of the Commission is a quorum, and no quorum exists unless the chairman or vice-chairman is present.
- (2) Subject to subsection (1), a decision of the majority of the members present at a meeting of the Commission is a decision of the Commission, but in the event of an evenly divided opinion between members of the Commission, 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 Commission 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.

- 8 (1) The Commission may make rules of procedure consistent with this Act and the regulations respecting
- (a) the conduct of its meetings and business,
 - (b) the records to be kept in respect of of the business of the Commission under this Act,
 - (c) the custody, preservation and provision of access to the records referred to in paragraph (b), and
 - (d) any other matter that reasonably is necessary or advisable for the effective and orderly conduct of the duties of the Commission.
- 9 (1) At the request of the Executive Council Member and at such other times as the Commission considers appropriate, the Commission shall make reports to the Executive Council Member respecting the business of the Commission.
- 10 (1) Subject to the Public Service Commission Act, the Executive Council Member shall make provision for a secretary and other administrative support services for the Commission.
- 11 (1) A member of the commission may be paid transportation, accommodation and living expenses incurred in connection with the performance of his duties as a member of the Commission 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.

Lotteries

- 12 (1) The Executive Council Member may, with the approval of the Commissioner in Executive Council, enter into agreements with the government of any province or any agency of the government of any province for the purpose of undertaking, organizing, conducting and managing public lottery schemes.
- 13 (1) The Commission is responsible for the conduct and management of public lotteries and, subject to the regulations, the allocation of the profits of public lotteries.

- 14 (1) The Executive Council Member may, with the approval of the Commission, enter into agreements providing for the provision of services to the Commission respecting the conduct and management of public lotteries.
- (2) An agreement under subsection (1) is binding on the Commission.
- 15 (1) The Commission shall advise the Executive Council Member respecting
- (a) existing or proposed agreements and regulations under this Act, and
 - (b) any other matter it considers advisable respecting public lotteries.
- 16 (1) The Treasurer shall establish within the Yukon Consolidated Revenue Fund a Yukon Lottery Commission Fund, into which shall be paid all money received in respect of the conduct or management of public lotteries.
- 17 (1) The Yukon Lottery Commission Fund is a trust fund for the purposes of the Financial Administration Act.
- 18 (1) Subject to the regulations, there may be paid from the Yukon Lottery Commission Fund all expenses incurred in the conduct or management of public lotteries, including the remuneration and expenses of members of the Commission.
- 19 (1) The Commissioner in Executive Council may make such regulations as he considers necessary respecting
- (a) the conduct and management of public lotteries,
 - (b) the fees or commissions payable to agents or sellers,
 - (c) the issuance of licences for the sale of lottery tickets, and the terms and conditions for licences,
 - (d) the purposes for which the profits of public lotteries may be paid, and the allocation of profits for those purposes, and
 - (e) any other matter to carry the purposes and provisions of this Act into effect.
- 20 (1) The Lotteries Act is repealed.

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

STATUTES OF THE YUKON TERRITORY
1983, Chapter 27

RECREATION ACT

(Assented to November 21, 1983)

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 Recreation Act.

2 (1) In this Act,

"Committee" means the Yukon Recreation Advisory Committee established under section 4;

"community recreation" means recreation that is within the responsibilities of a municipality under section 15 or a local authority under section 18;

"local authority" means a Community organization appointed as a local authority under section 17;

"municipality" includes a Local Improvement District;

"Yukon recreation" means recreation that is within the responsibilities of the Executive Council Member under section 20.

3 (1) This Act applies to all recreational activities taking place in Yukon or involving residents of Yukon including, without limiting the generality of the foregoing,

- (a) amateur sports,
- (b) physical fitness activities,
- (c) performing, visual and literary arts, and
- (d) outdoor recreation.

Yukon Recreation Advisory Committee

- 4 (1) There shall be a Yukon Recreation Advisory Committee consisting of 12 members appointed by the Executive Council Member pursuant to section 6 and the regulations.
- 5 (1) The Committee shall have the following functions:
- (a) to advise the Executive Council Member respecting recreation in Yukon;
 - (b) to perform the duties assigned by the other provisions of this Act;
 - (c) to perform such other duties as may be assigned to it by the Executive Council Member.
- 6 (1) The membership of the Committee shall be divided equally among persons who, in the opinion of the Executive Council Member, have demonstrated interest, knowledge or experience in Yukon arts, Yukon sports or community recreation.
- (2) Subject to subsection (1), the membership of the Committee shall be divided equally between
- (a) persons who, in the opinion of the Executive Council Member, are representatives of urban areas,
 - (b) persons who, in the opinion of the Executive Council Member, are representatives of rural areas.
- (3) The Commissioner in Executive Council shall make regulations providing for the selection of members of the committee from nominations that may be made by municipalities, local authorities and arts, sports and general recreational organizations registered under the Societies Act.
- (4) The term of membership in the Committee is two years.
- (5) Notwithstanding subsection (4), of the members first appointed to the Committee after this Act comes into force, six shall be appointed for a term of one year.

- 7 (1) Where a member of the Committee has a direct or indirect personal interest, otherwise than as a member of the public or an organization, in any matter under review by the Committee, he shall refrain from participating in the review of the matter by the Committee.
- (2) Where any member of the Committee is prevented for any reason from performing his duties, the Executive Council Member may appoint a substitute for such period of time as the Executive Council Member considers appropriate, subject to subsection 6(4).
- 8 (1) The Executive Council Member shall appoint one of the members of the Committee to be the chairman and another to be the vice-chairman.
- (2) The chairman is the chief executive officer of the 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 and perform the duties of his office, the vice-chairman shall act in his place.
- 9 (1) The Committee 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 Committee.
- 10 (1) A majority of the members of the committee is a quorum, and no quorum exists unless the chairman or vice-chairman is present.
- (2) Subject to subsection (1), a decision of the majority of the members present at a meeting of the Committee is a decision of the Committee, but in the event of an evenly divided opinion between members of the Committee, including the vote of the chairman, the matters shall be decided in accordance with the vote of the chairman.
- (3) A vacancy in the membership of the Committee 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 Committee may make rules of procedure consistent with this Act and the regulations respecting
- (a) the conduct of its meetings and business,
 - (b) the records to be kept in respect of the business of the Committee under this Act,
 - (c) the custody, preservation and provision of access to the records referred to in paragraph (b),
 - (d) the making of applications for grants under sections 22 to 25, including the information to be supplied in support of such applications, and
 - (e) any other matter that reasonably is necessary or advisable for the effective and orderly conduct of the duties of the Committee.
- 12 (1) At the request of the Executive Council Member and at such other times as the Committee considers appropriate, the Committee shall make reports to the Executive Council Member respecting the business of the Committee.
- 13 (1) Subject to the Public Service Commission Act, the Executive Council Member shall make provision for a secretary and other administrative support services for the Committee.
- 14 (1) A member of the 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.

Community Recreation

- 15 (1) For the purposes of this Act, a municipality is responsible for
- (a) all matters respecting the recreation of its residents taking place exclusively within the municipality, and
 - (b) sports competitions at the recreational or competitive level between residents of the municipality and residents of other communities.

- (2) A municipality may accept responsibility for any matter respecting the recreation of its residents in addition to its responsibilities under subsection (1).
- 16 (1) The Commissioner in Executive Council may, subject to such terms and conditions as may be prescribed, make grants to municipalities for the purpose of assisting them in the performance of their responsibilities under sections 15 and 26.
- 17 (1) The Commissioner in Executive Council may, for the purposes of this Act, appoint a community organization to be the local authority for a geographic area specified in the order making the appointment.
- (2) A community organization shall not be appointed under subsection (1) unless
- (a) the organization requests the appointment,
 - (b) the organization is registered under the Companies Act or the Societies Act, and
 - (c) a school, community hall or other adequate facility is located within the geographic area for which it is appointed.
- 18 (1) For the purposes of this Act, a local authority is responsible for
- (a) all matters respecting the recreation of residents of its geographic area, as defined under section 17, taking place exclusively within that area, and
 - (b) sports competitions at the recreational or competitive level between residents of the area and residents of other communities.
- (2) A local authority may accept responsibility for any matter respecting the recreation of the residents of its area in addition to its responsibilities under subsection (1).
- 19 (1) The Commissioner in Executive Council may, subject to such terms and conditions as may be prescribed, make grants to local authorities for the following purposes:
- (a) assisting them in the performance of their responsibilities under section 18 and 26;
 - (b) defraying the operation and maintenance costs of specified community recreation facilities.

Yukon Recreation

- 20 (1) For the purposes of this Act, the Executive Council Member is responsible for all matters respecting recreation not within the responsibility of a municipality or local authority under section 15 or 18, including
- (a) matters of national or international significance;
 - (b) matters of regional significance outside Yukon,
 - (c) Yukon championships and trials, and
 - (d) advanced inter-community training.
- 21 (1) For the purpose of fulfilling the responsibilities of the Executive Council Member under sections 20 and 26, the Executive Council Member may, upon the advice of the Committee, make grants under sections 22 to 25, subject to such terms and conditions as may be prescribed including, without limiting the generality of the foregoing, terms and conditions respecting
- (a) the prerequisites or eligibility requirements for receipt of a grant,
 - (b) the purposes for which a grant may be made,
 - (c) the manner in which a grant may be made,
 - (d) the manner in which grant monies may be expended by the recipient of a grant,
 - (e) the records to be kept by recipients of grants, and
 - (f) such other terms and conditions as the Commissioner in Executive Council considers advisable.
- 22 (1) Grants may be made to a recreational organization for the following purposes respecting sports:
- (a) administrative costs, including costs of travel to meetings in Yukon or to national or regional meetings outside Yukon;
 - (b) skill training and leadership development, including training of instructors;
 - (c) holding competitions, including the cost of travel to national and regional competitions;
 - (d) provision of leadership;
 - (e) such other purposes as may be prescribed.

- 23 (1) Grants may be made to recreational organizations for the following purposes respecting arts:
- (a) administrative costs, including costs of travel to meetings in Yukon or to national or regional meetings outside Yukon;
 - (b) skill training and leadership development, including training of instructors;
 - (c) holding performances, shows, displays or tours;
 - (d) promotion of the works and talents of performers and artists;
 - (e) such other purposes as may be prescribed.
- 24 (1) Grants may be made to advanced artists or performers for skill development, or for the promotion of their works or talents.
- 25 (1) Grants may be made to recreational organizations for the following purposes respecting fitness, outdoor recreation, major recreational events or other recreational activities not within the scope of sections 22 and 23:
- (a) administrative costs, including costs of travel to meetings in Yukon or to national or regional meetings outside Yukon;
 - (b) skill training and leadership development, including the training of instructors;
 - (c) such other purposes as may be prescribed.

Joint Responsibility

- 26 (1) The Executive Council Member is jointly responsible with the municipalities and local authorities for the following matters respecting arts:
- (a) intercommunity training or events at the recreational level;
 - (b) community training or events at the advanced level.

Miscellaneous

- 27 (1) The Commissioner in Executive Council may, in addition to any regulations authorized to be made under any other provision of this Act, make such regulations as he considers necessary to carry the purposes and provisions of this Act into effect.
- 28 (1) The Recreation Development Act is repealed.
- 29 (1) This Act comes into force on a day to be fixed by the Commissioner in Executive Council.
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STATUTES OF THE YUKON TERRITORY
1983, Chapter 28

AN ACT TO AMEND THE
SOCIETY OF MANAGEMENT ACCOUNTANTS ACT

(Assented to November 3, 1983)

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 Society of Management Accountants Act.

2 (1) The following is substituted for section 2:

"2(1) The general objects of the Society shall be to serve the public interest by promoting and increasing the knowledge, skill and efficiency of its members in all things relating to industrial or management accounting and business or government organization and administration including the preparation and interpretation of financial statements and financial reports for use by managers in business and governmental organizations in planning and controlling operations of the organization."

3 (1) In paragraph 11(1)(b), "industrial or management accounting and business and government organization and management" is substituted for "industrial accounting, business organization and management".

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

"(1) Registered members of the Society in good standing have the exclusive right to use, as an occupational designation in relation to industrial or management accounting or business or government organization or administration, the designations "Registered Industrial Accountant" and "Certified Management Accountant" and the initials "R.I.A." and "C.M.A."

(2) In subsection 12(2), "or management accountant" is substituted for "and cost accountant and cost consultant".

(3) The following is substituted for subsection 12(3):

"(3) Any person who is not a registered member of the Society in good standing and who uses, as an occupational designation in relation to industrial or management accounting or business or government organization or administration, the designation "Registered Industrial Accountant" or "Certified Management Accountant" or the initials "R.I.A." or "C.M.A." or who uses any other description implying that he is a registered member of the Society in good standing commits an offence."

5 (1) In subsection 13(1), "as an accountant, a cost accountant, an industrial accountant or a management accountant" is substituted for "as a cost accountant or industrial accountant".

STATUTES OF THE YUKON TERRITORY
1983, Chapter 29

AN ACT TO AMEND THE
WORKERS' COMPENSATION ACT

(Assented to November 3, 1983)

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) The following is substituted for subsection 10(6):

"(6) The Commissioner in Executive Council may appoint a person from the public service of the Territory to act as Chairman of the Board during the absence of the Chairman or his incapacity to act."

STATUTES OF THE YUKON TERRITORY
1983, Chapter 30

AN ACT TO AMEND
THE YUKON RIVER BASIN STUDY AGREEMENT ACT

(Assented to November 3, 1983)

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 Yukon River Basin Study Agreement Act.

 - 2 (1) The Act is amended by adding the following to section 2:
"(2) The Agreement authorized by subsection (1)
 - (a) may, notwithstanding any provision in it to the contrary, be extended from time to time as may be necessary to complete the study provided for in the agreement, .

 - (b) shall provide that no expenditure of money under its terms shall be made by the Government of Yukon unless the Legislative Assembly has appropriated money for the purpose, and

 - (c) may be and any extension of it may be executed on behalf of the Commissioner in the Executive Council by the Executive Council Member.

 - (3) The Commissioner in Executive Council may do every act and exercise every power, including delegation to the Executive Council Member, necessary for the purpose of fulfilling any obligation assumed by the Government of Yukon under this Act."
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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
Business Corporations Act	B-3.2	En. S.Y.T. 1983, c. 13*
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
Certified General Accountants	C-2.1	En. S.Y.T. 1983, c. 14
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 Am. S.Y.T. 1983, c. 13*
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 Am. S.Y.T. 1983, c. 15
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
Constitutional Questions	C-12.2	En. S.Y.T. 1983, c. 16
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
Co-operative 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 Am. S.Y.T. 1983, c. 13*
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 Am. S.Y.T. 1983, c. 19*
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
Economic and Regional Development Agreement	E-0.5	En. S.Y.T. 1983, c. 17
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; Am. S.Y.T. 1983, c. 18
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
Employment Expansion and Development	N.C.N.R.	En. S.Y.T. 1983, c. 1
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
Fifth Appropriation, 1981-82	N.C.N.R.	En. S.Y.T. 1982, c. 19
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 Rp. S.Y.T. 1983, c. 19
Financial Administration	F-4.2	En. S.Y.T., 1983, c. 19*
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
Financial Agreement, 1983	N.C.N.R.	En. S.Y.T. 1983, c. 2
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
First Appropriation, 1984 -85	N.C.N.R.	En. S.Y.T. 1983, c. 20
Fitness and Amateur Sport Agreement	F-6	In. R.S.Y.T. 1971, C. F-6
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
Fourth Appropriation, 1982-83	N.C.N.R.	En. S.Y.T. 1983, c. 3
Fourth Appropriation, 198 2 ³⁻⁴ -8 3	N.C.N.R.	En. S.Y.T. 1983, c. 21
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
Goals	G-2 ¹	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 Am. S.Y.T. 1983, c. 19*
Health Care Insurance Plan	H-1	In. R.S.Y.T. 1971, c. H-1; Am. S.Y.T. 1981 (1st), c. 3 Am. S.Y.T. 1983, c. 19*
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 Am. S.Y.T. 1983, c. 19*
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 Am. S.Y.T. 1983, c. 4
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
Interim Supply Appropriation, 1983-84	N.C.N.R.	En. S.Y.T. 1983, c. 5
Interim Supply Appropriation, 1983-84 (No. 2)	N.C.N.R.	En. S.Y.T. 1983, c. 6
Internation 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; Am. S.Y.T. 1983, c. 19*
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; Am. S.Y.T. 1983, c. 19*
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 Rp. S.Y.T. 1983, c. 10, s. 13
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; Am. S.Y.T. 1983, c. 22; Am. S.Y.T. 1983, c. 23
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, (2nd), c. 25; Am. S.Y.T. 1983, c. 19*
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; Rp. S.Y.T. 1983, c. 26*
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; Am. S.Y.T. 1983, c. 13*
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; Am. S.Y.T. 1983, c. 24

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; Am. S.Y.T. 1983, c. 24
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* Am. S.Y.T. 1983, c. 13* Am. S.Y.T. 1983, c. 25
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; Am. S.Y.T. 1983, c. 13; Am. S.Y.T. 1983, c. 25
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; Am. S.Y.T. 1983, c. 19*
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 Lotteries	P-8.2	En. S.Y.T. 1983, c. 26*
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; Am. S.Y.T. 1983, c. 7
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	R-3.05	En. S.Y.T. 1983 c. 27*
Recreation Development	R-3.1	En. S.Y.T. 1977 (1st), c. 6; Am. S.Y.T. 1980 (2nd), c. 17, s. 440* Rp. S.Y.T. 1983, c. 27*
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 Am. S.Y.T. 1983, c. 8
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
Second Appropriation, 1983-84	N.C.N.R.	En. S.Y.T. 1983, c. 9
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; Am. S.Y.T. 1983, c. 13*
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 Am. S.Y.T. 1983, c. 13*
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 Am. S.Y.T. 1983, c. 28
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; Am. S.Y.T. 1983, c. 19*
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. 15; Am. S.Y.T. 1980 (1st), c. 28, s. 3 Am. S.Y.T. 1983, c. 16
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; Am. S.Y.T. 1983, c. 10
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
Third Appropriation, 1983-84	N.C.N.R.	En. S.Y.T. 1983, c. 11
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; Am. S.Y.T. 1983, c. 19* Am. S.Y.T. 1983, c. 29
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 Am. S.Y.T. 1983, c. 30
