



STATUTES
OF THE
YUKON TERRITORY

PASSED BY THE LEGISLATURE OF
THE YUKON TERRITORY
IN THE YEAR
1984

IN THE FOURTH SESSION OF THE TWENTY FIFTH
LEGISLATIVE ASSEMBLY

VOLUME 1

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1984

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STATUTES OF THE YUKON TERRITORY
1984, Chapter 1

AN ACT TO AMEND
THE BUSINESS DEVELOPMENT ASSISTANCE ACT

(Assented to May 17, 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 amends the Business Development Assistance Act.
- 2 (1) The following is substituted for subsection 13(4):

"(4) A member of the Board who is not a member of the public service of Yukon may be paid such remuneration as may be prescribed by the Commissioner in Executive Council and may be paid transportation, accommodation, and living expenses incurred in connection with the performance of his duties away from his ordinary place of residence but, except as otherwise provided by the regulations, the payment of such expenses shall conform as nearly as possible in all respects to the payment of such expenses for members of the public service of Yukon."
- 3 (1) Sections 23, 24, and 25 are repealed.
- 4 (1) The following are substituted for paragraph 26(1)(g):

"(g) describing the kinds of projects that are eligible for financial assistance;

(h) prescribing the purposes for which financial assistance may be used; and

(i) generally, carrying the provisions and purposes of this Act into effect."
- 5 (1) In subsections 13(1), 16(2), 26(1), and 27(1), "Commissioner in Executive Council" is substituted for "Commissioner".

- (2) In subsections 3(1), 4(1), 4(3), 5(1), 7(1), 7(4), 8(1), 8(2), 8(3), 8(4), 9(1), 12(1), 17(1), 17(2), 17(3), 21(1), 21(2), 22(1) and 22(2), "Executive Council Member" is substituted for "Commissioner".
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STATUTES OF THE YUKON TERRITORY
1984, Chapter 2

CHILDREN'S ACT

(Assented to May 17, 1984)

This Act is printed in a separate volume.

STATUTES OF THE YUKON TERRITORY
1984, Chapter 3

AN ACT TO AMEND
THE DENTAL PROFESSION ACT

(Assented to April 18, 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 amends the Dental Profession Act.
- 2 (1) The following is substituted for subsection 1(1):

"1(1) This Act may be cited as the Dental Profession Act."
- 3 (1) The following definition is added to subsection 2(1):

"'dental corporation' means a corporation licensed pursuant to this Act to practise dentistry in the Territory;".

 - (2) In the definition of "dentist" in subsection 2(1), "natural person" is substituted for "person".
 - (3) In the definition of "Medical Health Officer" in subsection 2(1) "Commissioner in Executive Council" is substituted for "Commissioner".
- 4 (1) The following subsections are added to section 3:
 - "(2) No corporation shall practise dentistry in Yukon except through or by means of dentists.
 - (3) For the purposes of subsection (2), the practice of dentistry by a corporation shall be deemed not to be carried on by clerks, secretaries, nurses or assistants performing services that are not ordinarily considered by law, custom or practice to be services that may be performed only by a dentist."

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

- "(2) The Executive Council Member may refuse to register the name of a person in the register where
- (a) he is entitled to be registered under clause (1)(b)(if) but is no longer entitled to practise dentistry in the province, or
 - (b) he is not entitled to be registered under clause (1)(b)(if) and he acquired the qualifications relied on under paragraph (1)(a) or clause (1)(b)(f) more than two years before his application for a licence under this Act.
- (3) A corporation is entitled to be registered in the register where
- (a) all of its issued share capital having voting rights under any circumstances belongs to one or more dentists,
 - (b) all of its directors are dentists, and
 - (c) it pays the prescribed registration fee.
- (4) The Executive Council Member may refuse to register the name of a corporation in the register where he would be entitled to remove its name from the register under subsection 7(1.1)."

6 (1) The following sections are added after section 5:

- "5.1 (1) Except as provided by subsection (2), no person who is not a dentist is entitled to exercise voting rights in respect of any shares in a dental corporation.
- (2) Where a shareholder in a dental corporation dies, his personal representative may hold his shares and exercise his voting rights for 90 days after the date of death.

5.2 (1) Notwithstanding section 7, where a dental corporation ceases to be entitled to be registered in the register under section 5 by reason only of the death of one of its shareholders, the removal of his name from the register or the suspension of his licence, the dental corporation has a period of 90 days after the death, removal or suspension in which to rectify the deficiency in its entitlement to be registered.

5.3 (1) The relationship of a dentist to a dental corporation, whether as a shareholder, director, officer or employee, does not affect the application of this Act to him."

7 (1) The following subsection is added to section 6:

"(2) Different annual licence fees may be prescribed for dentists and dental corporations."

8 (1) The following subsection is added to section 7:

"(1.1) The Executive Council Member may remove the name of a dental corporation from the register where he is satisfied that

- (a) the corporation is not in good standing under the Business Corporations Act,
- (b) the articles or by-laws of the corporation unduly restrict the ability of the corporation to practise dentistry,
- (c) the corporation is not entitled to be registered in the register under section 5,
- (d) the corporation has been convicted of an offence under subsection 3(2) and the time for appealing the conviction has expired,
- (e) any person has been convicted of an offence in respect of the corporation under section 14 and the time for appealing the conviction has expired, or
- (f) any person who is not a dentist has exercised voting rights in respect of any shares in the corporation except as provided by section 5.2."

(2) Subsection 7(2) is amended by striking out the expression "subsection (1)" and substituting for it the expression "subsection (1) or (1.1)".

(3) Subsection 7(3) is amended

(a) by striking out the expression "subsection (1)" and substituting for it the expression "subsection (1) or (1.1)", and

(b) by adding to the end of the subsection the expression "and satisfying the Executive Council Member that he is entitled to be registered in the register under section 5".

9 (1) In subsection 8(1)

(a) "Executive Council Member may, on the recommendation" is substituted for "Commissioner may, on the recommendation",

(b) "Commissioner in Executive Council may prescribe" is substituted for "Commissioner may prescribe", and

(c) "in the opinion of the Executive Council Member" is substituted for "in the opinion of the Commissioner".

10 (1) The following section is added after section 9:

"9.1 (1) Notwithstanding any other Act, every person who is a shareholder of a dental corporation or any other corporation during a time when it is practising dentistry is liable for malpractice to the same extent and in the same manner as if the shareholders of the corporation during that time were practising dentistry as a partnership or, where there is only one shareholder, as an individual.

(2) In subsection (1), "shareholder" means a holder of shares having any voting rights.

(3) The liability of any person practising dentistry is not affected by the fact that he does so as an employee or on behalf of a corporation."

- 11 (1) In subsection 10(1), "practising dentistry" is substituted for "practising as a dentist".
- (2) In subsection 10(4), "Treasurer" is substituted for "Territorial Treasurer".
- 12 (1) The following subsection is added to section 12:
- "(3) This section applies with the necessary changes to dental corporations."
- 13 (1) The following subsection is added to section 13:
- "(4) This section applies with the necessary changes to dental corporations."
- 14 (1) In paragraph 24(1)(a), "dentists, dental corporations," is substituted for "dentists".
- 15 (1) In subsection 28(2), "order the Territorial Secretary to" is struck out.
- 16 (1) The following section is added after section 28:
- "29 (1) In every Act or regulation enacted or made at any time, a reference to a person authorized to practise dentistry in Yukon shall be read as including a dental corporation, except as provided otherwise."
- 17 (1) In subsections 4(1), 6(1), 7(1), 13(1), 13(2), 13(3) and 20(1), "Executive Council Member" is substituted for "Territorial Secretary".
- 18 (1) In subsections 10(1), 13(1), 13(2), 20(1), 22(1), 22(2) and 24(1), "Commissioner in Executive Council" is substituted for "Commissioner".
- 19 (1) In subsections 10(6), 10(7), 12(1), 12(2), 27(1), 27(2), 28(1) and 28(2), "Executive Council Member" is substituted for "Commissioner".
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STATUTES OF THE YUKON TERRITORY
1984, Chapter 4

ELECTORAL DISTRICT BOUNDARIES COMMISSION ACT

(Assented to May 17, 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 Electoral District Boundaries Commission Act.
- 2 (1) In this Act:

"Chairman" means the Chairman of the Electoral District Boundaries Commission appointed pursuant to section 4;

"Commission" means the Electoral District Boundaries Commission established pursuant to section 3;

"electoral district" means any place or area entitled to representation in the Legislative Assembly;

"Judge" means a judge or deputy judge of the Supreme Court of Yukon;

"Speaker" means the Speaker of the Legislative Assembly.
- 3 (1) There shall be an Electoral District Boundaries Commission for Yukon.
- 4 (1) The Commission shall consist of a Chairman and two members.

(2) The Chairman of the Commission shall be a Judge and the other members shall be the Clerk of the Legislative Assembly and Josephine Sias of the settlement of Silver City, Yukon.

- 5 (1) The purpose of the Commission is to review the boundaries of the 16 electoral districts which currently exist and to make recommendations respecting any way in which those boundaries should be altered.
- (2) For the purpose of making recommendations, the Commission shall take into consideration:
- (a) geographic considerations, including in particular the density and relative rate of growth of population of any region of Yukon, the accessibility of any such region, and the size thereof;
 - (b) any special community or diversity of interests of the inhabitants of various regions of Yukon;
 - (c) the availability and means of communication and transportation between various parts of Yukon; and
 - (d) all other similar relevant factors.
- (3) The Commission shall not alter the number of electoral districts within or outside the City of Whitehorse.
- (4) The Commission may not include in an electoral district in the City of Whitehorse any area outside the City of Whitehorse and may not include in an electoral district outside the City of Whitehorse any area inside the City of Whitehorse.
- (5) The Commission is to give special consideration to the electoral district of Old Crow and to make recommendations which would protect that electoral district from significant demographic changes.
- (6) The Commission may recommend new names for electoral districts.
- 6 (1) The Commission shall appoint one of its members to act as Chairman in the event of the absence or incapacity of the Chairman or if the office of Chairman is vacant.
- (2) At all meetings of the Commission, two members of the Commission constitute a quorum.
- (3) A vacancy in the membership of the Commission or in the office of Chairman does not impair the right of the remaining members to act, but where any such vacancy occurs it shall be filled within seven days:
- (a) by resolution of the Legislative Assembly if it is then sitting, or

- (b) by order of the Commissioner in Executive Council after consultation with the Leader of the Official Opposition, if the Legislative Assembly is not then sitting.
- (4) Notwithstanding subsection (3), where the Chairman is unable to act he may appoint another Judge to act in his stead and such other Judge shall have all the powers and duties of the Chairman other than the power of appointment mentioned in this subsection.
- 7 (1) The member of the Commission, other than the Chairman and the Clerk of the Legislative Assembly, shall be paid such remuneration as the Commissioner in Executive Council may prescribe.
- (2) A member of the Commission and a person appointed under section 8 may be paid transportation, accommodation, and living expenses incurred in connection with his duties while away from his ordinary place of residence but, except as the Commissioner in Executive Council may otherwise prescribe, the payment of such expenses shall conform as nearly as possible in all respects to the payment of such expenses for members of the Public Service of Yukon.
- 8 (1) The Commissioner in Executive Council shall appoint a person to act as Secretary of the Commission.
- (2) Upon being requested by the Chairman to do so, the Commissioner in Executive Council may, from time to time, appoint one or more persons having special knowledge to assist the Commission in carrying out its functions.
- (3) A person appointed pursuant to this section shall be paid such remuneration as the Commissioner in Executive Council may prescribe.
- 9 (1) The Commission may be called together at any time by the Chairman for the purpose of carrying out its functions.
- (2) The Commission may meet at any time on its own motion to perform any of its functions or duties.
- (3) The Commission may, in the performance of its duties, sit at such times and places in Yukon as it deems necessary for the hearing of representations.

- 10 (1) The Commission may make rules for regulating its proceedings and for the conduct of its business.
- (2) In performing its duties, the Commission has all the powers of a Board of Inquiry appointed under the Public Inquiries Act.
- 11 (1) The Commission may authorize a member or any other person to investigate and report on any question or matter arising in connection with the business of the Commission.
- (2) A person authorized pursuant to this section has all the powers of the Commission for the purpose of taking evidence or acquiring the necessary information for his report.
- 12 (1) The Commission shall keep a record of its proceedings and the Chairman shall be responsible for the custody and care of all records and documents belonging or pertaining to the Commission.
- 13 (1) The Commission shall complete its report prior to the first day of November, 1984.
- (2) The Commission shall forthwith after completion of its report:
- (a) file its report with the Speaker; and
 - (b) transmit its records and documents to the Speaker after delivering its report to him.
- (3) Copies of the report filed with the Speaker shall be made available to the public at the offices of the Legislative Assembly and the Territorial Agents for inspection during office hours.
- (4) The Clerk of the Assembly shall transmit copies of the report to each member of the Legislative Assembly.
- (5) After receiving the report of the Commission, the Speaker shall forthwith lay it before the Legislative Assembly if it is sitting, or if the Assembly is not sitting, then within five days after the opening of the next session.

STATUTES OF THE YUKON TERRITORY
1984, Chapter 5

EMPLOYMENT STANDARDS ACT

(Assented to May 17, 1984)

Part 1

INTERPRETATION AND APPLICATION

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 Employment Standards Act.

2 (1) In this Act

"Board" means the Employment Standards Board established under section 86;

"collective agreement" means an agreement in writing between an employer or an employer's organization acting on behalf of an employer, on the one hand, and a trade union acting on behalf of the employees of the employer in collective bargaining or as a party to an agreement with the employer or employer's organization, on the other hand, containing terms or conditions of employment of the employees including provisions with reference to rates of pay and hours of work;

"conditions of employment" means all matters and circumstances in any way affecting employers and employees in respect of the employment relationship;

"Court" means the Supreme Court of the Yukon Territory;

"day" means any period of twenty-four consecutive hours after the commencement of work;

"Director" means the Employment Standards Officer who is, from time to time, appointed by the Executive Council Member as the Director of Employment Standards;

"employee" includes

- (i) a person, including a deceased person, in receipt of or entitled to wages for employment or services performed for another,
- (ii) a person being trained by an employer for the purpose of the employer's business, and
- (iii) a person who was an employee;

"employer" means a person who employs an employee and includes a former employer;

"general holiday" means New Year's Day, Good Friday, Victoria Day, Canada Day, Discovery Day, Labour Day, Thanksgiving Day, Remembrance Day and Christmas Day and includes any day substituted for any such general holiday pursuant to subsection 29(2) or 36(1);

"member of the employer's family", in respect of an employer, means the employer's spouse, parent, grandparent, step-parent, child, grandchild, step-child, brother, sister, half-brother, half-sister, and a person who stands in the place of parent to the employer or to whom the employer stands in the place of parent, whether or not there is any degree of consanguinity between that person and the employer;

"qualified medical practitioner" means a person entitled to engage in the practice of medicine under the laws of a province or territory;

"overtime" means hours of work in excess of standard hours of work;

"pay period" means any period of employment, not exceeding 16 consecutive calendar days, established by the employer for the computation of wages;

"standard hours of work" means the hours of work described in subsection 7(1);

"trade union" means an organization of employees formed for purposes that include the regulation of relations between employers and employees;

"wages" includes salaries, commissions, compensation or seasonal bonuses paid or payable by an employer to an employee for his services or labour, money required to be paid by an employer to an employee under this Act or by order of the Board, and money required to be paid for an employee's benefit under a contract of employment or a collective agreement to a fund, insurer or other person, but does not include gratuities, money that is paid at the discretion of the employer and that is not related to hours of work, production or efficiency, travelling allowances or expenses, or other expenses; and

"week" means, in relation to Part 2, the period between midnight on Saturday and midnight on the immediately following Saturday.

- (2) Where the employer is a corporation and its controlling shareholder is an individual, any person who bears to the controlling shareholder any relationship described in the definition of "member of the employer's family" in subsection (1), shall be deemed to be a member of the employer's family and this Act shall apply to that person and to the corporation in the same way as it would if the controlling shareholder were the employer.
- 3 (1) This Act applies to every employee employed in the Yukon Territory and to the employer of every such employee.
- (2) This Act does not apply to the Commissioner or to the employees of the Commissioner.
- 4 (1) This Act applies notwithstanding any other law or any custom, contract or arrangement, whether made before or after the date on which this Act comes into force, but nothing in this Act shall be construed as affecting any rights or benefits of an employee under any law, custom, contract or arrangement that are more favourable to him than his rights or benefits under this Act.

PART 2

HOURS OF WORK

- 5 (1) This Part does not apply to
- (a) an employee who is a member of the employer's family;
 - (b) a travelling salesman;
 - (c) an individual whose duties are primarily of a supervisory or managerial character;
 - (d) a member or student of such professions as may be designated by the regulations as a profession to which this Part does not apply; and
 - (e) such other persons or classes of persons as may be designated by the regulations as persons or classes or persons to which this Part does not apply.
- (2) An individual to whom paragraph 5(1)(c) applies is not included in the application of this Part by reason only of the occasional performance of duties other than those of a supervisory or managerial character.
- 6 (1) Subject to subsections 74(1) and 103(1), where there is a dispute as to whether this Part applies in relation to any person or class of persons the matter shall be determined by the Director.
- 7 (1) Subject to this Part, the working hours of an employee shall not exceed eight hours in a day and 40 hours in a week.
- 8 (1) Subject to this Part, no employer shall cause or permit an employee to work in excess of the standard hours of work unless the employer complies with section 9.
- 9 (1) Where an employer requires or permits an employee to work in excess of the standard hours of work, he shall pay to the employee one and one-half times his regular wages for all hours worked in excess of
- (a) eight in a day, or
 - (b) 40 in a week, but excluding from this calculation hours worked in excess of eight in a day.
- (2) Where a week contains a general holiday to which an employee is entitled,
- (a) the references to hours in a week in subsection (1) shall be reduced by eight hours for each general holiday in the week, and

- (b) in calculating the overtime hours worked by an employee in that week, no account shall be taken of hours worked by him on the general holiday.
- 10 (1) Where, in the opinion of the Director, the nature of the work justifies irregular distribution of an employee's hours of work, the Director may order that the standard hours of work of that employee in a week may be averaged in respect of a period of two or more weeks in such manner and in such circumstances as may be prescribed in the order.
- (2) Notwithstanding any other provision contained in this Part, where employees of an employer are represented by a trade union for the purpose of bargaining collectively, and the employer and the trade union so agree in writing, the Director may order that the standard hours of work of those employees in a week may be averaged in respect of a period of two or more weeks, in such circumstances as may be prescribed in the order.
- (3) The Director may limit the duration of an order under subsection (1) or (2) to such period of time during which he considers the circumstances under which the order is made will continue to exist.
- 11 (1) Where the employees of an employer are represented by a trade union for the purpose of bargaining collectively and the employer and the trade union so agree in writing, or where employees of an employer are not so represented and the employer and a majority of the employees so agree in writing, the employees may work a maximum of 10 hours in any day over a period of four days in a week or 12 hours in any day over a period of three days in a week, as the agreement may specify, without requiring the employer to pay overtime pay pursuant to subsection 9(1) in respect of hours worked pursuant to the agreement in excess of eight hours in a day.
- 12 (1) Except as may be otherwise prescribed by the regulations, standard hours of work in a week shall wherever practicable be so scheduled and actually worked that each employee has at least two full days of rest in the week and wherever practicable Sunday shall be one of the normal days of rest in a week.

- (2) Notwithstanding subsection (1), where the employer requires or permits the employee to work regularly in excess of the daily standard hours of work, the employer
 - (a) may require the employee to work up to 28 continuous days without a day of rest, and
 - (b) may require the employee to work up to seven more days continuous with the period of 28 days described in paragraph (a), where the additional work is necessary in order to complete the project upon which the employee was employed during those 28 days.

- (3) An employee who is required or permitted to work a work schedule under subsection (2) is entitled
 - (a) to at least one day of rest for each continuous seven days of work, and
 - (b) to take his accrued days of rest continuously with each other.

- 13 (1) An employer shall ensure that each employee has an eating period of at least one-half hour at intervals that will ensure that no employee will work longer than five consecutive hours without an eating period.

- (2) For the purpose of computing the hours worked by an employee, the period allowed the employee for eating shall not be counted as hours worked unless the employee is required to work during those periods.

- 14 (1) Except for an emergency and subject to subsection (2), an employer shall ensure that each employee has a rest period of at least eight consecutive hours free from work between each shift worked.

- (2) Where, on the application of an employer, the Director is satisfied that the rest period of eight consecutive hours referred to in subsection (1) would impose an unreasonable hardship on the employer because of the specific circumstances surrounding a specific project or piece of work, the Director may order that the rest period be shortened to six consecutive hours for the period of time during which he considers the specific circumstances will continue to exist.

- 15 (1) Where an employee works a split shift, the employer shall limit the employee's standard hours of work to the 12 hours immediately following commencement of his shift.

- 16 (1) Where the Director is satisfied after such inquiry as he considers adequate, that the hours of work of an employee are excessive or are detrimental to the employee's health or safety he may, by order,
- (a) require an employer to limit the daily or weekly hours of work or both to not less than eight in a day or 40 in a week,
 - (b) require the employer to post and keep posted a copy of the order in a conspicuous place to which all employees have ready access to read the order, and
 - (c) allow the employer to exceed the limit of hours of work of employees established under paragraph (a) under such conditions and for such periods of time as the Director considers appropriate.

PART 3

MINIMUM WAGES

- 17 (1) Subject to this Part, an employer shall pay to each employee who is seventeen years of age or over a wage at the rate of not less than the equivalent of that rate for the time worked by him.
- 18 (1) The Board may, from time to time, ^{on the basis of time, the minimum wage} ~~fix the minimum hourly wage~~ to be paid by employers to employees; and
- (a) fix the amount by which the wages of an employee may be reduced for any pay period below the minimum wage, either by deduction from wages or by payment from the employee to the employer, where board or lodging or both are furnished by or on behalf of an employer to an employee, if the arrangement is accepted by such employee.
- (2) Where on the application of the Director or an employer, employee or trade union representing employees directly affected by the matter, the Board deems it necessary, it may
- (a) require employers to pay employees who report for work at the call of the employer wages for such minimum number of hours as may be prescribed whether or not the employee is called upon to perform any work after so reporting for work;

- (b) fix the maximum price to be charged for board, whether full or partial, supplied by or on behalf of an employer to an employee, and the maximum deduction to be made in respect of board from the wages of the employee by the employer;
 - (c) fix the maximum price to be charged for living quarters, either permanent or temporary, furnished by or on behalf of an employer to an employee, whether or not such quarters are self-contained and whether or not the employer retains general possession and custody of them, or the maximum deduction to be made in respect of the quarters from the wages of the employee by the employer;
 - (d) fix the charges or deductions for furnishing uniforms or other articles of wearing apparel that an employer may require an employee to wear, and require an employer in any specified circumstances to provide, maintain or launder uniforms or other articles of wearing apparel that he requires an employee to wear;
 - (e) fix the charges or deductions for furnishing any tools or equipment that an employer may require an employee to use and for the maintenance and repair of any such tools or equipment;
 - (f) specifying the circumstances and occupations in which persons under seventeen years of age may be employed by an employer, fixing the conditions of such employment and prescribing the minimum wage for such employment; and
 - (g) exempting, upon such terms and conditions and for such periods as are considered advisable, any employer from the application of subsection 17(1) in respect of any class of employees who are being trained on the job, if the training facilities provided and used by the employer are adequate to provide a training program that will increase the skill or proficiency of an employee.
- (3) On an application pursuant to subsection (2) the Board may expand the scope of its inquiry into the matter to include all employers and employees or one or more classes of employers or employees.

- (4) Where the wages of an employee are computed and paid on a basis other than time or on a combined basis of time and some other basis, the Board may, by order
 - (a) fix a standard basis of work to which a minimum wage on a basis other than time may be applied, and
 - (b) fix a minimum rate of wage that in its opinion is the equivalent of the minimum rate set forth in paragraph (1)(a).

- (5) Subject to this Part, an employer shall pay to each employee who is paid on a basis other than time a wage at a rate not less than the minimum rate fixed by the order under subsection (4).

- (6) No employer shall employ a person under seventeen years of age
 - (a) in such occupations as may be prescribed by the regulations;
 - (b) at a wage less than the minimum wage prescribed by the regulations for the occupation in which such person is employed; or
 - (c) contrary to such conditions as may be prescribed by the regulations.

- (7) Any order of the Board made pursuant to this section shall not come into effect until it has been approved by the Commissioner in Executive Council.

PART 4

ANNUAL VACATIONS

- 19 (1) In this Part

"vacation pay" means four percent of the wages of an employee during a year of employment in respect of which he is entitled to a vacation; and

"year of employment" means the continuous employment of an employee by one employer for a period of twelve consecutive months beginning with the date the employment began or any subsequent anniversary date thereafter.

- 20 (1) This Part applies to all employees, including employees who are employed on a part-time, seasonal or temporary basis.
- (2) This Part does not apply to an employee who is a member of the employer's family.
- 21 (1) Subject to this Part, every employee is entitled to and shall be granted a vacation with vacation pay of at least two weeks in respect of every completed year of employment.
- (2) Vacation pay shall be deemed to be wages.
- 22 (1) The employer of an employee who under this Part has become entitled to a vacation with vacation pay
- (a) shall grant to the employee the vacation to which he is entitled, which shall begin not later than ten months immediately following the completion of the year of employment for which the employee became entitled to the vacation; and
- (b) shall, at least one day before the beginning of the vacation, or at such earlier time as the regulations prescribe, pay to the employee the vacation pay to which he is entitled in respect of that vacation.
- 23 (1) An employer and employee may enter into a written agreement whereby the employee will not take the annual vacation to which he is entitled under section 21.
- (2) Where an employer and an employee enter into a written agreement pursuant to subsection (1), the employer is not subject to the provisions of section 22 with respect to that employee.
- (3) Where an agreement referred to in subsection (1) is entered into, the employer shall, within ten months after the date on which the employee became entitled to the vacation, pay to the employee in addition to any other amount due to him, his vacation pay for the year immediately preceding the date on which he became entitled to the vacation.
- 24 (1) Where a general holiday occurs during the vacation granted to an employee pursuant to this Part, the vacation to which the employee is entitled under this Part shall be extended

by one day, and the employer shall pay to the employee, in addition to the vacation pay, the wages to which the employee is entitled for that general holiday.

- 25 (1) Where the employment of an employee by an employer is terminated before the completion of the employee's year of employment, the employer shall, within three days from the date of termination, pay to the employee
- (a) any vacation pay then owing by him to the employee under this Part in respect of any prior completed year of employment; and
 - (b) four percent of the wages of the employee during the completed portion of his year of employment.
- (2) Notwithstanding paragraph (1)(b), an employer is not required to pay an employee any amount under that paragraph unless the employee has been continuously employed by him for a period of ten working days or more.
- 26 (1) In this section, "transfer" in relation to a business includes a sale, lease or other disposition of the business and a merger of the business with another business, and "transfers" and "transferred" have corresponding meanings.
- (2) For purposes of this Part, where an employer employs an employee in connection with a business, and the employer transfers the business to another employer, the employment of the employee by the two employers before and after the transfer of the business shall, notwithstanding the transfer, be deemed to be continuous with the employer to whom the business is transferred.
- 27 (1) The Commissioner in Executive Council may make regulations for carrying out the purposes and provisions of this Part and, without restricting the generality of the foregoing, may make regulations
- (a) prescribing the notices to be given to or by employees of the times when vacations may be taken;
 - (b) defining the absences from employment that shall be deemed not to have interrupted continuity of employment;
 - (c) providing for the application of this Part where, owing to illness or other unavoidable circumstances, an employee has been absent from his employment.

PART 5

GENERAL HOLIDAYS

28 (1) In this Part

"continuous operation" means an operation or service normally carried on without regard to Sundays or public holidays.

(2) For the purposes of this Part a person is deemed to be in the employment of another person when he is available at the call of such other person whether or not he is called upon to perform any work.

29 (1) Subject to this Part, every employer shall give to each of his employees a holiday with pay in respect of every general holiday falling within any period of their employment.

(2) Where a general holiday falls on a day that is a non-working day for an employee, the employee is entitled to and shall be granted a holiday with pay on the working day immediately following the general holiday.

30 (1) Subject to subsection (2),

(a) an employee whose wages are calculated on a weekly or monthly basis shall not have his weekly or monthly wages reduced for a week or month in which a general holiday occurs by reason only of his not working on the general holiday;

(b) an employee whose wages are calculated on a daily or hourly basis shall, for a general holiday on which he does not work, be paid at least the equivalent of the wages he would have earned at his regular rate of wages for his normal hours of work; and

(c) an employee whose wages are calculated on any basis other than a basis referred to in paragraphs (a) or (b) shall, for a general holiday on which he does not work, be paid at least the equivalent of his daily wages, based upon the average of his daily wages, exclusive of overtime or bonus, for the week in which such general holiday occurs.

- (2) An employee who works less than the standard hours of work or who works irregular hours shall be paid at least the equivalent of the wages he would have earned for the average number of hours he worked on each working day during the two-week period immediately preceding the week in which the general holiday falls.
- 31 (1) Subject to section 36, an employee who is required to work on a day in respect of which he is entitled under this Part to a holiday with pay shall be paid, in addition to his regular payment made in accordance with section 30, at a rate at least equal to the applicable overtime rate.
- 32 (1) An employee who is not required to work on a general holiday shall not be required to work on another day that would otherwise be a non-working day in the week in which that holiday occurs, unless he is paid at a rate at least equal to the applicable overtime rate.
- 33 (1) Pay granted to an employee in respect of a general holiday on which he does not work shall be deemed to be wages.
- 34 (1) No employee is entitled to be paid in respect of a general holiday on which he does not work
- (a) where the general holiday occurs during the first 30 days of his employment by an employer;
 - (b) where he did not report for work on that day after having been called to work on that day; or
 - (c) where, without the consent of his employer, he has not reported for work on either his last regular working day preceding or his first regular working day following the general holiday, except where his absence was permitted by this Act.
- 35 (1) Where an employee employed in or in relation to custodial work, essential services, or a continuous operation is required to work on a day that is a holiday under this Part, he shall, in addition to his regular rate of pay for the hours worked by him on that day,
- (a) be paid not less than the applicable overtime rate for all hours worked by him on that day, or

- (b) be given a holiday with pay in accordance with section 29 at some other time which may be added to his annual vacation or granted as a holiday with pay at a time convenient to him.
- 36 (1) Notwithstanding any other provision contained in this Part, where employees of an employer are represented by a trade union for the purpose of bargaining collectively and the employer and the trade union so agree in writing, or where employees of an employer are not so represented and the employer and a majority of the employees so agree in writing, a general holiday shall be observed by such employees on a specific working day other than the general holiday.
- (2) Where an employer and a trade union or a majority of employees, as the case may be, make an agreement pursuant to subsection (1) with respect to a general holiday, the working day specified in the agreement shall be deemed to be the general holiday for the purposes of this Part.

PART 6

MATERNITY LEAVE

- 37 (1) An employee is entitled to a leave of absence from work, without pay, in accordance with subsection (2) where the employee
- (a) has completed 12 months of continuous employment by an employer,
 - (b) submits to her employer a written request for leave under this subsection at least four weeks before the day on which she intends to commence such leave, and
 - (c) provides her employer with a certificate of a qualified medical practitioner stating that she is pregnant and estimating the probable date of birth of the child.
- (2) The leave of absence to which an employee is entitled pursuant to subsection (1) shall consist of period of 17 weeks or such shorter period as the employee may request and is agreed to by her employer.

- (3) An employee who has, pursuant to subsection (1), requested a leave of absence for a period may, with the consent of her employer, resume employment before the expiration of that period.
- (4) Where an employee gives birth or the pregnancy is terminated before a request for leave is made under subsection (1), the employer shall, on the employee's request and on receipt of a certificate of a qualified medical practitioner stating that the employee has given birth or the pregnancy terminated on a specific date, grant the employee a leave of absence from work, without pay, for a period of six consecutive weeks, or such shorter period as the employee may request, commencing on the specified date.
- 38 (1) An employer may, at any time within the period of six weeks preceding the probable date of birth of the child, require an employee to commence a leave of absence under Section 37.
- (2) Where the duties of the employee cannot reasonably be performed because of the pregnancy, an employer may at any time, with the consent of the Director, require an employee to commence a leave of absence under Section 37.
- (3) Where an employer requires an employee to commence a leave of absence pursuant to subsection (1), the provisions of this Part apply with all necessary changes to that leave of absence.
- 39 (1) The services of an employee who is absent from work in accordance with this Part shall be considered continuous for the purpose of this Act.
- (2) Section 26 applies to this Part.
- 40 (1) An employee who resumes employment on the expiration of the leave of absence granted in accordance with this Part shall be reinstated in all respects by the employer in the position occupied by her on the date such leave commenced, or in a comparable position.
- (2) An employer who reinstates an employee pursuant to subsection (1) shall pay the employee not less than the wages and benefits that had accrued to her on the date the leave of

absence commenced and all increments to wages and the benefits to which the employee would have been entitled had the leave not been taken.

- (3) Where the employer has suspended or discontinued operations during the leave of absence granted under this Part and has not resumed operations on the expiry of the leave of absence, the employer shall, on resumption of operations and subject to any seniority provisions in a collective agreement, comply with subsection (1).

- 41 (1) An employer shall not terminate an employee, or change a condition of employment of an employee without the employee's written consent because of an absence authorized by this Part or because of the employee's pregnancy, unless the employee has been absent for a period exceeding that permitted under this Part.

- 42 (1) Where the Director is satisfied that an employer has contravened this Part, he may make one or more orders requiring the employer to do one or more of the following:
- (a) comply with this Part;
 - (b) remedy or cease doing an act;
 - (c) reinstate an employee and pay her any wages lost by reason of the contravention;
 - (d) instead of reinstating her, pay an employee compensation in respect of wages lost by reason of the contravention.

PART 7

EQUAL PAY

- 43 (1) No employer or person acting on behalf of an employer shall discriminate between his male and female employees by paying a female employee at a rate of pay less than the rate of pay paid to a male employee, or vice versa, employed by him for similar work performed in the same establishment under similar working conditions and the performance of which requires similar skill, effort and responsibility, except where such payment is made pursuant to

- (a) a seniority system;
 - (b) a merit system;
 - (c) a system that measures earnings by quality or quantity of production; or
 - (d) a differential based on any factor other than sex.
- 44 (1) No employer shall reduce the rate of pay of an employee in order to comply with section 43.
- 45 (1) No organization of employers or employees, as the case may be, or its agents shall cause or attempt to cause an employer to pay his employees rates of pay that are in contravention of section 43.
- 46 (1) Where an employer has not complied with section 43 the Director may determine the amount of monies owing an employee and such amount shall be deemed to be unpaid wages.

PART 8

TERMINATION OF EMPLOYMENT

- 47 (1) In this Part,
- (a) "temporary layoff" means an interruption of an employee's employment by an employer for a period
 - (i) not exceeding 13 weeks of layoff in a period of 20 consecutive weeks, or
 - (ii) exceeding 13 weeks of layoff, where the employer recalls the employee to employment within a time fixed by the Director;
 - (b) "terminate" includes
 - (i) a layoff of an employee from employment, other than a temporary layoff, or
 - (ii) the alteration of a condition of employment that the Director declares to be a termination of an employee's employment.
- 48 (1) This Part does not apply to
- (a) the construction industry;
 - (b) a seasonal or intermittent undertaking that operates for less than six months in a year;
 - (c) an employee discharged for just cause;

- (d) an employee whose employer has failed to abide by the terms of the employment contract;
 - (e) an employee on temporary layoff;
 - (f) an employee employed under a contract of employment that is impossible to perform due to an unforeseeable event or circumstance; or
 - (g) an employee who has been offered and who has refused reasonable alternative employment by his employer.
- (2) Section 26 applies to this Part.
- (3) Sections 49 to 56 do not apply to an employee who is represented by a trade union for the purpose of bargaining collectively.
- 49 (1) Where an employee has completed six consecutive months of employment with an employer,
- (a) the employer shall not terminate the employment of the employee without giving the employee one week's notice in writing; and
 - (b) the employee shall not terminate his employment with the employer without giving the employer one week's notice in writing.
- (2) The period of notice prescribed in subsection (1) shall not coincide with an employee's annual vacation.
- 50 (1) Where an employer terminates the employment of an employee without having given the notice required by section 49 he shall pay to the employee one week's wages at his regular rate of pay for his normal hours of work.
- 51 (1) Where an employee terminates his employment with an employer without having given the notice required by section 49, the employer may, with the consent of the employee, deduct from the wages due to the employee an amount equal to one week's wages of the employee at his regular rate of pay for his normal hours of work.
- (2) Where an employee to whom subsection (1) applies does not consent to the deduction from his wages of the amount referred to in subsection (1), the employer shall pay that amount to the Director.

- (3) Where the Director receives the payment of an amount pursuant to subsection (2), he shall investigate the matter and may make one or more of the following orders:
- (a) determining whether the employee was required by this Part to give notice pursuant to section 49;
 - (b) to repay the amount to the employer; or
 - (c) to pay the amount to the employee where section 49 does not apply or where it would be inequitable in the circumstances to deprive the employee of his wages.
- 52 (1) Where an employer temporarily lays off an employee and the layoff exceeds a temporary layoff, the employee shall be deemed to have been terminated at the commencement of the temporary layoff and the employer shall pay the employee the amount required by section 50.
- (2) Where subsection (1) applies to the temporary layoff of an employee by an employer, the employer may, with leave of the Board, extend the period of the temporary layoff of the employee for such period of time as the Board may order.
- 53 (1) Where the notice referred to in section 49 has been given, the employer shall not, without the consent of the employee, alter his rate of wages or any other term or condition of his employment.
- 54 (1) Where an employee continues to be employed after the expiry of the period of notice given under section 49, the notice is without effect.
- 55 (1) Where an employer has substantially altered a condition of employment and the Director is satisfied that the purpose of the alteration is to discourage the employee from continuing in the employment of the employer, he may declare that the employer has terminated the employment of the employee.
- 56 (1) Where the Director is satisfied that an employer has contravened this Part, he may make one or more orders requiring the employer to do one or more of the following:
- (a) comply with this Part;
 - (b) remedy or cease doing an act; or
 - (c) pay any wages lost by reason of the contravention.

- 57 (1) Any employer who terminates, either simultaneously or within any period not exceeding four weeks, the employment of a group of 25 or more employees shall, in addition to any notice required to be given by him under section 49, give notice to the Director of his intention to do so
- (a) at least four weeks before the date of the termination where not more than 49 and not less than 25 employees are terminated;
 - (b) at least eight weeks before the date of the termination where not more than 99 and not less than 50 employees are terminated;
 - (c) at least 12 weeks before the date of the termination where not more than 299 and not less than 100 employees are terminated; and
 - (d) at least 16 weeks before the date of the termination where 300 or more employees are terminated.
- (2) Any employer who, either simultaneously or within any period not exceeding four weeks, places a group of 50 or more employees on temporary layoff shall give notice to the Director of his intention to do so at least four weeks before the date of the temporary layoff.

Part 9

SPECIAL LEAVE WITHOUT PAY

- 58 (1) No employer shall dismiss or lay off an employee solely because of his absence due to illness or injury if the period of absence does not exceed the employee's entitlement under subsection (2).
- (2) An employee's entitlement under subsection (1) with respect to an employer is one day without pay for every month he has been employed by that employer less the number of days on which the employee has previously been absent due to illness or injury, but an employee's maximum net entitlement at any time under this subsection shall not exceed six days.

- (3) An employer may request that an employee claiming to be entitled to the benefit of this Part produce the certificate of a qualified medical practitioner as a condition of his entitlement.
- 59 (1) In this section, "immediate family" means a spouse, parent, child, including a child to whom the employee stands in the place of parent, sister, brother, mother-in-law, father-in-law, common-law spouse, and any relative permanently residing in the employee's household or with whom the employee resides.
- (2) In the event of the death of a member of his immediate family, every employee is entitled to and shall be granted bereavement leave without pay for up to three days that occur during the period commencing the day of the death and ending two days after the funeral.
- 60 (1) Where the Director is satisfied that an employer has contravened this Part, he may make one or more orders requiring the employer to do one or more of the following:
- (a) comply with this Part;
 - (b) reinstate an employee and pay him any wages lost by reason of the contravention; or
 - (c) instead of reinstating him, pay an employee compensation in respect of wages lost by reason of the contravention.
- (2) Section 26 applies to this Part.

PART 10

PAYMENT OF WAGES

- 61 (1) Every employer shall keep records relating to the wages of his employees, their hours of work, and the general holidays, annual vacations and conditions of employment of his employees.
- (2) Every employer shall keep the records referred to in subsection (1) in his principal place of business in the Territory.

- (3) The Director may require an employer to supply any information referred to in subsection (1) by a notice to that effect served personally or sent by certified mail addressed to the last known address of the employer, and the employer shall supply the information within such reasonable time as is specified in the notice.
- 62 (1) Every employer shall, at least once in each month, furnish to each employee a statement in writing setting out:
- (a) the period for which the payment of wages is made;
 - (b) the number of hours for which payment is made;
 - (c) the rate of wages;
 - (d) details of the deductions made from the wages; and
 - (e) the actual sum being received by the employee.
- 63 (1) Subject to subsection (2) an employer shall, not later than seven days after the expiration of each pay period, pay to his employees all wages, other than vacation pay, owing to him in respect of such pay period.
- (2) When the employment of an employee is terminated at any time, the employer shall pay to the employee within three days from the date of termination all wages then owing to him.
- 64 (1) An employer shall pay all wages
- (a) in lawful currency of Canada,
 - (b) by cheque, bill of exchange or order to pay, payable on demand, drawn on a savings institution, or
 - (c) by deposit to the credit of the employee's account in a savings institution designated by the employee.
- 65 (1) Where an employer is required to pay wages to an employee, and the employee cannot be found for the purpose of making such payment, the employer shall, within six months after the wages became due and payable, pay the wages to the Director, and payment made to the Director shall be deemed payment to the employee.
- (2) Any amount received by the Director under subsection (1) shall be trust money under the Financial Administration Act and shall be deposited in an account to be known as the Yukon

Employment Standards Act Suspense Account and the Director may authorize payment out of the account to, or on behalf of, any employee whose wages were held therein.

- (3) The Director shall keep a record of receipts and disbursements in respect of the Yukon Employment Standards Act Suspense Account.
- (4) Where, upon the expiration of three years from the date the Director received a payment under subsection (1), no claim has been made by the employee entitled thereto for such wages, the amount so held shall, upon the order of the Commissioner in Executive Council, be forfeited to and become the property of the Government of Yukon.

PART 11

ADMINISTRATION AND GENERAL

Part 11, Division (1) - INVESTIGATION OF COMPLAINTS

- 66 (1) The Director may require an employer to post and keep posted a notice relating to the administration or enforcement of this Act or the regulations in a conspicuous place where it is most likely to come to the attention of his employees, and the employer shall post and keep posted any such notice.
- 67 (1) The Executive Council Member shall designate a person in the public service to be the the Director to administer this Act, who shall have such powers and perform such functions and duties as are conferred by this Act, including all of the powers of an Employment Standards Officer.
 - (2) The Deputy Head of the department responsible for the administration of this Act shall designate persons in the public service to be Employment Standards Officers to administer this Act, who shall have such powers and perform such functions and duties as may be conferred by this Act.

- (3) For the purposes of enforcing this Act, the regulations, or any order made under this Act or the regulations, an Employment Standards Officer shall conduct such investigations as may be necessary and may
 - (a) at any reasonable time, enter any place to which the public is customarily admitted;
 - (b) with the consent of an occupant apparently in charge of the premises, enter any other place;
 - (c) for his examination, request the production of documents or things that are or may be relevant to his investigation; and
 - (d) upon giving a receipt therefor, remove from any place documents produced in response to a request under paragraph (c) for the purpose of making copies of them or extracts from them.
- (4) An Employment Standards Officer who removes documents pursuant to paragraph (3)(c) shall return those documents within 72 hours of the time when he removes them.
- (4) An Employment Standards Officer acting under subsection (3) shall not, without the consent of the occupier, enter a place that is being used as a dwelling, except under the authority of a warrant to enter issued under subsection (7).
- (5) Where any person who has or may have documents or other things that are or may be relevant to the investigation denies the investigating Employment Standards Officer entry to any place, instructs the Officer to leave any place, or impedes or prevents an investigation by the Officer in a place, the Employment Standards Officer may apply to a justice of the peace for a warrant to enter under subsection (7).
- (6) If a person refuses to comply with a request of an Employment Standards Officer for production of documents or things, the Employment Standards Officer may apply to a justice of the peace for an order for the production of the documents or things.
- (7) Where a justice of the peace is satisfied by evidence upon oath or affirmation that there are reasonable grounds to believe it is necessary that a place being used as a dwelling, or to which entry has been denied, be entered to investigate

any matter under this Act, he may issue a warrant to enter in the prescribed form authorizing entry by any Employment Standards Officer named in the warrant.

- (8) Where a justice of the peace is satisfied by evidence on oath or affirmation that a request under subsection (3) for production of a document or thing has been refused and that there are reasonable grounds to believe that production of the document or thing is necessary to investigate any matter under this Act, he may make an order for the production of documents in the prescribed form authorizing any Employment Standards Officer named in the order to seize the documents or things described in the order.
- (9) An order under subsection (8) for the production of documents or other things may be included in a warrant to enter issued under subsection (7) or may be made separately from such a warrant.
- (10) A warrant issued under subsection (7) and any separate order made under subsection (8) shall be executed at such reasonable time as shall be specified in the warrant or order.
- (11) Every warrant issued under subsection (7) and every separate order made under subsection (8) shall name a date on which it expires, which shall be a date not later than 14 days after it is issued or made.
- (12) An Employment Standards Officer shall be supplied by the Executive Council Member with a certificate of his authority, and on entering any place shall, if so requested, produce the certificate to the person who asks to see evidence of his authority.
- 68 (1) An Employment Standards Officer may administer all oaths and take and receive all affidavits and statutory declarations.
- 69 (1) Where an Employment Standards Officer finds that an employer has failed to pay an employee any wages due to the employee, the Employment Standards Officer may determine the difference between the wages actually paid to the employee and the wages to which the employee is entitled and, if the amount of the difference is agreed to in writing by the employer and the employee, the employer shall, within three days after the date

of the agreement, pay that amount to the employee or, if the Director so orders, to the Director who shall pay it over to the employee forthwith upon the receipt thereof by him.

- (2) When an employer has made payment of the wages agreed to be due in accordance with subsection (1), no prosecution for failure to pay an employee the full wages to which he was entitled under this Act shall be instituted against the employer.
- 70 (1) A complaint under this Act shall be made to the Director or an Employment Standards Officer
- (a) in respect of wages alleged to be due, within one year after the last date on which payment of the wages was to be made to an employee and an employer failed to make it, or
 - (b) in respect of other matters, within one year after the date on which the subject matter of the complaint arose.
- 71 (1) Where the complainant makes a request to the Director or an Employment Standards Officer that his name and identity be withheld, it shall not be disclosed to any person except where disclosure
- (a) is necessary for the purposes of proceeding under this Act; or
 - (b) is considered by the Director or the Board to be in the public interest.
- 72 (1) On receiving a complaint within the time permitted under section 70, the Director or an Employment Standards Officer shall investigate the complaint.
- (2) Notwithstanding subsection (1), the Director may
- (a) refuse to investigate a complaint where he considers that the complaint is frivolous, vexatious, trivial or has not been initiated in good faith, and
 - (b) cease investigating a complaint where, in his opinion, there is insufficient evidence to substantiate the complaint.

- (3) The Director may institute an investigation without receiving a complaint where he considers it necessary to determine that the requirements of this Act are being complied with.
 - (4) The Director may, on application to him or on his own motion, reconsider a decision, order, authorization or direction made by him and may vary or revoke his decision, order, authorization or direction.
 - (5) For the purposes of this Act, the Director has the protection, privileges and powers of a Board appointed under the Public Inquiries Act.
- 73 (1) Where the Director is unable to resolve a complaint made under this Act he may refer the matter to the Board for a decision.
- 74 (1) A person affected by a decision, order, authorization or direction made by the Director may appeal to the Board.
- (2) An appeal must be made in writing and delivered to the Director within 14 days after the date of the decision, order, authorization or direction of the Director.
 - (3) Where the Director receives an appeal pursuant to subsection (2), he shall forward the appeal forthwith to the Board
 - (4) An appeal may, with leave of the Board, be taken after the expiration of the time set by subsection (2).
- 75 (1) Where the Board considers an appeal made to it under section 74, it may deny or allow the appeal in whole or in part and may make any order that it considers the Director ought to have made.

Part 11, Division (2) - CERTIFICATE FOR WAGES

- 76 (1) Where the Director is satisfied that wages are due to an employee from an employer he may serve on the employer a demand that the employer pay to the Director the amount of the wages due.

- (2) An employer who receives a demand from the Director pursuant to subsection (1) shall, within 14 days of the date on which the demand is served on him,
 - (a) pay the amount set out in the demand, or
 - (b) serve the Director with a notice that he disputes or disagrees that the amount set out in the demand is due.
- (3) Subject to subsection (4), where an employer fails to comply with paragraph (2)(a) or where the employer serves a notice under paragraph 2(b) and the Director is unable to resolve the dispute or disagreement, the Director may issue a certificate showing the amount of wages that in his opinion is owed by the employer to the employee.
- (4) The Director shall not issue a certificate pursuant to subsection (3) with respect to wages due from an employer to an employee until
 - (a) he has obtained a statutory declaration from the employee or his authorized representative setting out the particulars of the wages due,
 - (b) a copy of the statutory declaration has been served on the employer, and
 - (c) five days have elapsed since the date on which the statutory declaration was served on the employer.
- (5) The Director may file the certificate issued under subsection (3) in the office of the Clerk of the Court, and when so filed the certificate shall be deemed to be a judgment of the Court in favour of the employee named in the certificate against the employer named therein and may be enforced as a judgment of the Court by the employee or by the Director on behalf of the employee against the employer for the amount shown in the certificate.
- (6) Where the Director has filed a certificate in accordance with subsection (5), he shall forthwith serve the employer and each employee named in the certificate with a notice setting out
 - (a) the amount of wages shown in the certificate that is owed or will become owing by the employer to the employee;
 - (b) the date on which the certificate was filed; and

- (c) that if the employer or any employee named in the certificate desires to dispute or disagree with any amount shown in the certificate he may, within 14 days after the notice is served upon him, appeal to the Board.
- 77 (1) Where the employer or an employee named in the certificate filed in accordance with subsection 76(5) disputes or disagrees with the amount of the wage that is shown in the certificate, the employer or employee may, within 14 days after being served with notice of the filing of the certificate apply to the Board to have the amount of the wages shown in the certificate reviewed.
- (2) An application under subsection (1) shall be served on the Director and the respondent employee or employer.
- (3) The Board shall begin its hearing within 14 days of receiving the application under subsection (1).
- (4) Subject to subsection 91(1), the Board shall determine the amount of the unpaid wages due and owing to an employee named in the certificate and shall make any amendment required to the certificate in order to make the certificate accord with its decision.
- (5) Where an employer or an employee affected by the decision of the Board made pursuant to subsection (4) disputes or disagrees with the decision, he may, within 14 days after being served with notice of the decision, apply to the Court to have the amount of wages shown in the certificate reviewed.
- (6) An application under subsection (5) shall be made in accordance with the Rules of Court by originating notice which shall be served on the Board, the Director and the respondent employee or employer.
- (7) The Court shall consider the application and make such order as it deems appropriate, including any amendment required to the certificate to make the certificate accord with the order.

- 78 (1) After the Director has issued a certificate pursuant to Section 76 the employee shall not, without the written consent of the Director, commence any other proceeding to recover unpaid wages unless the certificate is cancelled and not replaced under section 76.
- 79 (1) Notwithstanding any other provision in this Act or any provision in any other Act, the directors of a corporation are jointly and severally liable to an employee of the corporation for all debts, not exceeding two months wages, due for services performed for the corporation and not exceeding 12 months vacation pay earned by the employee while they are the directors.
- (2) Where wages that are owed to an employee by an employer that is a corporation are due and unpaid after 30 days from the date on which the employer is served with notice under subsection 76(6) that a certificate in respect of the unpaid wages has been filed, the Director may file with the Clerk of the Court
- (a) a copy of the certificate setting out the date on which notice of the filing of the certificate was served on the employer,
 - (b) a statement to the effect that wages in a stated amount are due and unpaid by the employer after 30 days from the date on which the notice referred to in clause (a) was served, and
 - (c) a list of the directors of the corporation who, in the opinion of the Director, are liable under subsection (1) for the unpaid wages of the employee named in the certificate.
- (3) Where the documents mentioned in subsection (2) are filed by the Director in accordance with that subsection, the certificate shall be deemed to be a judgment of the Court in favour of each employee named in the certificate against the directors named in the list for the amount set out in the statement and the certificate is enforceable as a judgment of the Court.
- (4) Section 77 applies with all necessary changes in respect of a certificate filed under this section.

- (5) Where a director pays a debt referred to in subsection (1) to an employee,
- (a) he is entitled to the same preference that the employee is entitled to under this Act for purposes of recovering the amount of the debt from the corporation, and
 - (b) he is entitled to an assignment of any judgment in the Court in favour of the employee in respect of the debt.
- 80 (1) Where a certificate has been filed under section 76 the amount of wages shown in the certificate in respect of the employees named therein shall be paid by the employer to the Director and the receipt of the Director for any moneys paid to him pursuant to this section is a good and sufficient discharge of the liability of the employer making the payment to the extent of the amount shown in the receipt.
- 81 (1) Where the Director has reason to believe that any person, including the Government of Yukon and its agencies, is or is about to become indebted to an employer named in a certificate made under section 76, the Director may serve a demand in writing on that person requiring that the money otherwise payable by him to that employer be paid to the Director to the extent of the liability of that employer pursuant to the certificate.
- (2) Where a demand is made under subsection (1), the person to whom the demand is made
- (a) shall pay the amount of money demanded by the Director or the amount due from the person to the employer, whichever is the lesser amount, to the Director, and
 - (b) shall not, except with the written consent of the Director, pay the money demanded to any person other than the Director.
- (3) The Director shall deposit any amount received under subsection (2) in the Yukon Employment Standards Act Suspense Account referred to in subsection 65(2), and he has the same powers and duties in relation thereto as prescribed in subsections 65(2) and (3).

- (4) The receipt of the Director for money paid under subsection (1) constitutes a good and sufficient discharge of the liability of the person to the employer named in the certificate to the extent of the amount referred to in the receipt.
 - (5) Where a demand made on a person pursuant to subsection (1) is not honoured and the Director is satisfied the person is indebted to the employer named in the certificate, the Director may enforce recovery of the amount as if it were unpaid wages and may issue a certificate showing the amount that in his opinion is owed by the person to the employer.
 - (6) A certificate issued pursuant to subsection (5) may be filed in the office of the Clerk of the Court pursuant to subsection 76(5) and the provisions of this section and sections 78, 80, 83, 84 and 85 apply in respect of the certificate.
 - (7) Where a person upon whom a demand is made pursuant to subsection (1) denies being indebted to the employer named in the certificate, the Director may require that person to produce such information as the Director considers necessary to establish that there is no indebtedness.
- 82 (1) Where the Director has received moneys pursuant to section 81, he shall forthwith send by certified mail to the employer and the employee named in the certificate a notice stating
- (a) the date of receipt of the moneys,
 - (b) the amount received,
 - (c) the amount payable to the employees under the certificate, and
 - (d) that unless the employer notifies the Director within 14 days of the date of the notice that he disputes the amount payable to the employee, the Director will pay the amount paid to him pursuant to section 81 or the amount claimed by the employee, whichever is the lesser amount, to the employee under the expiry of the 14 day period.
- (2) Unless the employer upon whom a notice is served pursuant to subsection (1) notifies the Director within the period mentioned in that subsection that he disputes the amount payable to the employee, the Director shall, upon the expiry of the 14

day period, pay the amount paid in pursuant to section 81 or the amount claimed by the employee whichever is the lesser amount, to the employee.

- (3) Where an employer notifies the Director that he disputes the amount payable to the employee, the Director shall decide the dispute.
- 83 (1) Subject to section 84 and notwithstanding the provisions of any other Act and except upon a distribution made by a trustee under the Bankruptcy Act, wages shall have priority over the claims or rights, and be paid in priority to the claims or rights, including the claims or rights of the Government of Yukon, of all preferred, ordinary or general creditors of the employer.
- 84 (1) Unpaid wages set out in a certificate as being due from an employer to an employee constitute a lien, charge and secured debt in favour of the employee against all the real and personal property of the employer including money due or accruing due to the employer from any source.
- (2) Notwithstanding any other Act, the amount of a lien, charge and secured debt referred to in subsection (1) is payable and enforceable in priority over all liens, judgments, charges or any other claims or rights including those of the Government of Yukon
- (a) of all preferred, ordinary or general creditors of the employer whether made or created before or after the date the wages were earned or the date a payment for the benefit of an employee became due; and
- (b) of all secured creditors of the employer where the security was made or created after the date the wages were earned or the date a payment for the benefit of an employee became due.
- (3) Notwithstanding subsection (2), the lien, charge and secured debt referred to in subsection (1) does not have a priority over a mortgage of land or a debenture charging land that was registered in a land title office before the filing of the certificate pursuant to subsection 76(5), except with respect to money advanced under the mortgage or debenture after the certificate was filed.

- 85 (1) Where in the opinion of the Director an employer is indebted or is likely to become indebted to an employee for wages, and there are reasonable and probable grounds to believe that the employer intends to remove all or part of his assets from the Territory, the Director may apply without notice to any party to the Court for an order prohibiting the employer from removing any of his assets from the Territory until the employer pays to the employee all wages that are due to the employee or provides adequate security for the payment of the wages.
- (2) Where the Court makes an order pursuant to subsection (1), the employer affected thereby may, with notice to the Director, apply to the Court to review or rescind the order.
- (3) An application by an employer to the Court pursuant to subsection (2) to review or rescind an order does not operate as a stay of the order.

PART 12

EMPLOYMENT STANDARDS BOARD

- 86 (1) There is established a Board to be called the Employment Standards Board.
- (2) The Board shall be composed of five members appointed by the Executive Council Member consisting of
- (a) a chairman,
 - (b) two members who are representative of employers, and
 - (c) two members who are representative of employees.
- (3) The term of the members of the Board shall be three years, or such lesser term as the Executive Council Member may specify at the time of the appointment, and members are eligible for re-appointment.
- (4) A member of the Board may be paid transportation, accommodation, and living expenses incurred in connection with the performance of his duties as a member of the Board away from his ordinary place of residence but, except as otherwise provided by the regulations, the payment of such expenses

shall conform as nearly as possible in all respects to the payment of such expenses for members of the public service of Yukon.

- (5) A member of the Board may be paid such remuneration as may be prescribed by the Commissioner in Executive Council.
 - (6) The Executive Council Member may appoint one or more vice chairman from among the members of the Board, who may act in the place of the chairman during his absence.
- 87
- (1) The chairman of the Board may from time to time establish a panel consisting of one or more members of the Board.
 - (2) Where the chairman of the Board refers a matter to a panel the panel has all the power and authority of the Board in respect of that matter.
- 88
- (1) A quorum of the Board or of a panel is a majority of its members.
- 89
- (1) Where there is no majority decision of the members of the Board or a panel, the decision of the presiding chairman is the decision of the Board or panel.
- 90
- (1) For the purposes of this Act, the Board and each of its members has the protection, privileges and powers of the Board appointed under the Public Inquiries Act.
- 91
- (1) Where a matter comes before the Board under or pursuant to this Act, the Board shall begin its inquiry into the matter with 14 days.
 - (2) The Board shall give full opportunity to the parties to a proceeding to present evidence and to make submissions to it and, where the Board considers it necessary, it may hold a hearing.
 - (3) In a proceeding before the Board, the parties shall be
 - (a) the person alleged to have contravened this Act,
 - (b) the complainant, if any,
 - (c) the Director or his authorized representative, and
 - (d) any other person specified by the Board.

- (4) The Board may order the payment by a party of costs or expenses to another party referred to in subsection 3(a), (b) or (d), including compensation for wage loss resulting from attending a hearing, that it considers appropriate.
- 92 (1) Where a member of the Board resigns or his appointment terminates, he may, in relation to a proceeding in which he participated as a member of the Board and until the proceeding is completed, carry out and complete the duties or responsibilities and continue to exercise the powers that he would have had if he had not ceased to be a member.
- 93 (1) The Board may on its own motion reconsider a decision, order, authorization, direction, declaration or ruling made by it or a panel within 14 days after making it and may vary or revoke the decision, order, authorization, direction declaration or ruling.
- 94 (1) Subject to subsection 77(5), an order or decision of the Board or a panel is final and binding.
- 95 (1) The Board may on application or on its own motion give a declaratory opinion on a matter arising under this Act.
- 96 (1) In addition to the functions and duties conferred on it by this Act, the Board shall advise the Executive Council Member with respect to any matter that he wishes to refer to it.

PART 13

GENERAL

- 97 (1) Where an employer has a contract for the performance of a public work of the Territory, he shall pay his employees who are engaged on or in connection with that public work not less than the prevailing wage rate applicable to the work performed by his employees as that rate is set out in an applicable schedule of wage rates established by the Board with the approval of the Commissioner in Executive Council.

- (2) The schedule of wage rates may contain rates payable to apprentices by reference to the Apprentice Training Act and regulations, or otherwise.
- 98 (1) Where an employer terminates the employment of an employee or lays off an employee who has been employed by the employer at a remote site, the employer shall provide transportation for the employee without cost to the employee to the nearest point at which regularly scheduled transportation services are available.
- 99 (1) Where the Commissioner in Executive Council is satisfied that reciprocal provisions will be made by a province for the enforcement of certificates issued under this Act, he may declare the province to be a reciprocating province and may designate the enforcement authority of that province for the purpose of this section.
- (2) Where an order, judgment or certificate for the payment of wages has been obtained by a designated enforcement authority of a reciprocating province, the authority may apply to the Director to enforce the order, judgment or certificate for the payment of wages.
- (3) Where the Director receives an application pursuant to subsection (2) with respect to an order, judgment or certificate that has been certified by the Court in which it is registered or, if there is no provision in the reciprocating province for registration, that has been certified a true copy thereof by the authority, and is satisfied that all or part of the wages claimed therein are still owing, the Director may issue and file a certificate with the Court in the same manner as prescribed by subsections 76(3) and 76(5).
- (4) A certificate issued and filed pursuant to subsection (3) is enforceable in the same manner and with the same priorities as are provided in this Act for wages owing.
- 100 (1) A person who
- (a) contravenes any provision of this Act or the regulations, or any order made thereunder, or

- (b) discharges or threatens to discharge or otherwise discriminates against a person because that person
 - (i) has testified or is about to testify in any proceeding had or taken under this Act, or
 - (ii) has given any information to the Director, an Employment Standards Officer or the Board regarding the wages, hours of work, annual vacation or conditions of employment of any employee,commits an offence and is liable on summary conviction to a fine not exceeding one thousand dollars.

- (2) Where an offence under this Act committed by a corporation is committed with the consent or connivance of any director, manager, secretary or any official of the corporation in charge or apparently in charge of a project he, as well as the corporation, commits an offence and he is liable on summary conviction to a sentence not exceeding three months or to a fine not exceeding one thousand dollars or to both fine and imprisonment.

- (3) Where a complaint is laid against a person who is a corporation a summons may be issued requiring an officer, director, secretary or partner named therein to appear to answer the charge on behalf of the corporation and to attend from day to day until the trial or hearing has been completed.

- (4) Any person who fails to obey a summons issued pursuant to subsection (3) commits an offence and is liable on summary conviction to a sentence not exceeding three months or a fine not exceeding one thousand dollars or to both fine and imprisonment.

- (5) Where a person is convicted of an offence under this Act the presiding judge may, on the application of the Director, order such person to furnish to the Director security, either in the form of a bond together with one or more sureties as the presiding judge thinks fit or otherwise satisfactory to the presiding judge in an amount and form and conditioned for the payment of all wages.

- (6) Where the employer furnishes a bond or other security under subsection (5) the Director may, by giving written notice to the employer either by certified mail or by service of the

notice on that employer, apply the proceeds of the bond or security in whole or in part to any wages that the Director ascertains the employer subsequently owes to any employee.

- (7) Where the employer fails to furnish the bond or security under subsection (5) the Court, upon an application made by the Director, may restrain the employer from employing people in the industry or business specified in the order until the bond or security is furnished and the costs of the application are paid.
- 101 (1) A complaint or information under this Act may relate to one or more offences by one employer in respect of one or more of his employees.
- (2) Proceedings in respect of an offence under this Act may be instituted at any time within one year after the time when the subject matter of the proceedings arose.
- 102 (1) Where an employer has been convicted of an offence under this Act in respect of any employee, the presiding judge shall, in addition to any other penalty, order the employer to pay to the employee any wages to which the employee is entitled under this Act the non-payment or insufficient payment of which constituted the offence for which the employer was convicted.
- (2) Where an employer has been convicted of an offence under this Act in respect of the discharge of an employee, the presiding judge may, in addition to any other penalty, order the employer
- (a) to pay compensation for loss of employment to the employee not exceeding such sum as in the opinion of the presiding judge is equivalent to the wage that would have accrued to the employee up to the date of conviction but for such discharge; and
- (b) to reinstate the employee in his employ at such date as in the opinion of the presiding judge is just and proper in the circumstances and in the position that the employee would have held but for such discharge.

- (3) An employer who refuses or neglects to comply with an order of a presiding judge made under this section commits an offence and is liable on summary conviction to a fine not exceeding fifty dollars for each day during which such refusal or failure continues.
 - (4) In determining the amount of wages for the purposes of subsection (1), if the presiding judge finds that the employer has not kept accurate records of hours worked by the employee, the employee affected shall be conclusively presumed to have been employed for 10 hours in each day and 60 hours in each week, or the number of hours deposed to by the employee, whichever is the less and to be entitled to full wages therefor.
- 103 (1) Subject to subsection 69(2) and section 78, nothing in this Act or the regulations affects the right of a person to commence and maintain an action which, but for this Act, he would have had the right to commence and maintain.
- 104 (1) Where by this Act or the regulations, the Director or the Board is authorized to make any order in respect of any matter, the order may be made to apply generally or in particular cases, or to classes of employees or employers.
- 105 (1) Any application, appeal, demand, notice, statutory declaration or other document required to be served by this Act shall be served personally or sent by certified mail to the person to be served and, when sent by certified mail, shall be deemed to have been served on the person to whom it was sent on the seventh day after it was mailed.
- 106 (1) The Commissioner in Executive Council may make such regulations as he deems necessary for carrying out the provisions of this Act and, without restricting the generality of the foregoing, may make regulations
- (a) requiring employers to keep records of wages, vacations, holidays and hours of work of employees and of other particulars relevant to the purposes of this Act or any part thereof, in such form as may be required;
 - (b) governing the production and inspection of records required to be kept by employers;

- (c) for calculating and determining wages received by an employee in respect of his employment, including the monetary value of remuneration other than money and the regular rate of wages of employees who are not paid solely on a basis of time;
- (d) prescribing custodial work and essential services for the purposes of subsection 35(1);
- (e) for any other matter or purpose that under this Act is required or permitted to be prescribed by regulation; and
- (f) to exempt any person or class of persons from some or all of the provisions of this Act.

107 (1) The following section is added immediately after section 114 of the Business Corporations Act:

- "114.1 (1) Every person who is a director of a corporation is jointly and severally liable with the other directors in accordance with the Employment Standards Act, to each employee of the corporation for all debts payable to the employee for services performed for the corporation, while he is a director.
- (2) If a director pays a debt referred to in subsection (1) that is proved in liquidation, dissolution or bankruptcy proceedings, he is entitled to any preference that the employee would have been entitled to, and if a judgment has been obtained, he is entitled to an assignment of the judgment.
- (3) A director who has satisfied a claim under this section is entitled to contribution from the other directors who were liable for the claim."

(2) Subsection 140(7) of the Business Corporations Act is amended by deleting the words "liabilities to the same extent" and substituting therefor the words "liabilities, including any liabilities under section 79 of the Employment Standards Act, to the same extent".

108 (1) The Labour Standards Act is repealed.

(2) The Wages Recovery Act is repealed.

109 (1) This Act shall come into force on a date to be fixed by the
Commissioner in Executive Council.

STATUTES OF THE YUKON TERRITORY
1984, Chapter 6

ENERGY CONSERVATION ASSISTANCE ACT

(Assented to May 17, 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 Energy Conservation Assistance Act.

PART 1

Saving Energy Action Loans

- 2 (1) The Executive Council Member may make loans to the eligible owners of residential premises so as to help those owners improve the thermal efficiency of their residential premises.
- (2) The amount of a loan made under subsection (1) may not exceed the maximum prescribed by the Commissioner in Executive Council.
- (3) A loan under subsection (1) shall be made subject to such conditions as are prescribed by the Commissioner in Executive Council.
- 3 (1) A person is eligible to receive a loan under subsection 2(1) where
- (a) he owns the residential premises in respect of which the loan is made;
- (b) he has already been granted whatever financial assistance he may be eligible for in respect of the thermal efficiency of those premises under any program of the Government of Canada;

- (c) those premises are
 - (i) the owner's principal place of residence, or
 - (ii) continuously occupied as a residence, or continuously available for residential occupancy by a tenant of the owner; and
 - (d) those premises were constructed or under construction before April 1, 1984.
- 4 (1) The Commissioner in Executive Council may make regulations prescribing
- (a) the maximum amount of a loan that may be made under subsection 2(1);
 - (b) the maximum number of units of residential premises for which a person may receive a loan under subsection 2(1);
 - (c) conditions that a loan shall be made subject to;
 - (d) materials, services and labour in respect of which a loan may be made; and
 - (e) the procedure for applying for a loan and the information that must be supplied in support of an application.

PART 2

Yukon Energy Alternatives Program

- 5 (1) The Executive Council Member may make grants to persons to assist in discovering or in demonstrating the practicality of alternative energy sources, methods of energy use, or energy conservation.
- (2) The amount of grants made under subsection (1) may not exceed in respect of the same project the maximum prescribed by the Commissioner in Executive Council.
- (3) A grant under subsection (1) shall be made subject to such conditions as are prescribed by the Commissioner in Executive Council.

- 6 (1) The Commissioner in Executive Council may make regulations prescribing
- (a) the procedure for applying for a grant under subsection 5(1) and the information that must be supplied in support of an application;
 - (b) conditions that a grant shall be made subject to including conditions about copyright or patent rights arising from the project in respect of which the grant is made and conditions about reporting the results and public access to the reported results of the project;
 - (c) the materials, services or labour for which the grant may be used; and
 - (d) criteria by which projects will be chosen to receive a grant.
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STATUTES OF THE YUKON TERRITORY
1984, Chapter 7

FIFTH APPROPRIATION ACT, 1982-83

(Assented to April 18, 1984)

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

And whereas, out of the sums previously appropriated, the sums appearing in parenthesis in Schedule "A" of this Act are not required for the purpose of defraying certain expenses of the public service of Yukon or for related purposes for the period of 12 months ending on March 31, 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 Fifth Appropriation Act, 1982-83.
- 2 (1) In addition to the sum of \$37,438,000 provided for in the First Appropriation Act, 1982-83, the sum of \$133,557,000 provided for in the Second Appropriation Act, 1982-83, the sum of \$5,226,000 provided for in the Third Appropriation Act, 1982-83, and the sum of \$6,489,000 provided for in the Fourth Appropriation Act, 1982-83, from and out of the Yukon Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole \$14,595,000 for defraying the several charges and expenses of the public service of Yukon payable in the period of 12 months ending

on March 31, 1983, as set forth in Schedule "A" of this Act and appearing there as sums not in parentheses, and that sum shall not be paid or applied except in accordance with Schedule "A" and the Financial Administration Act.

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

SCHEDULE A

<u>Appropriation or Item</u>	<u>\$ (Dollars in 000's)</u>
Sums that are required:	
Executive Council Office	2
Health and Human Resources	6,669
Municipal and Community Affairs	164
Justice	308
Finance	936
Tourism, Recreation and Culture	139
Government Services	191
Loan Amortization	<u>6,186</u>
Sub-Total (sums required)	<u>14,595</u>
Sums previously appropriated that are not required:	
Yukon Legislative Assembly	(24)
Executive Council Office	(62)
Education, Advanced Education and Manpower	(1,082)
Consumer and Corporate Affairs	(61)
Economic Development	(571)
Justice	(156)
Highways and Transportation	(1,582)
Public Service Commission	(61)
Tourism, Recreation and Culture	(17)
Renewable Resources	(764)
Government Services	(376)
Yukon Housing Corporation	(271)
Yukon Liquor Corporation	<u>(15)</u>
Sub-Total (sums not required)	<u>(5,042)</u>
TOTAL	<u>9,553</u>

FIFTH APPROPRIATION ACT, 1982-83

SCHEDULE B

\$ (Dollars in 000's)

	<u>Operation and Maintenance</u>	<u>Capital</u>	<u>Total</u>
Yukon Legislative Assembly	1,137	0	1,137
Executive Council Office	1,420	2	1,422
Education, Advanced Education and Manpower	26,243	8,726	34,969
Consumer and Corporate Affairs	1,020	0	1,020
Health and Human Resources	32,422	414	32,836
Municipal and Community Affairs	6,378	7,770	14,148
Economic Development	1,646	861	2,507
Justice	10,490	286	10,776
Highways and Transportation	26,284	7,281	33,565
Public Service Commission	1,072	0	1,072
Finance	4,536	0	4,536
Tourism, Recreation and Culture	2,610	1,960	4,570
Renewable Resources	5,009	836	5,845
Government Services	6,801	1,020	7,821
Yukon Housing Corporation	1,381	0	1,381
Yukon Liquor Corporation	0	825	825
Loan Capital	300	0	300
Loan Amortization	<u>13,235</u>	<u>0</u>	<u>13,235</u>
TOTAL	<u>141,984</u>	<u>29,981</u>	<u>171,965</u>

STATUTES OF THE YUKON TERRITORY
1984, Chapter 8

FIFTH APPROPRIATION ACT, 1983-84

(Assented to March 29, 1984)

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 Fifth 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 \$141,407,000 provided for in the Second Appropriation Act, 1983-84, the sum of \$1,000,000 provided for in the Third Appropriation Act, 1983-84, and the sum of \$28,331,000 provided for in the Fourth Appropriation Act, 1983-1984, from and out of the Yukon Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole \$7,415,000 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, the Fourth Appropriation Act, 1983-1984, and this Act.
-

FIFTH APPROPRIATION ACT, 1983-84

SCHEDULE A

<u>Appropriation or Item</u>	<u>\$ (Dollars in 000's)</u>
Sums that are required:	
Yukon Legislative Assembly	23
Executive Council Office	354
Education, Advanced Education and Manpower	515
Consumer and Corporate Affairs	76
Health and Human Resources	1,459
Municipal and Community Affairs	168
Economic Development	64
Justice	523
Highways and Transportation	427
Public Service Commission	273
Finance	641
Tourism, Recreation and Culture	78
Renewable Resources	815
Government Services	750
Yukon Liquor Corporation	29
Loan Amortization	<u>1,220</u>
Subtotal (sums required)	<u>7,415</u>
Sums previously appropriated that are not required:	
Education, Advanced Education and Manpower	(288)
Municipal and Community Affairs	(602)
Economic Development	(109)
Highways and Transportation	(2,722)
Finance	(1)
Tourism, Recreation and Culture	(275)
Government Services	(143)
Yukon Housing Corporation	(28)
Loan Capital	<u>(2,250)</u>
Subtotal (sums not required)	<u>(6,418)</u>
TOTAL	<u>997</u>

FIFTH APPROPRIATION ACT, 1983-84

SCHEDULE B

	<u>\$ (Dollars in 000's)</u>		
	<u>Operation</u>	<u>Capital</u>	<u>Total</u>
	<u>& Maintenance</u>		
Yukon Legislative Assembly	1,101	10	1,111
Consumer and Corporate Affairs	1,031	0	1,031
Economic Development	2,265	1,619	3,884
Education, Advanced Education and Manpower	30,461	6,054	36,515
Executive Council Office	3,035	8	3,043
Finance	3,913	0	3,913
Government Services	9,328	4,082	13,410
Health and Human Resources	30,768	2,707	33,475
Highways and Transportation	30,626	10,877	41,503
Justice	11,387	615	12,002
Municipal and Community Affairs	7,028	9,203	16,231
Public Service Commission	1,759	0	1,759
Renewable Resources	5,558	2,384	7,942
Tourism, Recreation and Culture	4,154	2,141	6,295
Yukon Housing Corporation	2,020	294	2,314
Yukon Liquor Corporation	0	285	285
Loan Capital	2,750	0	2,750
Loan Amortization	8,684	0	8,684
	<hr/>	<hr/>	<hr/>
TOTAL	<u>155,868</u>	<u>40,279</u>	<u>196,147</u>

STATUTES OF THE YUKON TERRITORY
1984, Chapter 9

AN ACT TO AMEND
THE FINANCIAL ADMINISTRATION ACT

(Assented to April 18, 1984)

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

- 1 (1) In paragraph 45(1)(d) of the Financial Administration Act, "\$2,000,000" is substituted for "\$1,200,000".
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STATUTES OF THE YUKON TERRITORY
1984, Chapter 10

FINANCIAL AGREEMENT ACT, 1984

(Assented to May 17, 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 Financial Agreement Act, 1984.
- 2 (1) In this Act, "agreement" means the agreement entered into pursuant to section 3.
- 3 (1) Subject to this Act, the Commissioner in Executive Council is authorized to make an agreement providing for the payment by the Government of Canada to the Government of Yukon, in respect of the period of one year commencing on April 1, 1984, and ending on March 31, 1985,
 - (a) as an operating grant, an amount equal to \$83,402,000 for operating expenses, and
 - (b) as a capital grant, an amount equal to \$28,123,000 for capital expenses.
- 4 (1) The agreement shall include a schedule providing for the amount and timing of the payments to be made by the Government of Canada to the Government of Yukon.
 - (2) The agreement shall contain such other conditions as may be agreed upon for the purpose of giving effect to this Act and may be executed on behalf of the Commissioner in Executive Council by the Executive Council Member.
- 5 (1) The agreement may be amended from time to time by agreement between the Government of Canada and the Commissioner in Executive Council, but no such amendment is valid unless it is ratified by the Legislative Assembly.

- 6 (1) Upon the execution of the agreement, every Act, and every regulation or by-law made thereunder, including the by-laws of every municipality or local improvement district, shall, for the relevant periods provided in the agreement, be deemed to be amended, suspended or inoperative as the case may be to the extent necessary to give effect to the agreement and to permit the Government of Yukon to fulfill every obligation assumed by it under the agreement.
 - (2) The Commissioner in Executive Council is empowered to do every act and exercise every power for the purpose of fulfilling every obligation assumed by the Government of Yukon under the agreement.
 - (3) This section shall remain in operation only for so long as may be necessary to give effect to the agreement.
- 7 (1) The Financial Agreement Act, 1983 is amended in paragraph 3(1)(a) by substituting "\$78,606,000" for "\$72,809,000".
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STATUTES OF THE YUKON TERRITORY
1984, Chapter 11

AN ACT TO AMEND
THE GOVERNMENT EMPLOYEE HOUSING PLAN ACT

(Assented to May 17, 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 amends the Government Employee Housing Plan Act.
- 2 (1) The following is substituted for clause (1i) in the definition of "employee" in subsection 2(1):

"(1i) a person appointed to a part-time position".
- 3 (1) The following is substituted for subsection 3(1):

"3 (1) Every employee who has at least two years continuous service and owns a housing unit that qualifies under section 7 becomes eligible for the benefits of the Plan when
(a) he resigns from the public service,
(b) he proceeds to pension,
(c) he is laid off or discharged by his employer,
(d) he is retired for ill health by his employer,
or
(e) he is transferred by the Government of Yukon away from the community in which his housing unit is located."
- (2) In subsection 3(2), "eligible employee" is substituted for "employee".
- 4 (1) The following is substituted for paragraph 4(1)(b):

"(b) the housing unit has been under offer for sale to the public at a price not greater than the amount that is 5 per cent greater than the mean of the two appraisals

under section 6 for not less than 60 days during the period commencing 61 days prior to the day on which he becomes an eligible employee and ending 61 days after he makes his application for the benefit of the plan."

5 (1) In paragraph 6(1)(b), "93" is substituted for "95" and "Corporation" is substituted for "Government".

6 (1) The following is substituted for paragraph 7(1)(a):

"(a) it is owned by the employee and occupied by him as his principal place of residence on the date on which he becomes eligible for the benefits of the Plan under subsection 3(1) or, in a case where subsection 3(2) applies, on the date on which he dies, and".

(2) In subsection 7(2), "from the Public Service" is deleted.

7 (1) In paragraphs 11(1)(b) and (d), "the market rent" is substituted for "an economic rent".

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

"(1) A revolving fund of \$1,500,000 is hereby established for the purpose of acquiring and maintaining housing units in accordance with this Act."

9 (1) In subsection 14(1), "Executive Council Member" is substituted for "Commissioner".

10 (1) In subsections 15(1) and (2), "Commissioner in Executive Council" is substituted for "Commissioner".

11 (1) Section 16 is repealed but its repeal shall not affect the continuation of any benefits acquired before its repeal.

STATUTES OF THE YUKON TERRITORY

1984, Chapter 12

GOVERNMENT EMPLOYEES
UNEMPLOYMENT INSURANCE AGREEMENT ACT

(Assented to April 18, 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 Government Employees Unemployment Insurance Agreement Act.

 - 2 (1) The Commissioner in Executive Council may enter into agreements with the Government of Canada under and for the purposes of the Unemployment Insurance Act, 1971 (Canada) providing for the extension of unemployment insurance programs to employees of the Government of Yukon.
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STATUTES OF THE YUKON TERRITORY
1984, Chapter 13

AN ACT TO AMEND
THE INCOME TAX ACT

(Assented to April 18, 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 amends the Income Tax Act.
- 2 (1) In subsection 5(1.3), "and (1.2)" is substituted for "and (1.3)".
- 3 (1) The following is substituted for subsection 4(5):

 "(5) An individual who, under the federal Act, pays tax computed in accordance with subsection 117(6) of that Act may, in lieu of a tax under subsection (1), pay a tax determined in accordance with prescribed rules."
- 4 (1) The following is substituted for paragraph 17(1)(a):

 "(a) either:
 (i) on or before the last day of each of the first 12 months in that period, an amount equal to one-twelfth of its tax payable for the year; or
 (ii) on or before the last day of each of the first 12 months in that period, an amount equal to one-twelfth of its first installment base for the year; or

(iii) on or before the last day of each of the first two months in that period, an amount equal to one-twelfth of its second installment base for the year, and on or before the last day of each of the next following 10 months in that period, an amount equal to one-tenth of the amount remaining after deducting the amount computed under this sub-paragraph in respect of the first two months in the period from its first installment base for the year; and".

(2) The following subsection is added to section 17:

"(4) In this section, 'first installment base' and 'second installment base' of a corporation for a taxation year have the meanings established under subsection 157(4) of the federal Act, with such modifications as the circumstances require."

STATUTES OF THE YUKON TERRITORY
1984, Chapter 14

INTERIM SUPPLY APPROPRIATION ACT, 1984-85

(Assented to March 29, 1984)

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 month of April, 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 Interim Supply Appropriation Act, 1984-85.
- 2 (1) In addition to the sum of \$25,959,000 provided for in the First Appropriation Act, 1984-85, from and out of the Yukon Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole \$14,423,000 for defraying the several charges and expenses of the public service of Yukon for the month of April, 1984 as set forth in Schedule "A" of this Act and that sum shall not be paid or applied except in accordance with Schedule "A".
- 3 (1) The due application of all monies paid or applied pursuant to section 2 shall be accounted for.

INTERIM SUPPLY APPROPRIATION ACT, 1984-85

SCHEDULE A

\$ (Dollars in 000's)

<u>Appropriation or Item</u>	<u>TOTAL</u>
Yukon Legislative Assembly	\$130
Executive Council Office	250
Education, Advanced Education and Manpower	2919
Consumer and Corporate Affairs	83
Health and Human Resources	2824
Municipal and Community Affairs	1815
Economic Development	236
Justice	1068
Highways and Transportation	2687
Public Service Commission	155
Finance	365
Tourism, Recreation and Culture	413
Renewable Resources	546
Government Services	790
Yukon Housing Corporation	<u>142</u>
TOTAL	\$14,423

STATUTES OF THE YUKON TERRITORY
1984, Chapter 15

INTERIM SUPPLY APPROPRIATION ACT, 1984-85 (No.2)

(Assented to April 30, 1984)

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 month of May, 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 Interim Supply Appropriation Act, 1984-85 (No. 2).
- 2 (1) In addition to the sum of \$25,959,000 provided for in the First Appropriation Act, 1984-85 and the sum of \$14,423,000 provided for in the Interim Supply Appropriation Act, 1984-85, from and out of the Yukon Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole \$14,423,000 for defraying the several charges and expenses of the public service of Yukon for the month of May, 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.

INTERIM SUPPLY APPROPRIATION ACT, 1984-85 (No. 2)

SCHEDULE A

\$ (Dollars in 000's)

<u>Appropriation or Item</u>	<u>TOTAL</u>
Yukon Legislative Assembly	\$130
Executive Council Office	250
Consumer and Corporate Affairs	83
Economic Development	236
Education, Advanced Education and Manpower	2919
Finance	365
Government Services	790
Health and Human Resources	2824
Highways and Transportation	2687
Justice	1068
Municipal and Community Affairs	1815
Public Service Commission	155
Renewable Resources	546
Tourism, Recreation and Culture	413
Yukon Housing Corporation	<u>142</u>
TOTAL	\$14,423

STATUTES OF THE YUKON TERRITORY
1984, Chapter 16

AN ACT TO AMEND
THE LANDLORD AND TENANT ACT

(Assented to April 18, 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 amends the Landlord and Tenant Act.

2 (1) The following subsection is added to section 61.1:

"(5.1) Notwithstanding subsection (4), any person referred to in paragraph (5)(c),(d), or (e) who becomes a new landlord may terminate a lease for a term certain or for periods longer than year to year by giving notice of the termination not less than 90 days before the intended effective date of the termination.

3 (1) The following is substituted for subsection 64(2):

"(2) A landlord shall pay annually to the tenant interest on any money held by the landlord as a security deposit at the rate of 10 per cent per year or such other rate as may from time to time be prescribed."

STATUTES OF THE YUKON TERRITORY
1984, Chapter 17

LEGAL PROFESSION ACT

(Assented to April 18, 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 Legal Profession Act.

- 2 (1) In this Act,
 - (a) "active member" means a member other than an inactive member or a member who is suspended;
 - (b) "bar admission course" means a bar admission course established and operated by the Society;
 - (c) "bar admission examination" means an examination in general subjects related to the practice of law, including practice, procedure, ethics and statutes of Yukon or Canada or both;
 - (d) "Committee of Inquiry" means a committee appointed pursuant to section 32 for the purpose of conducting an inquiry under this Act;
 - (e) "Discipline Committee" means the Discipline Committee appointed under section 26;
 - (f) "Executive" means the regulating body of the Society referred to in section 5;
 - (g) "inactive member" means a member shown on the Roll as being an inactive member;
 - (h) "member" means a person enrolled as a member of the Society but does not include an honorary member;
 - (i) "Roll" means the Roll of the Law Society of Yukon referred to in section 17;
 - (j) "Rules" means the Rules of the Society made by the Executive or confirmed or adopted by the Society in a general meeting under this Act;
 - (k) "Society" means the Law Society of Yukon constituted under section 3;

- (1) "special examination" means examination at university standards in subjects pertaining to substantive law in force in Yukon;
 - (m) "student-at-law" means a person serving articles of clerkship approved by the Society to a member;
- (2) Subject to subsection (3), in this Act the practice of law includes doing any of the following for another person on one or more than one occasion:
- (a) appearing as a counsel or advocate before any court or other adjudicative tribunal required to function judicially;
 - (b) preparation of pleadings and other documents for use in proceedings in court or before any other adjudicative tribunal required to function judicially;
 - (c) advising about the legal requirements for and consequences of the incorporation, registration, organization, dissolution or winding up of a corporate body; and the preparation of documents necessary to achieve any of those results;
 - (d) preparation of any will or other testamentary instrument, power of attorney, deed of settlement, trust deed or other document relating to the estate of any deceased person or to probate or letters of administration;
 - (e) preparation of any document relating to property and that is intended or required to be registered, recorded, or filed in any registry or other public office;
 - (f) advising on the legal sufficiency of any document referred to in paragraphs (b) to (e); and
 - (g) giving legal advice, such as by advising any person about his legal rights or the legal consequences of his acts.
- (3) In this Act the practice of law does not include:
- (a) any act referred to in subsection (2) that is not done for or in the expectation of any fee, gain, or reward, whether direct or indirect, from any other person,
 - (b) any act referred to in subsection (2) that is done by a public servant or public officer or a member of Parliament or of the Legislature or of a municipal council, in his capacity as such,

- (c) any act that is done by an employee for his employer and in the course of his employment, where the employer, in causing that act to be done, is not himself practicing law;
- (d) preparation of any opinion or document on the instructions and supervision of a member of the Society and in the expectation that the legal sufficiency of the opinion or document will be reviewed by the member.

PART 1

LAW SOCIETY OF YUKON

Constitution, Executive and Powers Generally

- 3 (1) There is hereby established a corporation to be known as the Law Society of Yukon.
- (2) The head office of the Society shall be such place within Yukon, other than the office of a member, as may be determined by the Executive.
- 4 (1) The paramount duty of the Society and its members is to serve and protect the public interest in the administration of justice and the preservation of the rights of all persons in a manner that is consistent with respect for independence, subject only to law, in the relationship between a member and his client.
- 5 (1) The affairs of the Society shall be managed and conducted by an Executive which shall be composed of not less than six persons of whom
 - (a) not less than four shall be elected by and from among the active members of the Society; and
 - (b) two shall be persons who are not members of the Society and who shall be appointed by the Commissioner in Executive Council.

- (2) The term of office of a member of the Executive shall not exceed 12 months and, unless the member is re-elected or reappointed, his term shall be terminated by the election or appointment of another person in his place.
- 6 (1) The Executive, for and on behalf of the Society and subject to this Act and the Rules, has the power to
- (a) exercise the powers vested in a corporation by the Interpretation Act;
 - (b) acquire and hold real property and sell, lease or otherwise dispose of it at pleasure;
 - (c) borrow money for the purposes of the Society and mortgage or charge property of the Society or its sources of funds as security for moneys borrowed;
 - (d) enter into any contract;
 - (e) appoint any person as an honorary member of the Society or an honorary member of the Executive;
 - (f) appoint, or provide for the appointment of, committees and confer upon any such committee power and authority to act for the Executive in relation to such matters as the Executive directs;
 - (g) appoint counsel, delegates and other representatives to appear on behalf of and represent the Society;
 - (h) provide for the reporting of legal decisions;
 - (i) establish and maintain libraries for the use of the members of the Society;
 - (j) distribute to members memoranda or publications relating to ethical standards of professional conduct in the practice of law;
 - (k) take such action and incur such expenses as the Executive considers necessary for the promotion, protection, interest or welfare of the Society;
 - (l) establish a program of continuing legal education;
 - (m) authorize the Society to provide legal aid or to enter into agreements relating to the provision of legal aid;
 - (n) recommend guidelines for fees that may be charged to clients by solicitors;
 - (o) enter into co-operative arrangements with other professional bodies in any jurisdiction;

- (p) insure or underwrite its members or any class thereof, reinsure its liability with regard to any insurance contracts, and generally operate insurance and pension schemes for the benefit of its members or any class thereof and for the protection of the public;
 - (q) grant pensions and allowances to the employees and former employees of the Society and the dependants of such persons, and make payments towards insurance to provide such pensions and allowances; and
 - (r) do such things as are incidental or necessary to the exercise of the powers set out in paragraphs (a) to (q).
- 7 (1) The Executive may make Rules not inconsistent with this Act for the regulation of the Society, the management and conduct of the business affairs of the Society and for the exercise or carrying out of the duties and powers conferred or imposed on the Society or the Executive under this Act and without restricting the generality of the foregoing, may make Rules
- (a) respecting the terms and conditions upon which approval for admission as members or as student-at-law may be given, and the manner of proof thereof;
 - (b) establishing a bar admission course, the contents thereof and fees for enrollment therein for persons required to pass a bar admission examination;
 - (c) establishing a bar admission examination or a special examination or both, and the contents thereof;
 - (d) fixing the admission fees and the membership fees payable to the Society by students-at-law and members;
 - (e) providing with respect to any Rule respecting the payment of fees or an assessment that a member is suspended without notice or investigation upon contravening that Rule;
 - (f) respecting the reinstatement
 - (i) of members and students-at-law under suspension,
 - (ii) of former members whose names have been struck from the Roll, and
 - (iii) of former students-at-law whose articles have been terminated under this Act;
 - (g) respecting inactive membership and the reinstatement of inactive members as active members;
 - (h) respecting trust accounts to be opened and maintained by members for clients' money;

- (i) respecting books of account and records to be kept by members containing particulars and information as to moneys received, held or paid for or on account of clients; and respecting the furnishing of evidence that those accounts and records are being kept and maintained; and providing for the inspection of those books and records from time to time by the auditors or agents of the Society;
- (j) respecting the manner of keeping the records and accounts of the Society including the Roll and the information that may be entered therein;
- (k) providing for the procedure for the nomination of candidates for election as members of the Executive and for the appointment of the Discipline Committee;
- (l) respecting the procedure to be used for the holding of elections and for determining the elected members;
- (m) respecting a code of professional ethics and conduct;
- (n) respecting advertising by members;
- (o) respecting certification of specialist fields of practice;
- (p) respecting matters relating to the discipline of members and students-at-law, the making of investigations and inquiries concerning the conduct of such persons, including the procedure to be followed by and the powers and duties of the Discipline Committee or any Committee of Inquiry and the giving of public notice of disbarments, expulsions and suspensions of members and students-at-law;
- (q) respecting the powers, duties and qualification of the officers and employees of the Society;
- (r) for the admission of members of the legal profession outside Yukon as barristers and solicitors for occasional appearances for specified proceedings;
- (s) respecting the procedure for meetings of the Society and the Executive, including the calling of meetings the quorum required, voting and notice of motion to be given of the meeting and of Rules to be made or submitted to a meeting of the Society for confirmation or adoption;
- (t) respecting the maximum fees that may be charged by a member in the absence of a written agreement with his client;

- (u) respecting the form in which members must render their statements of account or bills of costs for services rendered;
 - (v) respecting a requirement that members disclose to persons who seek to retain them the fees or basis for calculating the fees that the member proposes to charge that person; and
 - (w) respecting the establishment of committees of the Executive and the membership, duties and powers of such committees.
- (2) Notwithstanding subsection (1),
- (a) the admission fee levied upon a person seeking registration as a student-at-law shall not exceed 25% of the annual membership fee levied upon an active member;
 - (b) the admission fee levied upon a student-at-law seeking enrollment as a member shall not exceed 25% of the annual membership fee levied upon an active member;
 - (c) the admission fee levied upon an inactive member or upon any person, other than a student-at-law, seeking enrollment as an active member shall not exceed 50% of the annual membership fee levied upon an active member;
 - (d) the membership fee levied upon an active member who is not resident in Yukon shall not exceed the membership fee levied upon an active member who is resident in Yukon,
 - (e) the membership fee levied upon an inactive member shall not exceed 25% of the membership fee levied upon an active member who is resident in Yukon and shall not vary according to the place of residence of the inactive member,
 - (f) if there is more than one class of active member the membership fee levied upon an active member shall be the same for active members of all classes;
 - (g) the fee levied upon a person to whom a permit is granted under subsection 21(7) shall not exceed 25% of the annual membership fee levied upon an active member, and
 - (h) the fee levied upon a person to whom a permit is granted under subsection 21(8) shall not exceed the annual membership fee that is levied upon an active member.

- (3) Notwithstanding subsection (1), admission and membership fees shall not be used directly or indirectly to pay for or fund in whole or in part the Assurance Fund or the Professional Liability Claims Fund.
- (4) No Rule made by the Executive respecting the admission, conduct or discipline of members or of students-at-law or respecting admission fees or membership fees shall have effect until it is confirmed by resolution supported by at least two-thirds of the active members present at a general meeting.
- (5) A Rule made by the Executive, other than a Rule referred to in subsection (4) shall not take effect until at least 30 days after the day the text of the Rule is mailed to the active members and shall have effect only until the day of the next annual meeting of the active members unless
 - (a) it is sooner confirmed by resolution passed by the active members in general meeting, or
 - (b) it is confirmed by resolution passed by the active members in the annual meeting.
- (6) At any annual or other general meeting the active members may make, amend, or revoke any Rule.
- (7) Notice of motion proposing any Rule to be submitted to an annual or other general meeting of the active members for confirmation, adoption, amendment, or revocation shall be given in accordance with subsection 13(2).
- (8) Until otherwise provided by the Rules under this Act, the Code of Professional Conduct adopted by the Council of the Canadian Bar Association on August 25, 1974 shall be the code of professional ethics and conduct to be followed by members.
- (9) Where a member has been struck off pursuant to a Rule made under paragraph (1)(e), that member shall be deemed to be reinstated without application by him immediately upon payment of the fee.

- (10) The Executive may issue
 - (a) a certificate of good standing about a member, or
 - (b) a certificate of standing about a member or former member containing an endorsement about any respect in which the member or former member is not in good standing.
 - (11) No member or former member shall be denied a certificate of standing under paragraph (10)(b) containing such endorsement as may accurately represent his standing in or with the Society.
- 8
- (1) A Rule and any resolution under subsection 7(4) or (5) shall be deemed to be a regulation within the meaning of the Regulations Act and, except to the extent it is otherwise provided in this section, the provisions of that Act apply to every Rule of the Society.
 - (2) A Rule shall be invalid unless it and any resolution under subsection 7(4) or (5) confirming it is filed in accordance with the Regulations Act.
 - (3) Where he believes the Rule is contrary to the public interest, the Commissioner in Executive Council may annul any such Rule in relation to the following matters
 - (a) the admission, conduct and discipline of members and student members and the suspension and restoration of their rights and privileges, the cancellation of memberships and student memberships, the resignation of members, and the readmission of former members and student members;
 - (b) the books, records and accounts, including trust accounts, to be kept by members and the exemption from such requirements of any class of member;
 - (c) the examination or audit of members' books, records, accounts and transactions and the filing with the Society of reports with respect thereto;
 - (d) a code of professional ethics and conduct;
 - (e) the employment of student members; and
 - (f) legal education, including any bar admission course or bar admission examination.

- (4) A Rule that under subsection / (4) shall not have legal effect until it is confirmed by resolution of the Society does not have to be filed under the Regulations Act until it has been so confirmed.
 - (5) An order of the Commissioner in Executive Council annulling a Rule is a regulation within the meaning of the Regulations Act.
 - (6) The Executive shall no later than 15 days after each annual meeting file with the registrar under the Regulations Act a report about each Rule made by the Executive that is not confirmed under paragraph 7(5)(a).
- 9
- (1) Subject to paragraph 5(1)(b), no person who is not an active member is eligible for nomination and election to the Executive.
 - (2) Any active member in good standing is eligible for nomination and election to the Executive.
 - (3) Retiring members of the Executive are eligible for nomination and re-election or reappointment.
- 10
- (1) No person who is not an active member is entitled to vote at an election of the Executive.
 - (2) Any active member in good standing is entitled to vote at an election of the Executive and on any resolution or motion in an annual or special general meeting of the Society.
- 11
- (1) From among the members of the Executive there shall be a President and such other officers of the Society as the Rules may provide and the President and those other officers shall be selected in such manner as the Rules may provide.
 - (2) The President of the Society shall be an active member of the Society.
 - (3) The Executive may appoint deputy executive officers who may, unless otherwise provided in the Rules, exercise and perform such powers, functions and duties of an officer as the Executive assigns to them.

- (4) Where there is a vacancy in the portion of the membership of the Executive that is elected by the members of the Society, the Executive may appoint some other active member of the Society to fill the vacancy for the balance of the term of the person whose departure from office created the vacancy.
 - (5) A vacancy in the membership of the Executive does not impair the right of the remaining membership of the Executive to act.
 - (6) In meetings of the Executive a quorum shall be such number as is fixed by the Rules.
 - (7) The President of the Executive shall be entitled to chair all meetings of the Executive, but in his absence the most senior member of the Executive who is also a member of the Society present at the meeting shall be entitled to chair the meeting.
 - (8) A decision of the majority of members present at a meeting of the Executive is a decision of the Executive, but in the event of an evenly divided opinion between the members, including the vote of the chairman of the meeting, the matter shall be decided in accordance with the vote of the chairman.
- 12
- (1) At every annual general meeting the Society shall appoint an auditor for the Society.
 - (2) Where the auditor is absent or for any reason cannot act, the President may appoint any person as acting auditor and that person while so acting has the powers and shall perform the duties of the auditor.
 - (3) The auditor shall be a chartered accountant or certified general accountant.
- 13
- (1) The Society shall, once in each year, hold an annual general meeting of the members of the Society at such place and time as the Executive determines.
 - (2) At least ten days before an annual general meeting the Executive shall mail to each member of the Society a notice of the meeting and of any Rule that is to be submitted to the meeting for confirmation or adoption.

- (3) At each annual general meeting the Executive shall present a report of the proceedings of the Executive and the proceedings of the Discipline Committee since the last annual general meeting.
- 14 (1) In an annual general meeting or a special meeting called under section 16 a quorum shall be such number of active members as is fixed by the Rules.
- 15 (1) A statement of the financial position of the Society during the previous fiscal year, shall be given by the Executive at each annual general meeting.
- 16 (1) A special general meeting of the Society shall be called by the Secretary
- (a) when the Executive so directs, or
 - (b) within fourteen days of the receipt by him of a written request signed by three active members setting out the business to be discussed at the meeting.
- (2) At least ten days before a special general meeting the Secretary shall cause to be mailed or delivered to each member of the Society a notice of the meeting and of the nature of the business to be discussed or of the Rule that is to be submitted to the meeting for confirmation or adoption.

PART 2

MEMBERSHIP AND ENROLLMENT IN LAW SOCIETY

- 17 (1) The Executive shall keep and maintain a record called the "Roll of The Law Society of Yukon" in accordance with the Rules.
- (2) The Executive shall keep and maintain a record pertaining to persons admitted to the Society as students-at-law.
- (3) The Roll and the records pertaining to students-at-law shall be open for inspection by any person upon reasonable notice to the Secretary.

- 18 (1) The membership of any member who assumes office as a judge under any Act of Parliament of Canada or any Act of the Legislature of Yukon or of any province is in abeyance while he continues in any such office, and when he ceases to hold the office he shall, upon his request, be restored to active member or in-active member status, according to his request.
- 19 (1) Notwithstanding anything in this Part, the Executive, where it considers that special circumstances so warrant with respect to any person, may waive or vary the requirements set out in paragraph 21(1)(c).
- 20 (1) The Executive may, subject to such terms and conditions as it considers proper, permit an applicant for admission as a student-at-law to serve a part of his period under articles with
- (a) a judge of the Supreme Court of Canada,
 - (b) a judge of the Supreme Court of Yukon,
 - (c) a judge of the Territorial Court, or
 - (d) an active member employed by the Government of Canada or the Government of Yukon.
- 21 (1) The following persons are qualified for admission to the Society and are entitled to be enrolled as members:
- (a) a person who, on the coming into force of this Act is enrolled under the Legal Profession Act as a barrister and solicitor;
 - (b) a person who, has been duly called to the bar of a province or has been admitted to practise as an attorney, advocate, barrister or solicitor in a province, and is of good standing in the law society of the province in which he last practised as an attorney, advocate, barrister or solicitor, and has passed a bar admission examination, if such is established by the Rules;
 - (c) a person who has, subject to subsection (2), completed twelve months continuous service in Yukon under articles as a student-at-law approved by the Executive to an active member and has taken a bar admission course, if such is established by the Rules, and passed a bar admission examination, if such is established by the Rules, and is a graduate of a law school approved by the Executive, or

- (d) person who has been duly called to the bar in a country that is a member of the British Commonwealth of Nations and has been actively engaged in the practice of law in that jurisdiction for a period of not less than three years within the five years immediately preceding the date of his application and who has a legal education that is equivalent to graduation from a law school approved by the Executive, and has passed a bar examination, if such is established by the Rules.
- (2) Except as provided under subsection 20(1), the articles of student-at-law referred to in paragraph (1)(c) shall be with an active member who:
- (a) resides in Yukon,
 - (b) who is and has been engaged in the practice of law for not less than five years or such lesser time as the Executive may approve,
 - (c) is in good standing, and
 - (d) whose practice affords reasonable opportunity for the instruction and training of the student-at-law in the general practice of the profession of a barrister and solicitor.
- (3) Every person who is qualified pursuant to subsection (1) and sends to the Executive the admission fee prescribed by the Rules, is entitled to be admitted as a member of the Society.
- (4) For the purpose of subsection (1), a person who is not in good standing in another province or jurisdiction solely by reason that he has not paid a fee or assessment in that province or jurisdiction or is suspended or struck off the roll or register in that province or other jurisdiction for failure to pay a fee or assessment may, with the approval of the Executive, such approval not to be unreasonably withheld, be deemed to be in good standing.
- (5) A member shall not be refused a certificate of good standing solely by reason that he has not paid a fee or assessment or is suspended or struck off the Roll for failure to pay a fee or assessment, but any certificate of good standing that is issued to such a member may have endorsed on it a memorandum of the failure to pay or of the suspension or striking off for failure to pay.

- (6) Notwithstanding paragraph (2)(c), where the member was in good standing when the student-at-law entered into articles with him, the articles of the student-at-law shall not be interrupted solely by reason that the member does not subsequently pay a fee or assessment to the Society.
- (7) The Executive may permit a person who is entitled to practice in any province as an attorney, advocate, barrister or solicitor to act as a barrister or solicitor in Yukon in relation to a particular matter or proceeding without becoming a member of the Society.
- (8) The Executive may permit a person in Yukon who is entitled to practise law in another province or jurisdiction to engage in the practice of giving in Yukon, without becoming a member of the Society, advice respecting the laws of that other province or jurisdiction; but no such permit is required solely for the purpose of appearing as a witness in a proceeding in Yukon.
- (9) When granting a permit under subsection (7) or (8), the Executive may require compliance with such conditions as it thinks proper and as it is authorized by the Rules to impose.
- (10) A person who, on the coming into force of this Act, is enrolled under the Legal Profession Act as a barrister and solicitor shall be deemed to be enrolled as a member of the Society.
- 22 (1) Where the Society refuses or neglects to admit a person as a member or to grant a permit under subsection 21 (7) or (8), the person aggrieved may, upon ten days written notice to the Society, apply to the Supreme Court of Yukon which, upon due cause shown, may make an order directing the Society to admit the person or make such other order as is warranted by the facts.
- 23 (1) When a person has been approved by the Executive as a member of the Society and the prescribed admission fee has been paid, the Executive shall issue to that person a certificate to that effect.

- (2) Every person to whom a certificate is issued under subsection (1), shall before engaging in the practice of law in Yukon, make and subscribe the following upon oath or affirmation before a judge of the Supreme Court:

"I ... do sincerely promise that I will be faithful and bear true allegiance to Her Majesty, Queen Elizabeth the Second (or the reigning Sovereign for the time being); that I will, as a barrister and solicitor, conduct all causes and matters faithfully and to the best of my ability; that I will not pervert the law to favour or prejudice any person, but will in all things conduct myself truly and with integrity; and that I will uphold and maintain the interests of my fellow citizens according to the constitution and laws in force in Yukon."

- (3) When the applicant for admission has made and subscribed the oath or affirmation set out in subsection (2), a Clerk of the Court shall issue a certificate to that effect and deliver it forthwith to the Executive who shall enroll the applicant as a member of the Society.

- 24 (1) No member may avoid proceedings, suspension, or disbarment under Part 3
- (a) by failure to pay any fee or assessment, or
 - (b) by resigning from the Society without the consent of the Executive.
- (2) The Executive may permit a member to resign rather than be suspended or disbarred.
- (3) Every application of a member for permission to resign shall be in writing and sent to the Executive accompanied by sworn statement or statutory declaration setting forth
- (a) his age, date of call to the bar, place of residence, office address, if any, number of years in practice, if any, and stating briefly the reasons for the application;

- (b) that, except to the extent disclosed, all trust funds or clients' property for which the applicant was responsible have been accounted for and paid over to the persons entitled thereto (an accountant's certificate to that effect shall be attached and marked as an exhibit), or that the applicant has not handled trust funds or other client's property;
 - (c) that, except to the extent disclosed, all clients' matters have been completed and disposed of or that arrangements have been made to the clients' satisfaction to have their papers returned to them or turned over to some other barrister and solicitor, or that the applicant has not engaged in practice;
 - (d) that, except to the extent disclosed, the applicant is not aware of any claims against him in his professional capacity or in respect of his practice; and
 - (e) such additional information or explanation as may be relevant by way of amplification of the foregoing.
- (4) The applicant shall also furnish proof of publication in two issues of the Yukon Gazette of a notice of his intention to apply for permission to resign in the form prescribed in the Rules, such notice to be published at least 30 days and not more than 90 days before the application is sent to the Executive.
- (5) The Executive may require additional information and may accept undertakings from the applicant and may include conditions which are to be complied with by the applicant as a term of granting permission to resign.
- (6) Where the applicant believes that there may be good reason for dispensing with any of the foregoing requirements, he may make application to the Executive setting forth his reasons and the Committee may in its discretion dispense with any of such requirements.
- (7) Where a member has been found to be mentally incompetent and a committee of his affairs has been appointed, the application for permission to resign may be made by his committee.

- (8) A member has the same right of appeal against a decision of the Executive in relation to his application for consent to resignation as he would have against any decision in relation to his reprimand, suspension or disbarment.

PART 3

DISCIPLINE OF MEMBERS

- 25 (1) Subject to any right of appeal conferred by this Part or any other Act, the question of whether the conduct of a member or student-at-law is deserving of censure shall be determined by a Committee of Inquiry and the Executive in accordance with this Part.
- (2) Any act or conduct of a member or student-at-law that is contrary to the public interest or that harms the standing of the legal profession generally or that is contrary to the code of professional conduct and ethics established by the Rules or under subsection 7(8) is conduct deserving of censure, whether or not that act or conduct is disgraceful or dishonourable and whether or not that act or conduct relates to the practice of law.
- (3) Without restricting the generality of subsection (2), conduct deserving of censure includes incompetently carrying out duties or obligations undertaken by a member or student-at-law in his capacity as a member or student-at-law.
- (4) Conduct deserving of censure may be censured by an order under section 38:
- (a) reprimanding the member,
 - (b) suspending in whole or in part and with or without conditions the rights and privileges of the member under this Act, or
 - (c) striking the name of the member from the Roll, thereby ending his rights and privileges as a member under this Act.

- (5) Except where specific provision is made with respect to students-at-law, the provisions under this Part and any Rules respecting discipline applicable to members apply with the necessary changes to students-at-law.
 - (6) Proceedings may be taken and orders may be made under this Part against
 - (a) a person who is no longer a member by reason that he has been suspended or struck off the Roll for failure to pay a fee or an assessment, and
 - (b) a person who has resigned from the Society, if the proceeding or order is in relation to a matter not disclosed or known to the Executive at the time consent to resign was given or the proceeding or order is in consequence of some undertaking given or some condition imposed in relation to the resignation.
- 26
- (1) There shall be a Discipline Committee which shall consist of the membership appointed pursuant to subsections (2) and (3).
 - (2) The Executive shall appoint to the Discipline Committee at least nine members of the Society of whom no less than three shall be active members resident in Yukon and no less than three shall be members not resident in Yukon.
 - (3) The Commissioner in Executive Council shall appoint to the Discipline Committee at least three persons who are not members of the Society.
 - (4) The Discipline Committee shall be the panel of persons from which a Committee of Inquiry shall as the need arises under this Part be constituted.
 - (5) Subject to the Rules and to disqualification for proper cause, such as conflict of interest, bias, reasonable apprehension of bias, every person who is a member of the Discipline Committee is entitled to participate in any Committee of Inquiry.
 - (6) The Chairman of the Discipline Committee shall be designated by the Executive from among the members of the Society appointed to the Committee by the Executive, and may also be an officer, other than the President, of the Society.

- (7) The Chairman of the Discipline Committee shall not be on any Committee of Inquiry.
 - (8) From among the members of the Society appointed by it to the Discipline Committee, the Executive shall designate one or more members to function as Acting Chairman of the Discipline Committee in the event of the absence, disqualification, or incapacity of the Chairman in relation to any particular matter.
 - (9) A member who functions as Acting Chairman of the Discipline Committee shall not be on any Committee of Inquiry in respect of a matter in which he acts as Chairman, but he may, if not otherwise disqualified, be on any other Committee of Inquiry.
 - (10) Each Committee of Inquiry shall be composed of three members of the Discipline Committee.
 - (11) A decision of a majority of the membership present at a meeting of any Committee of Inquiry is a decision of the Committee, but in the event of an evenly divided opinion among the membership, the matter shall be deemed decided against the party on whom the onus of proof or persuasion rests.
 - (12) Each Committee of Inquiry shall include one of the persons appointed by the Commissioner in Executive Council to the Discipline Committee unless:
 - (a) all those persons, having been invited to serve on the Committee of Inquiry, refuse to serve on it or are disqualified from serving on it, or
 - (b) the matter the Committee of Inquiry hears and determines relates solely to some aspect of the relationship between a member and the Society and does not relate to any public conduct of the member or any conduct of the member that affects one or more of his clients or the public.
- 27 (1) For the purposes of this Part the Executive may make Rules
- (a) providing for the making of preliminary investigations into any matter regarding the conduct of a member or a student-at-law, whether a complaint is made or not, and respecting the appointment and remuneration of persons to make such preliminary investigations,

- (b) prescribing the powers and duties of a person conducting such preliminary investigations,
 - (c) prescribing the procedure for conducting such preliminary investigations,
 - (d) respecting proceedings before the Executive in matters pertaining to discipline,
 - (e) respecting the taking of courses of study and examinations by members who have, in accordance with this Part, been found by reason of incompetence to have engaged in conduct deserving of censure.
- 28 (1) The Executive shall refer to the Chairman of the Discipline Committee every complaint about the conduct of a member of the Society that is made to the Executive.
- (2) The Chairman of the Discipline Committee shall review any matter regarding the conduct of a member referred to his attention by a member or by the Executive, whether a complaint is made or not, and shall either
- (a) direct that no further action be taken, if he is of the opinion that the member's conduct is not capable of being found to be conduct deserving of censure, or
 - (b) direct that a preliminary investigation be held regarding the matter.
- 29 (1) A person conducting a preliminary investigation may require the member concerned and any other member to produce to him any ledgers, books, papers, records, files and other documents in the member's possession or under the member's control that, in any way, relate to the matter and may require the attendance at the investigation of the member concerned.
- (2) The Society may apply without notice to any party to the Supreme Court of Yukon for an order
- (a) directing the member concerned and any other member to produce to the person conducting a preliminary investigation any ledgers, books, papers, records, files and other documents in his possession or under his control that, in any way, relate to the matter, or

- (b) directing the member concerned to produce to the person conducting a preliminary investigation any ledgers, books, papers, records, files and other documents in his possession or under his control that, in any way, relate to his practice as a barrister and solicitor or his articles as a student-at-law.
 - (3) The Society in addition to the applications referred to in subsection (2) may apply without notice to any party to the Supreme Court of Yukon for an order directing any person, including any bank, trust company or other corporation in which a member has trust money on deposit, to produce to a person conducting a preliminary investigation any ledgers, books, papers, records, files and other documents that are or may be related to the subject matter of the complaint being investigated.
 - (4) A person making a preliminary investigation into a matter concerning the conduct of a member may investigate any other matter regarding the conduct of the member concerned that arises in the course of the investigation.
 - (5) Nothing in this section compels disclosure of any thing or information that is protected by solicitor-client privilege.
- 30
- (1) On the conclusion of the preliminary investigation, the person or persons who conducted the investigation shall report their findings in writing to the Chairman of the Discipline Committee.
 - (2) The Chairman of the Discipline Committee shall consider the report on the preliminary investigation and shall
 - (a) direct that no further action be taken, if he is of the opinion and belief that reasonable and probable grounds do not exist for concluding that the member's conduct might be deserving of censure,
 - (b) direct that there be an investigation, if he is of the opinion that the member's conduct might be deserving of censure but that more investigation is necessary before he can decide whether or not further action can or should be taken, or

- (c) direct that the matter concerning the member's conduct be referred to a Committee of Inquiry for a hearing, if he is of the opinion and belief that reasonable and probable grounds do exist for concluding that the member's conduct might be deserving of censure.
- 31 (1) Where the Chairman of the Discipline Committee directs pursuant to section 28 or 30 that no further action be taken, the complainant, if any, may appeal to the Executive against that direction.
- (2) On hearing the appeal the Executive shall give the complainant an opportunity to make representations in person or by agent, shall consider such things as the Chairman of the Discipline Committee ought to have considered, and may make any decision or direction that the Chairman could have made under section 28 or 30.
- (3) In an appeal under subsection (1) the Chairman, or acting Chairman, whose direction is being appealed shall not participate in the hearing before or decision of the Executive.
- 32 (1) Where the Chairman of the Discipline Committee directs that the matter concerning the member's conduct be referred to a Committee of Inquiry, he shall in accordance with the Rules and this Act
- (a) convene a Committee of Inquiry to hear the matter, and
 - (b) give reasonable notice to the member whose conduct is the subject of the inquiry of the time and place of the inquiry and of reasonable particulars of the conduct and matter to be inquired into.
- (2) A Committee of Inquiry may at any time during a hearing amend any notice in writing given to the member being inquired into and may also inquire into any other matter concerning the conduct of the member that arises in the course of the inquiry, but in either event the Committee shall declare its intention to amend the notice in writing or to investigate the new matter and shall permit the member sufficient opportunity to prepare his answer to the amendment or the new matter.

- (3) The Committee of Inquiry shall inquire into the matter in accordance with the principles of natural justice and for that purpose may
 - (a) adduce and hear evidence on its own motion,
 - (b) hear evidence adduced by the Society or the member,
 - (c) summon and enforce the attendance of persons, other than the member whose conduct is being inquired into,
 - (d) compel the testimony of witnesses, other than of the member whose conduct is being inquired into,
 - (e) compel witnesses to produce documents and things relevant as evidence in the matter being inquired into, and for that purpose may have the powers and remedies of a person under section 29 conducting a preliminary investigation,
 - (f) administer oaths and affirmations, and
 - (g) do all other things as are necessarily incidental to the reasonable exercise of the powers and discharge of the duties of the Committee.
- (4) The attendance of witnesses before a Committee of Inquiry and the production of documents or other things may be enforced by a notice issued by the Chairman of the Discipline Committee requiring the witness to attend and stating the time and place at which the witness is to attend and the documents or other things he is required to produce.
- (5) On the written request of or the member whose conduct is being inquired into, the Chairman of the Discipline Committee shall without charge issue and deliver to the member any notices he needs for the attendance of witnesses or the production of documents or other things.
- (6) A witness who has been served with a notice to attend or a notice for the production of documents or other things under subsection (4) or (5) is entitled to the same fees as are payable to witnesses in civil proceedings in the Supreme Court of Yukon.
- (7) Failure to comply with any order or direction of the Committee of Inquiry made under subsection (3) may be dealt with by the Supreme Court of Yukon, upon application by the member whose conduct is being inquired into or by the Chairman of the

Discipline Committee, in the same way as the Supreme Court could deal with the failure to comply with a similar order or direction in civil proceedings before it and in relation to the production of documents or other things the Court may also make any order that it could make under section 29.

- (8) Nothing in the section compels disclosure of any thing or information that is protected by solicitor-client privilege.
- (9) Subject to subsection 26(12), where the Chairman of the Discipline Committee directs that the matter concerning the member's conduct be referred to a Committee of Inquiry and the member whose conduct is being inquired into requests that the Committee of Inquiry be so constituted, the Chairman of the Discipline Committee shall convene a Committee of Inquiry that:
 - (a) does not include any member of the Society who resides in Yukon, or
 - (b) does not include more members of the Society who reside in Yukon than the number that the member whose conduct is being inquired into consents to.
- 33 (1) The Society and any member whose conduct is being inquired into has the right to be represented by counsel in proceedings before a Committee of Inquiry and before the Executive.
- 34 (1) Notwithstanding any other provision of this Act, a Committee of Inquiry may make an order limiting the rights and privileges of a member or suspending the member pending the inquiry of a matter concerning his conduct and pending the making of its finding as to the matter, but in no case shall such limitation or suspension exceed a period of 30 days.
- 35 (1) In any proceedings under this Part, the standard of proof shall be proof on the balance of probabilities and that standard is discharged if the trier of fact is satisfied of the existence of the fact to be proven on evidence sufficient to establish that the existence of the fact is more probable than its non-existence.

- (2) In proceedings under this Part the following evidence is admissible if relevant
 - (a) opinion evidence, even where it is relevant to the very question before the Committee of Inquiry or Court, and
 - (b) hearsay evidence, but the weight to be given to hearsay evidence shall be judged according to its apparent reliability and the availability of other evidence that would be admissible without relying on this paragraph.
 - (3) Subject to subsection 36(2), where previous proceedings under this Part have taken place in respect to the same member, the Committee of Inquiry may accept any evidence taken in the previous proceeding.
 - (4) Where other proceedings have taken place before any Court or other tribunal acting judicially in respect of the same conduct that the Committee of Inquiry is inquiring into, the Committee may accept any evidence taken in that other proceeding, other than evidence that would be excluded under subsection 36(2) if that other proceeding had been a proceeding under this Part.
 - (5) The weight to be attached in present proceedings to evidence referred to in subsection (3) shall be a matter for the Committee of Inquiry to determine and the Committee is not bound by any determination in that respect that may have been made in the previous proceedings.
 - (6) Where it is established or admitted that a member has received any moneys upon trust, the burden of proof that the moneys have been properly dealt with lies upon the member.
- 36 (1) A member whose conduct is being inquired into has the right to appear at the inquiry but in the event of non-attendance of such member, the Committee of Inquiry may, upon proof of service of notice to the member, proceed with the investigation in the absence of the member and without further notice to the member make a report of its findings or take such other action as it is authorized to take under this Act.

- (2) A witness in a proceeding under this Part may be examined on all matters relevant to the inquiry but has the right not to have any incriminating evidence so given used to incriminate him in any other proceedings, except in a prosecution for perjury or for giving contradicting evidence.
 - (3) A member who attends as a witness in any proceedings under this Part may not refuse to give evidence or produce any documents or other things on the ground of solicitor and client privilege.
 - (4) For the purpose of obtaining the testimony of a witness who is out of Yukon, the Supreme Court of Yukon, upon an application without notice by the Committee of Inquiry or the member whose conduct is being inquired into, may make such orders for the taking of the evidence of that person out of Yukon as the Court could make in civil proceedings before it.
 - (5) Where it is justifiable for the protection of the complainant or of a client or other person affected by the conduct of the member whose conduct is being inquired into or who attends as a witness, admittance to the place in which the hearing under this Part takes place may be restricted at the discretion of the Committee of Inquiry and no person shall be permitted to be present other than the officials of the Committee, the parties, their counsel and such other persons as the Committee may require or permit to be present and whose presence will not be prejudicial to the interests of that complainant, client or other person.
- 37 (1) Where the Committee of Inquiry finds that the member has not engaged in conduct deserving of censure, no further proceedings other than an appeal under section 43 may be taken under this Part in respect of the matter.
- 38 (1) Where the Committee of Inquiry finds that the member has engaged in conduct deserving of censure, the Committee may
- (a) reprimand the member,
 - (b) order that the member's right under this Act to practice law be suspended for a specified time,

- (c) impose for a specified time reasonable restrictions on the member's right under this Act to practice law, including the restriction that he not carry on the private practice of law as a sole practitioner or in specified fields of law, or
 - (d) order that the name of the member be struck off the Roll and that the member's right under this Act to practice law be terminated.
- (2) Where an order of suspension is made under subsection (1), or an order continuing the suspension is made under this subsection, the suspension shall not continue beyond the expiration of two years after the day the order is made unless
- (a) a Committee of Inquiry conducts a review of the justification for the suspension within the last six months of that two year period,
 - (b) the continuation of the suspension is necessary for the protection of the public, and
 - (c) the Committee orders a continuation of the suspension.
- (3) Notwithstanding subsection (1), where the Committee of Inquiry finds a member has engaged in conduct deserving of censure by reason of having incompetently carried out duties he undertook in his capacity as a member, the Committee may
- (a) suspend the member from engaging in the practise of law or in a field of law,
 - (b) suspend the member from engaging in the practice of law or in a field of law until the member has successfully completed a course of study ordered by the Committee,
 - (c) suspend the member from engaging in the practise of law or in a field of law until the member has appeared before a board of examiners appointed by the Committee and has satisfied the board that he is competent to engage in the practise of law or in a field of law in respect of which an adverse determination was made,
 - (d) suspend the member from engaging in the practise of law or in a field of law until the member has undertaken in writing in a form specified by the Committee that he will restrict his practice in the manner ordered by the Committee,

- (e) require that the member successfully complete a course of study ordered by the Committee within a period of time determined by the Committee and on his failure to complete the course successfully suspend the member from engaging in the practise of law or in a field of law in respect of which an adverse determination was made,
 - (f) require the member to appear before a board of examiners appointed by the Committee within a period of time ordered by the Committee and satisfy the board that he is competent to engage in the practise of law or in a field of law in respect of which an adverse determination was made and, on his failure to satisfy the board, suspend the member from engaging in the practise of law or in a field of law in respect of which the adverse determination was made,
 - (g) suspend the member from engaging in the practice of law until the member has appeared before a board of examiners appointed by the committee and has satisfied the board that his competence to practise is not adversely affected by a physical or mental disability, or addiction to alcohol or drugs, or
 - (h) require the member to appear before a board of examiners appointed by the Committee within a period of time ordered by the Committee and satisfy the board that his competence to practise is not adversely affected by a physical or mental disability or addiction to alcohol or drugs, and on his failure to satisfy the board, suspend the member from engaging in the practice of law or in a field of law in respect of which an adverse determination was made.
- (4) For the purpose of subsection (3), no member shall be required to take and no board of examiners shall set an examination other than one that is based upon a curriculum or course of studies established by the Rules, and the standard of success in an examination or of satisfactorily demonstrating competence to practise shall in all cases be reasonable.
- (5) Where an order referred to in subsection (1) or (3) is made, costs in relation to the proceedings under this Part may be ordered against the member whose conduct was found to be deserving of censure, but those costs shall in no case exceed

the cost incurred by the Society in the conduct of the proceedings and shall in all cases be taxable by a clerk of the Supreme Court in the same manner and on the same basis as if the proceeding had been a proceeding in the Supreme Court.

- (6) Costs ordered against a member under subsection (5) are a debt payable by the member to the Society.
- 39 (1) Where the Committee of Inquiry finds that a student-at-law has engaged in conduct deserving of censure by reason of having incompetently carried out duties that he undertook in his capacity as a student-at-law, the Committee
- (a) shall not terminate the articles of the student-at-law unless there is no reasonable prospect that he can, with more training and experience, qualify for admission as a member,
 - (b) shall not suspend the articles of the student-at-law, but may instead extend the required period of articles for a specified time, and
 - (c) subject to paragraphs (a) and (b), exercise in relation to the student-at-law all the powers of the Committee under section 38.
- 40 (1) Every Committee of Inquiry shall make and keep a record of the proceedings before it.
- (2) The record shall consist of notices related to the proceeding or review and proof of service thereof, a transcript of any evidence adduced, the documents or other things received in evidence and a description of any findings or orders and reasons therefor, but need not include a transcript of argument presented by or on behalf of any party to the proceeding or review.
- 41 (1) Upon the expiration of two years after the date the last finding or order in the proceeding or review was given the Society may apply, without notice to any party, to a judge of the Supreme Court for an order for the destruction of the record of the proceeding, other than of the findings or orders and reasons therefor, and the judge may make the order upon being satisfied there is no reasonable likelihood of any future need for the record in the interests of the Society, the public or the member whose conduct was the subject of the proceeding or review.

- 42 (1) Where a member is suspended or struck from the Roll or his right to practice is restricted, the Chairman of the Discipline Committee shall so notify the law society in each province.
- 43 (1) The member whose conduct was inquired into may appeal to the Supreme Court of Yukon against any finding or order of the Committee of Inquiry under section 38.
- (2) An appeal under subsection (1) shall be taken by notice of appeal given within 30 days, or such longer time as the Court may allow, from the date on which the finding or order appealed against was given.
- (3) The procedure for the conduct of an appeal taken under subsection (1) 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) On hearing the appeal the Supreme Court of Yukon may
- (a) make any finding that in its opinion ought to be made,
 - (b) quash or confirm any finding made by the Committee of Inquiry,
 - (c) make any order that in its opinion the Committee of Inquiry ought to have made, and
 - (d) refer the matter back to the Committee of Inquiry, with or without directions, for further consideration by it.
- (5) Where a member appeals under subsection (1) the Chairman of the Discipline Committee shall deliver to the Clerk of the Supreme Court and to the member a true copy of the record of proceedings before the Committee of Inquiry.
- 44 (1) Where the member appeals under subsection 43(1) he may apply to the Supreme Court of Yukon for, and the Court may grant, an order staying the order of the Committee of Inquiry pending the appeal.

- (2) The judge may make the staying order under subsection (1) subject to such conditions as to the financial responsibility of the member and such restrictions on the member's right to practice as the judge thinks appropriate, including the restriction that he not carry on the private practice of law as a sole practitioner or in specified fields of law.
- 45 (1) When the name of any member has been struck off the Roll under this Part, he may apply to the Executive for reinstatement, but he shall not be reinstated as a member except by permission of the Executive, and that permission shall not be unreasonably withheld.
- (2) When the articles of a student-at-law are terminated under this Part, he may apply to the Executive for admission again, but he shall not be admitted again as a student-at-law except by permission of the Executive, and that permission shall not be unreasonably withheld.
- (3) The Executive shall not grant permission under subsection (1) or (2) within two years after the date the order for striking off or termination was given or confirmed on appeal, if it was appealed.
- (4) No member of the Executive when the application is made for permission under subsection (1) or (2) who was a member of the Committee of Inquiry that ordered the striking off or termination is, for that reason alone, disqualified from participating in the hearing and decision on the application for permission.

PART 4

PROTECTION OF CLIENTS

Part 4, Division (1) - Assurance Fund

- 46 (1) The Society shall establish, maintain and operate a fund to be known as the "Assurance Fund" for the reimbursement of pecuniary losses sustained by reason of the misappropriation or wrongful conversion by a member of property entrusted to or received by him in his capacity as a barrister or solicitor.

- 47 (1) The Executive may make rules,
- (a) respecting the administration of the Assurance Fund;
 - (b) providing for levying upon active members an annual assessment and of special assessments of such amounts as may be fixed by the Executive from time to time for the purpose of establishing, maintaining, and augmenting the Assurance Fund;
 - (c) providing for the payment out of the Assurance Fund of expenses incurred in the administration of the Fund or in connection with audits, investigations, hearings or other action taken pertaining to the accounts of members under this Act; and
 - (d) prescribing conditions to be met before the reimbursement of a loss may be made out of the Assurance Fund.
- 48 (1) A member is not required to pay the annual assessment or any special assessment referred to in paragraph 47(1)(b) if, during the time in respect of which the assessment is levied, no property that belongs to another person was entrusted to or received by him in his capacity as a barrister or solicitor in the private practice of law and
- (a) he did not engage in the private practice of law in Yukon,
 - (b) he practised exclusively as an employee of a sole practitioner or of a firm and did not practise on his own account apart from such employment,
 - (c) he acted exclusively as an employee of a corporation or a government or a government agency and has not practised on his own account apart from such employment.
- (2) A member who has not paid the annual assessment referred to in paragraph 47(1)(b) shall not receive, in his capacity as a barrister or solicitor in the practice of law, any property that belongs to another person.
- (3) In each annual general meeting of the Society the Executive shall deliver to the members a full financial report upon the Assurance Fund identifying,
- (a) the sources of its revenue and the disposition of claims made during the previous year, and
 - (b) any claims outstanding as of the date of the report.

- 49 (1) The Assurance Fund is not subject to any trust, and it shall be kept separate from the other funds of the Society.
- (2) All funds of the Assurance Fund shall, pending investment or application in accordance with this section, be paid into a bank or trust company in Yukon to the credit of a separate account.
- (3) The Executive may invest the Assurance Fund, but only in whatever way a trustee may, under the Trustee Act, invest money entrusted to him.
- (4) The Society may enter into contracts with insurers or other persons whereby the Fund may be protected in whole or in part against any claim or loss to the Fund.
- 50 (1) Where property that belongs to a person has been entrusted to or received by a member in his capacity as such barrister and solicitor in the practice of law and the person sustains pecuniary loss by reason of the misappropriation or wrongful conversion of the property by the member, the person qualifies for reimbursement of his loss out of the Assurance Fund.
- (2) Any person who alleges he qualifies for reimbursement under subsection (1) may apply to the Executive for reimbursement.
- (3) The maximum entitlement of any person to reimbursement out of the Assurance Fund is \$500,000 in respect of the same loss.
- (4) Where a person qualifies under subsection (1) for reimbursement out of the Assurance Fund, the Executive shall, subject to the maximum described in subsection (3), pay out of the Fund to that person the amount of his loss.
- (5) No payment out of the Assurance Fund shall be made to any person who does not qualify for reimbursement under subsection (1).

- (6) Where the Executive makes a payment out of the Assurance Fund the Society is subrogated to the rights, remedies, and securities to which the person who claimed and received payment from the Fund was entitled as against the member who caused the loss or against that member's trustee, assignee, estate or personal representative and those rights, remedies, and securities may be enforced or realized in the name of the Society.

Part 4, Division (2) - Professional Liability Claims Fund

- 51 (1) In this Part,
- (a) "deductible amount" means
 - (i) with reference to the Fund, the amount, if any, prescribed by the Rules as the amount to be deducted from any claim paid from the Fund, and
 - (ii) with reference to a group contract, the amount, if any, specified in the contract as the amount that the insurer is entitled to deduct from the amount of any claim for which the insurer is liable under the contract;
 - (b) "Fund" means the Professional Liability Claims Fund;
 - (c) "group contract" means a group insurance contract entered into pursuant to subsection 53;
 - (d) "professional liability claim" means a claim against a member for an amount of money that the member is legally obligated to pay as damages arising out of the performance of professional services for another person in the member's capacity as a barrister or solicitor and caused by the member or any other person for whose acts the member is legally liable.
- 52 (1) The Executive may establish and maintain a fund to be known as the Professional Liability Claims Fund.
- (2) The Executive may make rules
- (a) specifying the purposes mentioned in subsection (3) for which the Fund may be used,
 - (b) respecting the administration of the Fund,

- (c) providing for levying upon active members an annual assessment and of special assessments of such amounts as may be fixed by the Executive from time to time for the purpose of establishing, maintaining and augmenting the Fund,
 - (d) governing the payment and recovery of the whole or part of any deductible amounts pursuant to section 53.
- (3) The Fund may be used for whichever of the following purposes the rules specify:
- (a) the indemnification by the Society in whole or in part of members liable to pay assessments referred to in paragraph (2)(c) in respect of professional liability claims made against them;
 - (b) the payment in whole or in part of deductible amounts pursuant to section 53;
 - (c) the payment of premiums payable by the Society under a group contract;
 - (d) the payment of premiums or other costs payable by the Society under a contract entered into pursuant to subsection (5);
 - (e) the payment of expenses incurred in connection with audits, investigations of claims against the Fund and hearings pertaining to such claims.
- (4) Where the rules specify that the Fund may be used for the purpose referred to in paragraph (3)(a) the Executive may make rules
- (a) prescribing the deductible amount and also the maximum amount, which shall be not less than \$1,000,000, that may be paid from the Fund in respect of any professional liability claim,
 - (b) prescribing the conditions to be met before any claim may be paid from the Fund,
 - (c) prescribing classes of professional liability claims in respect of which no payment or partial payment only shall be made from the Fund, and
 - (d) providing for any matter or procedure in connection with the filing, settling, administration and payment of claims made against the Fund.

- (5) The Society may enter into contracts with insurers or other persons whereby the Fund may be protected in whole or in part against any claim or loss to the Fund.
 - (6) The Fund shall be kept separate and apart from any other funds of the Society, and is not subject to any trust.
 - (7) The Fund shall, pending investment or application in accordance with this Part, be deposited with a bank or trust company in Yukon.
 - (8) The Executive may invest the Fund, but only in whatever way a trustee may, under the Trustee Act, invest money entrusted to him.
 - (9) A member may but is not required to pay the annual or any special assessment referred to in paragraph (2)(c) if, during the time in respect of which the assessment is levied:
 - (a) he did not engaged in the private practice of law in Yukon,
 - (b) he practised exclusively as an employee of a sole practitioner or of a firm and did not practise on his own account apart from such employment, or
 - (c) he acted exclusively as an employee of a corporation or a government or a government agency and has not practised on his own account apart from such employment.
 - (10) A member who is not required to pay and does not pay the annual or special assessment is not entitled to indemnification from the Fund or under a group contract, as the case may be.
- 53 (1) The Society may enter into a group insurance contract providing for the indemnification by the insurer thereunder in whole or in part of members liable to pay assessments referred to in paragraph 52(2)(c) in respect of professional liability claims against them, on such terms and conditions as may be agreed upon.
- (2) An insurance contract made under subsection (1) may stipulate a maximum amount that may be paid under the contract in respect of a professional liability claim, but that maximum amount be not less than \$1,000,000 in respect of any professional liability claim.

- (3) The Society may enter into a group contract with an insurer either alone or jointly with one or more law societies or governing bodies of the legal profession in other provinces that are incorporated for purposes comparable to those of the Society.
- (4) The Executive may make rules
 - (a) providing for any matter or procedure in connection with the filing, settling, administration and payment of claims made against the insurer under the group contract and which is not otherwise provided for in the group contract, and
 - (b) respecting the notice required to be given by an active member to the Society of a claim or possible claim against him and for which the insurer may be liable for indemnification under the group contract.

- 54 .(1) Where an amount is paid or is payable from the Fund or by the insurer under a group contract as indemnification in respect of a professional liability claim, or where the amount of a professional liability claim is equal to or less than the deductible amount, the Society shall pay from the Fund
- (a) the whole or part of the deductible amount to the claimant in the event of the inability or failure of the member concerned or any other person to pay the whole or part of the deductible amount, or
 - (b) the whole or part of the deductible amount to the claimant with the consent of and on behalf of the member concerned, upon such terms as to repayment by the member to the Society as the Executive may prescribe.
- (2) Where any payment is made by the Society pursuant to paragraph (1)(a), the Society is subrogated to the rights, remedies and securities to which the claimant was entitled as against the member concerned or against the member's trustee, assignee, estate or personal representative and those rights, remedies and securities may be enforced or realized in the name of the Society.

- 55 (1) Where the Executive has not established or is not maintaining the Professional Liability Claims Fund, every active member, other than a member referred to in subsection (2), shall take out and maintain in force a policy of liability insurance in respect of professional liability claims against him to a limit of at least \$1,000,000.
- (2) Subsection (1) does not apply to any member who:
- (a) does not engage in the private practice of law in Yukon,
 - (b) practices exclusively as an employee of a sole practitioner or of a firm and does not practise on his own account apart from such employment, or
 - (c) acts exclusively as an employee of a corporation or a government or a government agency and does not practice on his own account apart from such employment.
- (3) The Executive may make Rules limiting the amount of any deductible amount that a member may contract for in a policy of liability insurance he is required under subsection (1) to take out and maintain.
- 56 (1) Each active member to whom subsection 55(1) applies shall, at least once in each year and more frequently if so required by the Rules, satisfy the Executive that he is complying with subsection 55(1).
- (2) Notwithstanding subsection (1), the Chairman of the Discipline Committee may, whenever he considers it necessary or advisable, require any active member to whom subsection 55(1) applies to satisfy the Executive that he is complying with subsection 55(1).
- 57 (1) Where a member has taken out a policy of liability insurance in respect of professional liability claims
- (a) no cancellation or voiding of that policy in whole or in part by the insurer for any reason is effective unless the insurer gives both the member and the Executive at least 30 days notice of the cancellation or voiding, and

- (b) where the policy is cancelled or voided by reason of failure to pay a premium it shall be reinstated upon payment of the premium by or on behalf of the insured and, upon such reinstatement, shall be deemed to have been continuously in effect.

Part 4, Division (3) - Seizure and Custody of Property

- 58 (1) In this Division,
- (a) "depository" means any bank or trust company or person holding by way of deposit or otherwise any moneys, trust funds or assets of any kind relating to the business of a member as a barrister and solicitor;
 - (b) "member" includes a former member of the Society;
 - (c) "property" or "property of a member" means any thing wherever situated acquired and being used by a member in relation to his practice or given to a member by or for a client or any other person where it in any way relates to his practice or former practice as a barrister or solicitor or the business or affairs of his clients or former clients and whether or not it was acquired before or after he ceased to practise as a barrister or solicitor.
- 59 (1) A judge of the Supreme Court of Yukon may, upon application by the Society either without notice to any party or on such notice as the judge may require, appoint a person as custodian to have custody of the property of the member and to manage or wind up the legal business of the member in any of the following cases:
- (a) when the name of a member has been struck from the Roll,
 - (b) when a member has been suspended,
 - (c) when a member has died or become mentally incapacitated,
 - (d) when by reason of illness or for any other reason a member is unable to practise as a barrister and solicitor,
 - (e) when a member has absconded or is otherwise improperly absent from his place of business or has neglected his practice for an unduly extended period,
 - (f) where there is reason to believe that the trust moneys held by a member are not sufficient to meet his trust liabilities, or
 - (g) when other sufficient grounds exist.

- (2) In an order under subsection (1) or in any subsequent order made without notice to any party, or upon such notice as the judge may require, the judge may
- (a) direct the sheriff to seize and remove and place in the custody of the custodian all property of the member, and to that end the order may authorize the sheriff to enter upon any premises or open any safety deposit box or other receptacle where there are grounds for believing that property of the member may be found,
 - (b) direct any depository of property of a member to deal with, hold, pay over or dispose of such property to the custodian, or in such other manner as the judge may deem proper,
 - (c) direct the removal of any custodian appointed by such order and appoint another custodian,
 - (d) give directions to the custodian as to the disposition of the property in his hands or any part or parts thereof,
 - (e) make provision for the remuneration, disbursements and indemnification of the custodian out of the property of the member,
 - (f) make provision for the discharge of a custodian upon completion of the responsibilities imposed on him under this Part, and
 - (g) give such further directions or make such further orders as the nature of the situation requires.
- 60 (1) Where property of a member has been placed in the custody of a custodian under section 59 the Executive or any person appointed by the Executive for the purpose shall examine the property and thereafter the custodian shall, upon reasonable notice, inform clients of the member or such other persons as he considers necessary
- (a) that the property of the member is in the custody of the custodian, and
 - (b) that the client or other person may apply to the custodian in person or by solicitor or agent for the delivery to him of the property in which he appears to have an interest or for permission to make copies of any documents and papers among the property that he thinks necessary to copy, in respect of any transactions or dealings he had with the member.

- (2) Where the custodian is satisfied that a person is entitled to any property in his custody he may deliver the property to the person claiming it.
- (3) Where a member whose property has been placed in the custody of a custodian under section 59 claims to be entitled to a solicitor's lien upon or in respect of any part or parts thereof
 - (a) he shall, within thirty days from the service of the order upon him, file notice and particulars of his claim for lien with the custodian, and
 - (b) the custodian shall forthwith give notice of the claim for lien to the apparent owner of the property against which the lien is claimed and thereafter the rights of the parties shall be determined according to law.
- (4) Where a barrister and solicitor fails to file a claim for lien pursuant to this section, any lien that he might otherwise be entitled to is extinguished and the custodian is entitled to deliver any property to the claimant thereof, if otherwise satisfied that it is proper to do so.
- (5) Notwithstanding anything in this section, a judge of the Supreme Court may summarily determine the validity of any claim to a solicitor's lien.

Part 4, Division (4) - Books, Records and Accounts

- 61 (1) In sections 62 to 64,
- (a) "client" includes any person or body of persons, corporate or unincorporate, from whom or on whose behalf a member in connection with his practice receives money or other property;
 - (b) "member" includes a firm of members;
 - (c) "money" includes current coin, government or bank notes, cheques, drafts, post office orders, or express or bank money orders.

- 62 (1) Every member who receives money in trust for a client, except money hereinafter expressly exempted from the application of this section, shall forthwith pay the money into an account at a bank or trust company to be kept in the name of the member or in the name of the firm of which he is a member or by which he is employed and designated as a trust account.
- (2) A member may keep one or more trust accounts as he thinks fit.
- (3) A member who receives money in trust for a client shall inform the client in writing that an arrangement may be made between the member and the client to deposit the money in a separate trust account and that the interest, if any, shall be the property of the client.
- (4) Trust money is money received by a member that belongs in whole or in part to a client or that is to be held on the client's behalf or to his or another's direction or order, and includes money advanced to a member on account of fees for services not yet rendered or money advanced on account of disbursements not yet made.
- (5) There shall be paid into a trust account established under this section only,
- (a) trust money;
 - (b) money that may by inadvertence have been drawn from the trust account in contravention of this section;
 - (c) money paid to a member representing in part money belonging to a client and in part money belonging to the member where it is not practicable to split the payment, but money belonging to the member shall be drawn from the trust account without delay.
- (6) Money need not be paid into a trust account,
- (a) that a client in writing requests a member to withhold from the trust account or to deposit elsewhere;
 - (b) that a member pays into a separate account opened or to be opened in the name of a client or some person named by that client or the duly authorized agent of that client;
or
 - (c) that in the ordinary course of business upon its receipt is paid forthwith, in the form in which it is received, to or on behalf of the client,

- (7) The handling of money that, pursuant to subsection (6), is not paid into a trust account shall be shown in the books and records of the member.
- (8) Money shall not be paid into a trust account,
- (a) that belongs entirely to the member or to others in his firm, including an amount received as a general retainer for which the member is not obligated either to account or to render services;
 - (b) that is received by the member on account of fees for which a billing has been delivered or for services already performed for which a billing is delivered forthwith thereafter or is received to reimburse the member for disbursements made or expenses incurred on behalf of a client.
- (9) Money on deposit in a trust account to which the member becomes entitled shall promptly thereafter be drawn from the trust account in accordance with subsection (10).
- (10) Money shall not be drawn from a trust account unless it is
- (a) money properly required for payment to or on behalf of a client;
 - (b) money required to reimburse the member for money properly expended on behalf of a client or for expenses properly incurred on behalf of a client;
 - (c) money properly required for or toward payment of the member's fees for which a billing or other written notification has been rendered;
 - (d) money that is directly transferred into another trust account and held on behalf of a client;
 - (e) money that may by inadvertence have been paid into the trust account in contravention of this section.
- (11) In no case shall the money so drawn under subsection (9) exceed the unexpended balance of the money held in the trust account for the client.
- (12) Money drawn from a trust account under paragraph (b) or (c) of subsection (10) shall be drawn only,
- (a) by a cheque drawn in favour of the member; or
 - (b) by a transfer to a bank account that is in the name of the member and is not a trust account.

- (13) A cheque drawn on a trust account shall not be.
- (a) made payable either to cash or to bearer; or
 - (b) signed by a person who is not a member, unless there are circumstances and the person who signs is bonded in an amount at least equal to the maximum balance on deposit during the immediately preceding fiscal year of the member in all the trust accounts on which signing authority has been delegated to the person.
- (14) Money, other than money permitted by subsection (10), shall not be drawn from a trust account unless the Executive specifically authorizes in writing its withdrawal.
- (15) At all times a member shall maintain sufficient balances on deposit in his trust account or accounts to meet all his obligations with respect to moneys held in trust for clients.
- (16) For the purposes of subsection (10) and (15), cash or a certified cheque or cheques negotiable by the member or cheques drawn by the member on his trust account, in the possession and control of the member, shall be deemed to be money held in a trust account if such cash or cheques received are deposited in the trust account not later than the next banking day.
- 63 (1) In this section, "Treasurer", means the Treasurer defined in the Financial Administration Act.
- (2) Subject to any conditions of the trust, a member who has for seven years held money in his trust account or held any other property in trust in his capacity as member on behalf of a person who the member is unable to locate and to whom the money is payable or the property is to be delivered shall pay the money or deliver the property to the Treasurer unless the Executive authorizes him to hold it for such longer time as the Executive may specify.
- (3) Subject to any conditions of the trust, a member who has for two years held money in his trust account or held any other property in trust in his capacity as member on behalf of a person who the member is unable to locate and to whom the money is payable or the property is to be delivered may apply to the Executive for permission to pay the money or deliver the property to the Treasurer.

- (4) On an application under subsection (2) or (3) the Executive shall have regard to
 - (a) the nature of the trust and the circumstances in which it arose,
 - (b) whether the member has made a reasonable effort to locate the person to whom the money is payable or the property is to be delivered,
 - (c) whether there is a reasonable prospect that the member will be able to locate the person to whom the money is payable or the property is to be delivered.
- (5) Upon the payment of the money or delivery of the property under subsection (2) or (3) to the Treasurer, the liability of the member to pay or deliver it to the person on whose behalf he previously held it, or to that person's legal representative, is extinguished.
- (6) Subject to subsections (8) and (9), money paid under subsection (2) or (3) to the Treasurer becomes public money within the scope of the Financial Administration Act.
- (7) Subject to subsection (8), property delivered under subsection (2) or (3) to the Treasurer becomes public property within the scope of the Financial Administration Act.
- (8) A person or his legal representative who, but for subsections (2), (3), and (5), could have claimed the money or property from the member may claim the money or property from the Treasurer and the Treasurer shall pay the money or deliver the property to him when he satisfactorily demonstrates that he is entitled to receive it.
- (9) The Treasurer is not required to pay interest on any money paid to him under subsection (2) or (3).
- (10) No claim against the Treasurer is enforceable after 10 years after the money or property was received by the Treasurer under subsection (2) or (3) and, after that period, the money or property becomes the property of the Government of Yukon.

- (11) A person whose claim against the Treasurer under subsection (8) is not allowed by the Treasurer may apply to the Supreme Court of Yukon for a review of the Treasurer's decision and the Court may allow the claim in such amount as it may determine.
- 64 (1) Every member shall maintain books, records and accounts in connection with his practice to record all money and other negotiable property received and disbursed, and as a minimum requirement every member shall maintain,
- (a) a book of original entry showing the date of receipt and source of money received in trust for each client and identifying the client on whose behalf the trust money is received;
 - (b) a book of original entry showing all disbursements out of money held in trust for each client and showing each cheque number, the date of each disbursement, the name of each recipient, and identifying the client on whose behalf each disbursement is made out of money held in trust;
 - (c) a clients' trust ledger showing separately for each person on whose behalf money has been received in trust all such money received and disbursed and any unexpended balance;
 - (d) a record showing all transfers of money between clients' trust ledger accounts and explaining the purpose for which each transfer is made;
 - (e) a book of original entry showing the date of receipt and source of all money received other than trust money;
 - (f) a book of original entry showing all disbursements of money other than trust money and showing each cheque or voucher number, the date of each disbursement, and the name of each recipient;
 - (g) a fees book or chronological file of copies of billings showing all fees charged and other billings to clients, the dates such charges are made, and identifying the clients so charged;
 - (h) a record showing a comparison made monthly of the total of balances held in the trust account or accounts and the total of all unexpended balances of funds held in trust for clients as they appear from the books and records

- together with the reasons for any differences between the totals and supported by,
- (i) a detailed listing made monthly showing the amount of trust money held for each client and identifying each client for whom trust money is held,
 - (ii) a detailed reconciliation made monthly of each trust bank account
 - (iii) a record showing all negotiable or other valuable property, other than money, held in trust from time to time for all clients;
- (f) bank statements or pass books, cashed cheques and detailed duplicate deposit slips for all trust and general accounts.
- (2) The books, records and accounts required to comply with subsection (1)
- (a) shall be entered and posted currently at all times, and the trust comparison required by paragraph (h) shall be made monthly within fifteen days from the effective date of each comparison, and
 - (b) shall be entered and posted in ink or a duplication thereof, or by machine, and shall be preserved for at least the six-year period previous to the most recent fiscal year-end of the member, with the exception of trust cash receipt and disbursement books of original entry and the books and records required by paragraphs (c), (h) and (i) of subsection (1) which shall be preserved for at least 10 years.
- 65 (1) Every active member who engages in the private practice of law in Yukon shall inform the Executive in writing of the termination date of his fiscal year, and shall file with the Executive written notice of any change in the fiscal year within one month after the change is made.
- (2) Subject to subsection (3), every active member who engages in the private practice of law in Yukon shall file with the Society within six months from the termination of his fiscal year a statutory declaration in the prescribed form and a

report duly completed in the prescribed form by a chartered accountant or a certified general accountant signed by the member in respect of each practice with which he was associated since his last filing.

- (3) Subsections (1) and (2) do not apply to a member,
- (a) who has not engaged in the private practice of law in Yukon since last filing under this section;
 - (b) who has practised exclusively as an employee of a sole practitioner or of a firm and who has not practised on his own account apart from such employment since last filing under this section; or
 - (c) who has acted exclusively as an employee of a corporation or a government agency and has not practised on his own account apart from such employment since last filing under this section.

66 (1) Nothing in this Act deprives a member of any recourse or right, whether by way of lien, set-off, counter claim, charge or otherwise, against money standing to the credit of a client in the member's trust account.

67 (1) Where he considers it necessary or advisable, the Chairman of the Discipline Committee may make an order providing for the audit by a chartered accountant or a certified general accountant of the books and accounts of a member and that member shall forthwith make his books and accounts fully available for examination by such accountant.

68 (1) Where the Chairman of the Discipline Committee is satisfied that a member has failed to account to a client or to deliver any property to a client or as directed by the client, the Chairman may,

- (a) direct the member to give to the client or to the Executive, or both, an accounting of the property, or
- (b) direct the member to pay the property into or deposit the property with the Supreme Court of Yukon,

and may fix a time within which the member is to comply with the direction.

- (2) Property paid or deposited under subsection (1) may, upon an order of a judge of the Court, be paid out or delivered to the person or persons named in the order as being entitled thereto.

Part 4, Division (5) - Fees and Review of Fees

- 69 (1) Notwithstanding any law or usage to the contrary, a member may contract with a person as to the remuneration to be paid to him for services rendered or to be rendered to the person instead of or in addition to fees established under the Rules or to the costs which are allowed to the member but such a contract shall be unenforceable by the member unless in writing.
- (2) A member may make an agreement, to be known as a contingent fee agreement, that provides that a member's remuneration for services to be provided for or on behalf of a client be based upon a percentage of the amount recovered but such an agreement shall be unenforceable unless it is in writing.
- (3) A member may not enter into a contingent fee agreement where the services provided relate to an application respecting
 - (a) any proceeding under the Matrimonial Property and Family Support Act or the Divorce Act (Canada), or in relation to any other matrimonial cause or the property of an infant,
 - (b) any proceeding in relation to the property of any person under legal disability,
 - (c) any proceeding in relation to the distribution of the estate of a deceased person or the partition of property, or
 - (d) any other matter or class of matters described in the Rules.
- (4) The Executive may make rules respecting contingent fee agreements, and the rules may
 - (a) provide for the form and content of contingent fee agreements,
 - (b) establish maximum percentages for different classes of service, and
 - (c) establish maximum percentages that are applicable at different stages of a proceeding in respect of which a contingent fee agreement has been entered into.

- (5) Champertous contracts are prohibited and unenforceable by the member, but the taking of a fee based on a proportion of the amount recovered is not, in itself, champertous.
- (6) No member shall purchase or agree to purchase the interest or any part of the interest of his client in any action or other contentious proceeding to be brought or maintained and, subject to subsections (2) to (5), no member shall make an agreement in which he stipulates for payment only in the event of success in the action or proceeding.
- (7) Any agreement that is made contrary to subsection (6) shall be deemed to be champertous.
- (8) A contingent fee agreement shall
- (a) set out the percentage established under subsection (4)(b) and (c), and
 - (b) provide that the client or member may apply to have the contract reviewed by the clerk of the Supreme Court under subsection (10).
- (9) Where a contingent fee agreement has been entered into and the member receives or is paid, through a settlement, costs in respect of the proceeding or anticipated proceeding in respect of which the contingent fee agreement was entered into, the costs shall not, for the purpose of determining the amount of fees the member is entitled to under the agreement, form part of the recovery, but shall
- (a) constitute part of the fees payable to the member, and
 - (b) be deducted from the amount that would otherwise be payable under the agreement.
- (10) A person who has made an agreement with a member for the payment of legal services, or who is contingently liable to make payment on such an agreement including a contingent fee agreement, may, within 90 days after the agreement was made or the retainer between the solicitor and client was terminated, apply to the clerk of the Supreme Court to have the agreement reviewed, notwithstanding that the person has made payment to the member under the agreement.

- (11) On an application under subsection (10) the clerk shall, where he considers that the contract is unfair, modify or cancel the agreement and where he cancels the agreement he
- (a) may require the member to prepare a bill for review, and
 - (b) shall review the costs, fees, charges and disbursements for the services provided as though there were no agreement.
- (12) A person or member, as the case may be, may appeal a decision of the clerk on any matter under subsection (11) to the Supreme Court.
- (13) A provision in an agreement referred to in subsection (1) that the member shall not be liable for negligence, or that he shall be relieved from responsibility to which he would otherwise be subject as a member, is void.
- (14) Where remuneration has been received or retained by a member in excess of the amount permitted by this section or, in the case of a review by a clerk under subsection (11), in excess of the amount fixed by the clerk, he shall refund the excess amount to the client.
- (15) Unless a member informs his client and has the approval of his client, no member shall arrange to split the fees for his services with another member or with any other person.
- 70 (1) A member who is employed to commence or defend a proceeding in a court or tribunal has a charge against any property that is recovered or preserved as a result of the proceeding for the proper costs, charges and expenses of or in relation to the proceeding, including counsel fees.
- (2) Where the proceeding has been heard or is pending, the court or tribunal may make an order for the taxation and payment of the costs, charges and expenses out of the property as to the court or the tribunal may appear just and proper.
- (3) Where the proceeding is before a court or tribunal, the member or the client may apply to the court or the tribunal for an order under subsection (2).

- (4) Any agreement or conveyance that defeats or would defeat a member's charge under subsection (1) is unenforceable against the charge, unless the agreement is with or the conveyance is to a bona fide purchaser for value who does not have notice of the charge.
- (5) No proceeding for the purpose of realizing or enforcing a charge under subsection (1) shall be taken except with the leave of the Supreme Court of Yukon and upon such conditions as the Court may deem just and proper.
- 71 (1) A member may sue for reasonable fees and disbursements in relation to services performed by him in his capacity as an active member but no such action may be taken until the expiration of 30 days after he has delivered or mailed a bill for those fees and disbursements to the person he seeks to charge with payment.
- (2) Without restricting the Rules or the Rules of Court, the member's bill shall contain a reasonably descriptive statement of the services performed, itemizing the fees and services, and a detailed statement of the amount and purpose of each disbursement.
- (3) The member may, without notice, apply to the Supreme Court of Yukon for and the Court may grant, leave for the commencement of action for the recovery of the amount of the bill before the expiration of the 30 day period where the Court is satisfied that there is probable cause for believing that the person charged with the bill is about to leave the Territory other than temporarily or has made or is about to make a preference or conveyance that would be, as against the member, void under the Fraudulent Preferences and Conveyances Act.
- 72 (1) A member's bill may be reviewed by the Clerk of the Supreme Court of Yukon, or any other officer empowered to tax a bill of costs in that Court.
- (2) The review of the bill may be obtained at the request of any person claiming the whole or any portion of the bill or at the request of any person from whom payment of the whole or any portion of the bill is claimed.

- (3) The person claiming the whole or any portion of the bill may not obtain a review of a bill under subsection (1) until he would be entitled to sue for the amount of the bill.
 - (4) The person from whom payment of the whole or any portion of the bill is claimed may obtain the review at any time.
 - (5) The person who seeks the review shall give his opposite party not less than five days notice of the time and place for the review.
 - (6) The notice shall be given
 - (a) by personal delivery or whatever other method allowed under the Rules of Court for service of a writ of summons, where the notice is given by the person claiming the whole or any portion of the bill, and
 - (b) by personal delivery to or certified mail addressed to the office of the member who performed the services and incurred the disbursements that are the subject of the bill.
 - (7) If, after due notice, a party fails to attend for the review, the bill may be reviewed in his absence.
- 73 (1) If no bill for services of a member has been delivered or sent, a person believing himself to be chargeable with the bill may seek an order from the clerk of the Supreme Court of Yukon, or any other officer empowered to tax a bill in that Court, requiring the delivery of the bill, and the clerk or other officer may make such an order but shall allow a reasonable time, not to exceed 30 days, for compliance with the order.
- (2) The order under subsection (1) may be obtained by the same procedure as described in section 72 for obtaining a review of the bill.
 - (3) On an application under subsection (1), the clerk or other officer shall, if requested by the person believing himself chargeable with the bill, include in the order an appointment for the review of the bill.

- (4) If the order under subsection (1) does not include an appointment for the review of the bill, the review may, after delivery of the bill, be obtained in the manner described in section 72.
- 74 (1) On any review of a bill or an agreement under this part, the reviewing officer shall have power to determine what are the reasonable fees and disbursements for the services rendered and whether the person charged with the bill is liable to pay all or any part of the bill, and in making that determination the reviewing officer shall take into account all relevant factors including:
- (a) any agreement between the member and his client in respect of the services, and the circumstances of the making of that agreement;
 - (b) the extent and character of the services rendered;
 - (c) the labour exerted and the time spent;
 - (d) the character and importance of the matter in respect of which the services were rendered;
 - (e) the amount of money or the value of the property involved;
 - (f) the skill and experience of the member rendering the service;
 - (g) the reason the disbursement was incurred;
 - (h) the results achieved.
- (2) The principles and rules of law respecting taxation of costs in the Supreme Court of Yukon shall apply to the review of bills and agreements under this Part and, in conducting the review, the reviewing officer shall have all the powers of the clerk of the Supreme Court upon a taxation of costs in the Court.
- 75 (1) Upon the completion of his review the reviewing officer shall certify his determination and, subject to the right of appeal, his determination is binding on the parties and his certificate is enforceable as a judgment of the Supreme Court.
- 76 (1) The determination of the reviewing officer under section 73 or 74 may be appealed to a judge of the Supreme Court.
- (2) The procedure for the appeal under subsection (1) shall be the same as the procedure described in section 72 for obtaining a review.

- (3) Nothing in this Act shall limit the power of the Supreme Court with respect to the revision or taxation of a member's bill.
- 77 (1) An order as to costs in relation to a review, an application for delivery of a bill, and an appeal under subsection 76(1) may be made against the person claiming the whole or any portion of the bill, but such an order shall not be made against a person from whom payment of the whole or any part of the bill is claimed.
- (2) Subsection (1) does not restrict any entitlement to costs that there may be in any appeal against the decision of the judge of the Supreme Court in the appeal to him under subsection 76(1).
- 78 (1) A client of a member may apply to the Supreme Court for an order that the client's solicitor or former solicitor deliver to the court, or the client any property that the member has under his control on behalf of the client.
- (2) Where a client changes solicitors or a client commences acting on his own behalf without a solicitor, the client or the former solicitor may apply to the Supreme Court for an order directing that the former solicitor deliver the client's records to a new solicitor nominated by the client or to the client himself, as the case may be.
- (3) In an order under subsection (1) or (2) the Court may make the direction conditional on the client
- (a) paying all amounts due to the former solicitor by the client, or
- (b) giving security for the payment in an amount and manner satisfactory to the court.
- (4) In an order under subsection (1) or (2) the court may order a review of any claim of the solicitor or former solicitor for fees or disbursements.

PART 5

YUKON LAW FOUNDATION

- 79 (1) There is hereby established a corporation to be known as the Yukon Law Foundation (in this Part called the Foundation).
- 80 (1) The objects of the Foundation are to receive moneys and property and to maintain and manage a fund the interest and capital of which is to be used from time to time as the Board sees fit for
- (a) conducting research into and recommending reform of law and the administration of justice;
 - (b) establishing, maintaining and operating law libraries for public use;
 - (c) contributing to the legal education and knowledge of members and the people of Yukon and providing programs and facilities therefor;
 - (d) legal aid programs and programs of like nature for the benefit of persons unable to afford the legal services they require;
 - (e) contributing to the Assurance Fund;
 - (f) contributing to the cost incurred by the Society in relation to proceedings under Part 3; and
 - (g) doing all other things that are incidental or conducive to the attainment of the objects enumerated in paragraphs (a) to (f).
- 81 (1) The affairs of the Foundation shall be conducted by a Board of Directors (in this Part called the "Board") composed of six members of whom
- (a) three shall be appointed by the Executive Council Member, and
 - (b) three shall be appointed by the Executive from among the members of the Society.
- (2) The term of office of the members of the Board shall be for a period of two years.

- (3) The Board shall designate one of its members as chairman and may, in its absolute discretion, change the designation from time to time.
 - (4) Four members of the Board constitute a quorum.
 - (5) A decision of a majority of the members present at a meeting of the Board is a decision of the Board, but in the event of an evenly divided opinion between the members, including the vote of the chairman, the matter shall be decided in accordance with the vote of the chairman.
 - (6) The Foundation shall not make any contribution to the cost incurred by the Society in relation to proceedings under Part 3 except upon the unanimous consent of the members of the Board.
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- (1) The Board may make by-laws respecting calling of meetings of the Board and the conduct of its business, the duties and conduct of its members and generally as to the conduct of the business and affairs of the Foundation.
 - (2) Without limiting the generality of subsection (1), the Board may make by-laws regarding
 - (a) the number and designation of officers of the Foundation;
 - (b) the appointment of and terms of office of officers of the Foundation and all matters relating to their offices;
 - (c) the resignation or removal from office of officers of the Foundation;
 - (d) the number and designations of employees of the Foundation other than officers, and their terms and conditions of employment;
 - (e) the remuneration, if any, of officers and employees of the Foundation, and
 - (f) the operation of the Law Foundation Account.
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- (1) The Board shall apply the funds of the Foundation, in such manner as the Board may decide, in carrying out the objects of the Foundation.
 - (2) The Board shall not contribute more than \$50,000 in any year to the Assurance Fund.

- (3) The funds of the Foundation shall consist of all sums paid to the Foundation pursuant to section 83, interest accruing from investment of the funds of the Foundation, and any other moneys received by the Foundation.
 - (4) There shall be paid out of the funds of the Foundation the costs, charges and expenses involved in the administration of the Foundation, and the costs, charges, and expenses incurred by the Board in carrying out the objects of the Foundation.
 - (5) No director who is a member of the Society may receive any remuneration for his services.
 - (6) A director may be paid out of the funds of the Foundation transportation, accommodation, and living expenses incurred in connection with his duties as a member of the Board away from his ordinary place of residence but, except as otherwise provided by the by-laws, 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.
 - (7) All funds of the Foundation shall, pending investment or application in accordance with this section, be paid into a bank or trust company in Yukon to the credit of a separate account.
 - (8) The Board may invest the funds of the Foundation, but only in whatever way a trustee may, under the Trustee Act, invest money entrusted to him.
 - (9) The accounts of the Foundation shall be audited annually by a chartered accountant or a certified general accountant appointed by the Board.
- 84 (1) After the end of each year, the Foundation shall prepare and submit to the Executive Council Member and the Executive a report consisting of
- (a) a general summary of its transactions and affairs during that year, its revenues and expenditures during that year,
 - (b) an audited balance sheet, and
 - (c) such other information as the Executive Council Member may require.

- (2) Upon receiving a report under subsection (1), the Executive Council Member shall cause a copy of it to be tabled in the Legislature if it is then in session or, if it is not then in session, during the next session.
- 85 (1) The Foundation may borrow or raise or secure the payment of money upon the credit of the Foundation from time to time as the Board thinks fit to fulfill the objects of the Foundation and may for the purpose issue notes, bonds, debentures, debenture stock or other evidences of indebtedness.
- 86 (1) Every member (or firm of more than one member, which shall be included in the term "member") shall maintain an interest-bearing trust account in a bank or trust company in Yukon into which he shall deposit any moneys received by him upon trust from or on account of any client and shall instruct the bank or trust company, to remit the interest earned thereon to the Foundation semi-annually and such interest thereupon becomes the property of the Foundation.
- (2) A member is not liable, by virtue of the relation between the member and his client, to account to any client for interest earned on money deposited in the bank or trust company pursuant to subsection (1).
- (3) Nothing in this Part affects any arrangement made between a member and his client to deposit money received from or on behalf of the client or to which the client is entitled in a separate account for the client at interest that is to be the property of the client.

PART 6

PROFESSIONAL CORPORATIONS

- 87 (1) In this Part,
- (a) "permit" means a permit issued pursuant to subsection 89(3);
 - (b) "professional corporation" means the holder of a subsisting permit.
- 88 (1) The Executive may make Rules
- (a) respecting the procedure for making applications for permits and the information required to be submitted in support of an application;
 - (b) respecting the reinstatement or reissuance of any permit suspended or revoked;
 - (c) providing for the creation and maintenance of a register of professional corporations and requiring the filing of periodic returns by those corporations;
 - (d) respecting the annual renewal of permits; and
 - (e) prescribing the types of names by which a professional corporation, a partnership of two or more professional corporations, or a partnership of one or more professional corporations and one or more individual barristers and solicitors, may be known.
- 89 (1) Notwithstanding anything in this Act, a corporation to which a permit is issued under this section may practise law in its own name.
- (2) Notwithstanding subsection (1), no corporation shall be enrolled as a member of the Society.
- (3) The Executive shall issue a permit to any corporation that fulfils the following conditions:
- (a) files an application in the form prescribed by the Executive;
 - (b) pays all the fees prescribed by the Executive;

- (c) satisfies the Executive that it is a company limited by shares and is in good standing under the Business Corporations Act;
 - (d) satisfies the Executive that it has the capacity to practice law;
 - (e) satisfies the Executive that the name of the company is in accordance with the rules of the Society and contains the words "Professional Corporation";
 - (f) satisfies the Executive that the legal and beneficial ownership of all the issued shares of the company is vested in one or more active members of the Society and that all of the directors of the company are active members of the Society;
 - (g) satisfies the Executive that the persons who will carry on the practice of law on behalf of the company are active members of the Society.
- (4) A permit issued under subsection (3) expires on December 31 of the year for which it was issued.
- (5) Paragraph (3)(g) shall not be construed so as to impose on a professional corporation any restriction that is not imposed on an individual member of the Society in connection with the employment of a student-at-law or any other person.
- 90 (1) If a professional corporation ceases to fulfil any condition specified in section 89(3) by reason only of the death or loss of active membership in the Society of a shareholder of the company, the professional corporation has a period of 90 days from the date of the death or loss of active membership, as the case may be, in which to fulfil the condition failing which the permit is automatically terminated effective on the expiration of the 90-day period without the necessity of an order of the Executive.
- 91 (1) Notwithstanding anything to the contrary in the Business Corporations Act, every person who is a shareholder of a corporation during the time that it is the holder of a permit or of a corporation during the time that it acts in contravention of subsection 104(1) or section 105 is liable to the same

extent and in the same manner as if the shareholders of the corporation were during that time carrying on the business of the corporation as a partnership or, if there is only one shareholder, as an individual practising law.

- (2) The liability of any person in carrying on the practice of law is not affected by the fact that the practice of law is carried on by that person as an employee and on behalf of a professional corporation.
- 92 (1) No shareholder of a professional corporation shall enter into a voting trust agreement, proxy or any other type of agreement vesting in another person who is not an active member of the Society the authority to exercise the voting rights attached to any or all of his shares.
- 93 (1) The relationship of a member of the Society or of a student-at-law to a professional corporation, whether as a shareholder, director, officer or employee, does not affect, modify or diminish the application to him of the provisions of this Act and the Rules.
- 94 (1) Nothing in section 89 affects, modifies or limits any law applicable to the fiduciary, confidential or ethical relationships between a barrister and solicitor and a person receiving the professional services of a barrister and solicitor.
- (2) The relationship between a professional corporation carrying on the practice of law and a person receiving the professional services of the corporation is subject to all applicable laws relating to the fiduciary, confidential and ethical relationships between a barrister and solicitor and his client.
- (3) All rights and obligations pertaining to communications made to or information received by a barrister and solicitor, or his advice thereon, apply to the shareholders, directors, officers and employees of a professional corporation.

- 95 (1) No person or persons shall trade or carry on business within Yukon under any name or title containing the words "Professional Corporation" or the abbreviation "P.C." unless that person or those persons are duly incorporated and the corporation holds a subsisting permit, or unless otherwise expressly authorized by statute.
- (2) Every person who contravenes subsection (1) commits an offence punishable on summary conviction.
- (3) On application by the Society, the Supreme Court of Yukon may grant an injunction enjoining any person who has been convicted of an offence under subsection (2) from continuing the conduct that constitutes the offence, notwithstanding that a sentence has been imposed.
- 96 (1) Unless otherwise expressly provided in this Part, all the provisions of this Act and the Rules thereunder that are applicable to members apply with all necessary modifications to a professional corporation under this Part and a professional corporation shall be deemed to be an active member.
- (2) Without limiting the generality of subsection (1), proceedings that may be taken under this Act against a member who is an individual may also be taken against a professional corporation and any order that may be made against an individual may be made against a professional corporation, unless the order is to do a thing that is capable of being done only by an individual.
- (3) Where in proceedings under Part 3 a professional corporation is found to have engaged in conduct deserving of censure, the individual member whose conduct justifies that finding may also be found to have engaged in conduct deserving of censure and, in addition to any order that is made against the professional corporation, any order that may be made against a member who is an individual may be made against him.
- (4) In proceedings against a professional corporation, provisions in this Act in relation to striking the name of a member off the Roll shall be deemed also to be provisions in relation to revoking the permit of the professional corporation.

- 97 (1) The misappropriation or wrongful conversion referred to in subsection 50(1) includes misappropriation or wrongful conversion by a member of the Society of money or other property entrusted to or received by any professional corporation in its capacity as a barrister or solicitor, of which corporation that member is a shareholder, director, officer or employee.
- (2) An order authorized to be made by a judge of the Supreme Court of Yukon in the case of a member under subsection 59(1) may, in the case of a professional corporation, be made in any of the following cases:
- (a) when the permit of the corporation has been revoked or suspended under subsection 96(3);
 - (b) when a shareholder of the corporation has died or become mentally incapacitated;
 - (c) when for any reason the corporation is unable to practise as a barrister and solicitor;
 - (d) when a shareholder of the corporation has absconded or is otherwise improperly absent from the corporation's place of business, or the corporation has neglected its practice for an unduly extended period;
 - (e) when there is reason to believe that the trust money held by the corporation is not sufficient to meet its trust liabilities;
 - (f) when sufficient grounds otherwise exist.
- 98 (1) Subject to Part 4, Division (5), a professional corporation may sue for fees for services performed on its behalf and in its name by a person in his capacity as an active member at any time after the services are performed, if the services were performed during the time that the corporation was the holder of a subsisting permit.
- 99 (1) A certificate purporting to be issued by the Executive and stating that a named corporation was or was not, on a specified day or during a specified period, a professional corporation according to the records of the Society, shall be admitted in evidence as prima facie proof of the facts stated therein without proof of the appointment or signature of the officer who signed the certificate.

- 100 (1) In any provision of an Act of the Legislature or any regulation, rule, order or by-law made under an Act of the Legislature enacted or made before, at or after the commencement of this section, a reference to a person authorized to carry on the practice of law, whether referred to as a member of The Law Society of Yukon, a barrister and solicitor or otherwise, shall be read as including a professional corporation unless otherwise expressly provided.

PART 7

Miscellaneous, Offences, Repeals

- 101 (1) Members of the Society shall be known and designated as barristers and solicitors.
- 102 (1) Active members and students-at-law are officers of the Supreme Court of Yukon and all other courts in Yukon and have a right of audience in the Supreme Court and those other courts.
- (2) Any person who, in the absence of subsection 2(3) or subsection 104(2), would be practicing law or would violate subsection 104(1) by appearing in the Supreme Court of Yukon or in any other court in Yukon has a right of audience in the Supreme Court or that other court in respect of what he is permitted to do under subsection 2(3) or subsection 104(2).
- 103 (1) A student-at-law shall disclose to his client that he is a student-at-law before he acts for the client.
- 104 (1) No person shall engage in the practice of law in Yukon unless he is an active member of the Society.
- (2) No person violates subsection (1) by
- (a) acting on his own behalf in an action, matter or proceeding to which he is a party,
 - (b) drawing, preparing, revising or settling for his own use any will, conveyance or other instrument pertaining to real or personal property, or any other instrument or document that is or intended to be enforceable by law or have a legal effect,

- (c) lawfully acting as an insurance adjuster under the Insurance Act,
 - (d) appearing as an agent without reward for another person before a justice of the peace or judge of any court or other tribunal,
 - (e) acting as an accountant or auditor,
 - (f) doing anything described in subsection 2(3).
- (3) Subsection (1) does not apply to a student-at-law in the course of acting as counsel or in doing any other thing in the course of his service under articles, if it is done under the direction or supervision of an active member or of a professional corporation under Part 6.
- (4) The exemption provided by paragraph(2)(a) applies to a person to whom a debt has been assigned for collection purposes only.
- 105 (1) No person shall, unless he is an active member of the Society, hold himself out as or represent himself to be an active member of the Society.
- (2) No suspended member shall, while suspended, hold himself out as or represent himself to be a member in good standing or a member not under suspension.
- (3) No person shall, unless he is admitted to the Society as a student-at-law, hold himself out as or represent himself to be a student-at-law or an articulated law student or law clerk.
- 106 (1) Every person who contravenes subsection 104(1) or section 105 commits an offence punishable on summary conviction.
- (2) On application by the Society the Supreme Court of Yukon may grant an injunction enjoining any person who has been convicted of an offence under subsection (1) from continuing the conduct that constitutes the offence, notwithstanding that a sentence has been imposed.
- 107 (1) A member may advertise in his capacity as a member but, unless the Rules otherwise provide, he shall restrict such advertising to conveying information about
- (a) his place and hours of practice,

- (b) the identity of other members with whom he practices,
 - (c) with their consent and in professional directories or journals or reports only, the identity of representative clients,
 - (d) fields of law to which he restricts his practice, and
 - (e) the types of services he provides in his practice.
- 108 (1) The Executive Council Member shall serve as a guardian of the public interest in all matters within the scope of this Act, and for this purpose he may apply by originating application to the Supreme Court for an order requiring the Society or any member to produce any document, record, or thing pertaining to the affairs of the Society.
- (2) No admission of any person in any document, record, or thing produced under subsection (1) is admissible in evidence against that person in any proceedings other than disciplinary proceedings under this Act.
- 109 (1) No action for defamation may be founded on a communication that consists of or pertains to a matter regarding the conduct of a member if the communication is published to or by the Society, the Executive, or any officer or employee of the Society in the course of inquiring into the matter or in the course of proceedings relating to the matter.
- 110 (1) All fees and assessments payable by a member under this Act or the Rules are the property of the Society and shall be paid to the Treasurer of the Society.
- 111 (1) Service of any notice, order or other document under this Act or the Rules on a member or student-at-law may be made personally or by registered letter addressed to the last known place of residence or business of the person to be served and, if service is made by registered letter, service is deemed to be made on the seventh day after the notice, order or other document is mailed and proof that the notice, order or other document was so addressed and posted is proof of service.
- (2) Service of any document of the Society may be made by service upon the Secretary or the registered office of the Society.

- 112 (1) No municipality has the power to require any member or professional corporation to obtain a licence from the municipality to practise law or to carry on the practice or profession of a barrister and solicitor.
- 113 (1) Upon the coming into force of this Act the Clerk of the Supreme Court of Yukon shall deliver to the Society the Roll of barristers and solicitors hitherto maintained under the Legal Profession Act that is repealed by this Act.
- 114 (1) The Legal Profession Act is repealed.
- (2) The Solicitors Act, 1843 (Great Britain) is, insofar as it might otherwise have any force in Yukon, repealed.
- 115 (1) The Legal Profession Accounts Act is repealed.
- 116 (1) This Act shall come into force on a day to be fixed by the Commissioner in Executive Council.
- 117 (1) The persons who, on the day this Act comes into force, hold office as members of the executive of the Yukon Law Society incorporated under the Societies Act, shall, for the purposes of paragraph 5 (1)(a), be deemed to have been elected under this Act and may hold office as members of the Executive for up to six months after this Act comes into force.
- (2) The first election of Executive members under paragraph 5 (1)(a) shall be held within six months of the day this Act comes into force.
- 118 (1) No proceedings shall be taken under Part 3 against any member in relation to events or conduct that occurred before this Act came into force, unless the event or conduct was not known about and could not with reasonable diligence have been known about until after this Act came into force.
- (2) Notwithstanding subsection 114(1), proceedings that cannot be taken under Part 3 may be taken under the provisions of the Legal Profession Act that is repealed by this Act and to that end all things may be done and all powers may be exercised under that Legal Profession Act as if it had not been repealed.

- 119 (1) Upon the coming into force of this Act the assets and liabilities of the Yukon Law Foundation established under the Legal Profession Act that is repealed by this Act shall become assets and liabilities of the Yukon Law Foundation that is established by this Act.
- (2) Notwithstanding subsection 83(2), the Board of the Yukon Law Foundation established by this Act shall, as soon as practicable after the coming into force of this Act, transfer \$100,000 to the Assurance Fund established by the Society.

SCHEDULE

The objects for which the company is established are

- (a) to engage in every phase and aspect of rendering the same legal services to the public that a barrister and solicitor, being an active member of The Law Society of Yukon, is authorized to render;
- (b) to purchase or otherwise acquire and to own, mortgage, pledge, sell, assign, transfer or otherwise dispose of, and to invest in, deal in and with, real and personal property necessary for the rendering of legal services;
- (c) to contract debts and borrow money, issue and sell or pledge bonds, debentures, notes and other evidences of indebtedness and execute such mortgages, transfers of corporate property or other instruments to secure the payment of corporate indebtedness as required;
- (d) to enter into partnerships, consolidate or merge with or purchase the assets of another corporation or individual rendering the same professional services.

STATUTES OF THE YUKON TERRITORY
1984, Chapter 18

LEGAL SERVICES SOCIETY ACT

(Assented to May 17, 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 Legal Services Society Act.

2 (1) In this Act;

"applicant" means an individual who applies for legal aid, or to whom legal aid is furnished;

"board" means the board of directors of the society under section 4;

"Law Society" means the Yukon Law Society established under the Legal Profession Act;

"lawyer" means a person who is a barrister and solicitor under the Legal Profession Act;

"legal aid" means legal advice and other services ordinarily provided by a lawyer that may be furnished to an individual under this Act;

"Registrar of Regulations" means the Registrar of Regulations under the Regulations Act;

"society" means the Yukon Legal Services Society established under this Act.

3 (1) There is hereby established a body corporate under the name "Yukon Legal Services Society", consisting of the persons appointed from time to time under section 4.

- (2) For the purposes of this Act, the society has all the powers and capacity of a natural person.
- (3) The society is not an agent of the Government of Yukon or the Law Society.

Board of Directors

- 4 (1) The society shall have a board of directors consisting of
 - (a) three persons nominated by the Law Society,
 - (b) one person nominated by the Attorney General of Canada, and
 - (c) four persons nominated by the Executive Council Member, at least three of whom shall not be lawyers.
 - (2) Nominations under paragraphs (1)(a) and (b) shall be in writing signed by or on behalf of the nominator, and are effective from the time they are delivered to the Registrar of Regulations.
 - (3) Nominations under paragraphs (1)(a) and (b) may be revoked by delivery to the Registrar of Regulations of an appropriate statement, signed by or on behalf of the person entitled to make the nomination.
 - (4) Where a vacancy occurs in the membership of the board, it may be filled for the unexpired term of the person who was a member by nomination or appointment of the appropriate authority pursuant to subsections (1) and (2).
 - (5) The Registrar of Regulations shall, within one month of receiving a nomination or revocation under this section, publish notice of it in the Yukon Gazette.
 - (6) A vacancy in the membership of the board does not impair the right of the remaining members to act.
- 5 (1) The term of office for which members of the board may be appointed shall not exceed two years.
 - (2) A member of the board is eligible for reappointment on the expiration of his term of office.

- (3) Notwithstanding subsection (1), of the members first nominated under paragraph 4(1)(a), two shall hold office for a term of one year, and of the members first appointed under paragraph 4(1)(c), two shall hold office for a term of one year.
- 6 (1) The board shall select a chairman from its members.
- 7 (1) The board shall meet at the call of the chairman, who shall ensure that members receive not less than five days' notice of meetings.
- (2) Notwithstanding subsection (1), a meeting of the board may be called with less than five days' notice where, in the opinion of the chairman, it is necessary to do so to deal with an urgent matter, but no business shall be conducted at the meeting unless the decision of the chairman to call the meeting is ratified at the meeting by not less than three quarters of the members of the board.
- 8 (1) A majority of the members of the board is a quorum.
- 9 (1) A decision of a majority of the members present at a meeting of the board is a decision of the board.
- 10 (1) Members of the board who are not members of the public service of Yukon or Canada may be paid such remuneration as may be prescribed.
- (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 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.

Management of the Society

- 11 (1) Subject to this Act, the board shall control and direct the business of the society and may, by resolution, determine its own procedures.

- (2) Without limiting the generality of subsection (1), the board may, by resolution, make provision for
 - (a) the conduct of the meetings and business of the board,
 - (b) the records to be kept in respect of the business of the board, and the custody, preservation and provision of access to them,
 - (c) the appointment, powers and duties of a vice-chairman,
 - (d) the procedures to be followed where a member of the board has a conflict of interest in respect of any matter under consideration by the board, and
 - (e) any other matter that reasonably is necessary or advisable for the effective and orderly performance of the duties of the board.

- (3) All members of the board are entitled to have access to records referred to in paragraph (2)(b).

- 12 (1) The board may, by resolution, appoint an executive director and determine the terms and benefits of his employment.

- (2) The executive director shall supervise, manage and administer the business of the society in accordance with the policies of the board, and subject to its control and direction.

- 13 (1) The board may appoint officers and employees, and engage specialists and consultants required to carry out the business of the society.

- (2) A board may determine the terms and benefits of employment of persons employed or engaged under subsection (1).

- (3) The Public Service Commission Act and the Public Service Staff Relations Act do not apply to the society and its staff.

- (4) The society may, for the benefit of some or all of the members of its staff and their dependents, establish, support or participate in pension, superannuation or group insurance plans.

- 14 (1) The board may, by resolution, delegate any of its powers under this Act not required to be exercised by order or resolution to one or more members of the board, or to the executive director, where the board is of the opinion that it is advisable to do so for the effective conduct of its business.

- (2) A decision of a person to whom power has been delegated under subsection (1) is a decision of the board, but the board may revoke, vary or confirm the decision.

Legal Aid

- 15 (1) Subject to this Act and the regulations, the society may
- (a) provide legal aid to individuals who are unable for financial reasons to secure legal services necessary because of their involvement in
 - (i) criminal proceedings that could lead to their imprisonment,
 - (ii) civil proceedings that could lead to their imprisonment or confinement,
 - (iii) proceedings respecting domestic disputes that may affect their or their children's physical or mental safety or health, or
 - (iv) legal problems that threaten their livelihood, the physical or mental safety or health of themselves or their families, or their ability to provide food, clothing and shelter for themselves or their families.
 - (b) establish student legal aid offices, community clinics and other programs for the provision of legal advice or services, and
 - (c) develop or co-ordinate programs to reduce or prevent the occurrence of legal problems among the people of Yukon, and to increase their knowledge about the law, legal processes, and the administration of justice.
- (2) Legal aid shall not be provided except for a proceeding or proposed proceeding in any court in respect of
- (a) an offence by an individual against an Act of Parliament or the Legislature,
 - (b) an offence by an individual against a regulation made pursuant to an Act of Parliament or the Legislature, or
 - (c) a civil matter in respect of which legal aid may be provided to an individual pursuant to an agreement between the Government of Canada and the Government of Yukon.

- (3) Notwithstanding any other provision of this or any other Act, and notwithstanding any rule of law to the contrary, legal aid shall not be provided except by decision of the board pursuant to this Act.
- 16 (1) Notwithstanding section 15, and notwithstanding the provisions of the Legal Profession Act, the society in providing legal aid shall be deemed not to be practising law within the meaning of that Act.
- 17 (1) Subject to this Act, the board may by order specify or establish
- (a) the matters in respect of which legal aid may be provided,
 - (b) the standards and criteria for determining an applicant's eligibility for legal aid,
 - (c) the circumstances in which an applicant may be required to contribute to the cost of legal aid provided to him, and the amount required to be contributed,
 - (d) the procedures for accommodating applicants who reside in remote areas of Yukon,
 - (e) the procedures for accommodating applicants who are under the age of 19 years,
 - (f) classes of matters in respect of which legal aid may be provided, and the manner in which and extent to which legal aid may be provided for any such class,
 - (g) the basis for determining the amount of fees and disbursements payable to a lawyer for services provided under this Act,
 - (h) a tariff of fees and disbursements to be used in taxing lawyers' bills,
 - (i) the procedure for approving, taxing, settling and paying the accounts of lawyers,
 - (j) the appointment, duties and remuneration of duty counsel,
 - (k) the procedures and forms to be used for applications for legal aid,
 - (l) the procedures for selecting and appointing a lawyer to provide services under this Act to an applicant,
 - (m) the procedures and forms to be used by lawyers for submitted bills to the society,
 - (n) the rules to be followed by lawyers in the provision of services under this Act,
 - (o) the procedures for the maintenance of a panel of lawyers for the provision of services under this Act.

- (p) the circumstances in which and the extent to which costs awarded against an applicant in proceedings in respect of which he has been provided with legal aid may be paid by the society, and
 - (q) appeals to the board from decisions made by a person in the exercise of a power delegated to him under section 14.
- (2) The board may by order revise or repeal any order made under subsection (1), and in such revision or repeal may make such transitional provisions as the board considers necessary.
- 18 (1) Orders of the board under section 17 come into force upon their publication in the Yukon Gazette, or such later time as they may specify.
- (2) An order of the board under section 17 is a regulation within the meaning of the Regulations Act.
- 19 (1) The eligibility of an applicant for legal aid shall be determined by the board on the basis of
- (a) its orders in force under section 17 at the time at which the legal aid is to be provided, and
 - (b) the ability of the applicant to obtain legal services at his own expense.

Financial Matters

- 20 (1) The funds of the society consist of money received by it from any source including, without restricting the generality of the foregoing,
- (a) money granted to it by the Government of Yukon or the Government of Canada,
 - (b) money received by it by way of gift, bequest or otherwise for the purposes of this Act, and
 - (c) money received by it as a contribution from recipients of legal aid, or as costs in respect of proceedings in respect of which legal services have been provided under this Act.

- (2) The board may invest, expend and administer funds of the society subject to this Act and subject to the terms, if any, upon which the money is given or otherwise made available to the society.
- 21 (1) The board shall, at least once in every fiscal year at such time as the Executive Council Member directs, submit to him an estimate of the sum required to fulfill its programs under this Act during the next succeeding fiscal year after making allowances for the society's estimated revenues from sources other than the Government of Yukon.
- (2) For the purposes of this Act, the Executive Council Member may, subject to the Financial Administration Act, pay grants to the society from the Yukon Consolidated Revenue Fund with monies authorized to be paid and applied for legal aid or legal education by an Act of the Legislature, and he may for the purposes of subsection 20(2) specify terms relating to the investment, expenditure and administration of the grants.
- 22 (1) Where an applicant is required pursuant to paragraph 17(1)(c) to make a contribution toward the cost of legal aid furnished to him, the amount of the contribution until paid constitutes a debt due and owing to the society recoverable in a court of competent jurisdiction.
- 23 (1) A court may award costs to an individual in a proceeding in which he has received legal aid, notwithstanding that he has not paid and will not be liable to pay his counsel.
- (2) Where costs are awarded under subsection (1), they shall be deemed to be assigned to the society and recoverable by it.
- 24 (1) Where any money is paid to or recovered by the society or a lawyer for an applicant in respect of any proceedings for which legal aid has been provided to the applicant, the society is entitled to receive or retain out of that money compensation for its lawyer's costs and other expenses incurred in the course of and as a consequence of the provision of the legal aid.
- 25 (1) The Financial Administration Act does not apply to funds of the Society.

- 26 (1) The fiscal year of the society shall be the same as that of the Government of Yukon.
- 27 (1) An auditor appointed by the Executive Council Member shall annually audit the books, records and accounts of the society and submit a report to the Executive Council Member.

Miscellaneous

- 28 (1) All information and communications in the possession of the society relating to an applicant for legal aid and his affairs is privileged to the same extent that privilege would attach to information and communications in the possession of a lawyer.
- (2) Notwithstanding any other Act or rule of law, a lawyer who provides services under this Act to an applicant shall disclose to the board, or to a member of the board or its staff designated by the board, all information of which the lawyer is aware respecting the eligibility of the applicant to receive legal aid.
- 29 (1) The society is not liable for anything done or omitted to be done by a lawyer in the provision of services to an applicant under this Act.
- (2) Except as provided under paragraph 17(1)(p), the society is not liable for the payment of costs awarded against an applicant in any proceedings in respect of which he receives legal aid.
- (3) With respect to services provided by a lawyer under this Act, he remains subject to the Legal Profession Act and the rules of the Law Society.
- 30 (1) The Societies Act does not apply to the society.
- (2) Notwithstanding subsection (1), the Commissioner in Executive Council may order that one or more of the provisions of the Societies Act apply to the society.

- (3) Upon the winding-up of the society, the assets of the society remaining after discharge of its debts and other liabilities shall become the property of the Government of Yukon.
- 31 (1) The board shall submit to the Executive Council Member an annual report on its affairs, including such statistical, financial, descriptive and explanatory information as the Executive Council Member may require.
- 32 (1) The Commissioner in Executive Council may enter into agreements with the Government of Canada respecting the provision of legal aid in Yukon.
- 33 (1) The Commissioner in Executive Council may make regulations respecting
- (a) the remuneration payable to members of the board,
 - (b) the oaths of office to be taken by members of the board, and
 - (c) any other matter not provided for in section 17 that he considers necessary to carry the purposes and provisions of this Act into effect.
- 34 (1) The Legal Aid Act is repealed.
- 35 (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
1984, Chapter 19

LEGISLATIVE ASSEMBLY RETIREMENT ALLOWANCES ACT

(Assented to May 17, 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 Legislative Assembly Retirement Allowances Act.

RETIREMENT ALLOWANCES

- 2 (1) In this Act "member" means a member of the Legislative Assembly.
- (2) For the purposes of this Act
- (a) a person does not cease to be a member by reason only of a dissolution of the Legislative Assembly; and
 - (b) a person who, immediately before a dissolution of the Legislative Assembly, was a member shall cease to be a member, effective the day on which the general election was held, if
 - (1) he is not elected as a member at the general election next following the dissolution, or
 - (1i) having been elected as a member he does not take office as a member in the next Legislative Assembly.
- 3 (1) A retirement allowance shall be paid in accordance with this Act to a person who, being a member, ceases to be a member.
- 4 (1) Subject to section 6, where a person, at the time he ceases to be a member, has served at least six years as a member of the Legislative Assembly there shall be paid to him, when he attains the age of 55 years and during his lifetime, an annual retirement allowance in an amount equal to the number of years

of service for which he has served multiplied by two and one-half percent of the total of the current indemnity and expense allowance payable to a member representing an electoral district of the same type as the former member was representing when he ceased to be a member.

- 5 (1) Upon the death of a member who has served less than six years as a member of the Legislative Assembly there shall be paid to his estate, or to his beneficiary designated by him for the purpose in a testamentary instrument, a lump sum calculated by multiplying the total of the current indemnity and expense allowance of the member by 15 percent.
- (2) Upon the death of a member who has served at least six years as a member of the Legislative Assembly there shall be paid to his estate, or to his beneficiary designated by him for the purpose in a testamentary instrument, a lump sum calculated by multiplying the total of the current indemnity and expense allowance of the member by 15 percent and by the number of years of service of the member in the Legislative Assembly.
- (3) Upon the death of a former member who has served at least six years as a member and who would, upon attaining the age of 55 years, be entitled to a retirement allowance under this Act, there shall be paid to his estate, or to his beneficiary designated by him for the purpose in a testamentary instrument, a lump sum calculated by multiplying the total of the current indemnity and expense allowance payable to a member representing an electoral district of the same type as the former member was representing when he ceased to be a member by 15 percent and by the number of years of service as a member.
- 6 (1) A retirement allowance that is otherwise payable to a person under this Act shall be discontinued while that person is a member of the Legislative Assembly.
- 7 (1) Amounts payable under this Act shall be a charge upon and be paid out of the Yukon Consolidated Revenue Fund.

REGULATIONS.

- 8 (1) The Commissioner in Executive Council may make regulations
- (a) providing for the payment of the annual retirement allowance through installments payable at intervals of less than one year, and
 - (b) for any other purpose necessary to give effect to this Act.
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STATUTES OF THE YUKON TERRITORY
1984, Chapter 20

AN ACT TO AMEND THE LIQUOR ACT

(Assented to May 17, 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 amends the Liquor Act.
- 2 (1) The following definition is added to section 2:
" 'sports stadium' means an establishment with stepped rows of seats designed and used for presentation of a sporting or athletic event or spectacle, and includes an amphitheatre or arena;".
- 3 (1) The following paragraphs are added to subsection 22(1):
(g.1) Recreation Facility Licences;
(g.2) Sports Stadium Licences;".
- 4 (1) The following subsection is added to section 37:
"(4) No tavern licences shall be issued except in respect of an application made before April 30, 1984."
- 5 (1) The following subsection is added to section 38:
"(4) Notwithstanding subsections 61(1) and (2), the Board may issue a cocktail lounge licence to any person holding a tavern licence issued under this Act, subject to such conditions as the Board may impose."
- 6 (1) The following headings and sections are added immediately after section 43:

"Recreation Facility Licenses

43.1 (1) A recreation facility licence entitles the licensee to sell liquor on the licensed premises on such days and during such hours as may be determined by the Board and endorsed on the licence.

- (2) A recreation facility licence shall not be issued unless, subject to the approval of the Board,
- (a) the licensed premises contain a room set aside and equipped with facilities for the sale of liquor,
 - (b) the licensed premises contain recreation facilities in accordance with the regulations,
 - (c) the licensee establishes a system of memberships in accordance with the regulations for use in controlling access to the area of his premises where liquor is served or consumed,
 - (d) the recreation facility has been operated as such throughout the period of two years immediately preceding the date on which application is made for a recreation facility licence, and
 - (e) the licensed premises are constructed, equipped and operated in accordance with this Act and the regulations.
- (3) The holder of a recreation facility licence shall not permit more than two guests of any one member to be present at once in the area of his premises where liquor is served or consumed, and he shall not permit any guests to be present in that area in the absence of the member who introduced them under subsection 47(5).
- (4) Subsections 47(2) to (5) and 48(1) to (3) apply with the necessary changes in respect of recreation facility licences.

Sports Stadium Licences

- 43.2 (1) A sports stadium licence entitles the licensee to sell beer and cider on the licensed premises on such days and during such hours as may be determined by the Board and endorsed on the licence.
- (2) A sports stadium licence may be issued to a society under the Societies Act in respect of the presentation, in a sports stadium, of sporting or athletic events or spectacles approved by the Board and endorsed on the licence.

- (3) A sports stadium licence shall not be issued unless, subject to the approval of the Board,
 - (a) the licensed premises contain an area set aside and equipped with facilities for the sale of beer and cider, and
 - (b) the licensed premises are constructed, equipped and operated in accordance with this Act and the regulations."

 - 7 (1) In subsections 47(1) and (1.1), "club licence" is substituted for "licence".

 - 8 (1) In subsection 61(1), "tavern or" is struck out.

 - (2) The following is substituted for subsection 61(2):

"(2) In any other place, no cocktail lounge licence shall be granted except in respect of a hotel that has at least twenty bedrooms."

 - (3) The following subsection is added to section 61:

"(5) Notwithstanding subsection (2), in any place other than the City of Whitehorse, the Board may grant a cocktail lounge licence in respect of a hotel that has at least ten bedrooms where

 - (a) the cocktail lounge facility is constructed after April 30, 1984, and
 - (b) the cocktail lounge facility is located at least 20 kilometres from any other cocktail lounge facility licensed on April 30, 1984."
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STATUTES OF THE YUKON TERRITORY
1984, Chapter 21

AN ACT TO AMEND
THE MENTAL HEALTH ACT

(Assented to April 18, 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 amends the Mental Health Act.
- 2 (1) In subsection 2(1), the following is substituted for the definition of "approved institution"

"approved institution" means the Whitehorse General Hospital and such other place or institution, whether within or outside Yukon, as may be prescribed."

- (2) The following definitions are added to subsection 2(1)

"'detain' means keep under control by such use of force, mechanical apparatus, secure enclosure, or drugs as is reasonable having regard to the conduct and the apparent physical and mental condition of the person.

'mentally disordered person' means a person

- (a) in whom there is such a condition of arrested or incompleting development of the mind, whether arising from inherent causes or induced by disease or injury, that he requires treatment, supervision, or care and control for the protection of the public or for his own protection or for the protection of his property or the property of others, or

(b) who is suffering from such a disorder of the mind that he requires treatment, supervision, or care and control for the protection of the public or for his own protection or for the protection of his property or the property of others."

3 (1) The following subsection is added to section 3:

"(3) For the purposes of determining the right of appeal, any decision of a justice of the peace under this Act may be appealed to a judge of the Supreme Court within 60 days of the decision appealed against, or such additional time as a judge of the Supreme Court may allow.

(4) An appeal under subsection (3) may be taken by notice of motion and the Supreme Court judge may hear the appeal on the record of the proceedings before the justice of the peace or require the appeal to be heard as a new application, and the judge may make such order as he thinks the justice of the peace ought to have made."

4 (1) In subsection 4(1), "custody or treatment" is substituted for "custody or commitment".

(2) In subsection 4(2), "bring him before the court for a hearing or take him to an approved institution for examination and assessment or to a place of secure detention under subsection (4)" is substituted for "bring him before the court for a hearing".

(3) The following are substituted for subsection 4(3):

"(3) Any peace officer who has reasonable and probable grounds to believe and does believe that a person is mentally disordered and is acting in a manner that is dangerous to himself or to others may apprehend and detain that person without a warrant and take the person to an approved institution for examination and assessment or to a place of secure detention under subsection (4).

- (4) An alleged mentally disordered person who has been apprehended under subsection (2) or (3) may be detained in any place of secure detention, whether within or outside an approved institution, where his conduct creates danger to others and proper provision cannot be made for his detention in an approved institution."

- 5 (1) The following are substituted for section 6.1, 6.2, and 6.3:

"6.1 (1) The chief executive officer of an approved institution may admit a person to and detain him in the institution where he receives in respect of that person a medical certificate in the prescribed form and with the prescribed content from each of two medical practitioners who are licensed to practise medicine in Yukon or in any province.

- (2) Subject to subsection 4(4), where a person is apprehended under subsection 4(2) or (3), he shall forthwith be taken to, admitted to, and detained in an approved institution.

- (3) A person who is admitted to an approved institution under subsection (1) or (2), or who is detained under subsection 4(4) in a secure place of detention shall not be detained there for more than 120 hours except upon the authority of an order of the court or a warrant made or issued under this Act.

- (4) A person who is detained under section 4 or under this section may be medically examined and psychiatrically assessed with a view to the results of the examination or assessment being used in further proceedings under this Act and, pending such proceedings, the person may also be given such medical or psychiatric treatment as is authorized under subsection 6.2(1).

- 6.2 (1) A person who is being detained under section 6.1 or who has been declared by the court in a subsisting order to be mentally disordered may be given medical or psychiatric treatment without his consent where
- (a) the treatment is given or authorized by a medical practitioner or other person authorized by law to give the treatment,
 - (b) the treatment is necessary to preserve the life or the mental or physical health of the person,
 - (c) failure to give the treatment or delay in giving the treatment would create a reasonably foreseeable risk of injury to the person or to any other person, and
 - (d) in the case of a person who is being detained under section 4 or under section 6.1 and has not yet been declared by the court in the proceeding then in progress to be mentally disordered, the treatment cannot reasonably be delayed through alternate means of detention or some other way until the conclusion of that proceeding.
- (2) A person who has been declared by the court in a subsisting order to be mentally disordered may be given medical or psychiatric treatment without his consent where the treatment
- (a) is necessary to preserve the life or to preserve or restore the mental or physical health of the person,
 - (b) is authorized by the court after hearing an application under section 4, and
 - (c) is given or authorized by a medical practitioner or other person authorized by law to give the treatment.
- 6.3 (1) There is hereby established a Mental Health Review Board which shall consist of the following members to be appointed by the Commissioner in Executive Council
- (a) two medical practitioners,
 - (b) one member of the Law Society of Yukon, and
 - (c) three other persons.

- (2) The Board shall have the power and the duty to review the circumstances of
 - (a) all admissions and detentions under section 6.1, as soon as practical after the admission,
 - (b) all committals under section 6, as soon as practical after the committal, and
 - (c) the custody, treatment, and mental and physical condition of all persons committed under section 6, at intervals of not more than 60 days after the committal of that person.
- (3) Where the Board has conducted a review it may make recommendations concerning what applications, if any, ought to be made under this Act.
- (4) The Commissioner in Executive Council shall appoint one of the members of the Board to be chairman and another to be vice-chairman.
- (5) The Chairman is the chief executive officer of the Board and he shall supervise and direct the work of the Board, and preside at meetings of the Board.
- (6) If the chairman is unable at any time for any reason to exercise the powers or perform the duties of his office, the vice-chairman may act in his place.
- (7) Three members of the Board is a quorum, but no quorum exists unless the chairman or vice-chairman is present.
- (8) The Board shall meet at the call of chairman who shall convene such meetings as he considers necessary for the conduct of the business of the Board.
- (9) A member of the Board may be paid such remuneration as may be prescribed.

- (10) A member of the Board may be paid transportation, accommodation, and living expenses incurred in connection with the performance of his duties as a member of the Board away from his ordinary place of residence but, except as otherwise provided by the regulations, the payment of such expenses shall conform as nearly as possible to the payment of such expenses for members of the public service of Yukon.
- (11) The Executive Council Member may provide such financial assistance to the Board and, from among the persons employed in the public service, provide the Board with such assistants as he may deem necessary for the proper conduct of the business of the Board.
- 6.4 (1) A person who is detained under section 6.1 shall be informed as soon as practical of
- (a) the proceedings under this Act that will or might be taken in respect of him,
 - (b) of his right to appear in court and oppose any application affecting him that might be made,
 - (c) of his right to retain counsel to represent him in those proceedings and any future review or appeal, and
 - (d) of his possible eligibility for legal aid to help him to retain counsel.
- (2) A person who is committed under section 6 shall be informed as soon as practical of his rights of appeal and further review by the court under this Act.
- (3) A person who is detained under section 6.1 or who is committed under section 6 shall be given reasonable opportunity to consult counsel from time to time."
- 6 (1) The following section is added:
- "8.1 (1) Subject to subsection (2), the procedure for proceedings in the court under this Act shall be the same as is provided in the Rules of Court for civil proceedings in the Supreme Court.

(2) An application under this Act to a justice of the peace or a judge of the Supreme Court may be made by notice of motion and dealt with as though it were an interlocutory application in a proceeding under the Rules of Court."

7 (1) In the definition of "court" in subsection 2(1), and in subsections 3(1), and 8(1), "Supreme Court" is substituted for "Territorial Court".

STATUTES OF THE YUKON TERRITORY
1984, Chapter 22

MISCELLANEOUS STATUTE LAW AMENDMENT ACT, 1984

(Assented to April 18, 1984)

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

- 1 (1) In the definition of "resident" in subsection 2(1) of the Cancer Diagnosis Act, "other than an Indian as defined under the Indian Act of Canada or an Eskimo" is struck out.

(2) The following new section is added immediately after section 3 of the Cancer Diagnosis Act:
"3.1(1) This Act does not apply to any person in respect of whom expenditures such as those referred to in subsection (3) may be made by the Government of Canada."
- 2 (1) In subsection 8(1) of the Exemptions Act, "surviving spouse" is substituted for "widow".

(2) In paragraph 9(1)(a) of the Exemptions Act, "spouse" is substituted for "wife".
- 3 (1) In subsection 21(1) of the Forest Protection Act, "male" is struck out.
- 4 (1) In subsection 16(1) of the Mediation Board Act, "spouse" is substituted for "wife".
- 5 (1) Subsection 122(1) of the School Act is amended
(a) by adding "or" to the end of paragraph (b), and
(b) by striking out paragraph (d).

STATUTES OF THE YUKON TERRITORY
1984, Chapter 23

AN ACT TO AMEND
THE MOTOR VEHICLES ACT

(Assented to May 17, 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 amends the Motor Vehicles Act.
- 2 (1) In paragraph 61(1)(c), "and accident reports and for services provided in respect of matters under this Act" is substituted for "and accident reports".
- 3 (1) In subsection 62(1.1),

"except solely by muscular power, but does not include a motor power assisted wheel chair" is substituted for "except solely by muscular power".
- 4 (1) In subsection 241.1(1), "the administration and enforcement of this Act" is substituted for "the enforcement of this Act".

(2) In subsection 241.1(2), "the administration and enforcement of any by-law" is substituted for "the enforcement of any by-law".

(3) In subsection 241.1(2.1), "the administration and enforcement of this Act" is substituted for "the enforcement of this Act".
- 5 (1) In subsection 246.1(1), "100 millilitres of blood" is substituted for "100 milligrams of blood".

STATUTES OF THE YUKON TERRITORY
1984, Chapter 24

AN ACT TO AMEND
THE MUNICIPAL FINANCE ACT

(Assented to April 18, 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 amends the Municipal Finance Act.
- 2 (1) In subsection 2(1), the following definition is substituted for the definition of "dwelling unit":

"'dwelling unit' means one or more rooms in a building constituting a self-contained dwelling place used or intended to be used as a place of habitation by one or more persons, and includes any place that is prescribed in the regulations to be a dwelling unit, but does not include any place

- (a) that is a hotel or motel room or suite offered for rent or occupation on a daily or weekly basis,
- (b) that is excluded by the regulations, or
- (c) that may not lawfully be used for the purposes of habitation."

- (2) In subsection 2(1), the following definition is substituted for the definition of "municipal operating grant"

"'municipal operating grant' means an amount payable under sections 7, 8, and 9."

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

- "5(1) A grant in lieu of taxes shall not be paid to a municipality until the Executive Council Member has received a written request from the municipality stating
- (a) the total amount of taxes that would be payable for the current year under the Assessment and Taxation Act in respect of the property listed in the schedule under section 4 if that property were not exempt from taxation under that Act, and
 - (b) the amount of the taxes referred to in paragraph (a) that are local improvement taxes."

4 (1) The following section is added:

- "6.1 (1) The Government of Yukon may pay to a municipality a refundable advance in respect of any grant in lieu of taxes payable by the Government of Canada.
- (2) An advance under subsection (1) may be paid only where
- (a) the unpaid part of the grant in lieu of taxes is a substantial part of the municipality's total revenue, and
 - (b) the municipality needs the money before the unpaid part of the grant in lieu of taxes will likely be paid.
- (3) A municipality that receives an advance under subsection (1) shall refund the amount of the advance to the Government of Yukon as soon as practicable after the municipality receives the grant in lieu of taxes in respect of which the advance was paid."

5 (1) The following are substituted for sections 7, 8, 9 and 10:

- "7 (1) The Government of Yukon may pay to each municipality in each year a municipal operating grant comprising an assessment equalization grant and, subject to subsection 9(2), a dwelling unit grant.

- 8 (1) The assessment equalization grant shall be calculated by multiplying the assessment deficiency by the average tax rate, and then multiplying the product of that calculation by the number of dwelling units in the municipality.
- (2) For the purpose of subsection (1), in a municipality other than the City of Whitehorse, the assessment deficiency shall be calculated by subtracting the assessment per dwelling unit in the municipality from the assessment per dwelling unit in the City of Whitehorse.
- (3) No assessment equalization grant shall be paid to the City of Whitehorse.
- (4) For the purpose of subsection (2), the assessment per dwelling unit shall be calculated by dividing the total assessed value of all property subject to assessment under the Assessment and Taxation Act in the municipality by the number of dwelling units in the municipality.
- (5) For the purpose of subsection (1), the average tax rate shall be calculated by taking the total assessed value of all property subject to assessment under the Assessment and Taxation Act in all municipalities and determining what tax rate would be necessary to produce from that total assessed value an amount equal to the total revenue of all municipalities from property tax levied under section 53 of the Assessment and Taxation Act and from grants in lieu of taxes in the fiscal year of the municipalities preceding the fiscal year in respect of which the municipal operating grant is to be paid.
- 9 (1) Dwelling unit grants shall be payable and calculated in the manner described in this section.
- (2) Where the aggregate of funds available for grants to municipalities under section 12 is not fully disposed of through payment of assessment equalization grants, the balance shall be distributed among the municipalities according to the ratio that the number of dwelling units in each municipality bears to the total number of dwelling units in all the municipalities.

(3) For the purpose of subsection (1), the number of dwelling units in each municipality that has fewer than 250 actual dwelling units, or such other number as may be prescribed, shall be deemed to be the product obtained by multiplying the actual number of dwelling units in the municipality by a factor that shall be prescribed from time to time and be known as the diseconomy of scale factor.

10 (1) Assessment roll information needed for calculations under sections 8 and 9 shall be obtained from the assessment roll used by the municipality for taxes in the fiscal year of the municipality preceding the fiscal year in respect of which the municipal operating grant is to be paid."

6 (1) Section 11 is repealed.

7 (1) The following are substituted for subsection 12(1):

"(1) Subject to subsections (1.1), (2), (3), and (4), the annual aggregate of municipal operating grants to be paid to municipalities may be increased from one year to the next by a rate not exceeding the lesser of the rate of increase in the total revenues or expenditures of the Territory as shown in the main estimates approved by the Legislature for the Government of Yukon fiscal year immediately preceding the fiscal year in respect of which the grants are payable.

(1.1) Expenditures in relation to capital items and increases in expenditures and revenues of the Territory in consequence of the Government of Yukon assuming, after this Act comes into force, programs previously administered by the Government of Canada shall not be included in revenues or expenditures for the purpose of subsection (1)."

(2) Subsection 12(4) is repealed.

8 (1) The following paragraph is added to subsection 15(1):

"(g) such other facilities or services as may be prescribed."

(2) Subsection 15(4) is repealed.

(3) The following is substituted for subsection 15(6):

"(6) For each of the facilities or services referred to in paragraphs (1)(a) to (g), the Commissioner in Executive Council may prescribe the amount or the means of calculating the amount of the municipal services grant, but in no case shall the amount of the grant be as great as the total cost of the operation and maintenance of the facility or service during the year in respect of which the grant is made."

9 (1) The heading "Extraordinary Financial Assistance" is substituted for the heading "Extraordinary Assistance Grants" immediately before section 16.

(2) In subsection 16(1), "extraordinary financial assistance" is substituted for "an extraordinary assistance grant".

(3) In subsection 16(2), "extraordinary financial assistance" is substituted for "extraordinary assistance grant".

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

"19 (1) The Commissioner in Executive Council may make regulations for carrying into effect the purposes of this Act, including regulations

(a) respecting the procedure for making applications for grants and the information required to be submitted in support of an application,

(b) prescribing dwelling units,

(c) excluding places from the definition of dwelling unit,

(d) prescribing the diseconomy of scale factor,

(e) prescribing a right and procedure for appeals by a municipality in respect of the Executive Council Member's determination about the number of dwelling units in the municipality,

- (f) prescribing special conditions upon which municipal services grants not otherwise provided for in this Act may be made, and
- (g) prescribing conditions upon which extraordinary financial assistance may be provided.

11 (1) In subsection 20(4), "for 1982, 1983, and 1984" is substituted for "1982 and 1983".

(2) The following subsection is added to section 20:

"(8) For the purpose of section 231 of the Municipal Act, a local improvement district shall be deemed to be a municipality."

STATUTES OF THE YUKON TERRITORY
1984, Chapter 25

AN ACT TO AMEND
THE PUBLIC SECTOR COMPENSATION
RESTRAINT (YUKON) ACT

(Assented to May 17, 1984)

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

- 1 (1) The following new subsection is added to section 9 of the Public Sector Compensation Restraint (Yukon) Act:

"(3) Subsection (1) does not restrict an increase in the rates of the Yukon Electrical Company Limited resulting from changes made to the rate schedule of the Northern Canada Power Commission coming into effect in 1984 for wholesale electrical power supplied for retail sale to the public."

STATUTES OF THE YUKON TERRITORY
1984, Chapter 26

PUBLIC UTILITIES ACT

(Assented to April 18, 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 Public Utilities Act.

2 (1) In this Act,

"Board" means the Yukon Utilities Board established by section 3;

"compensation" means a rate, remuneration, gain or reward of any kind paid, payable, promised, demanded, received or expected directly or indirectly by a public utility, and includes a promise or undertaking by a public utility to provide service as consideration for, or as part of, a proposal or contract to dispose of land or any interest in it;

"costs" includes fees, counsel fees and expenses;

"expenses" includes expenses of the Board;

"gas" means all natural gas both before and after it has been subjected to any treatment or process by absorption, purification, scrubbing or otherwise, and includes all fluid hydrocarbons not recovered in liquid form from a pool by ordinary production methods;

"public hearing" means a hearing of which public notice is given, which is open to the public, and at which any person the Board determines has an interest in the matter may be heard;

"member" means a member of the Board;

"public utility" means a person, or his lessee, trustee, receiver or liquidator, who owns or operates in Yukon, equipment or facilities for the production, generation, storage, transmission, sale, delivery or furnishing of electricity or gas to or for the public or a corporation for compensation, but does not include a person not otherwise a public utility who

- (a) furnishes service only to himself, his employees or tenants,
- (b) is engaged in the petroleum industry or in the well-head production of oil, natural gas or other natural petroleum substances, or
- (c) sells or delivers gas otherwise than by means of a pipeline;

"rate" includes a general, individual or joint rate, fare, toll, charge, rental or other compensation charged or chargeable by a public utility, any rule, regulation, practice, measurement, classification or contract of a public utility relating to a rate, and any schedule or tariff respecting a rate;

"service" includes the use and accommodation provided and a product or commodity furnished by a public utility, and also the plant, equipment, apparatus, appliances, property and facilities employed by or in connection with a public utility in providing service or in furnishing a product or commodity for the purposes in which the public utility is engaged.

PART I

YUKON UTILITIES BOARD

- 3 (1) The Yukon Utilities Board is established, composed of not fewer than three nor more than five persons appointed by the Executive Council Member.
- (2) The Board is responsible to the Executive Council Member for the administration of this Act.
- 4 (1) The term of office for which a member may be appointed is three years.

- (2) Notwithstanding subsection (1), of the members first appointed to the Board, not less than half shall be appointed for a term of not more than two years.
- (3) A member is eligible for re-appointment on the expiration of his term of office.
- 5 (1) The executive Council Member may appoint a substitute member to act in the place of a member who is for any reason unable to perform his duties.
- (2) Where a substitute member is appointed under subsection (1), he may attend all meetings of the Board notwithstanding that there is no vacancy in the permanent membership, but he shall not vote unless one of the permanent members is absent.
- 6 (1) A member may be paid transportation, accommodation and living expenses incurred in connection with the performance of his duties as a member of the Board away from his ordinary place of residence but, except as otherwise provided by the regulations, the payment of such expenses shall conform as nearly as possible in all respects to the payment of such expenses for members of the public service of Yukon.
- 7 (1) The Executive Council Member shall appoint one of the members to be the chairman and another to be the vice-chairman.
- (2) The chairman is the chief executive officer of the Board, and he shall
- (a) supervise and direct the work of the Board, and
- (b) preside at sittings of the Board.
- (3) Where the chairman is unable at any time for any reason to exercise the powers or perform the duties of his office, the vice-chairman may act in his place.
- 8 (1) The Board shall meet at the call of the chairman, who shall convene such meetings as may be necessary for the conduct of the business of the Board.
- (2) Notwithstanding subsection (1), the Board shall meet at least twice a year.
- 9 (1) A majority of the members is a quorum, but no quorum exists unless the chairman or vice-chairman is present.

- (2) Subject to subsection (1), a decision of a majority of the members present at a meeting of the Board is a decision of the Board, but in the event of an evenly divided opinion between members including the chairman, the matter shall be decided in accordance with the vote of the chairman.
- 10 (1) A vacancy in the membership reduces the number of members required for a quorum and, subject to section 9, does not impair the right of the remaining members to act.
- 11 (1) Subject to this Act, the Board may by order make rules respecting
- (a) the conduct of its meetings and business,
 - (b) the notices authorized or required to be given under this Act,
 - (c) the records to be kept in respect of its business, including the custody, preservation and provision of access to such records,
 - (d) the procedure for making applications and representations to the Board,
 - (e) the conduct of hearings by or before the Board,
 - (f) the filing and investigation of complaints, including the information to be provided in support of complaints, and
 - (g) generally, the procedures of the Board and any other matter that reasonably is necessary for the effective and orderly conduct of the business of the Board.
- (2) Orders under this section shall be published in the Gazette.
- 12 (1) Where a member has a direct or indirect personal interest in a matter or a corporation under review by the Board, he shall refrain from participating in any way in the review of the matter or corporation by the Board.
- (2) A member shall not, directly or indirectly,
- (a) hold or acquire a beneficial interest in any share or other security of a corporation or other person subject to regulation under this Act,
 - (b) have a significant beneficial interest in all or part of any article or process that is required or used by a corporation or other person referred to in paragraph (1) for the purpose of its equipment or service, or
 - (c) have a significant beneficial interest in a contract for the construction of works or the furnishing of a service for or by a corporation or other person referred to in paragraph (a).

- (3) A member in whom a beneficial interest referred to in subsection (2) is or becomes vested shall, within three months after his appointment or acquisition of the property as the case may be, divest himself of the interest.
 - (4) The use or purchase for personal or domestic purposes, of heat, light, power, electricity or gas or service from a corporation or other person subject to regulation under this Act is not a contravention of this section and does not disqualify a member from acting in any matter affecting the corporation or other person.
- 13
 - (1) Every member and every official of the Board, and every person involved in the administration of this Act, shall keep confidential from all other persons all information acquired by him in confidence in the course of his duties, except insofar as disclosure is necessary for the administration of this Act or the Board authorizes the release of the information.
 - (2) No person referred to in subsection (1) shall be required to testify in a civil action to which the Board is not a party about information obtained by him in the discharge of his duty.
- 14
 - (1) Subject to the Public Service Commission Act, the Executive Council Member may make provision for a secretary to the Board and other administrative support services for the Board.
 - (2) The secretary shall
 - (a) keep a record of the proceedings of the Board,
 - (b) ensure that copies of every rule and order of the Board are filed in the records of the Board, and
 - (c) carry out the instructions and directions of the Board under this Act or the regulations respecting his duties or office.
 - (3) On the application of any person who pays the prescribed fee, the secretary shall give him a certified copy of any rule or order of the Board, or report of the Board under section 20.
 - (4) An acting secretary may be appointed or assigned in the absence of the secretary.

- 15 (1) The Executive Council Member may, at the request of the Board, from time to time engage one or more persons having special technical or other knowledge to inquire into and report to the Board on any matter arising in connection with the business of the Board.
- 16 (1) The Board or the chairman may authorize one or more of the members to inquire into and report to the Board on any question or matter arising in connection with the business of the Board.
- (2) A member authorized pursuant to this section to report to the Board on a question has and may exercise all the powers of the Board for the purpose of taking evidence or acquiring the necessary information for the purposes of his report.
- (3) The report of a member under this section may be adopted as an order of the Board or otherwise dealt with as the Board considers proper.
- 17 (1) Subject to subsection (2), for the purpose of carrying out the duties and exercising the powers imposed or conferred on it under this Act, the Board may avail itself of the services of any officer or employee of any board, commission, agency or department of the Government of Yukon.
- (2) Every officer or employee of a board, commission, agency or department of the Government of Yukon shall give to the Board whatever service, assistance and information he is able to give and the Board requires, subject to the approval of the Executive Council Member in charge of the administration of the service in which the officer or employee is employed.
- 18 (1) Notwithstanding any other provision of this Act, the Board shall comply with any general or special direction of the Commission in Executive Council with respect to the exercise of the powers and functions of the Board.
- (2) A direction under subsection (1) is a regulation within the meaning of the Regulations Act.

- (3) The Board may request a review of a direction under subsection (1), and upon receipt of such a request from the Board by the Executive Council Member the Commissioner in Executive Council may
 - (a) suspend or continue the operation of the direction pending the completion of a review, or
 - (b) confirm, vary or revoke the direction.
 - (4) The Board may, in respect of any matter arising in connection with the business of the Board, transmit to the Executive Council Member a request that the Commissioner in Executive Council issue a direction under this section.
 - (5) Where a direction is issued under this section during the course of any matter under consideration by the Board, any party to the matter
 - (a) may be granted such adjournment as the Board considers necessary to deal with any change in circumstances, and
 - (b) may be awarded such costs as the Board considers just and fair in the circumstances.
- 19
 - (1) The Board shall conduct such investigations, make such reports and perform such duties in addition to the duties assigned to it by this Act, as the Executive Council Member may request.
 - (2) Where the Executive Council Member requests a report from the Board on a matter of general public policy, the Board may seek such representations from the public or from interested persons or organizations as the Board considers appropriate and, subject to section 51, may hold hearings.
 - (3) A report requested pursuant to subsection (1) shall be delivered within such time as the Executive Council Member may specify.
 - (4) A report under this section is not binding on the Executive Council.
- 20
 - (1) The Board shall make a report to the Executive Council Member not later than June 30 in each year upon the activities and affairs of the Board during the year ending on March 31 of that year.

PART II

REGULATION OF PUBLIC UTILITIES

- 21 (1) No public utility shall operate in Yukon unless it has been granted a franchise by the Commissioner in Executive Council.
- 22 (1) The Commissioner in Executive Council may, with the approval of the Board and subject to such terms and conditions as the Board may recommend,
- (a) grant a franchise to a public utility, or
 - (b) renew, alter or revoke a franchise granted to a public utility, or deemed by section 78 to have been granted.
- (2) The Board may give its approval for the purposes of subsection (1) where, after hearing representations from, or with the consent of, such persons as the Board considers appropriate, the Board determines that
- (a) the franchise is necessary and proper for the public convenience and properly conserves the public interests,
 - (b) the scheme proposed is reasonable and sufficient having regard to the general circumstances, and
 - (c) having regard to the availability of any other source of supply in the area to be served and to any other circumstances, the granting of the franchise is to the general benefit of any area directly or indirectly affected by it.
- (3) The Board may, in approving the grant, renewal or alteration of a franchise, recommend the imposition of any terms or conditions as to construction, equipment, maintenance, service or operation that, in the opinion of the Board, the public convenience or interest reasonably requires.
- 23 (1) Notwithstanding section 21, where in respect of any place no franchise has been granted, the Board may recommend to the Commission in Executive Council that an interim permission be granted to a person to operate a public utility, subject to such terms and conditions as the Board may recommend.
- 24 (1) Every public utility shall
- (a) keep such books, records and accounts as afford a reasonable understanding of the conduct of its business, and

- (b) maintain depreciation, amortization and depletion accounts in accordance with such rates and methods as the Board directs.
 - (2) A public utility shall not change its accounting practices under subsection (1) except with the prior approval of the Board.
- 25
- (1) The Board may review the affairs, earnings and accounts of any public utility.
 - (2) A person whose interest, in the opinion of the Board, is affected or likely to be affected by the result of a review is entitled, on payment of reasonable costs, to obtain from the Board the result of the review, including all information in the Board's possession in respect of the earnings of the public utility.
- 26
- (1) Every public utility shall, within three months after the end of each of its fiscal years, file with the Board
 - (a) a statement showing its rates,
 - (b) financial statements for the fiscal year in such form and verified in such manner as the Board may direct, and
 - (c) a statement setting forth the name, address and duties of every officer and every director of the public utility.
 - (2) A public utility shall notify the Board within ten days of every change in its officers or directors.
- 27
- (1) Every public utility shall maintain its property and equipment in such condition as to provide safe, adequate and proper service.
- 28
- (1) The Board may make orders
 - (a) fixing rates of a public utility,
 - (b) prohibiting or limiting any proposed rate change,
 - (c) fixing proper and adequate rates and methods of depreciation, amortization or depletion in respect of the property of any public utility,
 - (d) fixing just and reasonable standards, classifications, regulations, practices, measurements or services to be observed, provided or followed by a public utility,
 - (e) determining the areas to which a public utility shall provide service, and requiring the public utility to establish, construct, maintain and operate any reasonable expansion of its existing services, and

- (f) determining the conditions that may be imposed by a public utility to establish, construct, maintain or operate an expansion of its existing services.
- 29 (1) No public utility shall charge any rate for the supply of the service for which it is franchised other than the rate set by the Board pursuant to this Act unless, 90 days before it proposes to charge a different rate,
- (a) a statement showing the new rate is filed with the Board, and
 - (b) a notice showing the new rate is sent by mail or delivered to each municipality within which the service is provided and to the Executive Council Member.
- (2) No public utility shall commence to charge a new rate except upon receipt from the Board of an order or interim order authorizing it to do so.
- 30 (1) In fixing rates that a public utility is permitted to charge,
- (a) the Board may consider the revenues and costs of the public utility in the fiscal year in which the proceedings for fixing the rates and charges commenced or in any period immediately following, without considering the allocation of those revenues and costs to any part of such period,
 - (b) the Board may give effect to that part of any excess of revenue received or deficiency incurred that is in the opinion of the Board applicable to the whole of the fiscal year of the public utility in which the proceeding was initiated as the Board considers just and reasonable,
 - (c) the Board may give effect to such part of any excess revenue received or deficiency incurred after the commencement of the proceeding as the Board determines has been due to undue delay in the hearing and determining of the matter, and
 - (d) the Board shall by order approve the method by which and the period during which any excess revenue received or deficiency incurred is to be used or dealt with.
- 31 (1) The Board, by order, may issue guidelines to be followed by any public utility that generates electricity by the use of petroleum products purchased pursuant to a contract under which provision is made for

- (a) the progressive increase in their cost to the public utility, or
 - (b) the redetermination of their cost either by agreement of the parties or pursuant to arbitration.
- (2) Guidelines under subsection (1) may make provision for establishing a new schedule of rates to be charged by the public utility occasioned by any change in the cost of petroleum products.
- (3) Nothing in this section limits the jurisdiction of the Board to fix rates under section 28.
- (4) This section applies, with any necessary changes, where a public utility purchases electrical power from a producer for distribution and sale to the public.
- (5) Where a public utility enters into a contract under which provision is made for any of the matters referred to in subsection (1) or (4), it shall file a copy of the contract with the Board.
- 32 (1) Any contract for the supply of a service to a person by a public utility that fixes a fixed or variable rate either for a present or future supply of the service is deemed to include a clause under which the Board has the jurisdiction, on application of one of the parties, to increase or reduce the rate to a rate that the Board considers fair and reasonable.
- 33 (1) The Board, by order, shall determine a rate base for the property of a public utility used or required to be used to provide service to the public, and may include a rate base for property under construction, or constructed or acquired, and intended to be used in the future to provide service to the public.
- (2) The Board, by order, shall fix a fair return on the rate base.
- (3) In determining a rate base the Board shall give due consideration to the cost of the property when first devoted to public utility use, to prudent acquisition cost less depreciation, amortization or depletion, and to necessary working capital.

- (4) In fixing the fair return that the public utility is entitled to earn on the rate base, the Board shall give due consideration to all those facts that in the opinion of the Board are relevant.
 - (5) Notwithstanding the other provisions of this section, the Board may adopt any just and reasonable basis for determining a method of calculating a fair return on property that is being constructed or that has been constructed or acquired but is not yet being used to provide service to the public.
- 34 (1) The Board shall not require a public utility to construct, maintain or operate an extension of its existing services unless, in the judgment of the Board,
- (a) the extension is reasonable and practical and will furnish sufficient business to justify the expense of its construction, maintenance and operation, and
 - (b) the financial position of the public utility reasonably warrants the capital expenditure required.
- (2) The Commissioner in Executive Council may, by direction under section 18, instruct the Board to require a public utility to construct, maintain or operate an extension of its existing services notwithstanding subsection (1), but where he does so the public utility is not required to construct, maintain or operate the extension except upon the agreement of the Commissioner in Executive Council
- (a) to pay any additional expenses incurred by the public utility that are not justified under paragraph (1)(a), and
 - (b) to underwrite any capital expenditure not reasonably warranted under paragraph (1)(b).
- 35 (1) Where it is in the public interest or, as a means of saving expense, it is in the interest of public utilities or telecommunications companies that there be a joint use of poles, conduits or equipment or other means of distribution, the Board may, after notice to all parties concerned, in cases where it is practicable,
- (a) order the joint use,
 - (b) declare the terms of the joint use, and
 - (c) make any other orders for the convenient carrying out of the work and the operation of the services that use the poles or equipment.

- (2) In this section, "telecommunications" means any transmission, emission or reception of signs, signals, writings, images, sounds, data, message or intelligence of any nature by wire, radio communications, cable, waves or any electronic, electro-magnetic or optical means, but does not include the transmission, emission or reception of broadcasting that is a radiocommunication in which the transmissions are intended for direct reception by the general public, and "telecommunications company" means a company that provides any service that is provided principally through telecommunications.
- (3) The Board shall on the application of a public utility or telecommunications company adjudicate upon any dispute arising out of the joint use of any poles, conduits or equipment pursuant to this section or any prior arrangement between the parties, and may make such order after hearing the parties as may be required.
- 36 (1) The Executive Council Member may, by order, on the recommendation of the Board, exempt a person from such provisions of this Part as he may specify in the order.

PART III

ENERGY PROJECTS

- 37 (1) In this Part,
- "energy operation certificate" means a certificate issued under this Part authorizing the holder of the certificate to operate a regulated project;
- "energy project certificate" means a certificate issued pursuant to this Part to construct a regulated project;
- "energy resource" means natural gas, oil and all other forms of petroleum and hydrocarbon, in gaseous or liquid state, and electricity;

"energy project" means

- (a) any plant, smelter, refinery or other undertaking or facility designed to use, convert or process an energy resource or coal,
- (b) a facility for the generation of electricity from the motion of wind or water, or the combustion of natural gas, oil, petroleum products, coal or plant products or geothermal energy, or
- (c) an oil or natural gas transmission pipeline, and includes all associated structures, machinery, appliances, fixtures and equipment, and storage and handling facilities;

"regulated project" means any energy project that the Commissioner in Executive Council considers to be significant in the matter of any form of energy and, by order, designates as a regulated project.

- 38 (1) No person shall construct a regulated project except in accordance with an energy project certificate.
- 39 (1) No person shall operate a regulated project except in accordance with an energy operation certificate.
- 40 (1) An application for an energy project certificate or energy operation certificate shall be made to the Executive Council Member and shall contain the prescribed information.
- 41 (1) On receipt of an application, the Executive Council Member shall refer the application to the Board for a review.
- 42 (1) Upon receipt of an application from the Executive Council Member under section 41, the Board may, subject to subsection (2) and section 51, hold a public hearing in accordance with such terms of reference as may be specified by the Executive Council Member, and on conclusion of review the Board shall submit a report and recommendations to the Executive Council Member.
- (2) The Board may, for the purpose of receiving information or evidence that the Board considers is of a confidential character, exclude the public from a hearing under this section while it receives that information or evidence.

- 43 (1) On receipt of the report and recommendations of the Board, the Executive Council Member, may
- (a) refuse the application, or
 - (b) grant the application subject to terms or conditions he considers to be in the public interest.
- (2) The conditions for an energy project certificate under paragraph (1)(b) may include any terms or conditions the Executive Council Member considers necessary to be included in an energy operation certificate for the project.
- 44 (1) On completion of the construction of a regulated project for which an energy project certificate has been issued, the person to whom the certificate was issued shall submit a report to the Executive Council Member in accordance with the certificate and the regulations.
- (2) Upon receipt of a report under subsection (1), and on being satisfied that the conditions of the energy project certificate have been substantially complied with, the Executive Council Member shall issue an energy operation certificate for the regulated project, and may include in the certificate the terms or conditions referred to in subsection 43(2).

PART IV

ADMINISTRATION AND ENFORCEMENT

Complaints and Investigations

- 45 (1) Any person may file a complaint with the Board respecting
- (a) the rates of a public utility,
 - (b) a proposed rate change,
 - (c) the manner in which a public utility provides service,
 - (d) the areas to which a public utility provides service, or
 - (e) the conditions imposed by a public utility to establish, construct, maintain or operate an expansion of its service.
- (2) A copy of every complaint filed with the Board shall be served upon the public utility to which it applies within the time fixed by the rules of the Board.

- 46 (1) Subject to section 51, where a complaint is made to the Board, the Board has the power to determine, generally, whether any action on its part shall or shall not be taken.
- (2) The Board may decide not to deal with a complaint where it appears to the Board that
- (a) the complaint is one that could or should be more appropriately dealt with under another Act,
 - (b) the subject matter of the complaint is trivial, frivolous or vexatious,
 - (c) the complaint is made in bad faith, or
 - (d) the complaint is not within the jurisdiction of the Board.
- (3) The Board may decide not to deal with a complaint where it is of the opinion that the facts upon which the complaint is based occurred more than six months before the complaint was filed, unless the Board is satisfied that the delay was incurred in good faith and no substantial prejudice will result to any person affected by the delay.
- (4) Where the Board decides not to deal with a complaint, it shall advise the complainant in writing of the decision and the reasons for it.
- 47 (1) Subject to section 46, the Board shall, without undue delay, investigate every complaint.
- 48 (1) Where the Board considers it appropriate, the Board may endeavour to effect a settlement of a complaint.
- (2) Where a settlement of a complaint is agreed to in writing, signed by the public utility and the complainant, and approved by the Board, the settlement is binding upon the parties and its terms are enforceable as an order of the Board under this Act.
- 49 (1) The Board may, on its own motion, investigate any matter respecting the provision of service by a public utility.
- 50 (1) An investigation by the Board may be made by a member of the Board or its staff who is authorized by the Board for the purpose.

- (2) Notice of an investigation shall be given to the public utility under investigation.
- (3) The Board or a person authorized under subsection (1) may
 - (a) enter upon and inspect at any reasonable time any place, building, works or other property of a public utility,
 - (b) require the attendance of such persons as it or he deems necessary to summon and examine, and take the testimony of such persons,
 - (c) require the production of such books, plans, specifications and other documents as it or he deems necessary, and
 - (d) administer oaths, affirmations or declarations.

Hearings

- 51 (1) Notwithstanding any other provision of this Act, the Board shall not hold any inquiry or public hearing under this Act without the advance written approval of the Executive Council Member for the necessary expenses.
- 52 (1) The Board may on its own motion inquire into, hear and determine any matter or thing respecting the production, transmission, delivery or furnishing of electricity or gas to the public.
- 53 (1) Subject to the other provisions of this Act and the regulations and to the need to abide by the fundamental principles of justice, the Board in respect to any inquiry or hearing
 - (a) has the exclusive jurisdiction and authority to determine any question of fact, law, or mixed fact and law required to be decided,
 - (b) may receive such evidence or other information as it considers appropriate, whether or not such evidence is given under oath or affirmation, and whether or not it would be admissible in a court of law,
 - (c) has the powers, privileges and immunities of a Board of Inquiry under the Public Inquiries Act,
 - (d) may determine the persons to whom notice of the proceedings shall be given, and
 - (e) may determine its own procedures.

- 54 (1) Where the Board exercises its power to issue a summons requiring the production in evidence of documents or things it may, upon the production of the documents or things before it, adjourn the proceedings to permit the parties to examine the documents or things.
- (2) Oral evidence or submissions need not be recorded in written form, but the Board shall cause electronic sound recordings to be made of all statements made orally at its public hearing, and shall make such recordings as well as all relevant documents available on reasonable conditions for inspection or copying by any person who so requests, and by any court exercising jurisdiction over the Board.
- 55 (1) A member is not disqualified from participating in a public hearing or any other proceeding respecting a complaint because he has previously taken part in any investigation or consideration of the subject matter of the complaint before the hearing unless he has communicated directly or indirectly with any party or his representative without notice to and opportunity for all parties to participate before any final decision.
- (2) Notwithstanding subsection (1), the Board or a member may seek legal advice from an advisor independent of the parties, but in such case the nature of the advice shall be made known to the parties in order that they may make submissions as to the law.
- 56 (1) The Board may combine two or more complaints or other matters under this Act and deal with them in the same proceeding where
- (a) they relate to the same public utility, or
 - (b) they have questions of law or fact in common.
- 57 (1) The Board may order to whom or by whom any costs incidental to any proceeding before the Board are to be paid, and may fix the costs to be paid.

Orders

- 58 (1) The Board may make any order authorized under this Part on its own motion, or upon the complaint or application of an interested person.

- 59 (1) The Board may order any person to do anything that such person is or may be required to do under this Act, and may forbid the doing of anything that is contrary to this Act.
- (2) An order issued under subsection (1) may prescribe the time and the manner in which the order is to be carried out.
- 60 (1) Where the circumstances of the case so require the Board may, upon such notice to persons affected as it deems reasonable, or in its discretion without notice, extend the time specified in any Board order or decision for compliance with the order or decision.
- 61 (1) Except in cases of urgency, of which the Board shall be the sole judge, the Board shall not without a hearing make any order involving an outlay by, or a loss or deprivation to, a public utility.
- (2) Where an order under subsection (1) is made without a hearing, the Board, on the application of an interested person, shall as soon as practicable hear and reconsider the matter and make such further or other order as it considers advisable.
- (3) Where any order is made by the Board without a hearing, any person affected by the order may, within ten days of the making of the order within such further time as the Board may allow, apply to the Board to amend or rescind the order.
- 62 (1) Every order and decision of the Board is final and binding until changed or amended by the Board, but no order of the Board shall be effective until a copy of it is served upon the person to whom it is directed.
- (2) Where in any case it is made to appear to the satisfaction of the Board that service of any document cannot be made by personal service on a person or, in the case of a corporation, at its head office or chief place of business in Yukon, the Board may allow substituted service by publication in a local newspaper or by prepaid registered or certified mail.
- 63 (1) The Board may review, change or cancel any decision or order made by it, and may re-hear any application or complaint before deciding it.

- 64 (1) The Board may, in any matter before it,
- (a) make such interim orders on appropriate terms as it may deem necessary to facilitate its inquiry or to prevent serious harm occurring prior to its decision, and
 - (b) reserve further direction either for an adjourned hearing or for further application.

Enforcement

- 65 (1) The Board may take any steps necessary for the enforcement of any order made by it.
- (2) Subject to the Public Service Commission Act, the Executive Council Member may, upon the request of the Board, appoint persons to enforce orders of the Board.
- 66 (1) Where the Board considers it necessary for the enforcement of an order, the Board may, with the approval of the Executive Council Member, authorize a person appointed under section 65 to act as administrator of the affairs of a public utility.
- (2) An administrator may enter on and take possession of the property, books and offices of a public utility and, until the order has been enforced, may
- (a) assume and take over the management of the public utility for and in the interests of the shareholders and the public, and
 - (b) assume all the powers of the directors and officers of the public utility, including the power to employ and dismiss officers and servants of the public utility.
- (3) Where an administrator takes possession of a public utility, every officer and employee shall obey the orders of the Board of the administrator in the management of the public utility.
- (4) The Board and the administrator may, on taking possession of a public utility, determine, receive and pay out all money due or owing by the public utility, and give cheques and receipts for money, to the same extent as the proper officers.
- (5) The costs and expenses of proceedings under this section are in the discretion of the Board.

- 67 (1) An order of the Board becomes an order of the Supreme Court immediately upon filing with the clerk of the Court of a certified copy of the order, and the order may then be enforced in like manner as any order of the Court.
- 68 (1) In any action or proceeding, a copy of any order or decision of the Board purporting to be certified by a member or the secretary to be a true copy is prima facie evidence without proof of the signature or the appointment of the secretary or member.
- 69 (1) A person who fails to comply with any of the provisions of this Act commits an offence and is liable on summary conviction,
- (a) in the case of an individual, to a fine not exceeding \$1,000, and in default thereof to imprisonment for a term not exceeding one year, and
 - (b) in the case of a corporation, to a fine not exceeding \$5,000.
- (2) Any person who advises, solicits or persuades, or knowingly instructs, directs or orders any officer, agent or employee of a public utility to perform, commit or do any act that is contrary to an order of the Board or to the requirements of this Act, commits an offence and is liable on summary conviction to a fine not exceeding \$1,000 or to imprisonment for a term not exceeding one year, or both.

Appeals

- 70 (1) On application to the Court of Appeal within 30 days of a decision or order of the Board or within a further time allowed by the Court of Appeal in special circumstances, the Court of Appeal may grant leave to appeal to that Court from the order or decision on a question of law or excess of jurisdiction.
- (2) The granting of leave to appeal and the costs of the application are in the discretion of the Court of Appeal.

- (3) The applicant shall give notice of the application stating the grounds of appeal to the Board, to the Executive Council Member, and to any party adverse in interest, at least three clear days before the hearing of the application.
- 71 (1) Where leave is granted, the appellant shall, within 15 days, give notice of appeal to the Board, to the Executive Council Member and to any party adverse in interest.
- (2) The Board and the Executive Council Member may be heard by counsel on the appeal.
- (3) Neither the Board nor an officer, employee or agent of the Board is liable for costs in respect of an application or appeal under this section.
- 72 (1) An appeal to the Court of Appeal shall not of itself stay or suspend the operation of the decision or order appealed from, but either the Court of Appeal or the Board has the power to suspend the operation of the decision or order upon such terms as may be fixed by the Court or the Board, as the case may be.
- 73 (1) The Court of Appeal has the same jurisdiction and powers on appeals as it has for appeals from orders of the Supreme Court.
- (2) Except as otherwise provided in this Act, appeals shall conform as far as possible with the rules governing appeals from the Supreme Court.
- 74 (1) The Board may at any stage of its proceedings refer any question of law, jurisdiction, practice or procedure to the Court of Appeal for hearing and determination.
- 75 (1) An application, appeal or reference to the Court of Appeal under this Act shall be heard and determined without delay in a summary way.

Miscellaneous and Transition

- 76 (1) No provision of this Act authorizes or requires the expenditure of public money except with the approval of the Executive Council Member.

- 77 (1) The Commissioner in Executive Council may make such regulations as he considers necessary for carrying the purposes and provisions of this Act into effect.
- 78 (1) The Northern Canada Power Commission is deemed to have been granted a franchise by the Commissioner in Executive Council pursuant to this Act subject to such terms and conditions as have been imposed on or accepted by the Northern Canada Power Commission pursuant to the Electrical Public Utilities Act immediately before the coming into force of this Act.
- (2) The Yukon Electrical Company Limited is deemed to have been granted a franchise by the Commissioner in Executive Council pursuant to this Act subject to such terms and conditions as have been imposed on or accepted by the Yukon Electrical Company Limited pursuant to the Electrical Public Utilities Act immediately before the coming into force of this Act.
- (3) The Yukon Hydro Company Limited is deemed to have been granted a franchise by the Commissioner in Executive Council pursuant to this Act subject to such terms and conditions as have been imposed on or accepted by the Yukon Hydro Company Limited pursuant to the Electrical Public Utilities Act immediately before the coming into force of this Act.
- (4) Nothing in this section limits the power of the Commissioner in Executive Council to revoke or vary the terms or conditions of any franchise granted or deemed to have been granted under this or any other Act.
- 79 (1) The Electrical Public Utilities Act is repealed.
- 80 (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
1984, Chapter 27

AN ACT TO AMEND THE
REAL ESTATE AGENTS' LICENSING ACT

(Assented to April 18, 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 amends the Real Estate Agents' Licensing Act.
- 2 (1) In subsection 2(1), the following definitions are added:

"gratuitous property manager" means a person who has no interest in the real estate and who, without fee or reward or expectation of fee or reward, takes care of or deals with occupants or potential occupants of the real estate on behalf of a person who does have an interest in that real estate, and includes a person who, without carrying on the business of doing any of those things, does some or all of those things for a fee or reward under an arrangement made only occasionally"

"time sharing agreement" has the same meaning as "property user's licence"
- (2) In the definition of "real estate" in subsection 2(1), and in subsection 2(2), "property user's licence, or time sharing agreement," is substituted for "property user's licence".
- 3 (1) The following paragraph is added to subsection 3(1):

"(e) a trade in real estate made by a gratuitous property manager as an incidental part of the management of the property he undertook to manage."
- 4 (1) In section 24, "real estate" is substituted for "land, tenements or hereditaments."

STATUTES OF THE YUKON TERRITORY
1984, Chapter 28

SECOND APPROPRIATION ACT, 1984-85

(Assented to May 17, 1984)

Whereas it appears by message from the Commissioner and in the estimates accompanying the message that, in addition to the sums previously appropriated, the sums mentioned in Schedule "A" of this Act are required for the purpose of defraying certain expenses of the public service of Yukon and for related purposes for the period of 12 months ending on March 31, 1985:

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

- 1(1) This Act may be cited as the Second Appropriation Act, 1984-85.
- 2(1) In addition to the sum of \$25,959,000 provided for in the First Appropriation Act, 1984-85, but including the sum of \$14,423,000 provided for in the Interim Supply Appropriation Act, 1984-85, from and out of the Yukon Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole \$153,284,000 for defraying the several charges and expenses of the public service of Yukon for the period of 12 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.

Second Appropriation Act, 1984-85

SCHEDULE A

<u>Appropriation or Item</u>	<u>\$ (Dollars in 000's)</u>
Yukon Legislative Assembly	1,241
Executive Council Office	2,911
Consumer and Corporate Affairs	939
Economic Development	2,777
Education, Advanced Education & Manpower	31,889
Finance	3,352
Government Services	9,303
Health and Human Resources	33,278
Highways and Transportation	30,712
Justice	11,869
Municipal and Community Affairs	7,380
Public Service Commission	1,827
Renewable Resources	4,805
Tourism, Recreation and Culture	4,352
Yukon Housing Corporation	1,579
Loan Capital	3,253
Loan Amortization	<u>1,817</u>
TOTAL	\$153,284

STATUTES OF THE YUKON TERRITORY
1984, Chapter 29

AN ACT TO AMEND
THE SECURITIES ACT

(Assented to April 18, 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 amends the Securities Act.
- 2 (1) The following paragraph is added to the definition of "security" in subsection 2(1):

"(p) any claim, mineral claim, or mining property, or any interest therein, acquired under the Yukon Placer Mining Act (Canada) or the Yukon Quartz Mining Act (Canada)"

STATUTES OF THE YUKON TERRITORY
1984, Chapter 30

THIRD APPROPRIATION ACT, 1984-85

(Assented to May 17, 1984)

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, 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 Third Appropriation Act, 1984-85.

- 2 (1) In addition to the sum of \$25,959,000 provided for in the First Appropriation Act, 1984-85, and the sum of \$153,284,000 provided for in the Second Appropriation Act, 1984-85, from and out of the Yukon Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole \$19,883,000 for defraying the several charges and expenses of the public service of Yukon payable in the period of 12 months ending on March 31, 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.

(2) The sums previously appropriated to an appropriation or item that is listed in Schedule A and that has a sum appearing in parenthesis after it are reduced by the amount of the sum appearing in parenthesis.

- 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, 1984-85, the Second Appropriation Act, 1984-85, and this Act.

THIRD APPROPRIATION ACT, 1984-85

SCHEDULE A

<u>Appropriation or Item</u>	<u>\$ (Dollars in 000's)</u>
Sums that are required:	
Economic Development	304
Education, Advanced Education and Manpower	2,129
Government Services	1,691
Health and Human Resources	450
Highways and Transportation	12,588
Justice	57
Municipal and Community Affairs	1,857
Renewable Resources	366
Tourism, Recreation and Culture	299
Yukon Liquor Corporation	142
	<hr/>
Sub-Total (sums required)	<u>19,883</u>
Sums previously appropriated that are not required:	
Executive Council Office	(1)
Yukon Housing Corporation	<u>(28)</u>
Sub-Total (sums not required)	<u>(29)</u>
TOTAL	19,854 *****

THIRD APPROPRIATION ACT, 1984-85

SCHEDULE B

	<u>\$ (Dollars in 000's)</u>		
	<u>Operation</u>	<u>Capital</u>	<u>Total</u>
	<u>& Maintenance</u>		
Yukon Legislative Assembly	1,241	8	1,249
Executive Council Office	2,911	-	2,911
Consumer and Corporate Affairs	939	-	939
Economic Development	2,777	3,262	6,039
Education, Advanced Education & Manpower	31,889	4,390	36,279
Finance	3,352	-	3,352
Government Services	9,303	3,803	13,106
Health and Human Resources	33,278	751	34,029
Highways and Transportation	30,712	18,283	48,995
Justice	11,869	125	11,994
Municipal and Community Affairs	7,380	11,715	19,095
Public Service Commission	1,827	-	1,827
Renewable Resources	4,805	1,096	5,901
Tourism, Recreation & Culture	4,352	1,643	5,995
Yukon Housing Corporation	1,579	563	2,142
Yukon Liquor Corporation	-	174	174
Loan Capital	3,253	-	3,253
Loan Amortization	<u>1,817</u>	<u>-</u>	<u>1,817</u>
TOTAL	153,284	45,813	199,097
	=====	=====	=====

STATUTES OF THE YUKON TERRITORY
1984, Chapter 31

AN ACT TO AMEND
THE TRANSPORT PUBLIC UTILITIES ACT

(Assented to April 18, 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 amends the Transport Public Utilities Act.
- 2 (1) The following is substituted for section 1:

"(1) This Act may be cited as the Motor Transport Act."
- 3 (1) In subsection 2(1) the following is substituted for the
definition of Board:

"'Board' means the Motor Transport Board constituted by this
Act".
- (2) In subsection 2(1), the definition of "identification plate"
is repealed.
- 4 (1) In subsection 14(2), "administration with respect to the
Board's functions under this Act" is substituted for "the
administration and enforcement of this Ordinance".

(2) Paragraph 14(2)(c) is repealed.

(3) Subsection 14(3) is repealed.
- 5 (1) The following is substituted for subsection 20(1):

"(1) The Executive Council Member may appoint in-
spectors to enforce the provisions of this Act."

6 (1) The following are substituted for subsections 24(5) and (6):

- "(5) Notwithstanding any other provision of this Act, the Board shall comply with any directive given by the Commissioner in Executive Council under section 52 with respect to the circumstances or criteria the Board must consider and give effect to when exercising its powers under this Act.
- (6) Notwithstanding subsection 25(1), the Board may in its discretion and without holding a hearing issue a temporary certificate for the purpose and time stated in the certificate.
- (7) Subject to subsection (8) a temporary certificate may be issued under subsection (6) only to a person whose principal place of business is in the Territory.
- (8) Subsection (7) does not apply where equipment that is not regularly available in the Territory is required or where equipment is not available in the Territory when it is required.
- (9) The holder of a certificate or any other person affected by the issuance of a temporary certificate under subsection (6) may, within 14 days of the issuance of the certificate, apply to the Board to have the temporary certificate amended or revoked."

7 (1) The following is substituted for subsection 25(5):

- "(5) Subject to subsection (4), where a person gives notice to the Board before it issues a certificate that he wants to be heard in relation to the matter, the Board may postpone issuing the certificate until a public hearing or a further public hearing has been held."

8 (1) Subsection 26(4) is repealed.

9 (1) The following is substituted for section 32:

- "32 (1) The Board shall inquire into and make recommendations about any matter respecting transportation that the Executive Council Member refers to the Board."

- 10 (1) The following is substituted for section 47.1:
- "47.1(1) No person shall operate a motor vehicle for which a certificate or a permit has been issued except in accordance with the terms and conditions of the certificate or permit."
- 11 (1) Section 47.2 is repealed.
- 12 (1) In subsection 48.2(2), "in respect of which the identification plate was issued" is deleted.
- (2) In subsection 48.2(3), "47.1" is substituted for "47.2", and "in respect of which the sticker was issued" is deleted.
- 13 (1) In subsection 50.1(1), "certificate or permit" is substituted for "permit".
- (2) Subsection 50.1(2) is repealed.
- 14 (1) In subsection 51(1), "The Board shall review every certificate at least once every three years and may review any certificate at any time" is substituted for "The Board shall review every certificate at least once in each year".
- 15 (1) The following paragraph is added to subsection 52(1):
- "(aa) directives about the circumstances and criteria the Board must consider and give effect to when exercising its powers under this Act."
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STATUTES OF THE YUKON TERRITORY
1984, Chapter 32

YOUNG OFFENDERS AGREEMENT ACT

(Assented to May 17, 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 Young Offenders Agreement Act.
 - 2 (1) The Commissioner in Executive Council may enter into agreements with the Government of Canada under and for the purposes of the Young Offenders Act (Canada) providing for payments by Canada to the Government of Yukon in respect of costs incurred by the Government of Yukon for care of and services provided to young persons.
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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
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 Corporations Act	B-.06	En. S.Y.T. 1983, c. 13*
Business Development Assistance	B-4.1	En. S.Y.T. 1980 (1st), c. 1* Am. S.Y.T. 1984, 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 Am. S.Y.T. 1984, c. 22, s. 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 Rp. S.Y.T. 1984, c. 2, s 185
Children's	C-4.5	En. S.Y.T. 1984, c. 2
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 Am. S.Y.T. 1984, c. 2, s. 186
Court of Appeal	C-20	In. R.S.Y.T. 1971, c. C-20 Am. S.Y.T. 1981 (2nd), c. 3 ← 1974(2nd), c. 4
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 Am. S.Y.T. 1984, c. 3
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 Develop- ment Agreement	E-.05	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
Electoral District Boundaries Commission	N.C.N.R.	En. S.Y.T. 1984, c. 4
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 Rp. S.Y.T. 1984, c. 26, s. 79*
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
Employment Standards	E-4.5	En. S.Y.T. 1984, c. 5*
Energy Conservation Agreement	N.C.N.R.	En. S.Y.T. 1980 (1st), c. 6
Energy Conservation Assistance	E-4.7	En. S.Y.T. 1984, 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 Am. S.Y.T. 1984, c. 22, s. 2
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
Fifth Appropriation, 1982-83	N.C.N.R.	En. S.Y.T. 1984, c. 7
Fifth Appropriation, 1983-84	N.C.N.R.	En. S.Y.T. 1984, c. 8
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 Am. S.Y.T., 1984, c. 9
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 Am. S.Y.T. 1984, c. 10, s. 7
Financial Agreement, 1984	N.C.N.R.	En. S.Y.T. 1984, c. 10

Fire Prevention	F-5	In. R.S.Y.T. 1971, C. F-5 Am. S.Y.T. 1972 (1st), c. 18 Am. S.Y.T. 1973 (1st), c. 10 Am. S.Y.T. 1980 (2nd), c. 12 Am. S.Y.T. 1980 (2nd), c. 16, s. 7
Firearms Administration Agreement	N.C.N.R.	En. S.Y.T. 1979 (1st), C. 3
First Appropriation, 1972-73	N.C.N.R.	En. S.Y.T. 1972 (1st), c. 27
First Appropriation, 1973-74	N.C.N.R.	En. S.Y.T. 1973 (1st), c. 21
First Appropriation, 1974-75	N.C.N.R.	En. S.Y.T. 1974 (2nd), c. 17
First Appropriation, 1975-76	N.C.N.R.	En. S.Y.T. 1975 (1st), c. 20
First Appropriation, 1976-77	N.C.N.R.	En. S.Y.T. 1976 (1st), c. 11
First Appropriation, 1977-78	N.C.N.R.	En. S.Y.T. 1977 (1st), c. 15
First Appropriation, 1978-79	N.C.N.R.	En. S.Y.T. 1978 (1st), c. 18
First Appropriation, 1979-80	N.C.N.R.	En. S.Y.T. 1979 (1st), c. 7
First Appropriation, 1980-81	N.C.N.R.	En. S.Y.T. 1979 (2nd), c. 4
First Appropriation, 1981-82	N.C.N.R.	En. S.Y.T. 1980 (2nd), c. 8
First Appropriation, 1982-83	N.C.N.R.	En. S.Y.T. 1980 (2nd), c. 5
First Appropriation, 1983-84	N.C.N.R.	En. S.Y.T. 1982, c. 20
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 Am. S.Y.T. 1984, c. 22, s. 3
Fourth Appropriation, 1972-/3	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, 1982-83	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
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Goals	G-2	In. R.S.Y.T. 1971, c. G-2
Garage Keepers' Lien	G-3	In. R.S.Y.T. 1971, c. G-3 Am. S.Y.T. 1980 (2nd), c. 20, s. 79
Garnishee	G-4	In. R.S.Y.T. 1971, c. G-4 Rp. S.Y.T. 1980 (1st), c. 12
Garnishee	G-4.1	En. S.Y.T. 1980 (1st), c. 12
Gasoline Handling	G-5	En. S.Y.T. 1972 (1st), c. 6
General Development Agreement	G-5.1	En. S.Y.T. 1977 (1st), c. 4
Government Employee Housing Plan	G-6	En. S.Y.T. 1975 (1st), c. 5 Am. S.Y.T. 1980 (1st), c. 13 Am. S.Y.T. 1980 (1st), c. 20, s. 11 Am. S.Y.T. 1983, c. 19 Am. S.Y.T. 1984, c. 11
Government Employees Unemployment Insurance Agreement Act	G-7	En. S.Y.T. 1984, c. 12
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
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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
Interim Supply Appropriation, 1984-85	N.C.N.R.	En. S.Y.T. 1984, c. 14
Interim Supply Appropriation, 1984-85 (No. 2)	N.C.N.R.	En. S.Y.T. 1984, c. 15

International Child Abduction (Hague Convention)	I-2.2	En. S.Y.T. 1981 (1st), c. 6 Rp. S.Y.T. 1984, c. 2, s. 187
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 Am. S.Y.T. 1984, c. 2, s. 191.1
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 Am. S.Y.T. 1984, c. 2, s. 188
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Land Acquisition Fund	L-1.1	En. S.Y.T. 1976 (2nd), c. 1 Rp. S.Y.T. 1983, c. 19
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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 Am. S.Y.T. 1984, c. 16
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Legal Aid	L-3.1	En. S.Y.T. 1975 (3rd), c. 2 Rp. S.Y.T. 1984, c. 18*

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 Rp. S.Y.T. 1984, c. 17*
Legal Profession	L-4.1	En. S.Y.T. 1984, c. 17*
Legal Profession Accounts	L-5	In. R.S.Y.T. 1971, c. L-5 Am. S.Y.T. 1980 (1st), c. 20, s. 16 Rp. S.Y.T. 1984, c. 17, s. 115*
Legal Services Society	L-5.05	En. S.Y.T. 1984, c. 18*
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
Legislative Assembly Retirement Allowances	L-5.2	En. S.Y.T. 1984, c. 19
Legitimation	L-6	In. R.S.Y.T. 1971, c. L-6 Rp. S.Y.T. 1984, c. 2, s. 190
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 Am. S.Y.T. 1984, c. 20
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 Am. S.Y.T. 1984, c. 2, s. 191
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 Am. S.Y.T. 1984, c. 22, s. 4
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 Am. S.Y.T. 1984, c. 21
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 Transport		See Transport Public Utilities
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 Am. S.Y.T. 1984, c. 23
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 Am. S.Y.T. 1984, c. 24
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 Am. S.Y.T. 1984, c. 25
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
Public Utilities	P-12	En. S.Y.T. 1984, c. 26*
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 Am. S.Y.T. 1984, c. 27
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 Am. S.Y.T. 1984, c. 22, s. 5
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
Second Appropriation, 1984-85	N.C.N.R.	En. S.Y.T. 1984, c. 28
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* Am. S.Y.T. 1984, c. 29
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

Woodme	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
Worker	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
Workme	Students' Grants	S-9	In. R.S.Y.T. 1971, c. S-9 Rp. S.Y.T. 1975 (2nd), c. 6
Workme Supp	Summary Convictions	S-9.1	En. S.Y.T. 1980 (1st), c. 30
Young	Superannuation, Territorial Employees	S-10	In. R.S.Y.T. 1971, c. S-10 Am. S.Y.T. 1975 (2nd), c. 16
Young Agre	Supervision of Federal Parolees Agreement	N.C.N.R.	En. S.Y.T. 1975 (1st), c. 7
Young	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
Yukon Stud	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
Third Appropriation, 1984-85	N.C.N.R.	En. S.Y.T. 1984, c. 30
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 Am. S.Y.T. 1984, c. 31
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 Am. S.Y.T. 1984, c. 2, s. 192
Wages Recovery	W-1	In. R.S.Y.T. 1971, c. W-1 Rp. S.Y.T. 1984, c. 5, s. 108*
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 Agreement	N.C.N.R.	En. S.Y.T. 1984, c. 32
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
