



NORTHWEST TERRITORIES
LEGISLATIVE ASSEMBLY
TERRITOIRES DU NORD-OUEST
ASSEMBLÉE LÉGISLATIVE

MEETING GO 44-20-25

STANDING COMMITTEE ON GOVERNMENT OPERATIONS

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TUESDAY, APRIL 22, 2025
EAGLE ROOM, LEGISLATIVE ASSEMBLY
1:30 PM

AGENDA

1. Call to Order
2. Prayer
3. Review and Adoption of Agenda
4. Declarations of Conflict of Interest
5. Public Matters
 - a) Bill 18, An Act to Amend the Partnership and Business Names Act: public meeting and clause-by-clause review
 - b) Bill 22, Legislation Act: public briefing with the Honourable Jay Macdonald, Minister of Justice
 - c) Bill 17, Municipal and Community Affairs Statutes Amendment Act: public meeting and clause-by-clause review
 - d) Bill 21, An Act to Amend the Workers' Compensation Act: public briefing with the Honourable Vince McKay, Minister Responsible for the Workers' Safety and Compensation Commission
6. In Camera Matters
 - a) Debrief
 - b) Committee business
 - a. Bill 3, Carbon Tax Repeal Act
7. New Business
8. Date and Time of Next Meeting: Thursday, April 24, 2025 at 1:30 p.m.
9. Adjournment



Bill 22: Legislation Act

Public Briefing

Standing Committee on Government Operations

April 22, 2025



Contents

1. Background
2. Purpose of Bill 22
3. Development of Bill 22
4. Overview of Bill 22



Background

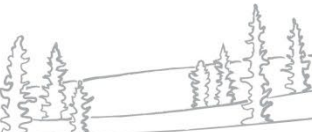
- Territorial regulation-making process – oversight of making regulations
 - *Statutory Instruments Act*
 - *Public Printing Act*
- Legislative provisions about the enactment of statutes
 - *Legislative Assembly and Executive Council Act (s.59.1 to 59.5)*
 - *Statute Revision Act*
- Related provisions about the operation of statutes/regulations
 - *Interpretation Act*



Background

Statutory Instruments Act (“SIA”)

- First enacted in 1971;
- Sets out processes and requirements for:
 - Registering “regulations” and “statutory instruments”;
and
 - Publishing regulations and statutory instruments in
the *Northwest Territories Gazette*.



Background

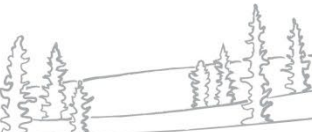
Statutory Instruments Act (“SIA”)

4. Every regulation-making authority shall, within seven days after making

(a) a regulation, or

(b) a statutory instrument that has not been exempted from publication in the Northwest Territories Gazette under paragraph 19(b),

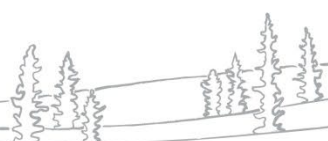
transmit the regulation or statutory instrument or a certified true copy of it to the Registrar for registration under section 5.



Background

Statutory Instruments Act (“SIA”)

- Definitions of “regulation” and “statutory instrument” have caused confusion;
- "regulation" means a regulation, **order**, form, rule, rule of court or tariff of charges or fees enacted in the execution of a power conferred by or under the authority of an enactment, but does not include
 - (a) an **order** of a court made in the course of an action, or
 - (b) an **order** made by a public officer or administrative tribunal in a matter or proceeding between two or more persons;



Purpose of Bill 22

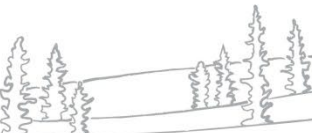
The Bill:

- Follows the trend in Canada by replacing the *Statutory Instruments Act* with a more modern *Legislation Act* that clearly sets out the territorial regulation-making process, as well as provisions related to the making of statutes;
- Replaces the *Public Printing Act* with a new *Territorial Printer Act*, to align more closely with current practice;
- Makes related amendments to the *Interpretation Act* and the *Legislative Assembly and Executive Council Act*; and
- Repeals the *Statute Revision Act* and sets out rules with respect to the revision of enactments in the new *Legislation Act*.

Purpose of Bill 22

Intergovernmental Council on Land and Resource Management: Legislative Development Protocol

- Bill 22 has no impact on established mechanisms that engage Indigenous Governments and Organizations in the legislative process, such as the Legislative Development Protocol.
- Outside the scope of this Bill.
- Bill focuses on technical requirements and process applicable to legislation once drafted.



Development of Bill 22

- Jurisdictional Review
- Drafting
- Engagement & Consultation



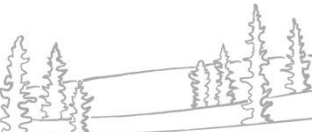
Overview of Bill 22

- Interpretive provisions (clause 1);
- **Part 1:** Administration (clauses 2-5);
- **Part 2:** Effect and Operation of Legislation (clauses 6-13);
- **Part 3:** Acts (clauses 14-21);
- **Part 4:** Regulations (clauses 22-34);
- **Part 5:** Consolidated Acts and Regulations (clauses 35-38);
- **Part 6:** Revised Acts and Regulations (clauses 39-46);
- **Part 7:** Official Law (clauses 47&48);



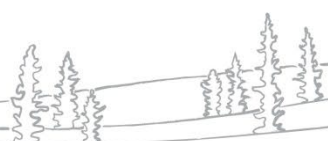
Overview of Bill 22

- **Part 8:** Miscellaneous (clauses 49-55);
- **Part 9:** Regulations for Act (clause 56);
- Transitional provisions (clauses 57&58);
- Repeal of *Public Printing Act* and enactment of *Territorial Printer Act* (clause 59);
- Consequential amendments (clauses 60-149);
- Repeal of *Statute Revision Act* and *Statutory Instruments Act* (clauses 150 & 151);
- Coming into force (clause 152);
- Schedule A – Citation of Acts and regulations;
- Schedule B – Instruments that are or are not regulations.



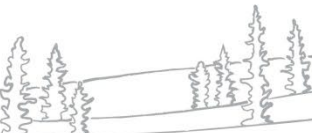
Part 1: Administration (clauses 2-5)

- **Appointment of Chief Legislative Counsel** (clause 2);
 - responsible for implementing procedures set out by the Act respecting **Acts and regulations**, including:
 - directing the drafting of bills and regulations (clause 2);
 - directing the preparation of consolidated and revised Acts and regulations (clauses 2, 35 & 39);
 - arranging for the publication of Acts (clause 2);
 - correcting minor errors in Acts and regulations (clauses 17 & 38);
 - notifying the Territorial Printer of errors (clauses 20, 35 & 44).



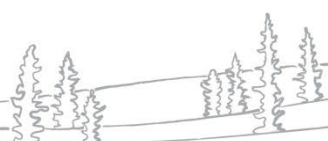
Part 1: Administration (clauses 2-5)

- **Appointment of Registrar of Regulations** (clause 3);
 - Carried over from current *Statutory Instruments Act*;
 - Responsible for implementing procedures set out by the Act respecting **regulations**, including:
 - maintaining a register of regulations;
 - examining all proposed regulations;
 - registering regulations;
 - arranging for the publication of registered regulations.



Part 1: Administration (clauses 2-5)

- Confidential information and conflicts of interest (clauses 4 & 5)
 - Clarifies that:
 - information related to legislative drafting is solicitor-client privileged;
 - legislative counsel may carry out drafting services for multiple clients



Part 2: Effect and Operation of Legislation

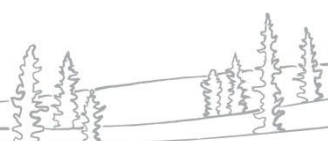
(clauses 6-13)

- Moves certain related rules from the *Interpretation Act* over to the new Act that are well suited to the new Act, including rules respecting:
 - When Acts and regulations come into force (clauses 8 & 9);
 - The effective time of enactments (clause 10);
 - The effect of a repeal of an enactment (clauses 11 & 12);
- Other rules specific to the interpretation of legislation are left in the *Interpretation Act*



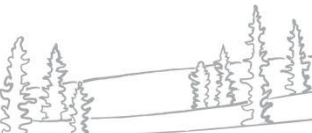
Part 3: Acts (clauses 14-21)

- Sets out rules in relation to the making of Acts, including rules respecting:
 - Enacting clauses (clause 14);
 - Certification of Acts (clause 18);
 - Publication of Acts (clause 19);
 - Corrections of minor errors in Acts (clauses 17 & 20);
 - **Repeal of Acts not in force after 10 years** (clause 21).



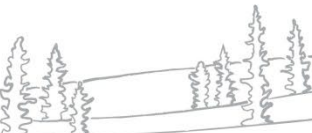
Part 4: Regulations (clauses 22-34)

- Sets out the territorial regulation-making process:
 - **New definition of “regulation”** (clause 22):
 - delegated legislation where the provision conferring the power to enact it uses the word “**regulation**” or “**prescribe**”;
 - “trigger words” will be added to enabling provisions to make it clear that the intent is to require a particular instrument to be registered;
 - delegated legislation that is made under an Act that states that the *Legislation Act* applies to it;
 - delegated legislation that is set out in Part 1 of Schedule B to the *Legislation Act*.
 - **Schedule B:** Commissioner in Executive Counsel regulations (clause 23);



Part 4: Regulations (clauses 22-34)

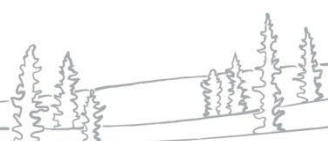
- **Examination of proposed regulations** (clause 24);
- Filing requirements (clause 25);
- Registration of regulations (clause 26);
- Publication of regulations (clauses 30-33);
- Corrections of minor errors in regulations (clauses 28 & 24).



Part 5: Consolidated Acts and Regulations

(clauses 35-38)

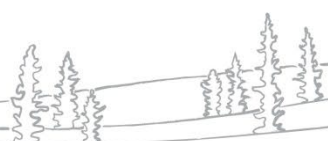
- A “consolidated” Act or regulation means a version of the Act or regulation that incorporates all amendments that have been made to the Act or regulation.
- Consolidated Acts and regulations presently are not official copies of law.
 - Bill 22 will allow consolidations to be official copies (Part 7).
- Minor changes or corrections to consolidations (clause 38).



Part 6: Revised Acts and Regulations

(clauses 39-46)

- A “revised” Act or regulation means a new version of an Act or regulation that:
 - repeals and replaces the previous version;
 - incorporates all amendments that were made to the previous version; and
 - revises the previous version, **without changing its legal effect**



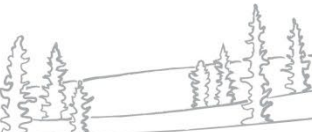
Part 6: Revised Acts and Regulations (clauses 39-46)

- *Statute Revision Act* – total revision of the entire statute book
- Bill 22: allows for partial revisions
- **Process for revision – Acts (clauses 40 & 41)**



Part 6: Revised Acts and Regulations (clauses 39-46)

- **Process for revision – regulations** (clause 45)
- Not new law (clauses 42 & 46)

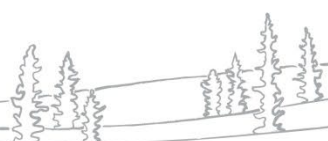


Part 7: Official Law (clauses 47&48)

- Consolidated Acts and regulations: official copies

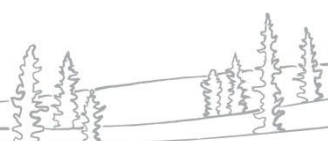
Part 8: Miscellaneous (clauses 49-55)

- Citation of Acts and regulations (clauses 49-52);
- Notice of other delegated legislation (clause 53);
- Right of access to other delegated legislation (clause 54)
- Judicial notice of delegated legislation (clause 55)



Part 9: Regulations for Act (clause 56)

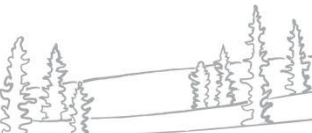
- Sets out the regulation-making authorities for the Act;
- Carries over of authorities from the *Statutory Instruments Act*;
- Creates new authorities;
- Systems of registration for other instruments (paragraph (m)).



Consequential amendments

(clauses 60-149)

- A “regulation” under Bill 22 includes an instrument where the provision conferring the power to enact the instrument uses the word "**regulation**" or "**prescribe**" in conferring the power (“trigger words”)
- Under the *Statutory Instruments Act*, the current definition of “regulation” also includes certain types of “orders”.
- Consequential amendments add the “trigger words” to the enabling provisions for appropriate “orders” to ensure they continue to be registered as “regulations”.

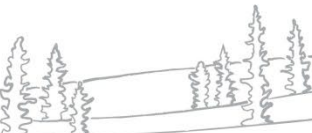


Example:

Land withdrawal orders under s.19 of the
Northwest Territories Lands Act

Current:

19. The Commissioner in Executive Council may
- (a) on setting out the reasons for withdrawal in the order, **order** the withdrawal of any tract or tracts of territorial lands from disposal under this Act; ...

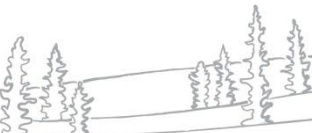


Example:

Land withdrawal orders under s.19 of the *Northwest Territories Lands Act*

126. The *Northwest Territories Lands Act* is amended by repealing paragraph 19(a) and substituting the following:

- (a) **by regulation**, order the withdrawal of any tract or tracts of territorial lands from disposal under this Act, on setting out the reasons for the withdrawal in the order;



Consequential amendments (clauses 60-149)

- Amendments to the *Interpretation Act* (Bill 22 clause 62)
 - Modernization of the use of forms
 - (NEW: *Interpretation Act* proposed subsection 29(4));
 - Standard provisions respecting incorporation of documents into regulations by reference
 - (NEW: *Interpretation Act* proposed section 30).



Questions?



Why?

- Committed to ensuring claimants not only receive the benefits they are entitled to, but that those benefits are fair and reflect modern best practices.



WSCC Current Pension System

- Provides pensions for life based solely on percentage of medical impairment after maximum medical recovery and earnings at the time of injury.

Non-Economic Loss Benefit

- Compensation for permanent physical impairment (loss that continues to exist after maximum medical recovery).
- NELP is not compensation for lost wages.

Next Steps

- Bill introduction – 2025
- 3rd Reading pending in both legislatures

Questions/Discussion