



ORDINANCES  
OF THE  
**YUKON TERRITORY**

---

PASSED BY THE  
**YUKON COUNCIL**

IN THE YEAR

**1967**

FIRST SESSION

J. SMITH  
COMMISSIONER

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1967 (FIRST SESSION)

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## CHAPTER 1

ORDINANCES OF THE YUKON TERRITORY  
 1967 (First Session)  
 AN ORDINANCE RESPECTING CEMETERIES  
 AND BURIAL SITES

(Assented to May 19th, 1967)

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

## SHORT TITLE.

1. This Ordinance may be cited as the *Cemeteries and Burial Sites Ordinance*. Short title.

## INTERPRETATION.

2. In this Ordinance, Definitions.
- (a) "burial site" means the location of any human grave or graves, tomb, burial mound or other burial place not situated within a cemetery; and "Burial site".
- (b) "cemetery" means a defined area of land that is set aside for the burial of human bodies. "Cemetery".

## PROHIBITIONS.

3. No person shall Prohibitions respecting cemeteries.
- (a) wilfully destroy, mutilate, deface, injure or remove
- (i) any tomb, monument, marker, grave-stone or other structure placed in a cemetery, or
- (ii) any fence, railing or other work erected for the protection or ornament of a cemetery;
- (b) wilfully destroy, cut, break or injure any tree, shrub or plant in a cemetery;
- (c) play any game or sport in a cemetery;

- (d) except at a military funeral, discharge fire-arms in a cemetery ;
- (e) wilfully disturb persons assembled for the burial of a body in a cemetery ; or
- (f) commit a nuisance in a cemetery.

No disturbance of burial sites.

4. No person, without the written permission of the Commissioner, shall

- (a) excavate or investigate a burial site ;
- (b) remove from or disturb a body in a burial site ; or
- (c) remove or disturb a marker, monument or fence in connection with such site.

Prohibitions.

5. No person shall deposit garbage, rubble, brush, ashes or refuse within a distance of three hundred feet of a burial site.

No markers to be erected on burial sites.

6. No person shall, without the written permission of the Commissioner, erect any marker, monument, sign or notice on any burial site unless he is

- (a) a relative of a person whose body is buried therein ; or
- (b) a member of the Royal Canadian Mounted Police engaged in marking or protecting such site in the course of his duties.

**PERMITS.**

Permit to care for burial site.

7. (1) The Commissioner may grant a permit to any person authorizing him to care for, ornament and protect a burial site, but such a permit does not entitle that person to demand from the Territory or any person remuneration for services performed.

Revocation of permit.

(2) The Commissioner may revoke any permit granted under subsection (1).

Report by permit holder.

(3) During the month of January in each year every person who holds a permit under subsection (1) shall make a report in duplicate to the Commissioner stating in detail the work done under his permit during the preceding year.



**PENALTIES.**

**8.** Any person who violates this Ordinance is guilty of an offence and is liable upon summary conviction to a fine not exceeding one hundred dollars or to imprisonment for a period not exceeding six months, or to both such fine and imprisonment. **Offence and penalty.**

**REGULATIONS.**

**9.** The Commissioner may make regulations, **Regulations.**

- (a) respecting the establishment, maintenance and operation of cemeteries and burial sites;
- (b) respecting the content and form of records to be made with respect to burials and the custody thereof; and
- (c) generally for carrying out the purposes and provisions of this Ordinance.

**REPEAL.**

**10.** The *Cemeteries and Burial Sites Ordinances*, chapter 13 of the Revised Ordinances of the Yukon Territory, 1958 is repealed. **Repeal. R.O. 1958 c.18.**

CHAPTER 2

ORDINANCES OF THE YUKON TERRITORY

1967 (First Session)

AN ORDINANCE RESPECTING THE INSTALLATION OF ELECTRICAL EQUIPMENT AND WIRING

(Assented to May 19th, 1967)

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

- |                            |  |
|----------------------------|--|
| Short title.               | 1. This Ordinance may be cited as the <i>Electrical Protection Ordinance</i> .   |
| Definitions "Code".        | 2. (1) In this Ordinance,<br>(a) "Code" means the Canadian Electrical Code Part 1 referred to in section 6;  |
| "Electrical Installation". | (b) "electrical installation" means the installation of any system of wiring in or upon any land, building or premises from the point where electrical power or energy is delivered therein or thereon to the point where such power or energy can be used and shall include electrical equipment and any wiring connected therewith, and the maintenance, alteration, extension and repair of such equipment or wiring; |
| "Inspection area".         | (c) "inspection area" means any area designated as an inspection area under section 4;   |
| "Owner".                   | (d) "owner" when referring to electrical equipment or wiring includes a lessee, occupant and person in charge of premises;   |
| "Prescribed".              | (e) "prescribed" means prescribed by the regulations; and  |
| "Qualified person".        | (f) "qualified person" means any person who is designated from time to time by the Commissioner as a qualified person for the purposes of this Ordinance and includes any person acting under the direction of a qualified person.   |

(2) Unless the context otherwise requires, words and expressions used in this Ordinance have the same meaning as in the Code. Meaning of terms.

3. The Commissioner may appoint a Chief Inspector and one or more inspectors to carry out the provisions of this Ordinance. Appointment of inspectors.

4. The Commissioner may designate any area in the Territory as an inspection area. "Inspection area".

5. The Chief Inspector or any inspector may, in an inspection area, Powers of inspectors on inspections.

- (a) at any reasonable time enter and examine any premises and the electrical equipment and wiring in or upon such premises;
- (b) place in operation or stop or cause to be placed in operation or stopped any electrical equipment that is being inspected;
- (c) except in the case of a single family dwelling unit, require the preparation and production to him of plans and specifications of the installation of the electrical equipment and wiring that are satisfactory to him; and
- (d) remove or cause to be removed any obstruction that may prevent a thorough inspection.

6. (1) Subject to subsection (2) the Canadian Electrical Code Part I is the standard to which all installations of electrical equipment wiring shall conform. Standards for installations.

(2) Where in the opinion of an inspector the installation or use of electrical equipment or wiring contrary to the requirements of the Code would not create an undue hazard to life or property, he may permit such installation or use. Exception.

7. Where in the opinion of an inspector any electrical equipment or wiring constitutes a hazard to life or property, he may Inspector's powers where installation dangerous.

- (a) order the owner of the electrical equipment or wiring to put it in a safe condition within such time as the inspector prescribes;

- (b) order the owner not to use electrical energy in such electrical equipment or wiring until it is put in a condition satisfactory to the inspector;
- (c) order the adoption of such practices as will in his opinion make such electrical equipment or wiring safe for use;
- (d) by notice in writing, prohibit all unqualified persons from working on or in proximity to any electrical equipment or wiring while it is alive;
- (e) by notice in writing, prohibit all unqualified persons from entering or remaining in or upon premises where there is such electrical equipment or wiring; and
- (f) order the authority that supplies electric energy to withhold the supply of that energy to the premises in or upon which such electrical equipment or wiring is found until it is put in a condition satisfactory to the inspector.

Plans to be submitted for approval.

- 8.** (1) In an inspection area, plans and specifications for
- (a) the installation of electrical equipment and wiring in any public, industrial, commercial or other building in which the safety of the public is concerned,
  - (b) the installation of any generator, transformer, switchboard, large storage battery or other large electrical equipment, and
  - (c) such other installations as may be prescribed,

shall be submitted to an inspector by or on behalf of the owner of the premises in or upon which it is proposed to make any such installation, and work shall not be commenced on the installation until the inspector has approved the plans and specifications in writing.

Fees paid before approval.

- (2) Plans and specifications submitted under subsection (1) shall not be approved by an inspector until the fees prescribed have been paid by or on behalf of the owner.

9. (1) Subject to subsection (2) of section 6 no person shall, unless he holds a permit issued under subsection (2), install, alter, extend or repair any electrical equipment or wiring except in the manner and in accordance with the standard set forth in the Code.

Installation and repairs to be in accordance with Code.

(2) An inspector may issue a permit to install, alter, extend or repair any electrical equipment or wiring to a person who

Permits for installation or repairs.

(a) makes application therefor in the form prescribed; and

(b) pays the fee prescribed.

(3) A copy of the permit referred to in subsection (2) shall be posted and kept in a conspicuous place on the site of the work until all the work authorized by the permit has been inspected and approved by an inspector.

Copy of permit to be displayed.

10. (1) A person who does electrical work in an inspection area pursuant to a permit issued under section 9 shall give sufficient notice to an inspector of the time when such work may conveniently be inspected at any stage in its progress.

Notice to be given for inspection.

(2) No electrical equipment or wiring in an inspection area shall be made inaccessible by any person until it has been inspected and approved in writing by an inspector.

Installation to remain accessible until approved.

(3) The fees prescribed for the inspection of the installation of electrical equipment and wiring shall be paid by the person by whom the equipment and wiring was installed prior to completion of the inspection.

Fees.

11. Where and inspector is satisfied that any installation, alteration or extension of, or repair to, any electrical equipment or wiring has been carried out in accordance with this Ordinance, he shall give permission to the appropriate supply authority to supply electric energy to such equipment or wiring.

Inspector shall permit supply of electricity.

12. No supply authority shall supply any electric energy to any electrical equipment or wiring in or upon any premises in an inspection area unless permission has been given by an inspector under section 11 to supply electric energy to such equipment or wiring.

No electricity without permission.

**Appeal.** 13. (1) Where a person disputes an order or decision of an inspector that

- (a) disapproves in whole or in part any plans and specifications submitted to the inspector,
- (b) requires the alteration of any electrical equipment or wiring,
- (c) requires the cutting off of the supply of electric energy to any electrical equipment or wiring, or
- (d) refuses to permit the installation or operation of any electrical equipment or wiring,

he may appeal to the Chief Inspector.

**How appeal commenced.**

(2) An appeal may be commenced by forwarding, by registered mail, a statement in writing of the matter complained of to the Chief Inspector within ten days after the day on which the order or decision appealed from was made, or within such further time as the Chief Inspector may allow.

**Disposition of appeal.**

(3) The Chief Inspector may amend, vary or revoke any order or decision appealed from under subsection (1), and his decision is final and binding.

**Regulations.**

14. The Commissioner may make regulations,
- (a) respecting the duties of the Chief Inspector and inspectors;
  - (b) respecting applications for permits and inspections;
  - (c) prescribing the forms to be used under this Ordinance;
  - (d) prescribing the fees to be paid under this Ordinance; and
  - (e) generally for carrying out the purposes and provisions of this Ordinance.

**Report to Commissioner.**

15. The Chief Inspector shall, prior to the first day of September in each year, submit a report to the Commissioner of the administration of this Ordinance during the twelve-month period ending on the thirty-first day of July in that year.

16. Any person who contravenes section 8, subsection (1) or subsection (3) of section 9, or section 10 or 12, or refuses or neglects to obey an order of the Chief Inspector or an inspector made pursuant to this Ordinance is guilty of an offence and liable on summary conviction to a fine not exceeding one hundred dollars, and in default of payment thereof, to imprisonment for a term not exceeding one month.

Offence and penalty.

17. This Ordinance shall come into force on a day to be proclaimed by order of the Commissioner.

Coming into force.



CHAPTER 3

ORDINANCES OF THE YUKON TERRITORY

1967 (First Session)

AN ORDINANCE RESPECTING THE PUBLIC SERVICE OF THE YUKON TERRITORY

(Assented to May 19th, 1967)

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

**SHORT TITLE.**

Short title.

1. This Ordinance may be cited as the *Public Service Ordinance*.

**INTERPRETATION.**

Definitions.  
"Allowance".

2. (1) In this Ordinance,

- (a) "allowance" means compensation payable
  - (i) in respect of a position, or in respect of some of the positions in a class, by reason of duties of a special nature, or
  - (ii) for duties that an employee is required to perform in addition to the duties of his position;

"Classify".

- (b) "classify" in relation to a position means to assign a position to a class;

"Commissioner".

- (c) "Commissioner" means the Commissioner of the Yukon Territory;

"employee".

- (d) "employee" means a person employed in the public service;

"Establishment".

- (e) "establishment" means those positions in a unit to which appointments may be made by the Commissioner;

"Head of a unit" or "unit head".

- (f) "head of a unit" or "unit head" in relation to any department or division of the public service means the head of that department or division;



- (g) "incompetence" means incompetence of an employee in the performance of his duties and includes negligence; "Incompetence".
- (h) "lay-off" means a person who has been laid off pursuant to subsection (1) of section 29 and who in the opinion of the Commissioner is suitable for continued employment in the public service; "Lay-off".
- (i) "misconduct" means misconduct of an employee in the performance of his duties, and includes bringing the public service into disrepute; "Misconduct".
- (j) "public service" means the several positions in or under the Government of the Yukon Territory; "Public service".
- (k) "remuneration" means pay and allowances; "Remuneration".
- (l) "unit" means the various departments and divisions of the public service designated by the Commissioner as units. "Unit".

(2) The Commissioner may authorize a unit head to exercise and perform, in such a manner and subject to such terms and conditions as the Commissioner directs, any of the powers, functions and duties of the Commissioner under this Ordinance, other than the powers, functions and duties of the Commissioner in relation to grievances under section 24 or 27 and inquiries under section 28. Delegation by head of unit.

(3) Unless the context otherwise requires, a reference in this Ordinance to a head of a unit in relation to an employee shall be construed as a reference to the head of a unit in which the employee is employed. Reference to head of unit.

**MANAGEMENT AND DIRECTION.**

3. The Commissioner has the management and direction of the public service. Powers of Commissioner.

**ORGANIZATION OF THE PUBLIC SERVICE.**

**CLASSIFICATION.**

4. (1) The Commissioner shall divide the public service into classes of employment and shall classify each position therein. Classes.

- Grades.** (2) The Commissioner may subdivide each class into two or more grades, but where a class is not so subdivided it shall, for the purpose of this section, constitute a grade.
- Standards.** (3) The Commissioner shall define each grade by reference to standards of duties, responsibilities and qualifications and shall give it an appropriate title.
- Content of grade.** (4) Each grade shall embrace all positions in a class having similar duties and responsibilities and requiring similar qualifications of persons appointed to a position in the grade.
- Amendments.** (5) The Commissioner may divide, combine, alter or abolish any classes or grades.

**PAY AND ALLOWANCES.**

- Considerations determining pay rates.** 5. The Commissioner shall keep under review the rates of remuneration to employees having regard to
- (a) the requirements of the public service;
  - (b) the rates of pay and other terms and conditions of employment prevailing in Canada for similar work outside the public service;
  - (c) the relationship of the duties of the various classes within the public service; and
  - (d) any other considerations that the Commissioner considers to be relevant.
- Commissioner to fix pay and allowances.** 6. The Commissioner shall establish rates of pay for each grade and establish the allowances that may be paid in addition to pay.
- Form of rates.** 7. The rates of pay for grades shall consist of minimum rates, maximum rates and one or more intermediate rates, or such other rates as may in any special cases be appropriate.
- Acting pay.** 8. Where an employee is required to perform for a temporary period the duties of a higher position than the one held by him, the Commissioner may in accordance with the regulations authorize the payment to him of acting pay during such temporary period, and during the time that the employee is being paid acting pay, he has and may exercise the power and authority of the person holding the higher position.

9. (1) Unless authorized by or under this Ordinance or any other Ordinance, no payment additional to the remuneration authorized by law shall be made to any employee in respect of any service rendered by him. No extra remuneration.

(2) Nothing in this section shall be construed to prohibit Exceptions.

- (a) payment to an employee of remuneration in respect of each of two or more positions, if the remuneration in respect of one position is not sufficient to compensate him for his whole time and the total remuneration of the employee does not, in the opinion of the Commissioner, exceed reasonable remuneration for the duties performed; or
- (b) payment to an employee who is on leave of absence from his position and is performing other duties of such amount or at such rate as the Commissioner may fix .

**ESTABLISHMENTS.**

10. When a unit is constituted, the head of that unit shall prepare a statement showing Organization of units.

- (a) the number of employees required for the proper conduct of the business of the unit;
- (b) the duties and responsibilities of each employee and the qualifications desired; and
- (c) the plan of organization showing the relationship between the persons to be employed therein.

11. (1) The head of a unit shall refer the statement prepared under section 10 to the Commissioner who shall classify the position of each proposed employee. Classification.

(2) The head of a unit shall prepare a list of proposed positions showing the class and grade of each position and the title of each grade and, when approved by the Commissioner, the positions constitute the establishment for the unit. Establishments.

(3) The rate of pay applicable to a position as described on an establishment is the rate established by the Commissioner for the class or grade within which the position is included. Pay.

**Classification of new positions.**

**12.** When a head of a unit is of the opinion that the proper functioning of his unit requires the addition of a position to the establishment of the unit, he may submit to the Commissioner a description of the proposed position setting forth

- (a) the duties to be performed;
- (b) the responsibilities to be assumed; and
- (c) the qualifications desired,

and the Commissioner, if he approves, shall classify the position and the establishment of the unit shall be deemed to be amended accordingly

**Establishment review.**

**13.** The Commissioner may from time to time review the establishment of units and may delete positions from or add positions to the establishment of a unit.

**APPOINTMENTS.**

**Exclusive right to appoint.**

**14.** The Commissioner has the exclusive right and authority to appoint persons to positions in the public service.

**Appointments to be by competition within the public service.**

**15.** (1) Whenever in the opinion of the Commissioner it is possible to do so and it is in the best interests of the public service, appointments shall be made from within the public service by competition.

**Appointments from within public service without competition.**

(2) Where, in the opinion of the Commissioner, after considering any recommendations of the head of a unit it is impracticable or not in the best interests of the public service to make an appointment from within the public service by competition, the Commissioner may, without competition, appoint the person from within the public service who, in the opinion of the Commissioner is best qualified.

**When appointments from outside public service authorized.**

**16.** (1) Where, in the opinion of the Commissioner, a suitable appointment cannot be made from within the public service, the appointment may be made in accordance with this Ordinance from among persons outside the public service who are residents in the Yukon Territory.

**When appointments from among non-residents authorized.**

(2) Where, in the opinion of the Commissioner, a suitable appointment cannot be made from among persons outside the public service who are resident in the Yukon

Territory, the appointment may be made in accordance with this Ordinance from among persons who are not resident in the Yukon Territory.

17. The Commissioner may in relation to any position, class or grade prescribe qualifications as to age, residence or any other matters that in his opinion are necessary or desirable having regard to the nature of the duties to be performed, but in so doing the Commissioner shall not discriminate against any person by reason of race, sex, national origin, colour or religion. Qualifications.

**TERMS AND CONDITIONS OF EMPLOYMENT.**

**Tenure.**

18. Unless some other period of employment is specified, the tenure of office of an employee is, subject to the provisions of this Ordinance and the regulations made thereunder, for an indeterminate period. Indeterminate tenure of office.

19. An employee who is appointed to a position in the public service for a specified period ceases to be employed at the expiration of that period. Specified tenure of office.

20. (1) An employee shall be considered to be on probation for a period of six months from the date of his appointment. Probationary period.

(2) A head of a unit may, with the approval of the Commissioner, extend the probationary period of an employee for a further period not exceeding six months. Extension of probationary period.

21. (1) The Commissioner may, on the recommendation of the head of a unit, at any time during the probationary period of an employee, reject that employee for cause. Rejection.

(2) An employee who has been rejected under this section ceases to be an employee. Effect of rejection.

22. (1) An employee may resign his position in the public service by giving to the Commissioner notice in writing of his intention to resign his position. Resignation.

(2) A resignation is completed when it is accepted in writing by the Commissioner, but it may, by an appropriate notice in writing to the Commissioner and with the approval of the Commissioner, be withdrawn at any time before the Acceptance and withdrawal.

effective date thereof, if no person has been appointed or selected for appointment to the position to be vacated by the resignation.

**Abandonment.**

**23.** An employee who is absent from duty without leave for a period of one week may by an appropriate instrument in writing be declared by the Commissioner to have abandoned his position, and thereupon the position becomes vacant and the employee ceases to be an employee.

**Incompetence and Incapacity.**

**Recommendation to Commissioner.**

**24.** (1) Where an employee, in the opinion of the unit head, is incompetent in performing the duties of the position he occupies or is incapable of performing those duties and should

- (a) be appointed to a position at a lower maximum rate of pay, or
- (b) be released,

the unit head may recommend to the Commissioner that the employee be so appointed or released, as the case may be.

**Notice.**

(2) The unit head shall give notice in writing to an employee of a recommendation that the employee be appointed to a position at a lower maximum rate of pay or be released.

**Right to submit grievance.**

(3) Within two weeks after receiving a notice under subsection (2), the employee may submit a grievance to the Commissioner against the recommendation of the unit head, which grievance shall be dealt with in the manner prescribed in the regulations.

**Disposition of grievance.**

(4) Where a grievance has been dealt with in the manner prescribed in the regulations, the Commissioner shall

- (a) notify the unit head that his recommendation will not be acted upon, or
- (b) appoint the employee to a position at a lower maximum rate of pay, or release the employee,

accordingly as the decision arrived at through the grievance procedure requires.

(5) If no grievance is submitted with respect to a recommendation of a unit head, the Commissioner may take such action with regard to the recommendation that he sees fit. Action when no grievance submitted.

(6) The Commissioner may release an employee pursuant to a recommendation under this section and the employee thereupon ceases to be an employee. Release.

**Suspension.**

25. In any case where Misconduct.

(a) it is alleged that an employee has been guilty of misconduct or incompetence and the Commissioner considers it desirable to investigate the allegation, or

(b) criminal proceedings against an employee are pending,

the Commissioner may, by an appropriate notice in writing, suspend the employee for a period not exceeding six months.

26... (1) An employee is not entitled to any remuneration in respect of any period during which he is under suspension. No remuneration during suspension.

(2) The Commissioner may at any time terminate a suspension. Termination.

27. (1) This section applies where an employee is suspended under section 25. Application of section 25.

(2) The Commissioner may extend the period of suspension for an employee but for not more than six additional months at any one time. Extension.

(3) Upon completion of an investigation or proceedings, as the case may be, the Commissioner shall, Completion of investigation.

- (a) if as a result of the investigation or proceedings he is satisfied that the employee has been guilty of misconduct or incompetence,
  - (i) release or demote the employee, or
  - (ii) suspend the employee for a further period not exceeding six months; or

- (b) if as a result of the investigation or proceedings he is not satisfied that the employee has been guilty of misconduct or incompetence, rescind the suspension retroactively to the time it was first imposed.

Application of section 24.

(4) Where the Commissioner decides to release, demote or suspend an employee pursuant to subsection (3), the provisions of section 24 apply.

**Political Partisanship.**

Political partisanship.

28. (1) No unit head and, except as authorized under this section, no employee, shall

- (a) engage in work for, on behalf of or against a candidate for election as a member of the House of Commons, a member of the legislature of a province or a member of the Council of the Yukon Territory or the Northwest Territories, or engage in work for, on behalf of or against a political party; or
- (b) be a candidate for election as a member described in paragraph (a).

Excepted activities.

(2) A person does not contravene subsection (1) by reason only of his attending a political meeting or contributing money for the funds of a candidate for election as a member described in paragraph (a) of subsection (1) or money for the funds of a political party.

Leave of absence.

(3) Upon application made to the Commissioner by an employee the Commissioner may, if he is of the opinion that the usefulness to the public service of the employee in the position he then occupies would not be impaired by reason of his having been a candidate for election as a member described in paragraph (a) of subsection (1), grant to the employee leave of absence without pay to seek nomination as a candidate and to be a candidate for election as such a member, for a period ending on the day on which the results of the election are officially declared or on such earlier day as may be requested by the employee if he has ceased to be a candidate.

Effect of election.

(4) An employee who is declared elected as a member described in paragraph (a) of subsection (1) thereupon ceases to be an employee.



(5) Where an allegation is made to the Commissioner by a person who is or has been a candidate for election as a member described in paragraph (a) of subsection (1), that a unit head or employee has contravened subsection (1), the allegation shall be referred to a board established by the Commissioner to conduct an inquiry at which the person making the allegation and the unit head or employee concerned, or their representatives, are given an opportunity of being heard, and upon being notified of the board's decision on the inquiry the Commissioner may, if the board decides the unit head or employee has contravened subsection (1), dismiss him.

*Inquiry.*

**Lay-offs**

29. (1) Where the duties of a position held by an employee are no longer required to be performed, the Commissioner may lay-off the employee and he thereupon ceases to be an employee.

*Laying off employees.*

(2) Notwithstanding anything in this Ordinance, the Commissioner may, without competition, appoint a lay-off to any position in the public service for which he is qualified having the same or lower maximum rates of pay as the position held by him at the time he was laid off.

*Reappointment.*

(3) A lay-off is entitled for a period of twelve months, or such longer period not exceeding two years, as the Commissioner may determine, after he was laid off to enter any competition for which he would have been eligible had he not been laid off.

*Competitions.*

(4) Notwithstanding anything in this Ordinance, a lay-off shall be considered for appointment to a position for which he is qualified, having the same or lower maximum rates of pay as the position held by him at the time he was laid off, in priority to all other qualified persons and in priority to all other persons who became lay-offs at an earlier time.

*To be considered for appointment.*

(5) A person ceases to be a lay-off if he is not appointed to a position in the public service within two years from the date on which he became a lay-off or if he is appointed to or if, except for reasons that in the opinion of the Commissioner are sufficient, he declines an appointment

*Termination of lay-off status.*

to a position in the public service with the same or higher maximum rates of pay as the position held by him at the time he was laid off.

**Order of  
laying off.**

**30.** Where two or more persons employed in positions of the same grade in any unit of the public service are to be laid off, or where one person is to be laid off and there are other persons holding positions of the same grade in the same unit, the Commissioner shall, after considering such material and conducting such examinations, tests, interviews and investigations as he considers necessary, list the persons holding positions of the same grade in order of their merit, and such persons shall be laid off in order beginning with the person lowest on the list.

**Holidays.**

**Holidays.**

**31.** The following days are holidays for the public service:

- (a) New Year's Day,
- (b) Good Friday,
- (c) Easter Monday,
- (d) Victoria Day,
- (e) the birthday or the day fixed by proclamation of the Governor in Council for the celebration of the birthday of the Sovereign,
- (f) Dominion Day,
- (g) Discovery Day,
- (h) Labour Day,
- (i) Remembrance Day,
- (j) Christmas Day,
- (k) Boxing Day,
- (l) any day appointed by proclamation of the Governor in Council or the Commissioner to be observed as a day of general feast or thanksgiving or as a holiday.

**Pay.**

**Rate of  
pay on  
appointment.**

**32.** (1) Subject to this section, the rate of pay of a person appointed to a position in the public service shall be the minimum rate for the grade of that position.

(2) The Commissioner may make an appointment to a position or to positions in a class at a rate of pay higher than the minimum rate applicable to that position or class.

Appointment at higher than minimum rate.

(3) Subject to this Ordinance, an employee is entitled to be paid for services rendered the remuneration applicable to the position held by him.

Right to remuneration.

33. Every employee shall, before any remuneration is paid to him, take and subscribe the oath or affirmation set out in Schedule A.

Oath of office.

### GENERAL.

#### Regulations.

34. (1) The Commissioner may make regulations for carrying the purposes and provisions of this Ordinance into effect, and without restricting the generality of the foregoing, may make regulations

Regulations.

- (a) providing for the granting of leave of absence, with or without pay;
- (b) providing for the grant to an employee of retiring leave, that is to say, leave of absence with pay terminating with his retirement from the public service or the payment of a gratuity in lieu thereof;
- (c) requiring employees by reason of special circumstances or the nature of their duties to perform the duties of their position on a holiday, but any employee who is so required to perform the duties of his position on a holiday shall be granted another day of leave with pay or shall be paid compensation for overtime in lieu thereof;
- (d) regulating hours of work, attendance, and other matters relating to the performance of duties;
- (e) authorizing the imposition of minor pecuniary penalties on employees for failure to comply with attendance requirements;
- (f) authorizing the payment of compensation for overtime as defined by regulation to an employee or his personal representative;

- (g) prescribing the method of determining the rate of pay upon appointment where a lay-off or a person holding a position in the public service of Canada is appointed to a position in the public service;
- (h) prescribing the effective date of an appointment to the public service and prescribing what shall constitute a resignation by an employee;
- (i) prescribing how positions or employees wholly or partly excluded under section 35 shall be dealt with;
- (j) providing for the payment of acting pay where an employee is required to perform for a temporary period the duties of a higher position and prescribing the amount of or method of determining such acting pay and the circumstances and conditions under which it may be paid;
- (k) providing for the selection, appointment, conditions of employment and remuneration of employees performing duties of a casual, part-time or seasonal nature notwithstanding anything in this Ordinance;
- (l) prescribing what shall constitute continuity of employment for the purposes of this Ordinance;
- (m) regulating the holding of offices or positions outside the public service by persons employed in the public service;
- (n) prescribing procedure on appeals, and prescribing the procedure for dealing with grievances, as defined by such regulations;
- (o) authorizing the Commissioner to revoke an appointment where he finds any irregularity in the appointment; and
- (p) for any purpose for which regulations are by this Ordinance authorized to be made.

(2) The Commissioner may make such regulations as he deems necessary to establish

Collective bargaining.

- (a) procedures for collective bargaining between the Commissioner and organizations representative of employees with respect to the terms and conditions of employment and the remuneration of those employees; and
- (b) a board to determine units of employees appropriate for collective bargaining, to certify bargaining agents for bargaining units and to hear complaints by such agents or by employees.

**35.** In any case where the Commissioner decides that it is not practicable nor in the public interest to apply this Ordinance or any provisions thereof to any position or employee, the Commissioner may exclude such position or employee in whole or in part from the operation of this Ordinance, and the Commissioner may re-apply any of the provisions of this Ordinance to any position or employee so excluded.

Exclusion of persons and positions.

**Application.**

**36.** (1) This Ordinance applies to all employees whether appointed before or after the coming into force of this Ordinance.

Application.

(2) A reference in any of the provisions of this Ordinance to a period of employment shall be construed as including employment before as well as after the coming into force of this Ordinance.

Reference to period of employment.

**Transitional.**

**37.** (1) The establishment of a unit as it existed immediately before the coming into force of this Ordinance is the establishment of the unit for the purposes of this Ordinance, subject to alteration as provided in this Ordinance.

Establishments continued.

(2) The classification of the public service at the coming into force of this Ordinance shall continue to be the classification of the public service for the purposes of this Ordinance, subject to alteration as provided in this Ordinance.

Classification continued.

Employees  
continued.

(3) Every person who holds a position in the public service at the time this Ordinance comes into force continues to hold that position after that time, subject to the provisions of this Ordinance.

**Repeal.**

R.O., 1958  
c.94  
repealed.

**38.** The *Public Service Ordinance*, chapter 94 of the Revised Ordinances of the Yukon Territory, 1958, is repealed.

**Coming into Force.**

Coming into  
force.

**39.** This Ordinance shall come into force on a day to be fixed by order of the Commissioner.

**SCHEDULE A.**

**Oath of Office and Secrecy.**

I, (A.B.) solemnly and sincerely swear that I will faithfully and honestly fulfil the duties that devolve upon me by reason of my employment in the public service of the Yukon Territory and that I will not, without due authority in that behalf, disclose or make known any matter that comes to my knowledge by reason of such employment. (When an oath is taken add "So help me God").



## CHAPTER 4

## ORDINANCES OF THE YUKON TERRITORY

1967 (First Session)

## AN ORDINANCE RESPECTING HAIRDRESSERS

*(Assented to May 19th, 1967)*

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

1. This Ordinance may be cited as the *Hairdressers Ordinance*. Short title.
  
2. In this Ordinance, unless the context otherwise requires, the expression "hairdresser" means any person who
  - (a) with hands or by use of any mechanical application or appliance engages in the occupation of dressing, curling, waving, permanently waving, cleansing, bleaching, or similar work upon the hair of any person;
  - (b) with hands or by the use of any mechanical application or appliance, or by the use of cosmetic preparations, antiseptics, tonics, lotions, creams, or similar preparations or compounds, engages in any one or more or any combination of the following practices, to wit manicuring nails or massaging, cleansing, or beautifying the scalp, face, neck, arms, or bust of any person; and
  - (c) "hairdressing salon" means any place, room, building or part thereof where hairdressing is carried on. Definitions "Hair-dresser".
  
3. No person shall work as a hairdresser unless he is the holder of a valid subsisting operator's licence, improver's licence, or specialist's certificate. "Hair-dressing salon".

Appointment  
of Board.

4. The Commissioner may appoint at pleasure a Board consisting of three persons to examine the fitness of an applicant for an operator's licence, an improver's licence or a specialist's certificate, and to advise the Commissioner on the fitness of the applicant.

Qualifications  
for operator's  
licence.

5. (1) No person shall be issued an operator's licence unless he has had at least six months employment as the holder of an improver's licence or the equivalent working under the direct supervision of a person holding an operator's licence or enjoying equivalent experience, or unless the applicant has had at least two years hairdressing experience in another province or country under circumstances which the Board recommends to the Commissioner as maintaining suitable professional hairdressing standards.

Under 18  
years.

(2) No person under the age of 18 years shall be issued an operator's licence.

Temporary  
Operator's  
licence.

(3) With the approval of the Board upon written application an operator holding an operator's licence or equivalent qualification issued from another province or country which the Board recommends to the Commissioner as maintaining suitable professional hairdressing standards, may be issued a temporary operator's licence for a period not exceeding 3 months and such licence will entitle him to work in a Yukon hairdressing salon for the period set out in the temporary operator's licence.

Qualifications  
for improver's  
licence.

6. No person shall be issued an improver's licence unless he has attained the age of sixteen years and successfully completed a training course of not less than 1300 hours in a hairdressing school which the Board advises the Commissioner maintains an adequate professional standard of hairdressing training.

Qualifications  
for  
specialists  
certificate.

7. No person shall be issued a specialist's certificate for beauty treatment or manicuring unless they satisfy the Board that they have attained a suitable standard of proficiency.

Employment  
of apprentice  
hairdresser.

8. Notwithstanding anything in this Ordinance to the contrary, an apprentice hairdresser may be employed in a hairdressing salon subject to such terms and conditions as the Board may advise the Commissioner to attach to an apprentice permit issued to such person.



9. (1) All licences and permits issued pursuant to this Ordinance shall be valid for the calendar year.

Period-of-  
validity of  
licences and  
permits.

(2) Upon written application being made for renewal thereof, in November of each year the Board will review all licences and permits and make recommendations to the Commissioner regarding the issue of new licences or permits.

Recommend-  
ations for  
renewal of  
licences and  
permits

(3) The holder of a permit or licence may be required by the Board to produce a medical certificate evidencing satisfactory physical condition before any licence or permit is recommended for renewal.

Medical  
certificate.

10. The Board shall inform any licence holder or permit holder of its decision to recommend against the renewal of a licence or permit, not later than the 31st day of November, and in such case the licence holder or permit holder shall have fourteen days to appeal to the Commissioner against such recommendation.

Appeal where  
renewal of  
licence or  
permit not  
recommended.

11. The Commissioner may revoke, cancel or suspend any licence or permit issued under this Ordinance if the holder of such licence or permit is shown to be intemperate, incompetent, suffering from any infectious or contagious disease or failing to maintain clean premises and appropriate working condition, but before any licence or permit is so revoked, the holder thereof shall have notice in writing of the charge or charges against him, and at a place specified in the said notice and at a time specified in the said notice, which shall be at least two days after service of such notice, shall be given a public hearing in the locality in which he resides, and shall be permitted to make his full answer and defence to all such charges and to have witnesses examined and cross-examined by counsel, solicitor or agent on his behalf.

Revocation  
etc. of  
licences and  
permits.

12. The fees payable under this Ordinance are as set out in the Schedule hereto.

Fees.

13. Any person acting as a hairdresser, beautician or manicurist for hire, gain or hope of reward without having an operator's licence, improver's licence or apprentice's permit shall be guilty of an offence punishable upon summary conviction by a fine not exceeding \$100.00.

Offence and  
penalty.

Regulations. **14.** The Commissioner may make regulations generally for the carrying out of the purposes and to give effect to the provisions of this Ordinance.

Coming into force. **15.** This Ordinance shall come into force and take effect upon a day to be proclaimed by order of the Commissioner.

**SCHEDULE.**

Full operator's licence .....	\$25.00
Temporary operator's licence .....	15.00
Improver's licence .....	20.00
Apprentice's permit .....	5.00
Beautician's certificate .....	15.00



CHAPTER 5

ORDINANCES OF THE YUKON TERRITORY

1967 (First Session)

AN ORDINANCE TO PROVIDE FOR THE MAKING OF GRANTS TO UNIVERSITY AND VOCATIONAL STUDENTS

(Assented to May 19th, 1967)

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

SHORT TITLE.

- 1. This Ordinance may be cited as the *Students Grants Ordinance*. Short title.

INTERPRETATION.

- 2. In this Ordinance, Definitions. "Institution".
  - (a) "institution" means
    - (i) a university or college,
    - (ii) a school of nursing,
    - (iii) a teachers' training college, or
    - (iv) a technical, occupational, trades or vocational school or college that has been approved by the Commissioner; and
  - (b) "student" means a person enrolled or registered at an institution. "Student".

GRANTS.

- 3. (1) Subject to this Ordinance, the Commissioner may, on application, make grants to any student who is Persons to whom grants made.
  - (a) a resident of the Territory; or
  - (b) a dependent son or daughter of a resident of the Territory.

Scholarship not to be taken into account.

(2) When the Commissioner considers an application for a grant under subsection (1), he shall not take into account whether a student has received or is eligible to receive a scholarship.

Amount of grant.

(3) A grant made to a student pursuant to subsection (1) shall not exceed the aggregate of

- (a) the amount of the tuition or other fees set by the institution for the period of the course of studies being undertaken by that student;
- (b) the cost of necessary books, supplies and other equipment, and any special clothing required by that student, in the period of the course of studies being undertaken by him;
- (c) an amount for the living expenses of that student as they are determined by the Commissioner; and
- (d) the cost of transportation from such place as the Commissioner may decide to the institution and from the institution to such place as the Commissioner may decide.

Grants out of moneys appropriated.

4. All grants made by the Commissioner under this Ordinance shall be paid out of moneys appropriated by the Council for that purpose.

REGULATIONS.

Regulations.

5. The Commissioner may make such regulations as he deems necessary to carry out the purposes of this Ordinance and, without restricting the generality of the foregoing, may make regulations

- (a) prescribing the period during which a student shall have been resident in the Territory before a grant may be made under this Ordinance;
- (b) prescribing the health standards of any student to whom or in respect of whom a grant may be made under this Ordinance;

- (c) prescribing the minimum scholastic standards that shall have been attained by any student to whom or in respect of whom a grant is made under this Ordinance; and
- (d) prescribing the manner and time of payment of grants made under this Ordinance.

**ADVISORY BOARDS.**

6. (1) The Commissioner may appoint one or more advisory boards, each consisting of at least three members, to assist him in evaluating the qualifications of students applying for grants under this Ordinance and to advise him on such matters respecting the administration of this Ordinance as he thinks fit.

Functions of advisory boards.

(2) An advisory board shall meet at such times and places as the Commissioner may direct.

Meetings of advisory board.

7. This Ordinance shall come into force on a day to be fixed by order of the Commissioner.

Coming into force.



CHAPTER 6

ORDINANCES OF THE YUKON TERRITORY

1967 (First Session)

AN ORDINANCE TO PROMOTE THE  
IMPROVEMENT OF HOUSING AND LIVING  
CONDITIONS IN THE YUKON TERRITORY

(Assented to May 19th, 1967)

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

**SHORT TITLE.**

- Short title. 1. This Ordinance may be cited as the *Housing Development Ordinance*.

**INTERPRETATION.**

- Definitions. 2. In this Ordinance,
- "Corporation". (a) "Corporation" means the Central Mortgage and Housing Corporation;
  - "Family housing unit". (b) "family housing unit" means a unit providing therein living, sleeping, eating, food preparation and sanitary facilities for one family, with or without other essential facilities shared with other family housing units;
  - "House". (c) "house" means a building, together with the land upon which it is situated, intended for human habitation comprising not more than two family housing units;
  - "Housing project". (d) "housing project" means a project, together with the land upon which it is situated, consisting of one or more houses, or one or more multiple-family dwellings or a combination of houses and multiple-family dwellings, together with any public space, recreational facilities, commercial space, and other buildings appropriate to the project;

- (e) "multiple-family dwelling" means a building containing three or more family housing units; "Multiple family dwelling".
- (f) "municipality" means any part of the Territory established or continued as a city or village under the *Municipal Ordinance*; "Municipality".
- (g) "public housing project" means a project, together with the land upon which it is situated, consisting of a housing project or housing accommodation of the hostel or dormitory type or any combination thereof, undertaken to provide decent, safe and sanitary housing accommodation and intended to be leased to individuals or families of moderate or low income; "Public housing project".
- (h) "urban renewal area" means a blighted or substandard area of a municipality for which the Commissioner has approved the implementation of an urban renewal scheme; and "Urban renewal area".
- (i) "urban renewal scheme" means a scheme for the renewal of a blighted or substandard area of a municipality. "Urban renewal scheme".

### PUBLIC HOUSING.

3. (1) The Commissioner or a municipality with the approval of the Commissioner may undertake and operate a public housing project for the purpose of providing housing accommodation to individuals or families of moderate or low income at rentals that are sufficient to meet the cost of amortizing and operating the project or that are less than the rentals required to meet such costs. Municipalities may undertake public housing project.

(2) For the purpose of undertaking a public housing project approved by the Commissioner the council of a municipality may Powers of municipalities.

- (a) acquire and develop land for housing purposes;
- (b) construct housing projects or housing accommodation of the hostel or dormitory type for sale or for rent; and

- (c) acquire, improve and convert existing buildings for a housing project or for housing accommodation of the hostel or dormitory type.

**Payments by Commissioner towards operating losses.**

(3) The Commissioner may, on behalf of the Territory, enter into an agreement with the council of any municipality operating a public housing project whereby the Commissioner will pay annually to the municipality an amount calculated as provided in the agreement and not exceeding thirty per cent of the annual operating losses incurred by the municipality, as determined by the Commissioner, in operating the public housing project.

**Borrowing of money for public housing purposes.**

4. The Commissioner, on behalf of the Territory, or the council of a municipality, with the approval of the Commissioner, may enter into an agreement with the Corporation for the purpose of borrowing money for

- (a) acquiring and servicing land for public housing purposes; or
- (b) the construction or acquisition of a public housing project.

**Commissioner may undertake projects jointly with O.M.H.C.**

5. (1) The Commissioner, on behalf of the Territory, may enter into an agreement with the Government of Canada to undertake jointly with the Government of Canada projects for

- (a) the acquisition and development of land for housing purposes;
- (b) the construction of housing projects or housing accommodation of the hostel or dormitory type for sale or for rent; and
- (c) the acquisition, improvement and conversion of existing buildings for a housing project or for housing accommodation of the hostel or dormitory type.

**Commissioner may undertake projects jointly with municipality.**

(2) The Commissioner, on behalf of the Territory, or the council of a municipality on behalf of the municipality, may enter into an agreement to undertake jointly any project described in subsection (1), but such agreement shall not require the municipality to pay more than ten per cent of the capital costs or losses of the project.



(3) Where a municipality enters into an agreement with the Commissioner pursuant to subsection (2), the municipality may, notwithstanding anything contained in the *Municipal Ordinance*, charge all or any part of the amount it is required to pay under the agreement for capital costs or losses or towards the costs of installing municipal services as a local improvement charge against the land comprised in the project and may determine the proportions in which the amount is to be charged against various parcels of land in the project.

Municipalities may charge project costs as local improvements.

**URBAN RENEWAL.**

6. (1) A municipality may, with the approval of the Commissioner, prepare and carry out an urban renewal scheme within the municipality.

Municipalities may undertake urban renewal schemes.

(2) An urban renewal scheme in a municipality shall include

Contents of urban renewal scheme.

- (a) a plan designating the buildings and works in the urban renewal area that are to be acquired and cleared by the municipality in connection with the scheme and for making available to persons dispossessed of housing accommodation by such acquisition or clearance, decent, safe and sanitary housing accommodation at rentals that are fair and reasonable having regard to the incomes of the persons to be dispossessed;
- (b) a plan describing the proposed street pattern and land use for the urban renewal area, and the program for the construction or improvement in the area of municipal services, schools, parks, playgrounds, community buildings and other facilities;
- (c) a description of the methods planned for municipal direction and control of the use of land in the urban renewal area, including zoning, building controls and standards of occupancy of buildings in the area; and
- (d) a description of the methods planned for the improvement, rehabilitation or replacement of privately owned facilities, including hous-

ing accommodation, that will continue in the area, and the techniques planned for retarding such facilities from becoming sub-standard.

**Powers of municipalities.**

**7.** For the purpose of carrying out an urban renewal scheme, the council of a municipality may

- (a) acquire and clear, service and develop land within an urban renewal area;
- (b) demolish, remove, replace, renovate, repair and maintain buildings and other improvements owned or acquired by it in an urban renewal area;
- (c) sell, lease or otherwise alienate property in an urban renewal area;
- (d) provide assistance by grant or loans to the owners of property in an urban renewal area for the renovation or repair of that property on such terms as to security and repayment as the municipality considers just;
- (e) assist the relocation of persons dispossessed of housing accommodation by the scheme; and
- (f) appoint a municipal development officer and authorize him to act on behalf of the council in the carrying out of the scheme and the enforcement of any by-law passed for the purpose of carrying out the scheme.

**By-laws.**

**8.** The council of a municipality, for the purpose of carrying out an urban renewal scheme, may pass by-laws

- (a) establishing minimum standards for existing property in an urban renewal area;
- (b) prescribing standards for the maintenance and occupancy of property in an urban renewal area and prohibiting the use of property that does not conform to those standards; and
- (c) requiring property that does not conform to standards prescribed in a by-law to be repaired and maintained in compliance with

those standards or requiring the land to be cleared of buildings that do not comply with those standards.

9. (1) Where, in the opinion of the council or the municipal development officer of a municipality, property in an urban renewal area does not comply with the standards prescribed in a by-law made pursuant to section 8, the council or municipal development officer shall, before acting to enforce the by-law with respect to that property, serve the assessed owner and each occupant of the property and each person shown by the records of the land titles office as having an interest in the property with a notice stating in what respect the property does not comply with the by-law.

Notice that property does not comply with by-law.

(2) The notice described in subsection (1) shall also state

Contents of notice.

(a) particulars of the repairs that are required to be made to the property described therein, or

(b) the structures on the land that are to be removed,

and shall fix a day not less than six months from the date of service of the notice by which repairs shall be made to the property or structures on the land removed.

(3) A notice described in subsection (1) may be given by registered mail or by personal service.

Service of notice.

10. (1) Every person on whom a notice described in section 9 is served may appeal the requirements set forth in the notice to the council of the municipality.

Appeal to council of municipality.

(2) Notice of an appeal under subsection (1) shall be served on the clerk of the council within ten days from the day of service of the notice described in section 9, and the council shall fix a day for hearing the appeal, which day shall not be later than thirty days from the day of service of the notice of appeal.

Service of notice and fixing of hearing day.

(3) The hearing of an appeal may be adjourned from time to time by the council.

Adjournment of hearing.

(4) A municipal council may, after hearing an appeal made under subsection (1),

Powers of municipal council on appeal.

- (a) confirm, discharge or vary the requirements set forth in the notice; or
- (b) grant an extension of not more than one year from the day specified in the notice described in section 9, for compliance with the requirements of that notice, but no extension shall be granted unless the council is of the opinion that the refusal of an extension will result in undue hardship to any of the persons on whom the notice was served.

Appeal to  
Commissioner.

11. (1) Every person on whom a notice is required by section 9 to be served, may within ten days after the receipt by him of a decision of the council, appeal that decision to the Commissioner.

Powers of  
Commissioner  
on appeal

(2) Where an appeal is made to the Commissioner under subsection (1), the Commissioner may confirm, discharge or vary any decision of a council made under section 10.

Municipality  
may repair  
or remove  
structures.

12. Where the repairs required to be made to any property or the removal of any structure is not completed within

- (a) the time fixed in the notice,
- (b) the time prescribed by the council of the municipality after hearing an appeal made under section 10, or
- (c) the time fixed by the Commissioner after hearing an appeal made under section 10,

the council of the municipality may carry out repairs to the property or remove any structures thereon and the cost thereof shall be levied as a debt due to the municipality and charged as taxes due and owing to the municipality.

Agreements  
with C.M.H.O.  
for urban  
renewal  
schemes.

13. The Commissioner, on behalf of the Territory, or the council of a municipality, with the approval of the Commissioner, may enter into agreements with the Corporation for the preparation and carrying out of urban renewal schemes.

14. The Commissioner, on behalf of the Territory, or the council of a municipality, with the approval of the Commissioner, may enter into an agreement with the Corporation for the purpose of borrowing money for the implementation of an urban renewal scheme or any part thereof.

Borrowing of money for urban renewal schemes.

15. The Commissioner, on behalf of the Territory, may enter into an agreement with any municipality undertaking or acquiring an urban renewal scheme whereby the Commissioner will pay to the municipality an amount calculated as provided in the agreement and not exceeding thirty per cent of the costs incurred by the municipality, as determined by the Commissioner, in undertaking an urban renewal scheme.

Payments by Commissioner towards costs of urban renewal schemes.

**GENERAL.**

16. (1) The municipality may, with the approval of the Commissioner, undertake and operate a housing project within the municipality.

Municipalities may undertake housing projects.

(2) For the purpose of undertaking a housing project approved by the Commissioner, the council of a municipality may exercise all the powers set out in subsection (2) of section 3.

Powers of municipalities.

17. The Commissioner, on behalf of the Territory, or the council of a municipality with the approval of the Commissioner, may enter into an agreement with the Corporation for the purpose of borrowing money for the construction of a sewage treatment project consisting of a trunk sewer, collector system, a central treatment plant or both, for the collection and treatment of sewage.

Borrowing of money for sewage treatment projects.

18. The Commissioner, on behalf of the Territory, or the council of a municipality with the approval of the Commissioner, may enter into an agreement with the Corporation

Agreement with C.M.H.C. on housing research and community planning.

- (a) for the preparation and undertaking of programs of technical research and investigation into the improvement and development of methods of construction, standards, materials, equipment, fabrication, planning,

designing and other factors involved in the construction or provision of improved housing accommodation in the Territory;

- (b) for promoting training in the construction or designing of houses, in land planning or community planning or in the management and operation of housing projects in the Territory; and
- (c) to conduct special studies relating to the condition of urban areas, to means of improving housing, to the need for additional housing or for urban redevelopment in the Territory.

Security for loans to municipalities.

19. The council of a municipality may with the approval of the Commissioner, by by-law, authorize the borrowing of money for any of the purposes described in this Ordinance on the security of mortgages given or debentures issued by the municipality and the provisions of the *Municipal Ordinance*, other than subsections (1) and (4) of section 65, sections 66 and 67 and subsections (1) and (3) of section 71, shall apply with respect to such by-laws and debentures.

Additional agreements.

20. The Commissioner, on behalf of the Territory, or the council of a municipality, with the approval of the Commissioner, may enter into such other agreements with the Corporation as in the opinion of the Commissioner will assist the Territory or the municipality in carrying out the purposes of this Ordinance.



CHAPTER 7

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ORDINANCES OF THE YUKON TERRITORY

1967 (First Session)

AN ORDINANCE TO AMEND THE SOCIETIES  
ORDINANCE

*(Assented to May 19th, 1967)*

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

R.O.Y.T.  
1958, c.101.

1. Section 36 of the *Societies Ordinance* is hereby amended by deleting the words "in Council" where they occur.

CHAPTER 8

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ORDINANCES OF THE YUKON TERRITORY

1967 (First Session)

AN ORDINANCE TO AMEND THE CO-OPERATIVE  
ASSOCIATIONS ORDINANCE

*(Assented to May 19th, 1967)*

R.O.Y.T.  
1958, c.23.

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

1. Section 44 of the *Co-operative Associations Ordinance* is hereby amended by deleting the words "in Council" where they occur.



## CHAPTER 9

## ORDINANCES OF THE YUKON TERRITORY

1967 (First Session)

AN ORDINANCE TO AMEND THE FINANCIAL  
ADMINISTRATION ORDINANCE*(Assented to May 19th, 1967)*

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

R.O.Y.T.  
1958, c.42;  
1963 (1st),  
c.10;  
1964 (2nd),  
c.7.

1. Paragraph (c) of subsection (1) of section 34 of the *Financial Administration Ordinance* is repealed and the following substituted therefor:

“(c) has in his hands any public money applicable to any purpose and has not duly applied it;”

CHAPTER 10

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ORDINANCES OF THE YUKON TERRITORY

1967 (First Session)

AN ORDINANCE TO AMEND THE TAXATION  
ORDINANCE

(Assented to May 19th, 1967)

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

O.Y.T.  
1959 (2nd).  
c.2;  
1959 (2nd).  
c.5;  
1960 (1st).  
c.5;  
1961 (1st).  
c.4;  
1963 (1st).  
c.6;  
1966 (2nd).  
c.6.  
Penalty.

1. Section 58 of the *Taxation Ordinance* is amended by adding thereto, immediately after subsection (2) thereof, the following subsection:

“(2a) A penalty in an amount equal to six per cent of taxes remaining unpaid after the first day of April in the year in which such taxes are levied is due and payable on the first day of May in such year.”

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CHAPTER 11

ORDINANCES OF THE YUKON TERRITORY

1967 (First Session)

AN ORDINANCE TO AMEND THE GAME  
ORDINANCE

(Assented to May 19th, 1967)

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

B.O.Y.T.  
1958, c.50;  
1959 (1st),  
c.3;  
1959 (2nd),  
c.4;  
1961 (2nd),  
c.10;  
1964 (1st),  
c.10;  
1965 (1st),  
c.5.

1. (1) Paragraph (o) of subsection (1) of section 2 of the *Game Ordinance* is repealed.

(2) Subsection (1) of section 2 of the said Ordinance is further amended by adding thereto, immediately after paragraph (s) thereof, the following paragraph:

“(sa) “private game farm” means land in respect of which the owner or occupant has obtained a licence to keep animals and birds that are wild by nature in captivity for propagation or commercial purposes;”

“Private game farm”.

(3) Paragraph (w) of subsection (1) of section 2 of the said Ordinance is repealed and the following substituted therefor:

“(w) “vehicle” means conveyance of any kind other than a boat and, without restricting the generality of the foregoing, includes a carriage, rig, wagon, car, sleigh, hayrack, bicycle, motorcycle, automobile, tractor, snowmobile, snowplane, toboggan, aeroplane and helicopter;”

“Vehicle”.

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

"Resident."

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

(a) a Canadian citizen or British subject who has

(i) resided in the Territory for six months immediately prior to the day on which the licence is issued, or

(ii) resided in the Territory for thirty days immediately prior to the day on which the licence is issued, if he has at any time resided in the Territory for a continuous period of at least six months; or

(b) a person other than a Canadian citizen or British subject who has

(i) resided in the Territory for two years immediately prior to the day on which the licence is issued, or

(ii) resided in the Territory for thirty days immediately prior to the day on which the licence was issued, if he has at any time resided in the Territory for a continuous period of at least two years."

2. Section 7 of the said Ordinance is repealed and the following substituted therefor:

Poison and  
drugs  
prohibited.

"7. (1) No person shall use poison or drugs for the purpose of taking or killing game, or have in his possession poison or drugs generally used for taking or killing game when he is engaged in hunting operations.

Exception.

(2) Notwithstanding subsection (1), any person may, with the permission of the Director, possess and use poison or drugs to take or kill predatory animals."

3. Subparagraph (i) of paragraph (a) of subsection (1) of section 8 of the said Ordinance is repealed and the following substituted therefor:

“(i) a non-automatic rifle if .24 calibre or larger, or”

4. Subsection (1) of section 10 of the said Ordinance is repealed and the following substituted therefor:

- “10. (1) No person shall Aircraft.
  - (a) hunt game from or by means of an aircraft; or
  - (b) from an aircraft in flight, locate game birds or big game and communicate the location or approximate location thereof by any signal to any person on the ground or in a vehicle, for the purpose of hunting such game birds or big game.

(1a) Nothing in subsection (1) shall be deemed to prohibit a hunter, trapper, guide or outfitter from making use of an aircraft as means of transportation between the settlement in the Territory where he is outfitted and his principal base camp.” Use of aircraft for transportation.

5. The said Ordinance is further amended by adding thereto, immediately after section 10 thereof, the following section:

- “10A. No person shall hunt, transport big game or hunters by helicopter with the exception of hunters requiring medical aid.” Helicopter.

6. Sections 12 and 13 of the said Ordinance are repealed and the following substituted therefor:

“12. No person shall have in his possession game killed, taken, bought or obtained by barter, in violation of this Ordinance or the regulations. Possession of game.

- 13. (1) Subject to subsection (2), no person shall Sale of game prohibited.
  - (a) buy, sell or barter, or
  - (b) offer to buy, sell or barter
any big game, game birds or parts thereof.

(2) The Director may grant permission to any person to buy, sell or barter the antlers, horns or cape of any big game. When sale of antlers, horns or cape allowed.

When killing of game prohibited.

13A. No person shall kill or offer to kill for gain or reward any big game or game birds.

When consumption of game prohibited.

13B. (1) Subject to subsection (2), no game or parts thereof shall be served for food at any hotel, restaurant, public dining room, school, mission, hostel, hospital, camp or dining room of a mining, logging, construction or other commercial or industrial establishment, with a meal for which a charge is made either directly or indirectly.

Exception.

(2) Game or parts thereof may be served for food at missions in the settlement of Old Crow."

7. Section 14 of the said Ordinance is amended by adding thereto the following subsection:

Obstructing a game guardian.

"(3) Any person who obstructs or interferes with a game guardian or deputy game guardian in the performance of his duties under this Ordinance is guilty of an offence."

8. The heading immediately preceding section 15 and sections 15 and 16 of the said Ordinance are repealed and the following substituted therefor:

**"BIG GAME AND GAME BIRDS**

Hunting big game prohibited.

15. No person shall hunt, take, wound or kill big game that are wild by nature and in a state of nature unless he authorized to do so by this Ordinance or by a licence or permit issued under this Ordinance.

Taking or killing big game and game birds.

16. No person shall take or kill big game or game birds except in accordance with the regulations."

9. The heading preceding section 19 of the said Ordinance is repealed.

10. Section 19 of the said Ordinance is amended by adding thereto the following subsections:

Idem.

"(2) No person shall hunt, take, wound or kill big game in the period commencing one-half hour after sunset, and ending one-half hour before sunrise on the next day.

(3) No person shall hunt, take, wound or kill any big game or game bird that is upon or over land enclosed by a fence or land under cultivation or on which buildings are erected, or enter upon such land for the purpose of doing so without the consent of the owner or occupant of the land.

Hunting on or over land.

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

Signs required.

(5) No person shall erect or place or cause to be erected or placed a sign referred to in subsection (3) at any corner or along the boundary of any land of which he is not the owner or occupant unless he has the consent of the owner or occupant to do so.

Erection of signs.

(6) No person shall tear down, remove, damage, deface or cover up a sign referred to in subsection (3) that has been erected or placed by or with the consent of the owner or occupant of the land."

Defacing or removal of signs.

11. The said Ordinance is further amended by adding thereto, immediately after section 19 thereof, the following section:

"19A. (1) The Director may issue a licence to export big game and game birds.

Game export licence

(2) No person shall ship or remove any big game or game birds from the Territory, except under a licence issued under subsection (1).

prohibition.

(3) No export licence shall be issued under subsection (1) to a person who is not a resident unless

Restrictions.

(a) a hunting licence, completed and signed by the outfitter or guide in charge of the party of which that person is a member, is produced; and

(b) the trophy fees set out in Schedule A are paid."

12. Section 20 of the said Ordinance is repealed and the following substituted therefor :

Game birds and others protected.

“20. Except as authorized by this Ordinance, no person shall hunt, take, wound or kill any game birds or other birds that are wild by nature or molest, injure, destroy or take the nests or eggs of any such birds.”

13. Section 26 of the said Ordinance is amended by striking out the word “and” at the end of paragraph “p” thereof and by adding thereto the following paragraphs :

“(r) taxidermist licence under section 38A ;  
and

(s) private game farm licence under section 65.”

14. The said Ordinance is further amended by adding thereto, immediately after section 38 thereof, the following sections :

Taxidermist licence.

“38A. No person shall do business as a taxidermist unless he has a licence from the Director authorizing him to do so.

Possession of game.

38B. (1) No taxidermist shall have game in his possession for the purpose of preserving, mounting, stuffing or selling it, without also having a statement signed by the owner or person from whom it was procured that such game was legally obtained by such owner or person.

Receipt book.

(2) Every taxidermist shall keep a duplicate receipt book in which he shall record all game received for the purpose or preserving, mounting, stuffing or selling.

Inspection and copy.

(3) The duplicate receipt book referred to in subsection (2) shall be made available for inspection by a game guardian at any reasonable time and a copy of such book shall be submitted each year to the Director.”

15. Subsection (2) of section 42 of the said Ordinance is repealed and the following substituted therefor :



“(2) The Director may, upon application therefor, issue an assistant guide licence to a Canadian citizen who can satisfy the Director that

Qualifications.

- (a) he is physically sound and of good character; and
- (b) he has sufficient knowledge of
  - (i) the area to be hunted in,
  - (ii) hunting methods,
  - (iii) care of trophies in the field,
  - (iv) first aid, and
  - (v) this Ordinance and the regulations.”

**16.** Sections 65 to 69 of the said Ordinances are repealed and the following substituted therefor:

“65. (1) The Director may, upon application therefor, issue a licence to any resident to operate a fur farm or private game farm.

Fur farm licence and private game farm licence.

(2) No person shall operate a fur farm or private game farm without a licence authorizing him to do so.

Idem.

66. No person other than a game guardian shall, without the consent of the owner of a fur farm or private game farm, enter upon such fur farm or private game farm or go within twenty-five yards of the pens or dens of game thereon if notices forbidding trespassing on the premises are posted upon such pens or dens and the words thereon are plainly visible from a distance of not less than twenty-five yards.

Unauthorized entry forbidden.

67. Where notices have been posted in accordance with section 66, the owner or caretaker of a fur farm or private game farm may kill any dog found terrifying captive game within twenty-five yards of their pens or dens.

May kill dog terrifying captive game.

68. (1) The Director, upon application therefor, may issue licence to take wild live game for propagation, display or export.

Licence to take live game.

(2) No person shall take or keep wild live game animals in captivity for propagation, display or export without first obtaining a licence pursuant to subsection (1).

Idem.

Taking of  
wild game.

69. Wild live game, whether taken for propagation, display or export, shall be taken only during the period and in the numbers specified in the licence and by the use of box traps or other devices approved by the Director."

17. Section 72 of the said Ordinance is repealed and the following substituted therefor:

Licence to  
import  
animals.

"72. (1) No person shall import into the Territory  
(a) a fur-bearing animal, or  
(b) an animal normally wild by nature and foreign to the Territory, without a licence from the Director authorizing such import.

Certificate  
of health.

(2) The Director shall not issue a licence under subsection (1) unless the applicant produces a certificate of health signed by a veterinarian in respect of the animal to be imported."

18. Subsection (1) of section 80 of the said Ordinance is amended by striking out the word "and" at the end of paragraph (e) thereof, by repealing paragraph (f) thereof and by substituting therefor the following paragraphs:

"(f) respecting the operation of private game farms; and  
(g) respecting any other matter the regulation of which the Commissioner deems necessary or advisable in order to carry out effectively the purposes and provisions of this Ordinance."

19. Section 81 of the said Ordinance is amended by striking out the word "and" at the end of paragraph (a) thereof, by adding the word "and" at the end of paragraph (b) thereof and by adding thereto the following paragraph:

"(c) one or more persons to act as honorary game guardians."

20. Section 82 of the said Ordinance is repealed and the following substituted therefor:

- “82. (1) The person who from time to time holds office as Director is a game guardian. Game guardians.
- (2) Every person who, from time to time, is Ex officio deputy game guardians.
- (a) a member of the Royal Canadian Mounted Police;
- (b) an outfitter or chief guide while engaged in outfitting or guiding hunters in the Territory;
- (c) a forest officer appointed under the *Forest Protection Ordinance*; or
- (d) a fishery officer appointed under the *Fisheries Act* of Canada
- is a deputy game guardian.”

21. Section 84 of the said Ordinance is repealed and the following substituted therefor:

- “84. (1) Every game guardian, deputy game guardian and honorary game guardian has the powers of a commissioner for taking affidavits in and for the Territory in relation to all matters coming within the provisions of this Ordinance. Guardians to be commissioners of oaths.
- (2) Every game guardian and deputy game guardian has the authority to enforce and carry out the provisions of this Ordinance and the regulations. Authority of deputy game guardian.
- (3) Every honorary game guardian has the authority of a game guardian to the extent prescribed by the Commissioner.” Authority of honorary game guardian.

22. Sections 86 to 88 of the said Ordinance are repealed and the following substituted therefor:

- “86. Any game guardian or deputy game guardian who finds a person committing an offence against this Ordinance or the regulations may arrest that person without warrant. Arrest without warrant.
- 86A. A game guardian or deputy game guardian who finds a person during a closed season on other than his own property carrying a gun as if it were intended for use may, without warrant, search the clothing, vehicle, boat, aeroplane or other conveyance and the camp of such person. Search without warrant.

Idem.

86B. A game guardian or deputy game guardian who has reasonable grounds to believe that an offence has been committed under this Ordinance or the regulations may, without warrant, search any person upon whom, and any vehicle, boat or other conveyance upon or in which, he believes evidence of such offence may be found.

Search vehicle.

86C. Any person who is in charge of or operating a vehicle, upon being requested or signalled to stop by a game guardian or deputy game guardian, shall

- (a) bring or cause his vehicle to be brought to a stop,
- (b) permit such guardian to search the vehicle, and
- (c) furnish such guardian with any information he may require in the fulfilment of his duties.

Information and search warrant.

86D. (1) Where a game guardian or deputy game guardian shows a justice of the peace that he has reasonable cause to suspect that game has been taken in violation of this Ordinance or the regulations and is concealed in a dwelling, house, building, camp, garden, yard or other place, the justice of the peace may issue a warrant authorizing and requiring such guardian to search the place and, if the game is found therein, to seize and bring it before him or before some other justice of the peace.

Form.

(2) Any information under subsection (1) shall be in form A of Schedule D and a search warrant issued under that subsection shall be in form B of Schedule D.

**SEIZURE AND FORFEITURE.**

Seizure of game.

87. (1) All game taken, caught, killed or had in possession in violation of this Ordinance and all nests, eggs or parts thereof taken or had in possession in violation of this Ordinance, together with all game that are legally taken, caught, killed or had in possession and are intermixed therewith, shall, upon being found by a game guardian or deputy game guardian, be forthwith seized by him and taken before a justice of the peace.

(2) All guns, ammunition, traps, boats, skiffs, canoes, punts and vessels of every description, horses, dogs, wagons, sleighs, motor vehicles and other outfits, decoys and appliances and materials of every kind used in violation of or for the purpose of violating this Ordinance may, upon being found by a game guardian or deputy game guardian, be forthwith seized by him and, if seized, shall be taken before a justice of the peace.

Seizure of equipment.

88. Where a person refuses to submit any paper, records, documents or books of account to a game guardian or deputy game guardian for inspection as required under this Ordinance, such guardian, upon obtaining a warrant therefor, may seize such paper, records, documents or books of account."

Seizure of records and documents.

23. (1) All that portion of section 1 of Schedule A to the said Ordinance following subparagraph (iii) of paragraph (b) thereof is repealed and the following substituted therefor:

- "(iv) any other resident .....\$5.00
- (v) a non-resident Canadian
  - (A) to take two big game trophies .....50.00, and
  - (B) to take additional trophies, each .....25.00
- (vi) a non-resident alien
  - (A) to take two big game trophies .....100.00, and
  - (B) to take additional trophies, each .....25.00
- (c) Licence to hunt game birds only, if issued to
  - (i) a resident .....2.00
  - (ii) a resident in the Province of Alberta or the Province of British Columbia upon production of a valid and subsisting game bird licence issued to him in the Province where he resides ....2.00, and

(iii) any non-resident except as provided in subparagraph (ii) ..10.00

(d) Licence to hunt spring bear if issued to

- (i) a non-resident  
Canadian .....25.00, and
- (ii) a non-resident alien .....50.00”

(2) Section 11 of Schedule A to the said Ordinance is repealed and the following substituted therefor:

“11. Licence to take live animals .....2.00”

(3) Schedule A to the said Ordinance is further amended by adding thereto the following sections:

“16. Private game farm licence .....25.00

17. Taxidermist licence ..... 25.00”

24. The said Ordinance is further amended by adding thereto the following Schedule:

## "SCHEDULE D"

## FORM A.

## INFORMATION TO OBTAIN SEARCH WARRANT.

## CANADA

## Yukon Territory

The information of A.B. of  
 in the Yukon Territory, a game guardian or deputy game  
 guardian appointed under and by virtue of the *Game  
 Ordinance*, taken this                      day of  
 19     , before the undersigned, one of Her Majesty's justices  
 of the peace in and for the Yukon Territory, states that  
 such guardian has reasonable cause to suspect and does  
 suspect that (describe things to be searched for) has (or  
 have) been taken in violation of the *Game Ordinance* and is  
 (or are) concealed in the (dwelling, house, etc.) of C.D.  
 of  
 in the Yukon Territory (here add the cause of suspicion) :  
 Wherefore he prays that a search warrant may be granted  
 to him to search the (dwelling houses, etc.) of C.D. for the  
 (describe things to be searched for).

Sworn (or affirmed) on the day and year first above  
 mentioned at    in the said  
 Yukon Territory before me.

E. F. A. Justice of the Peace  
 in and for  
 Yukon Territory

FORM B

SEARCH WARRANT.

CANADA

Yukon Territory

To all or any of the game guardians under and by virtue of the *Game Ordinance*.

Whereas it appears on the oath of A.B. of  
that there is reason to suspect  
that (describe things to be searched for) have been taken  
in violation of the *Game Ordinance* and are concealed in  
the (dwelling house, etc.) of C.D. of,  
in the Yukon Territory.

This is, therefore, to authorize and require you to enter into such premises and to search for such things and to bring them before me or some other justice of the peace in and for the Yukon Territory.

Given under my hand and seal at  
in the said Yukon Territory this                    day of  
19                    .

E. F. A. Justice of the Peace  
in and for  
Yukon Territory





## CHAPTER 12

## ORDINANCES OF THE YUKON TERRITORY

1967 (First Session)

AN ORDINANCE TO AMEND THE SCHOOL  
ORDINANCE*(Assented to May 19th, 1967)*

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

1. Subsection (2) of section 78 of the *School Ordinance* is repealed and the following substituted therefor:

“(2) The school year shall consist of two terms, the first term commencing on the first day of September or on a day to be fixed by the Commissioner and ending on Friday of the week immediately preceding the week that includes Christmas Day, and the second term commencing on the third day of January or if the third day of January in any year is a Saturday or a Sunday, on the fourth or fifth day of January in that year.”

O.Y.T.  
1962 (1st)  
c.7.  
1964 (1st)  
c.7  
1965 (1st)  
c.3.  
1966 (1st)  
c.5.  
1966 (2nd)  
c.9.

Terms of  
school year.

CHAPTER 13

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ORDINANCES OF THE YUKON TERRITORY

1967 (First Session)

AN ORDINANCE TO AMEND THE YUKON  
HOUSING ORDINANCE

*(Assented to May 19th, 1967)*

O.Y.T.  
1961 (2nd)  
c.9;  
1962 (1st)  
c.12;  
1964 (1st)  
c.2;  
1965 (2nd)  
c.8;  
1966 (1st)  
(c.9.

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

1. Paragraph (b) of subsection (3) of section 3 of the *Yukon Housing Ordinance* is repealed and the following substituted therefor:

“(b) bear interest at a rate fixed by order of the Commissioner.”

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CHAPTER 14

ORDINANCES OF THE YUKON TERRITORY

1967 (First Session)

AN ORDINANCE TO AMEND THE LOW COST HOUSING ORDINANCE

(Assented to May 19th, 1967)

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

O.Y.T.  
1962 (1st)  
c.1;  
1968 (1st)  
c.8;  
1966 (1st)  
c.7;  
1966 (2nd)  
c.11.

1. Paragraph (c) of subsection (3) of section 3 of the *Low Cost Housing Ordinance* is repealed and the following substituted therefor:

1966 (1st)  
c.7.

“(c) bear interest at a rate fixed by order of the Commissioner.”

CHAPTER 15

ORDINANCES OF THE YUKON TERRITORY

1967 (First Session)

AN ORDINANCE TO AMEND THE INSURANCE ORDINANCE

(Assented to May 19th, 1967)

R.O.Y.T.  
1958; c.57;  
1959 (1st)  
c.4;  
1962 (5th)  
c.7;  
1968 (2nd)  
c.5.

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) Paragraph (a) of section 2 of the *Insurance Ordinance* is repealed and the following substituted therefor:

"Accidental death insurance".

"(a) "accidental death insurance" means insurance undertaken by an insurer as part of a contract of life insurance whereby the insurer undertakes to pay an additional amount of insurance money in the event of death by accident of the person whose life is insured;

"Accident insurance".

(ab) "accident insurance" means insurance by which the insurer undertakes, otherwise than by and incidentally to some other class of insurance defined by or under this Ordinance, to pay insurance money in the event of accident to the person or persons insured, but does not include insurance by which the insurer undertakes to pay insurance money both in the event of death by accident and in the event of death from any other cause;"

(2) Paragraphs (h) to (k) of section 2 of the said Ordinance are repealed and the following substituted therefor:

"Disability insurance".

"(h) "disability insurance" means insurance undertaken by an insurer as part of a

contract of life insurance whereby the insurer undertakes to pay insurance money or to provide other benefits in the event that the person whose life is insured becomes disabled as a result of bodily injury or disease;

- (i) "fire insurance" means insurance, not being insurance incidental to some other class of insurance defined by or under this Ordinance, against loss or damage to property through fire, lightning or explosion due to ignition; "Fire insurance".
- (j) "foreign jurisdiction" means any jurisdiction other than the Territory; "Foreign jurisdiction".
- (k) "fraternal society" means a society, order or association incorporated for the purpose of making with its members only, and not for profit, contracts of life, accident or sickness insurance in accordance with its constitution, by-laws and rules and this Ordinance;" "Fraternal society".

(3) Paragraph (p) of section 2 of the said Ordinance is repealed and the following substituted therefor:

- "(p) "insurer" means a person who undertakes or agrees or offers to undertake a contract;" "Insurer".

(4) Paragraph (r) of section 2 of the said Ordinance is repealed and the following substituted therefor:

- "(r) "life insurance" means insurance whereby an insurer undertakes to pay insurance money, "Life insurance".
- (i) on death,
- (ii) on the happening of an event or contingency dependent on human life,
- (iii) at a fixed or determinable future time, or

(iv) for a term dependent on human life, and without restricting the generality of the foregoing, includes accidental death insurance but not accident insurance."

2. The said Ordinance is further amended by adding thereto, immediately after section 2 thereof, the following section :

Qualification to carry on business of insurance.

"2A. (1) A company registered under the *Canadian and British Companies Act* or the *Foreign Insurance Companies Act* and any underwriter or syndicate of underwriters that is a member of the association known as Lloyd's of London, England, may, subject to this Ordinance, carry on the business of insurance in the Territory.

Offence.

(2) Every insurer carrying on the business of insurance in the Territory without being so authorized pursuant to subsection (1) is guilty of an offence and liable on summary conviction to a fine of fifty dollars for every day during which it continues to carry on the business of insurance in the Territory."

3. Part IV of the said Ordinance is repealed and the following substituted therefore :

"Part IV.  
LIFE INSURANCE.

Interpretation.

Definitions.

53. In this Part,

"Application".

(a) "application" means an application for insurance or for the reinstatement of insurance;

"Beneficiary".

(b) "beneficiary" means a person, other than the insured or his personal representative, to whom or for whose benefit insurance money is made payable in a contract or by a declaration;

"Contract".

(c) "contract" means a contract of life insurance;

- (d) "court" means the Territorial Court of the Territory or a judge thereof; "Court".
- (e) "creditor's group insurance" means insurance effected by a creditor in respect of the lives of his debtors whereby the lives of the debtors are insured severally under a single contract; "Creditor's group insurance".
- (f) "declaration" means an instrument signed by the insured, "Declaration".
- (i) with respect to which an endorsement is made on the policy, or
- (ii) that identifies the contract, or
- (iii) that describes the insurance or insurance fund or a part thereof, in which he designates, or alters or revokes the designation of, his personal representative or a beneficiary as one to whom or for whose benefit insurance money is to be payable;
- (g) "family insurance" means insurance whereby the lives of the insured and one or more persons related to him by blood, marriage or adoption are insured under a single contract between an insurer and the insured; "Family insurance".
- (h) "group insurance" means insurance, other than creditor's group insurance and family insurance, whereby the lives of a number of persons are insured severally under a single contract between an insurer and an employer or other person; "Group insurance".
- (i) "group life insured" means a person whose life is insured by a contract of group insurance but does not include a person whose life is insured under the contract as a person dependent upon, or related to, him; "Group life insured".
- (j) "instrument" includes a will; "Instrument".
- (k) "insurance" means life insurance; "Insurance".

- "Insured". (l) "insured"
- (i) in the case of group insurance, means, in the provisions of this Part relating to the designation of beneficiaries and the rights and status of beneficiaries, the group life insurance, and
  - (ii) in all other cases, means the person who makes a contract with an insurer;
- "Life insurance". (m) "life insurance" includes disability insurance and accidental death insurance; and
- "Will". (n) "will" includes a codicil.

Application of Part.

Application. 54. (1) Notwithstanding any agreement, condition or stipulation to the contrary, this Part applies to a contract made in the Territory on or after the day on which this section comes into force, and, subject to subsections (2) and (3), applies to a contract made in the Territory before that day.

Beneficiary for value. (2) The rights and interests of a beneficiary for value under a contract that was in force immediately prior to the day on which this section comes into force are those provided in Part IV of the *Insurance Ordinance* then in force.

Preferred beneficiary. (3) Where the person who would have been entitled to the payment of insurance money, if the money had become payable immediately prior to the day on which this section comes into force, was a preferred beneficiary within the meaning of Part IV of the *Insurance Ordinance* then in force, the insured may not, except in accordance with that Part,

(a) alter or revoke the designation of a beneficiary; or

(b) assign, exercise rights under or in respect of, surrender or otherwise deal with the contract;

but this subsection does not apply after a time at which the insurance money, if it were then payable, would be payable wholly to a person other than a preferred beneficiary within the meaning of that Part.



55. In the case of a contract of group insurance made with an insurer authorized to transact insurance in the Territory at the time the contract was made, this Part applies in determining

Application to group insurance contract.

- (a) the rights and status of beneficiaries if the group life insured was resident in the Territory at the time he became insured; and
- (b) the rights and obligations of the group life insured if he was resident in the Territory at the time he became insured.

#### Issuance of Policy and Contents Thereof

56. (1) An insurer entering into a contract shall issue a policy.

Policy to be issued.

- (2) Subject to subsection (3), the provisions in
  - (a) the application,
  - (b) the policy,
  - (c) any document attached to the policy when issued, and
  - (d) any amendment to the contract agreed upon in writing after the policy is issued,
 constitute the entire contract.

Contents of contract.

(3) In the case of a contract made by a fraternal society, the policy, the Ordinance or instrument of incorporation of the society, its constitution, by-laws and rules, and the amendments made from time to time to any of them, the application for the contract and the medical statement of the applicant constitute the entire contract.

Contents of fraternal contract.

(4) A copy of the application for the contract shall, upon the request of the insured or the claimant under the contract, be furnished by the insurer to the insured or claimant, as the case may be.

Copy of application.

57. (1) This section does not apply to

- (a) a contract of group insurance;
- (b) a contract of creditor's group insurance; or
- (c) a contract made by a fraternal society.

Non-application of section.

(2) An insurer shall set forth the following particulars in the policy:

Particulars required in policy.

- (a) the name or a sufficient description of the insured and of the person whose life is insured;
- (b) the amount, or the method of determining the amount, of the insurance money payable, and the conditions under which it becomes payable;
- (c) the amount, or the method of determining the amount, of the premium and the period of grace, if any, within which it may be paid;
- (d) whether the contract provides for participation in a distribution of surplus or profits that may be declared by the insurer;
- (e) the conditions upon which the contract may be reinstated if it lapses; and
- (f) the options, if any,
  - (i) of surrendering the contract for cash;
  - (ii) of obtaining a loan or an advance payment of the insurance money; and
  - (iii) of obtaining paid-up or extended insurance.

Particulars required in group or creditor's group policy.

58. In the case of a contract of group insurance or of creditor's group insurance, an insurer shall set forth the following particulars in the policy:

- (a) the name or a sufficient description of the insured;
- (b) the method of determining the persons whose lives are insured;
- (c) the amount, or the method of determining the amount, of the insurance money payable, and the conditions under which it becomes payable;
- (d) the period of grace, if any, within which the premium may be paid; and
- (e) whether the contract provides for participation in a distribution of surplus or profits that may be declared by the insurer.

59. In the case of a contract of group insurance, an insurer shall issue, for delivery by the insured to each group life insured, a certificate or other document in which is set forth the following particulars: Certificate and particulars.

- (a) the name of the insurer and an identification of the contract;
- (b) the amount, or the method of determining the amount, of insurance on the group life insured and on any person whose life is insured under the contract as a person dependent upon or related to him; and
- (c) the circumstances in which the insurance terminates and the rights, if any, upon such termination, of the group life insured and of any person whose life is insured under the contract as a person dependent upon, or related to, him.

60. (1) Subject to subsection (2), where at the time a contract would otherwise take effect the insured has no insurable interest, the contract is void. Insurable interest required.

(2) A contract is not void for lack of insurable interest, Exceptions.

- (a) if it is a contract of group insurance; or
- (b) if the person whose life is insured has consented in writing to the insurance being placed on his life.

(3) Where the person whose life is insured is under the age of sixteen years, consent to insurance being placed on his life may be given by one of his parents or by a person standing in *loco parentis* to him. Consent for person under sixteen years.

61. Without restricting the meaning of the expression "insurable interest", a person has an insurable interest in his own life and in the life of Who has insurable interest.

- (a) his child or grandchild;
- (b) his spouse;
- (c) any person upon whom he is wholly or in part dependent for, or from whom he is receiving, support or education;

- (d) his employee; and
- (e) any person in the duration of whose life he has a pecuniary interest.

When contract does not take effect.

62. (1) Subject to any provision to the contrary in the application or the policy, a contract does not take effect unless,

- (a) the policy is delivered to an insured, his assign or agent, or to a beneficiary;
- (b) payment of the first premium is made to the insurer or its authorized agent; and
- (c) no change has taken place in the insurability of the life to be insured between the time the application was completed and the time the policy was delivered.

Deemed to have been delivered.

(2) Where a policy is issued on the terms applied for and is delivered to an agent of the insurer for unconditional delivery to a person referred to in paragraph (a) of subsection (1) it shall be deemed, but not to the prejudice of the insured, to have been delivered to the insured.

When promise to pay not fulfilled.

63. (1) Where a cheque or other bill of exchange, or a promissory note or other written promise to pay, is given for the whole or part of a premium and payment is not made according to its tenor, the premium or part thereof shall be deemed not to have been paid.

When remittance deemed to be received.

(2) Where a remittance for or on account of a premium is sent in a registered letter to an insurer, the remittance shall be deemed to have been received at the time of the registration of the letter.

Others who may pay premium.

64. (1) Except in the case of group insurance, an assignee of a contract, a beneficiary or a person acting on behalf of one of them or of the insured may pay any premium that the insured is entitled to pay.

Period of grace.

(2) Where a premium, other than the initial premium, is not paid at the time it is due, the premium may be paid within a period of grace of

- (a) thirty days or, in the case of an industrial contract, twenty-eight days, from and excluding the day on which the premium is due; or
- (b) the number of days, if any, specified in the contract for payment of an overdue premium,

whichever is the longer period.

(3) Where the happening of the event upon which the insurance money becomes payable occurs during the period of grace and before the overdue premium is paid, the contract shall be deemed to be in effect as if the premium had been paid at the time it was due, but the amount of the premium, together with interest at the rate specified in the contract, but not exceeding six per cent per annum, and the balance, if any, of the current year's premium may be deducted from the insurance money.

When contract matures in grace period.

65. (1) An applicant for insurance and a person whose life is to be insured shall each disclose to the insurer in the application, on a medical examination, if any, and in any written statements or answers furnished as evidence of insurability, every fact within his knowledge that is material to the insurance and is not so disclosed by the other.

Disclosure of material facts.

(2) Subject to section 66, a failure to disclose or a misrepresentation of, such a fact renders the contract voidable by the insurer.

Contract voidable.

66. (1) This section does not apply to a misstatement of the age or to disability insurance.

Application.

(2) Subject to subsection (3), where a contract has been in effect for two years during the lifetime of the person whose life is insured, a failure to disclose, or a misrepresentation of, a fact required to be disclosed by section 65 does not, in the absence of fraud, render the contract voidable.

When non-disclosure or misrepresentation not voidable.

(3) In the case of a contract of group insurance, a failure to disclose, or a misrepresentation of, such a fact in respect of a person whose life is insured under the contract does not render the contract voidable, but, if evidence of insurability is specifically requested by the insurer, the

In case of group insurance.

insurance in respect of that person is voidable by the insurer unless it has been in effect for two years during the lifetime of that person in which event it is not, in the absence of fraud, voidable.

When contract voidable for non-disclosure or misrepresentation.

67. Where an insurer fails to disclose, or misrepresents a fact material to the insurance, the contract is voidable by the insured, but, in the absence of fraud, the contract is not by reason of such failure or misrepresentation voidable after the contract has been in effect for two years.

Application.

68. (1) This section does not apply to a contract of group insurance or of creditor's group insurance.

Misstatement of age of insured.

(2) Subject to subsection (3), where the age of a person whose life is insured is misstated to the insurer, the insurance money provided by the contract shall be increased or decreased to the amount that would have been provided for the same premium at the correct age.

Where insurable age is limited.

(3) Where a contract limits the insurable age, and the correct age of the person whose life is insured at the date of the application exceeds the age so limited, the contract is, during the lifetime of that person but not later than five years from the date the contract takes effect, voidable by the insurer within sixty days after it discovers the error.

Misstatement of age in case of group insurance.

69. In the case of a contract of group insurance or of creditor's group insurance, a misstatement to the insurer of the age of a person whose life is insured does not of itself render the contract voidable, and the provisions, if any, of the contract with respect to age or misstatement of age apply.

Suicide cover.

70. (1) Where a contract contains an undertaking, express or implied, that insurance money will be paid if a person whose life is insured commits suicide, the undertaking is lawful and enforceable.

Suicide limitation.

(2) Where a contract provides that in case a person whose life is insured commits suicide within a certain period of time the contract is void or the amount payable under it is reduced, if the contract lapses and is subsequently reinstated on one or more occasions, the period of time commences to run from the date of the latest reinstatement.

71. (1) This section does not apply to a contract of group insurance or to a contract made by a fraternal society. Application.

(2) Where a contract lapses and the insured within two years applies for reinstatement of the contract, if within that time he Reinstatement of contract.

(a) pays the overdue premiums and other indebtedness under the contract to the insurer, together with interest at the rate specified in the contract, but not exceeding six per cent per annum, compounded annually, and

(b) produces

(i) evidence satisfactory to the insurer of the good health, and

(ii) other evidence satisfactory to the insurer of the insurability, of the person whose life is insured,

the insurer shall reinstate the contract.

(3) Subsection (2) does not apply where the cash surrender value has been paid or an option of taking paid-up or extended insurance has been exercised. Exception.

(4) Sections 65 and 66 apply *mutatis mutandis* to reinstatement of a contract. Application of sections 65 and 66.

#### Designation of Beneficiaries.

72. (1) An insured may in a contract or by a declaration designate his personal representative or a beneficiary to receive insurance money. Designation of beneficiaries.

(2) Subject to section 73, the insured may from time to time alter or revoke the designation by declaration. Changing of designation.

(3) A designation in favour of the "heirs", "next of kin" or "estate" of the insured, or the use of words of like import in a designation shall be deemed to be a designation of the personal representative of the insured. Designation of estate or like designation.

73. (1) An insured may in a contract, or by a declaration, other than a declaration that is part of a will, filed with the insurer at its head or principal office in Canada during the life-time of the person whose life is insured, designate a beneficiary irrevocably and in that event the insured, while the beneficiary is living, may not alter or revoke the desig- Irrevocable designation.

nation without the consent of the beneficiary and the insurance money is not subject to the control of the insured or of his creditors and does not form part of his estate.

Effect of failure to file.

(2) Where the insured purports to designate a beneficiary irrevocably in a will or in a declaration that is not filed as provided in subsection (1), the designation has the same effect as if the insured had not purported to make it irrevocable

Designation in will.

74. (1) A designation in an instrument purporting to be a will is not ineffective by reason only of the fact that the instrument is invalid as a will, or that the designation is invalid as a bequest under the will.

Later designation.

(2) Notwithstanding the *Wills Ordinance*, a designation in a will is of no effect against a designation made later than the making of the will.

Revocation of will.

(3) Where a designation is contained in a will, if subsequently the will is revoked by operation of law or otherwise, the designation is thereby revoked.

Revocation by operation of law.

(4) Where a designation is contained in an instrument that purports to be a will, if subsequently the instrument if valid as a will would be revoked by operation of law or otherwise, the designation is thereby revoked.

Appointment of trustee for beneficiary.

75. (1) An insured may in a contract or by a declaration appoint a trustee for a beneficiary and may alter or revoke the appointment by a declaration.

Discharge of life insurer.

(2) A payment made by an insurer to a trustee for a beneficiary discharges the insurer to the extent of the payment.

Where a beneficiary predeceases life insured.

76. (1) Where a beneficiary predeceases the person whose life is insured; and no disposition of the share of the deceased beneficiary in the insurance money is provided in the contract or by a declaration, the share is payable

- (a) to the surviving beneficiary;
- (b) if there is more than one surviving beneficiary, to the surviving beneficiaries in equal share; or
- (c) if there is no surviving beneficiary, to the insured or his personal representative.



(2) Where two or more beneficiaries are designated otherwise than alternatively, but no division of the insurance money is made, the insurance money is payable to them in equal shares.

Co-beneficiaries.

77. (1) A beneficiary may enforce for his own benefit, and a trustee appointed pursuant to section 75 may enforce as trustee, the payment of insurance money made payable to him in the contract or by a declaration and in accordance with the provisions thereof, but the insurer may set up any defence that it could have set up against the insured or his personal representative.

Rights of beneficiary to enforce.

78. (1) Where a beneficiary is designated, the insurance money, from the time of the happening of the event upon which the insurance money becomes payable, is not part of the estate of the insured and is not subject to the claims of the creditors of the insured .

Insurance moneys not part of estate of insured.

(2) While a designation in favour of a spouse, child, grandchild or parent of a person whose life is insured, or any of them, is in effect the rights and interests of the insured in the insurance money and in the contract are exempt from execution or seizure.

Protection from execution or seizure.

#### Dealings with Contract During Lifetime of Insured.

79. Where a beneficiary

(a) is not designated irrevocably, or

(b) is designated irrevocably but has attained the age of twenty-one years and consents,

the insured may assign, exercise rights under or in respect of, surrender or otherwise deal with the contract as provided therein or in this Part or as may be agreed upon with the insurer.

Rights of insured in respect of contract.

80. (1) Notwithstanding the designation of a beneficiary irrevocably, the insured is entitled while living to the dividends or bonuses declared on a contract, unless the contract otherwise provides.

Right to dividends or bonus under contract.

(2) Unless the insured otherwise directs, the insurer may apply the dividends or bonuses declared on the contract for the purpose of keeping the contract in force.

Applying dividends and bonus to contract.

Assigning insurer's rights to third parties on death of insurer.

81. (1) Notwithstanding the *Wills Ordinance*, where in a contract or in an agreement in writing between an insurer and an insured it is provided that a person named in the contract or in the agreement has, upon the death of the insured, the rights and interests of the insured in the contract,

- (a) the rights and interests of the insured in the contract do not, upon the death of the insured, form part of his estate; and
- (b) upon the death of the insured, the person named in the contract or in the agreement has the rights and interests given to the insured by the contract and by this Part and shall be deemed to be the insured.

Successive assignees of contract.

(2) Where the contract or agreement provides that two or more persons named in the contract or in the agreement shall, upon the death of the insured, have successively, on the death of each of them, the rights and interests of the insured in the contract, this section applies successively, *mutatis mutandis*, to each of such persons and to his rights and interests in the contract.

Alteration or revocation of nomination.

(3) Notwithstanding any nomination made pursuant to this section, the insured may, prior to his death, assign, exercise rights under or in respect of, surrender or otherwise deal with the contract as if the nomination had not been made, and may alter or revoke the nomination by agreement in writing with the insurer.

Priorities as between assignees and beneficiaries.

82. (1) Where an assignee of a contract gives notice in writing of the assignment to the insurer at its head or principal office in Canada, he has priority of interest as against

- (a) any assignee other than the one who gave notice earlier in like manner; and
- (b) a beneficiary other than one designated irrevocably as provided in section 73 prior to the time the assignee gave notice to the insurer of the assignment in the manner prescribed in this subsection.

(2) Where a contract is assigned as security, the rights of a beneficiary under the contract are affected only to the extent necessary to give effect to the rights and interests of the assignee

Assignment by way of security.

(3) Where a contract is assigned unconditionally and otherwise than as security, the assignee has all the rights and interests given to the insured by the contract and by this Part and shall be deemed to be the insured.

Unconditional and absolute assignment.

(4) A provision in a contract to the effect that the rights or interests of the insured, or, in the case of group insurance, the group life insured, are not assignable is valid.

Non-assignability clause is void.

83. A group life insured may in his own name enforce a right given to him under a contract, subject to any defence available to the insurer against him or against the insured.

Rights of group life insured to enforce contract.

#### Minors.

84. Except in respect of his rights as beneficiary, a minor who has attained the age of sixteen years has the capacity of a person of the age of twenty-one years

Capacity of minor as insured.

- (a) to make an enforceable contract; and
- (b) in respect of a contract.

85. A beneficiary who has attained the age of eighteen years has the capacity of a person of the age of twenty-one years to receive insurance money payable to him and to give a discharge therefor.

Right of minor to receive insurance.

#### Proceedings Under Contract

86. Where an insurer receives sufficient evidence of

- (a) the happening of the event upon which insurance money becomes payable,
- (b) the age of the person whose life is insured,
- (c) the right of the claimant to receive payment, and
- (d) the name and age of the beneficiary, if there is a beneficiary,

it shall, within thirty days after receiving the evidence, pay the insurance money to the person entitled thereto.

Payment of insurance money.

Where insurance money payable.

87. (1) Subject to subsection (4), insurance money is payable in the Territory.

Canadian money.

(2) Unless a contract otherwise provides, a reference therein to dollars means Canadian dollars.

Where payee domiciled out of Territory.

(3) Where a person entitled to receive insurance money is not domiciled in the Territory, the insurer may pay the insurance money to that person or to any other person who is entitled to receive it on his behalf by the law of the domicile of the payee.

Payment under group insurance contract.

(4) In the case of a contract of group insurance, insurance money is payable in the province or territory of Canada in which the group life insured was resident at the time he became insured.

Where action on contract may be brought.

88. Regardless of the place where a contract was made, an action on it may be brought in the court by a resident of the Territory if the insurer was authorized to transact insurance in the Territory at the time the contract was made or at the time the action is brought.

Limitation of actions for recovery of insurance moneys.

89. (1) Subject to subsection (2), an action or proceeding against an insurer for the recovery of insurance money shall not be commenced more than two years after the furnishing of the evidence required by section 86, or more than six years after the happening of the event upon which the insurance money becomes payable, whichever period first expires.

Action following declaration of presumption of death.

(2) Where a declaration has been made under section 92, an action or proceeding to which reference is made in subsection (1) shall not be commenced more than two years after the date of the declaration.

Instrument affecting right of payee to insurance.

90. (1) Until an insurer receives at its head or principal office in Canada an instrument or an order of a court affecting the right to receive insurance money, or a notarial copy, or a copy verified by statutory declaration, of any such instrument or order, it may make payment of the insurance money and shall be as fully discharged to the extent of the amount paid as if there were no such instrument or order.

Affects only insurer.

(2) Subsection (1) does not affect the rights or interests of any person other than the insurer.

91. Where an insurer admits the validity of the insurance but does not admit the sufficiency of the evidence required by section 86 and there is no other question in issue except a question under section 92, the insurer or the claimant may, before or after action is brought and upon at least thirty days' notice, apply to the court for a declaration as to the sufficiency of the evidence furnished, and the court may make the declaration or may direct what further evidence shall be furnished and on the furnishing thereof may make the declaration or, in special circumstances, may dispense with further evidence.

Declaration of sufficiency of evidence furnished.

92. Where a claimant alleges that the person whose life is insured should be presumed to be dead by reason of his not having been heard of for seven years, and there is no other question in issue except a question under section 91, the insurer or the claimant may, before or after action is brought and upon at least thirty days' notice apply to the court for a declaration as to presumption of death and the court may make the declaration.

Declaration as to presumption of death.

93. (1) Upon making a declaration under section 91 or 92, the court may make such order respecting the payment of the insurance money and respecting costs as it deems just and, subject to section 95, a declaration or direction or order made under this subsection is binding upon the applicant and upon all persons to whom notice of the application has been given.

Order respecting payment.

(2) A payment made under an order made under subsection (1) discharges the insurer to the extent of the amount paid.

Insurer discharged.

94. Unless the court otherwise orders, an application made under section 91 or 92 operates as a stay of any pending action with respect to the insurance money.

Stay of action.

95. An appeal lies to the Court of Appeal from any declaration, direction or order made under section 91, section 92 or subsection (1) of section 93.

Appeal.

96. Where the court finds that the evidence furnished under section 86 is not sufficient or that a presumption of death is not established, it may order that the matters in issue be decided in an action brought or to be brought, or may make such other order as it deems just respecting

Order to ascertain facts.

further evidence to be furnished by the claimant, publication of advertisements, further inquiry or any other matter or respecting costs.

Payment of insurance moneys into court.

97. Where an insurer admits liability for insurance money and it appears to the insurer that

- (a) there are adverse claimants,
- (b) the whereabouts of a person entitled is unknown, or
- (c) there is no person capable of giving and authorized to give a valid discharge therefor, who is willing to do so,

the insurer may, at any time after thirty days from the date of the happening of the event upon which the insurance money becomes payable, apply to the court *ex parte* for an order for payment of the money into court, and the court may upon such notice, if any, as it thinks necessary, make an order accordingly.

Commorientes rule.

98. Unless a contract or a declaration otherwise provides where the person whose life is insured and a beneficiary die at the same time or in circumstances rendering it uncertain which of them survived the other, the insurance money is payable in accordance with subsection (1) of section 76 as if the beneficiary had predeceased the person whose life is insured.

Payment by instalments and commutation or alienation of interest.

99. (1) Subject to subsections (2) and (3), where insurance money is payable in instalments and a contract, or an instrument signed by the insured and delivered to the insurer, provides that a beneficiary has not the right to commute the instalments or to alienate or assign his interest therein, the insurer shall not unless the insured subsequently directs otherwise in writing, commute the instalments or pay them to any person other than the beneficiary, and the instalments are not in the hands of the insurer, subject to any legal process except an action to recover the value of necessaries supplied to the beneficiary or his infant children.

Commutation or alienation may be authorized by court.

(2) A court may, upon the application of a beneficiary and upon at least ten days' notice, declare that in view of special circumstances

- (a) the insurer may, with the consent of the beneficiary, commute instalments of insurance money; or
- (b) the beneficiary may alienate or assign his interest in the insurance money.

(3) After the death of the beneficiary, his personal representative may, with the consent of the insurer, commute any instalments of insurance money payable to the beneficiary. Commutation by personal representative of beneficiary.

(4) In this section "instalments" includes insurance money held by the insurer under section 100. Instalments.

100. (1) An insurer may hold insurance money How insurer may hold insurance moneys.
- (a) subject to the order of an insured or a beneficiary, or
  - (b) upon trusts or other agreements for the benefit of the insured or the beneficiary,

as provided in the contract, by an agreement in writing to which it is a party, or by a declaration, with interest at a rate agreed upon therein or, where no rate is agreed upon, at the rate declared from time to time by the insurer in respect of insurance money so held by it.

(2) The insurer is not bound to hold insurance money as provided in subsection (1) under the terms of a declaration to which it has not agreed in writing. Exception.

101. Where an insurer does not within thirty days after receipt of the evidence required by section 86 pay the insurance money to some person competent to receive it or into court, the court may, upon application of any person, order that the insurance money or any part thereof be paid into court, or may make such other order as to the distribution of the money as it deems just, and payment made in accordance with the order discharges the insurer to the extent of the amount paid. Court order on default of insurer to pay.

102. The court may fix without taxation the costs incurred in connection with an application or order made under section 97 or section 101, and may order them to be paid out of the insurance money or by the insurer or the applicant or otherwise as it deems just. Costs of application or order.

Payment into court for benefit of minor.

103. (1) Where an insurer admits liability for insurance money payable to a minor and there is no person capable of giving and authorized to give a discharge therefor who is willing to do so, the insurer may at any time after thirty days from the date of the happening of the event upon which the insurance money becomes payable pay the money, less the applicable costs mentioned in subsection (2), into court to the credit of the minor.

Amount to be retained as costs.

(2) The insurer may retain out of the insurance money for costs incurred upon payment into court under subsection (1) the sum of ten dollars where the amount does not exceed one thousand dollars, and the sum of fifteen dollars in other cases, and payment of the remainder of the money into court discharges the insurer.

Action required following payment into court.

(3) No order is necessary for payment into court under subsection (1), but the accountant or other proper officer shall receive the money upon the insurer filing with him an affidavit showing the amount payable and the name, date of birth and residence of the minor, and, upon such payment being made, the insurer shall forthwith notify the Public Administrator and deliver to him a copy of the affidavit.

Payment to personal representative of beneficiary under disability.

104. Where it appears that a representative of a beneficiary who is under disability may under the law of the domicile of the beneficiary accept payments on behalf of the beneficiary, the insurer may make payment to the representative and any such payment discharges the insurer to the extent of the amount paid.

**Miscellaneous Provisions.**

When person soliciting insurance not agent of insurer.

105. No officer, agent or employee of an insurer and no person soliciting insurance, whether or not he is an agent of the insurer, shall, to the prejudice of the insured, be deemed to be the agent of the insured in respect of any question arising out of a contract.

No liability for withholding notice of instrument affecting insurance money.

106. An insurer does not incur any liability for any default, error or omission in giving or withholding information as to any notice or instrument that it has received and that affects the insurance money.

Commencement.

107. This Ordinance shall come into force on a day to be fixed by order of the Commissioner.



CHAPTER 16

ORDINANCES OF THE YUKON TERRITORY

1967 (First Session)

AN ORDINANCE TO AMEND THE MUNICIPAL ORDINANCE

(Assented to May 19th, 1967)

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

1. Paragraph (fa) of Section 2 of the *Municipal Ordinance* is repealed and the following substituted therefor:

“(fa) “fiscal year” when used with respect to the government of a municipality means “calendar year”.

2. Paragraph (b) of subsection (1) of section 121 of the *Municipal Ordinance* is repealed and the following substituted therefor:

“(b) the anticipated revenues of the municipality for that year derived from sources other than taxation and an estimate of taxes that may reasonably be expected to remain unpaid.”

3. Section 122 of the said Ordinance is repealed and the following substituted therefor:

“122. On or before the first day of March in each year taxes shall be levied by by-laws of the municipality in accordance with this Ordinance at such uniform rate per dollar on the assessed value of all land in the municipality liable to taxation and upon such percentage, not less than fifty per cent, of the assessed value of improvements as Council deems necessary in order to provide for the raising of revenue of the municipality sufficient to meet the estimated expenditure of the municipality for that year.”

O.Y.T.  
1959 (2nd) c.1;  
1960 (1st) c.6;  
1961 (1st) c.6;  
1961 (2nd) c.5;  
1961 (2nd) c.9;  
1961 (3rd) c.2;  
1962 (1st) c.22;  
1962 (5th) c.10;  
1962 (5th) c.19;  
1962 (5th) c.16;  
1963 (1st) c.5;  
1964 (1st) c.8;  
1964 (2nd) c.12;  
1966 (1st) c.6;  
1966 (2nd) c.7.

“Fiscal year.”

Levying of taxes.

4. Subsection (1) of section 138 of the said Ordinance is repealed and the following substituted therefor:

Assessment roll to be forwarded to council.

“138. (1). The assessor shall forward to the Council the general assessment roll not later than the thirtieth day of September in the year preceding the year in which taxes are to be imposed on the assessment.”

5. Subsection (1) of section 148 of the said Ordinance is repealed and the following substituted therefor:

Sitting of Court of Revision.

“148. (1). The Court of Revision shall, before the first day of December in the year preceding the year in which taxes are to be imposed on an assessment, commence to hear any complaints respecting the assessment roll at such place in the municipality and at such time as is fixed by the Court and the Court shall give notice thereof.”

6. Section 156 of the said Ordinance is repealed and the following substituted therefor:

Adjournment.

“156. The Court of Revision may hear all complaints arising out of the general assessment on the same day, or if deemed advisable, adjourn from time to time until all complaints have been heard and determined, but the hearing of all such complaints shall be completed before the twentieth day of December in each year.”

7. (1) Subsection (1) of section 174 of the said Ordinance is repealed and the following substituted therefor:

When taxes payable.

“174. (1). All real property taxes levied for any fiscal year shall be deemed to have been imposed and to be due and payable on such specified day as a municipality may by by-law provide, such date to be no later than the thirtieth day of September in any year.”

(2) Subsection (4) of section 174 of the said Ordinance is repealed and the following substituted therefor:

Provision for penalties.

(4) A municipality may, by by-law, provide that in the event of taxes remaining unpaid for a period of thirty days after they are due and payable, there shall be added forthwith to such unpaid taxes by way of

penalty an amount not exceeding ten percent of the total amount of such taxes and arrears of taxes levied on the same property."

8. Subsection (1) of section 175 of the said Ordinance is repealed and the following substituted therefor:

"175. (1) On or before the thirty-first day of March in each year, the clerk shall transmit by mail a demand for payment of the taxes payable under this Ordinance to each person liable therefor whose name appears on the tax roll, or to his agent if the address of the agent has been transmitted to the clerk."

Demand  
for  
taxes.

9. Section 181 of the said Ordinance is repealed and the following substituted therefor:

"181. (1) The Court of Revision established pursuant to section 146 shall sit before the thirty-first day of March in the fiscal year in which taxes are to be imposed on an assessment to revise the business tax assessment roll of the municipality.

Sitting  
of Court  
of Revision.

(2) The Court of Revision may hear all complaints arising out of the business assessment on the same day, or if deemed advisable, adjourn from time to time until all complaints have been heard and determined, but the hearing and determination of all such complaints shall be completed before the first day of May in each fiscal year.

Determina-  
tion of  
complaints.

(3) The provisions of this Ordinance respecting the preparation, revision and adoption of the real property assessment roll and the making of complaints and the taking of appeals in respect thereof are applicable to the business assessment roll of the municipality, except that all appeals to the judge shall be concluded and reported to the clerk before the first day of July."

Procedure  
same as  
property  
assessment.

10. Subsection (1) of section 183 of the said Ordinance is repealed and the following substituted therefor:

"183. (1) As soon as the business tax roll has been completed, but no later than the thirty-first day of July, in any year in which a business tax has by by-law

Demand  
for  
business  
tax.

been levied, the clerk shall transmit by mail a demand for payment of the business tax payable to each person, firm or partnership liable therefor whose name appears on the tax roll, or his agent, if the address of the agent has been transmitted to the clerk."

11. Subsection (3) of section 186 of the said Ordinance is repealed and the following substituted therefor:

"(3) A municipality may, by by-law, provide that in the event of business taxes remaining unpaid for a period of thirty days after demand for payment thereof, there shall be forthwith added to such unpaid taxes by way of penalty an amount not exceeding ten percent of such taxes."

12. Section 195 of the said Ordinance is repealed and the following substituted therefor:

"195. The school rate to be levied in each municipality shall be set by the Commissioner on or before the thirty-first day of December of the year preceding the year in which such rate is to be imposed and the tax collected."

13. Subsection (1) of section 213 of the said Ordinance is repealed and the following substituted therefor:

"213. (1) Where the whole or any portion of the taxes payable in respect of any real property in a municipality remain due and unpaid for more than one year after the thirty-first day of December of the fiscal year in which such taxes were imposed, the real property shall, subject to this Ordinance, be sold by the municipality for arrears of taxes accrued and unpaid thereon up to the date of preparation of the tax list referred to in subsection (2)."

14. Sections 3, 8, 9, 10, 11, 12 and 13 of this Ordinance, and section 175 of the *Municipal Ordinance* shall not apply to the assessment, levy and collection of taxes for the fiscal year beginning the first day of January, 1967, but the following provisions shall apply:

(a) on or before the first day of July, 1967, taxes shall be levied by by-laws of the

municipality at such uniform rate per dollar on the assessed value of all land in the municipality liable to taxation and upon such percentage not less than fifty percent, of the assessed value of improvements as Council deems necessary in order to provide for the raising of revenue of the municipality sufficient to meet the estimated expenditures of the municipality for that year.

- (b) the clerk shall forthwith after the passing of the by-law referred to in paragraph (a) of this section transmit by mail a demand for the payment of taxes payable under this Ordinance to each person liable therefor whose name appears on the tax roll, or to his agent, if the address of the agent has been transmitted to the clerk.
- (c) all real property taxes for the fiscal year beginning January first, 1967, shall be deemed to have been imposed and to be due and payable on such specified date as a municipality may by by-law provide, such date to be no later than the thirtieth day of September, 1967.

15. This Ordinance or any portion thereof shall come into force on a day or days to be proclaimed by order of the Commissioner.

CHAPTER 17

ORDINANCES OF THE YUKON TERRITORY  
 1967 (First Session)  
 AN ORDINANCE TO AMEND THE TAXATION  
 ORDINANCE

(Assented to May 19th, 1967)

O.Y.T.  
 1959 (2nd)  
 c.2;  
 1960 (1st)  
 c.5;  
 1961 (1st)  
 c.4;  
 1963 (1st)  
 c.6;  
 1966 (2nd)  
 c.6;  
 1967 (1st)  
 c.10.

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

1. The heading preceding section 43 of the *Taxation Ordinance* is repealed and the following substituted therefor:

"APPEALS.

Appeal to  
 Commissioner.

42A. Where any person has a complaint in respect of a tax that has been levied pursuant to subsection (2) of section 50A that person, on or before the first day of September in the year in which the tax is levied, may appeal to the Commissioner in such manner as the Commissioner may prescribe."

2. Subsection (1) of section 50 of the said Ordinance is repealed and the following substituted therefor:

Rates.

"50. (1) On or before the first day of February in each year the Commissioner shall, in accordance with this Ordinance, levy taxes at a uniform rate per dollar on the assessed value of all real property in the Territory liable to taxation under this Ordinance as he deems necessary in order to provide for the raising of revenues of the Territory sufficient to meet the estimated expenditures of the Territory for the ensuing fiscal year other than those expenditures in respect of which a tax is levied pursuant to section 50A."

3. The said Ordinance is further amended by adding thereto, immediately after section 50 thereof, the following section:

“50A. (1) Where a water or sewerage system has been installed in an area of the Territory, the Commissioner, for the purpose of defraying the operating and capital costs of the system, shall on or before the first day of February in each year levy a tax at a uniform rate per foot of frontage on all real property that abuts on the system.

Frontage tax for water or sewerage system.

(2) Where a water or sewerage system has been installed in an area of the Territory prior to the coming into force of this Ordinance, the Commissioner, for the purpose of defraying the operating and capital costs of the system, shall on or before the first day of August of the year in which this Ordinance comes into force levy a tax at a uniform rate per foot of frontage on all real property that abuts on the system.

Idem.

50B. For the purpose of computing the frontage of real property abutted on two or more sides by a water or sewerage system, the frontage shall be deemed to be 60% (sixty percent) of the aggregate length of the abutting sides.

Where two or more sides fronting on system.

4. Section 58 of the said Ordinance is repealed and the following substituted therefor:

“58. (1) Subject to subsection (2), all real property taxes levied in and for any year shall be deemed to have been imposed and to be due and payable in the first day of April of that year.

When taxes deemed payable.

(2) Where a tax has been levied pursuant to subsection (2) of section 50A, that tax shall be deemed to have been imposed and to be due and payable on the first day of October of that year.

Idem.

58A. Subject to subsections (2) and (3), the commissioner may provide for the granting of a discount not exceeding five per cent of all payments of taxes made on or before the thirty-first day of March of the year in which the taxes were levied.

Discount.

(2) Where a tax has been levied pursuant to subsection (2) of section 50A, the Commissioner may provide for the granting of a discount not exceeding five

Idem.

per cent of all payments of that tax made on or before the thirtieth day of September of the year in which the tax was levied.

**Exception.** (3) Notwithstanding subsection (2), the Commissioner may not provide for the granting of any discount in respect of any tax levied pursuant to section 50A to defray the capital costs of a water or sewerage system.

**Penalty.** 58B. (1) Subject to subsections (2) and (3), a penalty in an amount equal to six per cent of taxes remaining unpaid after the first day of April in the year in which such taxes were levied is due and payable on the first day of May in such year.

**Idem.** (2) Where a tax has been levied pursuant to subsection (2) of section 50A, a penalty in an amount of six per cent of the tax remaining unpaid after the first day of October in the year in which such tax was levied is due and payable on the first day of November in such year.

**Exception.** (3) Notwithstanding subsection (2), no penalty shall apply in respect of any tax levied pursuant to section 50A to defray the capital costs of a water or sewerage system.

**Interest on unpaid taxes.** 58C. (1) Subject to subsection (2), all taxes remaining unpaid after the thirtieth day of April in the year in which such taxes are levied shall bear interest from that date at the rate of six per cent per annum.

**Idem.** (2) Where a tax has been levied pursuant to subsection (2) of section 50A, the tax remaining unpaid after the thirty-first day of October in the year in which such tax has been levied shall bear interest from that date at the rate of six per cent per annum."

**5.** Subsection (1) of section 59 of the said Ordinance is repealed and the following substituted therefor:

**Demand for taxes.** "59. (1) Subject to subsection (1a), on or before the fifteenth day of February in each year the Collector shall transmit by mail a demand for payment of the taxes payable under this Ordinance to each person



liable therefor whose name appears on the tax roll or to his agent if the address of the agent has been transmitted to the Collector.

(1a). Where a tax has been levied pursuant to sub-<sup>Idem.</sup>section (2) of section 50A, a demand for payment of the tax payable under that subsection shall be transmitted by mail on or before the fifteenth day of August in the year in which this Ordinance comes into force to each person liable therefor whose name appears on the tax roll or to his agent if the address of the agent has been transmitted to the Collector."

CHAPTER 18

ORDINANCES OF THE YUKON TERRITORY

1967 (First Session)

AN ORDINANCE TO AMEND THE LOAN AGREEMENT ORDINANCE (1962) No. 1

*(Assented to May 19th, 1967)*

O.Y.T.  
1962 (1st)  
c.2.

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

1. Section 2 of the *Loan Agreement Ordinance (1962) No. 1* is repealed and the following substituted therefor:

Commissioner  
may  
borrow.

“2. The Commissioner may on behalf of the Yukon Territory borrow from the Government of Canada a sum not exceeding one million, one hundred and ten thousand dollars.”

CHAPTER 19

ORDINANCES OF THE YUKON TERRITORY

1967 (First Session)

AN ORDINANCE RESPECTING A FINANCIAL  
AGREEMENT BETWEEN THE GOVERNMENT OF  
THE YUKON TERRITORY AND THE  
GOVERNMENT OF CANADA

(Assented to May 19th, 1967)

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

SHORT TITLE.

1. This Ordinance may be cited as the *Financial Agreement Ordinance, 1967*. Short title.

PART I.

2. In this Part, Definitions.
- (a) "agreement" means the agreement entered into pursuant to section 3; "Agreement".
- (b) "local administrative district" has the meaning given to it in the agreement; and "Local administrative district".
- (c) "fiscal year" means the period beginning on and including the first day of April in one year and ending on and including the thirty-first day of March in the next year. "Fiscal year".
3. Subject to this Part, the Commissioner is authorized to enter into and execute, on behalf of the Government of the Yukon Territory, an agreement with the Government of Canada which will provide Commissioner may execute agreement.
- (a) that the Government of Canada will pay to the Government of the Yukon Territory Provisions of agreement.
- (i) in respect of each of the fiscal years in the period from the 1st day of April, 1967, to the 31st day of March, 1969, a population subsidy of \$11,702.00,

- (ii) in respect of each of the fiscal years in the period from the 1st day of April, 1967, to the 31st day of March, 1969, \$30,000.00 for the purpose of assisting in the cost of the administration of the Government and the Council of the Yukon Territory,
- (iii) as an operating grant for
  - (A) the fiscal year 1967, an amount equal to \$3,779,218.00, and
  - (B) the fiscal year 1968, an amount equal to \$4,570,199.00, and
- (iv) in respect of each of the fiscal years in the period from the 1st day of April, 1967, to the 31st day of March, 1969, an amount equal to
  - (A) all moneys owed by the Government of the Yukon Territory to the Government of Canada and becoming due in that year under a loan agreement entered into pursuant to Part II of this Ordinance, or an Ordinance listed in the Schedule to this Ordinance, minus
  - (B) all moneys paid to the Government of the Yukon Territory in that year by local administrative districts in the Territory pursuant to loans made by the Territory from moneys borrowed from the Government of Canada pursuant to a loan agreement described in clause (A), as certified by the Commissioner; and
- (b) that in consideration thereof the Government of the Yukon Territory will suspend and refrain and will require local administrative districts in the Territory to suspend and refrain from the imposition, levying and collection of

- (i) individual income taxes, corporation taxes and corporation income taxes in respect of the period commencing on the 1st day of January, 1967, and ending on the 31st day of December, 1968, and
- (ii) succession duties in respect of successions or transmissions consequent upon a death or upon property passing upon a death occurring during the period commencing on the 1st day of January, 1967, and ending on the 31st day of December, 1968.

**4.** The agreement shall also provide

(a) that the amounts payable by the Government of Canada to the Government of the Yukon Territory shall be paid

Additional provisions of agreement.

(i) in the case of the amounts described in subparagraphs (i), (ii), and (iii) of paragraph (a) of section 3, in equal instalments in each month in each of the fiscal years in the period from the 1st day of April, 1967, to the 31st day of March, 1969, and

(ii) in the case of amounts described in subparagraph (iv) of paragraph (a) of section 3, in the amounts and at the times fixed in the loan agreements described in that subparagraph; and

(b) for such other terms and conditions as may be agreed upon for the purpose of giving effect to this Ordinance.

**5.** The Agreement may be varied or amended, from time to time, as may be agreed upon with the Government of Canada by the Commissioner.

Variation and amendment.

**6.** No variation or amendment to the Agreement made pursuant to section 5 is valid unless it is ratified by the Council.

Ratification.

Suspension  
of Ordinances  
etc.

7. Upon execution of the agreement, the Ordinances of the Territory and any regulations, rules, by-laws or orders made thereunder, including those of any local administrative 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 the Yukon Territory to fulfil every obligation assumed by it under the agreement.

No tax  
collections  
contravening  
agreement.

8. Neither the Commissioner nor any local Administrative district shall do any act or exercise any power or collect any tax in contravention of the provisions of the agreement.

Taxes  
reduced.

9. In any case in which by the agreement any tax or fee is required to be reduced, such tax or fee is, for the relevant periods provided in the agreement, reduced in accordance with the agreement, and the tax or fee in the reduced amount only shall continue to be payable, exigible and recoverable in the same manner as if it had not been reduced.

Powers of  
Commissioner.

10. The Commissioner is empowered to do every act and exercise every power for the purpose of implementing every obligation assumed by the Government of the Yukon Territory under the agreement.

Operation  
of sections  
7 to 10.

11. Sections 7 to 10 shall remain in operation for only so long as is necessary to give effect to the agreement.

## PART II.

Commissioner  
may borrow  
money.

12. The Commissioner may on behalf of the Territory borrow from the Government of Canada a sum not exceeding \$7,780,064.00.

Commissioner  
may execute  
agreement.

13. The Commissioner is authorized to enter into and execute on behalf of the Government of the Yukon Territory an agreement with the Government of Canada providing for

- (a) the repayment to the Government of Canada of the amount borrowed pursuant to section 12;

- (b) the payment to the Government of Canada of interest at such rate as may be agreed upon by the Commissioner on the principal from time to time outstanding on the amount borrowed pursuant to section 12; and
- (c) such other terms and conditions as may be agreed upon by the Commissioner.

**14.** The Commissioner is empowered to do every act and exercise every power for the purpose of implementing every obligation assumed by the Government of the Yukon Territory under the agreement. Commissioner may implement agreement.

**15.** No amount shall be borrowed by the Commissioner pursuant to this Ordinance after the 31st day of March, 1969. No borrowing after March 31, 1969.

**SCHEDULE.**

- Yukon Loan Ordinance, 1954 (2nd) 3.
- Yukon Hospital Loan Ordinance, 1955 (2nd) 2.
- Loan Agreement Ordinance, 1961 (3rd) 4.
- Financial Agreement Ordinance, 1962 (1st) 4.

TABLE OF THE PUBLIC ORDINANCES  
OF THE YUKON TERRITORY  
1958 to 1967 (First Session)

Showing all the chapters of the Revised Ordinances 1958 with amendments thereto up to and including 1967 (First Session).

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Blasting .....	10	
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Business Licence .....	12	1960 (1st) c.7-s.5(2); 9(2) added 1961 (1st) c.3-s.15 added Sched.
Cancer Diagnosis & Treatment .....	new	1962 (1st) c.11
Cemeteries .....	13	Repealed 1967 (1st) c.1
Cemeteries .....	new	1967 (1st) c.1
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City Frontage Tax (Whitehorse) .....	new	1960 (1st) c.3
City Frontage Tax (Dawson) .....	new	1964 (1st) c.1
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Conditional Sales .....	20	1964 (2nd) c.9-s.2(ba) added; 2(g) added; 3(1)(2); 3(4)(5); 3A added; 7(1); 8; 12; 14; 14A added; 15(1); 16 & 17 added.
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Dependants Relief .....	new	1962 (1st) c.9
Devolution of Real Property .....	30	
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		1962 (1st) c.16-s.3(1); 4(a) 1964 (1st) c.4-s.3(1); 4(a)
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Electrical Protection .....	new	1967 (1st) c.2.
Employment Agencies .....	35	
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		1961 (1st) c.8-s.2(bb)(i) added 8; 12(1)(d)(e)(f); 12(2)(3) (4)(5); 13; 14(1); 16; 17(1) (2); 18; 20; 22; 25(2) added; 26(1)(3); (31); 32 1963 (1st) c.7-s.17A added 1965 (1st) c.2-s.12.
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		Repealed by 1962 (5th) c.3
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		Repealed by 1962 (5th) c.3
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Electrical—Whitehorse		1954 (2nd) c.2
"    —Haines Junction		1958 (1st) c.13
"    —Watson Lake		1959 (2nd) c.3

**TABLE OF PUBLIC ORDINANCES**

SUBJECT MATTER	R.O. 1958 Chapter No.	AMENDMENTS
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"    —Carmacks		1961 (1st) c.1; 1964 (2nd) c.4-s.2 added.
"    —Teslin		1963 (1st) c.1; 1963 (2nd) c.11-s.2; 3 added.
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Game .....	50	1961 (2nd) c.11-Sched. A  1959 (1st) c.3-s.2(1)(w); 8; 9A & 9B added; 14A added; 25(2); 27(1); 34(1); 36; 42(2)(b)(vii) added; 49(1); 74(3)(4)(5); 81(b) 1959 (2nd) c.4-s.39(1)(2nd) 1961 (2nd) c.10-s.78(3)(4) added; Sched. A-9A added. 1964 (1st) c.10-Sched. A-1(c) 1965 (1st) c.5-s.42 1967 (1st) c.11-s.2(1)(o); 2(1) (sa) added; 2(1)(w); 2(4)(a) & (b) added; 7; 8(1)(a)(l); 10(1); 10(1a) added; 10A added; 12; 13; 13A & 13B added; 14(3) added; 15; 16; 19(2)(3)(4)(5) & (6) added; 19A added; 20; 26(r) & (s) added; 38A & 38B added; 42(2); 65; 66; 67; 68; 69; 72; 80(1)(f), (g) added; 81(c) added; 82; 84; 86; 86A-B-C & D added; 87; 88; Sched. A- 1(b)(iv)(v)(vi)(c)(d); Sched. A-11; Sched. A-16 & 17 added; Sched. D added. 1966 (2nd) c.2
Gaols (Territorial) .....	new	
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Hairdressers .....	new	1965 (2nd) c.6-s.17; 19 added 1967 (1st) c.4
Hospital Aid .....	53	Repealed by 1959 (1st) c.1
Hospital .....	new	1959 (1st) c.1 1960 (1st) c.4-s.2(b); 6 Repealed 1964 (2nd) c.13
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Immunity of Members .....	new	1966 (1st) c.1
Insane Persons .....	56	
Insurance .....	57	1959 (1st) c.4-Part III s. 39 to 52; 52A & B added; Part I of Sched. 1962 (5th) c.7-s. 48 1963 (2nd) c.5-s.131A added.

## TABLE OF PUBLIC ORDINANCES

SUBJECT MATTER	R.O. 1958 Chapter No.	AMENDMENTS
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Interpretation .....	59	1959 (1st) c.5-s.37 added
Intestate Succession .....	60	1962 (1st) c.19-s.5 1965 (2nd) c.7-s.3; Part II added
Judicature .....	61	1960 (3rd) c.5-s.14; 51(1) 1961 (1st) c.7-s.51(1) 1964 (2nd) c. 8-s.17(a); 37
Jury .....	62	1961 (3rd) c.1-s.9; 14(5); 19(2)
Labour Provision .....	63	1961 (3rd) c.3-s.3A added 1962 (1st) c.15-s.4; 6 1962 (5th) c.9-s.10; 11 added 1963 (2nd) c.12-s.7
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ORDINANCES  
OF THE  
**YUKON TERRITORY**

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PASSED BY THE  
**YUKON COUNCIL**

IN THE YEAR  
**1967**  
SECOND SESSION

AND

IN THE YEAR  
**1968**  
FIRST SESSION

IN THE YEAR  
**1968**  
SECOND SESSION

J. SMITH  
COMMISSIONER

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SECOND SESSION



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CHAPTER 1

ORDINANCES OF THE YUKON TERRITORY  
1967 (Second Session)

AN ORDINANCE TO AUTHORIZE  
THE COMMISSIONER OF THE YUKON TERRITORY  
TO ENTER INTO AGREEMENTS WITH THE  
MINISTER OF MANPOWER AND IMMIGRATION  
RESPECTING THE OCCUPATIONAL  
TRAINING OF ADULTS

*(Assented to December 19th, 1967)*

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

**SHORT TITLE.**

- 1. This Ordinance may be cited as the *Adult Occupational Training Agreements Ordinance.* Short Title.

**INTERPRETATION.**

- 2. In this Ordinance, Definitions.
  - (a) "adult" means a person whose age is at least one year greater than the regular school leaving age in the Territory; "Adult."
  - (b) "manpower officer" means an officer of the Department of Manpower and Immigration designated by the Minister; "Manpower officer."
  - (c) "Minister" means the Minister of Manpower and Immigration; "Minister."
  - (d) "occupational training" means any form of instruction, other than instruction designed for university credit, the purpose of which is to provide a person with the skills required for an occupation or to increase his skill or proficiency therein; and "Occupational training."

**"Occupational training course."**

- (e) "occupational training course" means a course of occupational training that provides not more than fifty-two weeks of full-time instruction or 1,820 hours of part-time instruction.

**OCCUPATIONAL TRAINING CONTRACTS.**

**Contracts by Commissioner authorized.**

**3.** The Commissioner may, on behalf of the Yukon Territory, enter into a contract with the Minister to provide for the payment by Canada to the Territory of the costs incurred by the Territory, as determined pursuant to the contract, in providing training in

- (a) an occupational training course operated by the Territory to adults whose enrolment therein was arranged by a manpower officer; and
- (b) an occupational training course for apprentices operated by the Territory to adults whose enrolment therein was not arranged by a manpower officer.

**RESEARCH AGREEMENTS.**

**Research and development agreement.**

**4.** The Commissioner may, on behalf of the Yukon Territory, enter into an agreement with the Minister to provide for the payment by Canada to the Territory of contributions, not exceeding fifty per cent, in respect of costs incurred by the Territory, as specified in the agreement, in undertaking

- (a) research in respect of occupational training, including research in respect of the changing needs of the economy for trained workers and the relationship between occupational training and the needs of the economy; and
- (b) projects for the development of occupational training courses and materials for such courses, including projects for the development of occupational training aids, examinations and standards.

**GENERAL.**

**Amendment of contracts.**

**5.** A contract or agreement entered into pursuant to this Ordinance may be amended



- (a) with respect to the provisions of the contract or agreement in respect of which a method of amendment is set out in the contract or agreement, by that method; or
- (b) with respect to any other provisions of the contract or agreement, by the mutual consent of the parties thereto.

**TRANSITIONAL AGREEMENT.**

6. The Commissioner may, on behalf of the Yukon Territory, enter into an agreement with the Minister to provide for the payment by Canada to the Territory of such contributions as may be determined pursuant to the agreement in respect of the capital expenditures incurred by the Territory on occupational training facilities. Transitional agreement.

7. The Commissioner may, on behalf of the Yukon Territory, enter into an agreement with the Minister for the payment by Canada to the Territory of such contributions as may be determined pursuant to the agreement in respect of the costs incurred by the Territory in the period commencing April 1, 1967 and ending March 31, 1968, or such earlier date as may be determined pursuant to the agreement, in providing training under any technical or vocational training program described in the agreement to persons being trained on March 31, 1967. Idem.

**REPEAL.**

8. The *Vocational Training Agreements Ordinance* is repealed. Repeal, R.O. 1958, c.107.

CHAPTER 2

ORDINANCES OF THE YUKON TERRITORY  
1967 (Second Session)

AN ORDINANCE TO PROVIDE FOR THE  
REGISTRATION OF BRANDS TO BE  
IMPRESSED UPON STOCK

(Assented to December 19th, 1967)

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

SHORT TITLE.

Short  
Title.

1. This Ordinance may be cited as the *Brands Ordinance*.

INTERPRETATION.

Definitions.

2. In this Ordinance,

"Brand."

- (a) "brand" means any character or combination of characters impressed or intended to be impressed upon the skin or hide of stock for the purpose of denoting the ownership thereof;

"Cattle."

- (b) "cattle" means any bull, cow, ox, heifer, steer or calf;

"Director."

- (c) "Director" means the Director of Game appointed under the *Game Ordinance*;

"Horse."

- (d) "horse" means any horse, mare, gelding, colt or filly and includes any ass or mule;

"Owner."

- (e) "owner" means any person in whose name a brand is registered, and includes the agent of such person;

"Register."

- (f) "register" means the register of brands referred to in section 6;

"Registered."

- (g) "registered" means recorded in the register;

- (h) "representative" means a member of the Royal Canadian Mounted Police, a Health Officer appointed under the *Public Health Ordinance* or a game guardian appointed under the *Game Ordinance*; "Representative."
- (i) "stallion" means an entire male horse over two years old; and "Stallion."
- (j) "stock" means cattle or horses. "Stock."

### APPLICATION FOR REGISTRATION.

3. (1) Any person may make a written application to the Director for registration of a brand. Application for registration.

(2) Every person who is the owner of a stallion shall make a written application to the Director for registration of a brand.

- (3) An application referred to in this section shall Contents of application.
- (a) state the name and address of the applicant;
- (b) state the part of the animal where the brand is to be impressed;
- (c) be accompanied by a facsimile of the brand that the applicant wishes to use; and
- (d) be signed by the applicant or his agent.

4. (1) The Director may refuse to approve an application made under subsection (1) or subsection (2) of section 3. Where application refused.

(2) Where the Director refuses to approve an application made under subsection (2) of section 3 he may after consultation with the applicant register an alternative brand and the provisions of this Ordinance shall apply thereto.

(3) The Director shall not approve an application made under subsection (1) or subsection (2) of section 3 where the application requests the registration of a brand that, in the opinion of the Director, is identical with or closely resembles a Royal Cipher, a registered brand, the initials "R.C.M.P." or the brand used by the Royal Canadian Mounted Police. Where application will not be approved.

Registration and brand certificate.

5. (1) Subject to subsection (2), where the Director approves an application made under subsection (1) or (2) of section 3, he shall

- (a) register the brand in the name of the applicant; and
- (b) issue a brand certificate to the applicant that
  - (i) shows a facsimile of the brand,
  - (ii) states the part of the animal where the brand is to be impressed,
  - (iii) states the name and address of the owner, and
  - (iv) shows the date of the registration.

Where application by corporation.

(2) Where an application for registration of a brand is made by a corporation, the corporation shall designate an individual in whose name the brand shall be registered and to whom the brand certificate referred to in subsection (1) shall be issued.

REGISTRATION OF BRANDS.

Register of brands.

6. (1) There shall be maintained at the office of the Director, or at such other place or places as the Commissioner may designate, a register of brands in which shall be recorded

- (a) each registered brand;
- (b) the name and address of each owner; and
- (c) the name and address of each person in whose name a brand has been registered.

Notice of trust.

(2) There shall not be entered in the register any notice of any trust.

Inspection of registration.

(3) The register shall be open for inspection by the public at all reasonable times.

7. (1) A brand shall remain registered in the name of its owner until

- (a) the owner makes a written request to the Director for cancellation of the registration;
- (b) the Director pursuant to section 11 registers a brand in the name of the person to whom it has been transferred; or

- (c) the Director is satisfied that the owner does not have a *bona fide intention* of using the brand in respect of stock.

(2) Notwithstanding subsection (1), where an owner dies the Director may upon written application

Cancellation or transfer on death of owner

- (a) cancel the registration of the brand, if he is satisfied that the brand is no longer borne by any stock, or

- (b) transfer the brand

if notice of the intended cancellation or transfer has been published by the owner's executor or the transferee in a newspaper that is circulated in the Territory.

8. The Director may change the address of an owner as shown in the register and on his brand certificate on receipt of a written application from the owner requesting such change.

Change of address of owner.

9. A brand registered under this Ordinance is the personal property of its owner who has the exclusive right to the use thereof.

Property in registered brand.

10. (1) Where an impression of a registered brand is placed upon any stock in accordance with subsection (2), that fact shall be received in all courts and legal proceedings as *prima facie* proof that the owner of the brand is the owner of that stock.

Brand as prima facie proof of ownership of stock.

(2) An impression of a brand in stock shall be made by an iron

Size of brand.

- (a) that has a face that is in no place less than one-quarter of an inch in width; and
- (b) that is capable of making an impression of the brand not less than three inches in either height or width, as the case may be.

#### TRANSFER OF BRANDS.

11. (1) Where an owner wishes to transfer a registered brand, he shall deliver to the transferee

Transfer of brand.

- (a) the brand certificate issued to him under paragraph (b) of section 5; and
- (b) a declaration in a form prescribed by the Commissioner.

Application  
for transfer  
of brand.

(2) Where a transferee receives a certificate and declaration referred to in subsection (1), he shall forthwith forward that certificate and declaration to the Director accompanied by

- (a) a written application for registration of the brand that was transferred, if at the time of application he is not an owner; or
- (b) a written application for cancellation of the brand that was transferred, or the registered brand of which he is an owner, if at the time of application he is an owner.

Application  
form.

(3) An application made pursuant to paragraph (a) or (b) of subsection (1) shall be in a form prescribed by the Commissioner and shall contain such information as he may require.

Registration  
where transfer  
of brand.

(4) Where the Director receives an application made pursuant to paragraph (a) of subsection (2), he shall

- (a) register the brand in the name of the transferee;
- (b) deliver to the transferee a new brand certificate; and
- (c) cancel the registration and brand certificate of the transferor.

Cancellation  
of brand  
registration.

(5) Where the Director receives an application made pursuant to paragraph (b) of subsection (2), he shall cancel the registration and brand certificate requested by the transferee.

### SALE OF STOCK.

Sale of  
stock.

12. (1) Where any stock is sold, the vendor thereof shall deliver to the purchaser a signed memorandum setting forth

- (a) the place and date of sale;
- (b) the number of stock sold;
- (c) the kind, age, sex and colour of each head of stock sold; and
- (d) a full description of and the location of all brands impressed on each head of stock.

(2) Every person who ships or moves stock impressed with a brand other than a brand registered in his name shall, at the request of the Director or his representative, produce a memorandum of sale listing the stock and signed by the owner of that brand.

Shipping or moving stock.

### CONCEALMENT OR ALTERATION OF BRANDS.

13. (1) No person, without the written authority of the Director or his representative, shall obliterate, alter, deface or remove any brand on the hide of any stock whether that stock is dead or alive.

Destroying or concealing brand.

(2) No person shall remove the hide from the carcass of any stock that is found dead, unless that person is the owner of the stock or an agent of the owner.

Removal of hides from stock found dead.

(3) Every person who contravenes subsection (1) is guilty of an offence and liable on summary conviction to a fine of not less than two hundred and fifty dollars and in default of payment thereof, to imprisonment for a term not exceeding two years.

Penalty.

14. (1) Where the Director or his representative finds any stock with a mutilated brand or any hide that he believes has been improperly removed from a carcass, he may seize and, where he deems necessary, take away such stock or hides.

Seizure of stock and hides.

(2) The Director or his representative shall deliver up possession of any stock or hides seized under subsection (1) to any person who

Surrender of seized stock and hides to owner

- (a) supplies evidence of ownership of the stock or hides that is satisfactory to the Director or his representative;
- (b) at the request of the Director, pays the complete cost and expenses incurred for seizing, taking away and detaining the stock or hides; and
- (c) undertakes to indemnify the Director or his representative in respect of all claims by other persons having a superior claim to the stock or hides.

Sale of  
seized stock  
and hides.

(3) Subject to subsection (2), the Director may at any time sell by public auction any stock or hides seized under subsection (1).

Proceeds of  
sale of  
seized stock  
and hides.

(4) Where money obtained from the sale of stock or hides seized under subsection (1) is not claimed within six months following the date of sale thereof, it shall be paid into the Yukon Consolidated Revenue Fund.

**BRANDING OF STALLIONS.**

15. (1) The owner of a stallion shall impress or cause to be impressed his brand upon such stallion upon the part set out in the brand certificate.

(2) The owner of a stallion shall keep such stallion confined within a building, corral or fenced field.

(3) The Director or his representative may destroy or geld any stallion found running at large.

**OFFENCES AND PENALTIES.**

Unlawful use  
of brands.

16. (1) Every person who
- (a) impresses or assists in impressing upon any stock a brand that is not registered;
  - (b) impresses or assists in impressing upon any stock a brand other than the registered brand of the owner of the stock;
  - (c) being the owner of a brand, permits the use of his branding-iron by a person who is not his agent or servant;
  - (d) is the owner of or has in his possession any stallion on which a registered brand has not been impressed; or

(e) permits his stallion to run at large is guilty of an offence and liable on summary conviction to a fine not exceeding eight hundred dollars and in default of payment thereof, to imprisonment for a term not exceeding two years.

Onus of  
proof.

(2) Where a person is charged with an offence under paragraph (a) of subsection (1) and it is shown that he was the owner of or in possession of any stock impressed



with a brand that is not registered, that fact shall be received as *prima facie* proof that he impressed or assisted in impressing that brand upon such stock.

(3) Where a person is charged with an offence under paragraph (b) of subsection (1), the onus of proving that he is the owner of the stock alleged to have been impressed with a brand other than the registered brand of the owner shall be on the accused. Idem.

17. Any person who obstructs or interferes with the Director or his representative in carrying out any provision of this Ordinance is guilty of an offence. Offence to obstruct or interfere.

18. Every person who violates any provision of this Ordinance for which no penalty is prescribed is guilty of an offence and liable on summary conviction to a fine not exceeding five hundred dollars or to imprisonment for a term not exceeding six months or to both fine and imprisonment. General penalty.

#### GENERAL.

19. The Director may publish in the *Yukon Gazette* from time to time a complete list of registered brands together with the name and address of each owner thereof and the area within which each owner's stock is usually found. Publication of registered brands.

20. The Commissioner may make regulations Regulations.

- (a) prescribing forms required under this Ordinance;
- (b) prescribing fees for registration and transfer of registration; and
- (c) generally for carrying out the purposes and provisions of this Ordinance.

21. This Ordinance shall come into force on the first day of January, 1969. Coming into force.

## CHAPTER 3

ORDINANCES OF THE YUKON TERRITORY  
1967 (Second Session)

AN ORDINANCE TO ADOPT A FLAG FOR  
THE YUKON TERRITORY

*(Assented to December 1st, 1967)*

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

- |                        |   |
|------------------------|---|
| Short<br>Title.        | 1. This Ordinance may be cited as the <i>Flag Ordinance</i> .   |
| Flag for<br>Territory. | 2. The flag described and illustrated in the Schedule is hereby adopted as the flag of the Yukon Territory. |
| Coming into<br>force.  | 3. This Ordinance shall come into force on a day to be fixed by the Commissioner.                           |

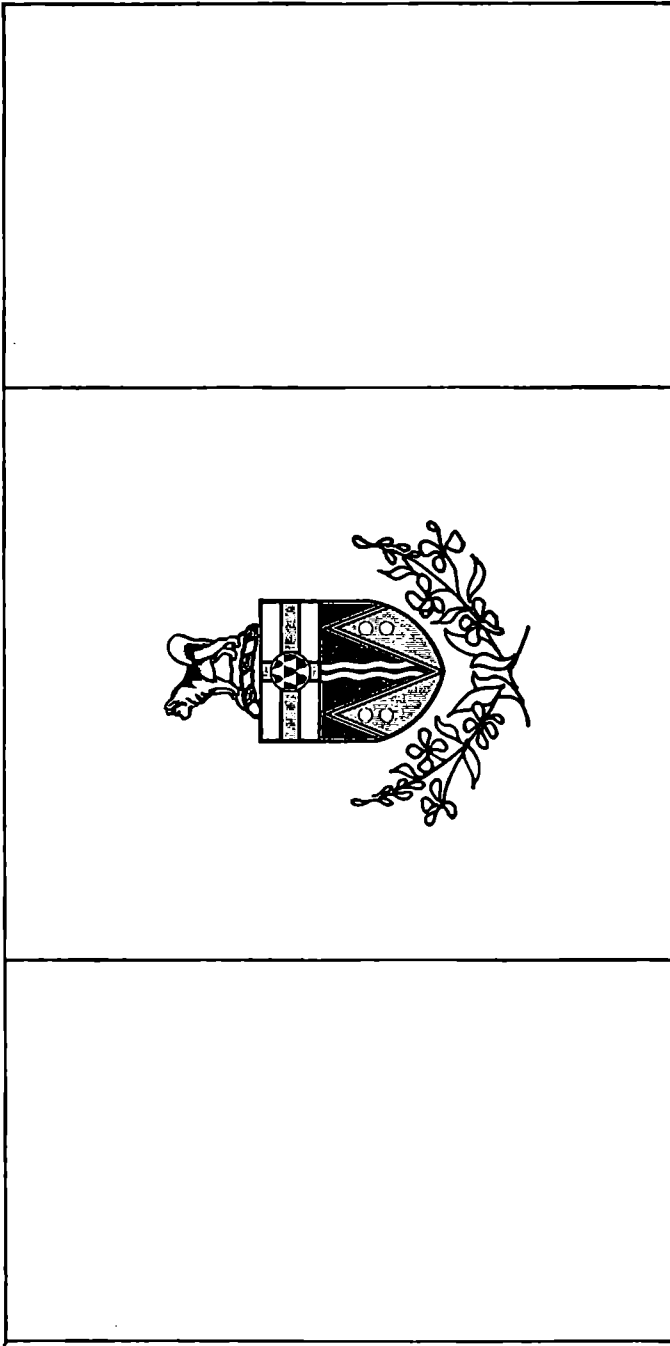
**SCHEDULE.**

1. Description:

The flag consists of three vertical panels, the centre panel being one and one-half times the width of each of the other two panels. The panel adjacent to the mast is coloured green (503-115), the centre panel is coloured white and has the Yukon Crest disposed above a symbolic representation of the floral emblem of the Territory, *epilobium angustifolium*, and the panel on the fly is coloured blue (502-204). The stem and leaves of the floral emblem are coloured green (503-115), and the flowers thereof are coloured red (509-103). The Yukon Crest is coloured red (509-103), and blue (502-204), with the Malamute dog coloured black.

(Code numbers are references to the Canadian Government Specifications Board publication known as the Standard Paint Colours, Part I, and numbered 1-GP-12c, 1965.)

2. Illustration:



CHAPTER 4

ORDINANCES OF THE YUKON TERRITORY  
1967 (Second Session)

AN ORDINANCE TO PROVIDE FOR THE  
CENTRAL FILING AND PUBLICATION  
OF REGULATIONS

*(Assented to December 19th, 1967)*

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

**SHORT TITLE.**

**Short Title.** 1. This Ordinance may be cited as "*The Regulations Ordinance*".

**INTERPRETATION.**

**Definitions.** 2. In this Ordinance, unless the context otherwise requires,

"File." (a) "file" means file with the Registrar in the manner prescribed in section 3;

"Local Authority." (b) "local authority" means the council of a municipality, village or local improvement district;

"Publish." (c) "publish" means publish in the manner prescribed in section 4;

"Registrar." (d) "Registrar" means the Registrar of the Regulations appointed under this Ordinance;

"Regulation." (e) "regulation" means any regulation, proclamation, rule, order or by-law made under the authority of any Ordinance of the Yukon Territory but does not include  
(i) an order or decision of a judicial tribunal,  
(ii) a rule, order or regulation governing the practice or procedure in any proceedings before a judicial tribunal,

- (iii) a rule, order, regulation, resolution, or by-law made by a local authority, or
- (iv) a rule, order, regulation or by-law of a company incorporated under the laws of the Territory, and
- (f) "regulation-making authority" means every authority authorized to make regulations and with reference to a regulation means the authority that made the regulation. "Regulation-making authority"

**FILING AND COMING INTO FORCE.**

3. (1) Every regulation-making authority shall, within 15 days after it makes a regulation, file with the Registrar that regulation or a certified copy thereof. File the regulation.

(2) Unless a later day is provided, a regulation other than one referred to in section 10, shall come into force on the day it is filed with the Registrar. Coming into force.

**PUBLICATION.**

4. (1) The Registrar shall, within one month of the filing thereof, publish the title of every regulation in the *Yukon Gazette*. Publication of title.

(2) The Commissioner may, by order, extend the time for publication and a copy of the order shall be published with the title of the regulation. Publication of title and order.

(3) No regulation is invalid by reason only that it was not published in the *Yukon Gazette*, but no person shall be convicted for an offence consisting of a contravention of any regulation the title of which was not published in the *Yukon Gazette*, unless it is proved that at the time of the alleged contravention reasonable steps have been taken for the purpose of bringing the purport of the regulation to the notice of the public or the persons likely to be affected by it or the person charged. Offence.

**JUDICIAL NOTICE.**

5. (1) A regulation the title of which has been published in the *Yukon Gazette* shall be judicially noticed. Regulation judicially noticed.

(2) Production of a certificate by the Registrar that the regulation was filed on a specified date is *prima facie* proof that it was so filed. Proof of filing.

Evidence of regulation.

(3) In addition to any mode of proof, evidence of a regulation may be given by the production of

- (a) the *Yukon Gazette* purporting to contain the title thereof;
- (b) a consolidation or supplement of the regulation published pursuant to paragraph (d) of subsection (1) of section 9; or
- (c) a copy or extract of the regulation certified as a true copy or extract by the Registrar.

**EXEMPTIONS.**

Commissioner may exempt.

6. The Commissioner may exempt from any of the provisions of this Ordinance

- (a) exemption orders under the *Workmen's Compensation Ordinance*;
- (b) committal orders under the *Insane Persons Ordinance*; and
- (c) civil emergency plan regulations under the *Civil Emergency Measures Ordinance*.

Registrar of regulations.

7. The Commissioner shall appoint a Registrar of Regulations who shall, under the control and direction of the Commissioner, be responsible for the recording, numbering and indexing of all regulations filed with him and for the publication thereof in accordance with this Ordinance.

**RECORDING.**

Filing order.

8. (1) Regulations made after the coming into force of this Ordinance and filed with the Registrar shall be numbered in the order in which they are received and a new series shall be commenced in each calendar year.

Title of regulations.

(2) The regulations referred to in subsection (1), may be cited as "*Commissioner's Order*" followed by the year, followed in turn by an oblique stroke and the number of the order.

**REGULATIONS.**

Regulations.

9. (1) The Commissioner may make regulations

- (a) prescribing the powers and duties of the Registrar;

- (b) prescribing the form and arrangement of regulations;
- (c) prescribing a system of indexing regulations;
- (d) providing for the publication of consolidations of regulations filed pursuant to this Ordinance at such intervals of times as he deems advisable and for the publication of supplements to the consolidations;
- (e) prescribing fees that may be charged by the Registrar for the inspection of any regulation; and
- (f) generally for the carrying out of the provisions of this Ordinance.

(2) Publication of a regulation in any consolidation or supplement thereto shall be deemed publication within the meaning of this Ordinance. Publication.

**COMING INTO FORCE.**

**10.** This Ordinance shall come into force on a day to be fixed by the Commissioner. (Mar. 1, 1968) Coming into force.

**11.** Every regulation in effect when this Ordinance comes into force shall be filed with the Registrar forthwith. Filing of regulations in effect.

CHAPTER 5

ORDINANCES OF THE YUKON TERRITORY  
1967 (Second Session)

AN ORDINANCE TO PROVIDE FOR THE  
GRANTING OF ASSISTANCE TO  
PERSONS IN NEED

(Assented to December 19th, 1967)

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

Short  
Title.

SHORT TITLE.

1. This Ordinance may be cited as the *Social Assistance Ordinance*.

Definitions.

INTERPRETATION.

2.

In this Ordinance,

"Appeal Board."

- (a) "Appeal Board" means the Social Assistance Appeal Board established pursuant to section 11;

"Appeal Committee."

- (b) "Appeal Committee" means a Social Assistance Appeal Committee established pursuant to section 10;

"assistance."

- (c) "assistance" means aid of the kind prescribed in the regulations to or in respect of a person in need;

"Director."

- (d) "Director" means the Director of Social Welfare of the Territory;

"person in need."

- (e) "person in need" means a person whose need for assistance has been established in accordance with the regulations; and

"welfare services."

- (f) "welfare services" means services of the kind prescribed in the regulations having as their object the lessening, removal or prevention of the causes and effects of poverty, child neglect or dependence on public assistance.



**ADMINISTRATION.**

3. There shall be a Director of Social Welfare for the Territory to be appointed by the Commissioner. Director of Social Welfare.

4. The Director shall, under the direction of the Commissioner, administer this Ordinance and perform such other duties and functions as the Commissioner may prescribe. Duties of Director.

5. The Commissioner may designate any person in the Territory to be a social welfare officer for such area as the Commissioner may designate and may prescribe the duties and functions of such officer. Social welfare officer.

**AGREEMENTS.**

6. Subject to this Ordinance, the Commissioner may enter into an agreement with the Minister of National Health and Welfare to provide for the payment by Canada to the Territory of contributions in respect of the cost to the Territory of providing Agreements.

- (a) assistance to persons in need; and
- (b) welfare services to or in respect of persons in need or persons who are liable to become persons in need unless such services are provided.

7. An agreement entered into pursuant to section 6 may contain such other terms and conditions as the Commissioner deems necessary and may be amended or terminated at any time by mutual consent of the parties thereto. Terms and conditions.

**ASSISTANCE.**

8. The Director may, to the extent provided in the regulations, make provision for assistance to any person in need who resides in the Territory or to any person in need who resided in the Territory and moved from the Territory pursuant to an arrangement made by the Director. Assistance to persons in need.

**REGULATIONS.**

9. The Commissioner may make such regulations as he deems necessary to carry out the provisions of this Ordinance and without limiting the generality of the foregoing may make regulations, Regulations.

- (a) prescribing, for the purposes of this Ordinance, the kinds of aid that constitute assistance and the kind of services that are welfare services;
- (b) prescribing the amount of assistance that may be given to persons in need;
- (c) prescribing conditions of eligibility to receive assistance;
- (d) governing the time and manner of making applications for assistance;
- (e) prescribing the information, material or proof, including evidence under oath, that is to be furnished before assistance is given;
- (f) respecting the investigation of applications in order to determine the eligibility of the applicants to receive assistance, and prescribing the procedure to be followed in the consideration of all information, material and evidence submitted;
- (g) prescribing the manner in which an applicant for assistance shall be informed as to whether his application has been granted or refused;
- (h) prescribing the time within and manner in which assistance shall be given, and the forms to be used under this Ordinance;
- (i) prescribing the circumstances or conditions under which assistance shall be terminated or the amount of any assistance altered; and
- (j) respecting the information and material to be furnished from time to time by recipients as to their continued eligibility for assistance.

**APPEAL COMMITTEES.**

**10.** (1) The Commissioner may establish one or more Social Assistance Appeal Committees for the purpose of hearing of appeals under this Ordinance in such areas as he may designate.

Social  
Assistance  
Appeal  
Committees.

(2) Each Appeal Committee shall consist of a chairman and two other members to be appointed by the Commissioner. Composition of Appeal Committee

(3) Two members of an Appeal Committee constitute a quorum. Quorum.

**APPEAL BOARD.**

11. (1) There shall be a Board to be known as the Social Assistance Appeal Board, consisting of a chairman and four other members to be appointed by the Commissioner. Social Assistance Appeal Board.

(2) The Appeal Board shall meet at such times and at such places in the Territory as the chairman may determine. Meeting of Board.

(3) Three members of the Appeal Board constitute a quorum. Quorum.

**APPEALS.**

12. (1) Any applicant for or recipient of assistance under this Ordinance may appeal any decision made by a social welfare officer or the Director with respect to his eligibility to receive assistance or the amount of assistance paid to him. Persons who may appeal.

(2) Each appeal made under subsection (1) shall be made in the first instance to the Appeal Committee for the area in which the person resides. Appeal firstly to Appeal Committee.

(3) Any applicant for or recipient of assistance or the Director may appeal any finding of an Appeal Committee to the Appeal Board. Appeal to Appeal Board.

(4) Every person making an appeal before the Appeal Board, pursuant to subsection (3), may appear in person or by counsel. Appeal may be in person or by counsel.

**GENERAL.**

13. Each member of an Appeal Committee and each member of the Appeal Board shall serve without remuneration but is entitled to be paid reasonable travelling and living expenses incurred by him in the performance of his duties in connection with the work of the Appeal Committee Expenses and allowances of members of Appeal Committee and Appeal Board.

or Appeal Board and shall be paid a per diem allowance fixed by the Commissioner for each day he is engaged in the work of the Appeal Committee or Appeal Board.

Recovery  
of over-  
payment.

14. Where a person has received assistance for which he is not eligible or assistance in an amount in excess of the amount of assistance to which he is eligible, the amount thereof or the excess amount, as the case may be, may be recovered at any time as a debt due to the Commissioner or may be retained, in whole or in part, out of any subsequent amount payable to that person as assistance.

Offence.

15. Every person who, for the purpose of obtaining assistance under this Ordinance for himself or for any other person, knowingly makes a false or misleading statement is guilty of an offence punishable on summary conviction.

Coming into  
force.

16. Sections 10 to 13 shall come into force on a day to be fixed by order of the Commissioner.

## CHAPTER 6

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ORDINANCES OF THE YUKON TERRITORY  
1967 (Second Session)

AN ORDINANCE TO AMEND THE  
EVIDENCE ORDINANCE

R.O.Y.T.  
1958, c.37;  
1965 (2nd)  
c.4.

*(Assented to December 19th, 1967)*

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

1. The *Evidence Ordinance* is hereby amended by repealing Sections 68 and 69 thereof and substituting the following therefor:

“68. The Commissioner may, by one or more commissions, appoint notaries public for the Territory, but no person shall be so appointed unless he is a Canadian citizen or other British Subject, and unless he is either a resident of the Yukon Territory or a servant of the Government of Canada or the Government of the Yukon Territory.

69. (1) Subject to this section, a fee of ten dollars is payable to the Commissioner for every commission issued to a notary public.

(2) No fee is payable for a commission issued to an officer, servant or employee of the Government of Canada or the Government of the Yukon Territory.”

CHAPTER 7

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ORDINANCES OF THE YUKON TERRITORY  
1967 (Second Session)

AN ORDINANCE TO AMEND THE FIRE  
PREVENTION ORDINANCE

O.Y.T.  
1962 (5th)  
c.3;  
1966 (2nd)  
c.12.

*(Assented to December 19th, 1967)*

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

1. Section 24 of the *Fire Prevention Ordinance* is amended by striking out the word "and" at the end of paragraph (g) thereof and by adding thereto, immediately after paragraph (g) thereof, the following paragraph:

"(ga) prescribing the fees and allowances to be paid to witnesses appearing to give evidence at an inquiry described in section 9; and"

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## CHAPTER 8

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 ORDINANCES OF THE YUKON TERRITORY  
 1967 (Second Session)

 AN ORDINANCE TO AMEND THE  
 INTERPRETATION ORDINANCE

*(Assented to December 19th, 1967)*

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

R.O.Y.T.  
 1958, c.58;  
 1959 (1st)  
 c.5.

1. Paragraph (j) of subsection (1) of section 20 of the *Interpretation Ordinance* is repealed and the following substituted therefore:

“(j) “holiday” includes Sunday, New Year’s Day, Good Friday, Easter Monday, Victoria Day, Dominion Day, Discovery Day (being the Friday immediately preceding the 18th day of August), Labour Day, Remembrance Day, Christmas Day, the birthday or the day fixed by proclamation for the celebration of the birthday of the reigning sovereign and any other day appointed by proclamation for a general fast or thanksgiving, and whenever a holiday other than Remembrance Day falls on a Sunday, the expression “holiday” includes the following day;”

CHAPTER 9

ORDINANCES OF THE YUKON TERRITORY  
1967 (Second Session)

R.O.Y.T.  
1958, c.84;  
1962 (1st)  
c.14.

AN ORDINANCE TO AMEND THE LEGAL  
PROFESSION ORDINANCE

(Assented to December 19th, 1967)

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

1. Section 11 of the *Legal Profession Ordinance* is repealed and the following substituted therefor:

“11. Before any person enrolled as a Barrister and Solicitor begins the practice of his profession as such, he shall be presented to the court by a Barrister and Solicitor in good standing, and shall take and subscribe before the Judge of the Territorial Court, in open court,

(a) an oath of allegiance in the following form:

OATH OF ALLEGIANCE

I, \_\_\_\_\_, do swear that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth the II, Her Heirs and Successors, according to law.

So Help Me God.

(b) an official oath in the following form

OFFICIAL OATH

I, \_\_\_\_\_, do swear that I will diligently, faithfully and to the best of my ability execute according to law the office of Barrister and Solicitor and that I will as a Barrister and



Solicitor conduct all causes and matters faithfully and to the best of my ability; I will not seek to destroy any man's property; I will not promote suits upon frivolous pretences; I will not pervert the law to favour or prejudice any man; but in all things conduct myself truly and with integrity; in fine, the sovereign interest and that of my fellow citizens, I will support and maintain according to the law in force in this territory.

So Help Me God."

2. Section 26 of the said Ordinance is hereby repealed, and the following substituted therefor:

"26. A Barrister and Solicitor who in the course of his duties as an employee of the Government of Canada, or the Government of the Yukon Territory, is required to practice law in the Territory shall be deemed to have complied with those requirements of this Ordinance which in the absence of this section would otherwise have to be observed before he could practice law in the Territory."

CHAPTER 10

ORDINANCES OF THE YUKON TERRITORY  
1967 (Second Session)

AN ORDINANCE TO AMEND THE  
LIQUOR ORDINANCE

*(Assented to December 19th, 1967)*

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

1. Section 31, of the said Ordinance is amended by adding thereto, immediately after subsection (7) thereof, the following subsection:

“(8) Notwithstanding anything in this section the Commissioner, upon request being made therefor, may issue permits to licencees authorizing the designated licensed premises to remain open for the purposes stated on the licence from 9:00 o’clock P.M., December 31st until 3:00 o’clock in the forenoon of the first day of January.”

- R.O.Y.T.
- 1958, c.67;
- 1959 (1st)
- c.6;
- 1961 (2nd)
- c.6;
- 1962 (1st)
- c.18;
- 1962 (5th)
- c.11;
- 1962 (5th)
- c.14;
- 1963 (1st)
- c.9;
- 1963 (1st)
- c.12;
- 1964 (1st)
- c.12;
- 1965 (1st)
- c.6;
- 1965 (2nd)
- c.3;
- 1966 (2nd)
- c.8.

CHAPTER 11

ORDINANCES OF THE YUKON TERRITORY  
1967 (Second Session)

AN ORDINANCE TO AMEND THE LOCAL  
IMPROVEMENT DISTRICT ORDINANCE

1965 (2nd)  
c.1.

*(Assented to December 19th, 1967)*

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

1. The *Local Improvement District Ordinance* is amended by adding thereto, immediately after section 6 thereof, the following section:

“6A (1) Subject to this Ordinance, a corporation carrying on business within a District is eligible to vote at an election of trustees if it is a taxpayer.

Certain corporation may vote.

(2) A person who has attained the age of twenty-one years may vote at an election of trustees on behalf of a corporation described in subsection (1) if there has been filed with the Chairman of the Board of Trustees not later than one month prior to such election a written authorization naming that person to be an agent of the corporation for this purpose.

Voting to be by agent.

(3) A person described in subsection (6) of section 6, who votes at an election of trustees as an agent of a corporation, is not disqualified from voting on his own behalf at an election of trustees.”

Agent not disqualified from voting on his own behalf.

CHAPTER 12

ORDINANCES OF THE YUKON TERRITORY  
1967 (Second Session)

AN ORDINANCE TO AMEND THE  
MOTOR VEHICLES ORDINANCE

*(Assented to December 19th, 1967)*

R.O.Y.T.  
1958, c.77;  
1960 (3rd)  
c.3;  
1961 (1st)  
c.5;  
1961 (2nd)  
c.7;  
1962 (1st)  
c.21;  
1962 (5th)  
c.8;  
1963 (2nd)  
c.9;  
1964 (1st)  
c.9;  
1965 (2nd)  
c.5;  
1966 (2nd)  
c.13.

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

1. The *Motor Vehicles Ordinance* is amended by adding thereto immediately following subsection (i) of section 2 thereof, the following subsection:

"Motorcycle."

"(ii) "motorcycle". In this Ordinance "motorcycle" means a motor vehicle mounted on two or three wheels and includes those motor vehicles known to the trade as motorcycles, motor scooters, and power bicycles."

2. The said Ordinance is further amended by adding thereto, immediately after subsection (14) of Section 6 thereof, this new subsection:

"6. (15) Notwithstanding any other provision of this ordinance or the Regulations, where a truck-tractor drawing a trailer is registered or licensed outside the Territory and is brought into the Territory at the south border of the Territory for the purpose of transferring the trailer to a properly licensed truck-tractor, the said first mentioned truck-tractor is exempt from the provisions of this Section during the portion of the journey between the south border of the Territory and settlement of Watson Lake and return to the border."

3. The said Ordinance is further amended by adding thereto, immediately following Section 6 thereof, the following section:

"6A (1) There shall be a board to be known as the Public Service Vehicle Enquiry Board consisting of a chairman and such number of other members as may be appointed by the Commissioner.

(2) The members of the Board shall be paid such remuneration as is determined by the Commissioner.

(3) The Commissioner may make regulations governing the procedures and operation of the Board, including the quorum thereof and the conduct of its hearings and generally respecting the duties and functions of the Board and any matters incidental thereto."

4. (1) All that portion of subsection (1) of section 33 of the *Motor Vehicles Ordinance* following paragraph (e) thereof is repealed and the following substituted therefor:

"shall forthwith deliver his license to the judge or magistrate making the conviction, and where the conviction is for an offence referred to in paragraph (a) (d) or (e) the judge or magistrate may, and where the conviction is for an offence referred to in paragraph (b) or (c), the judge or magistrate shall endorse on the license the particulars of the conviction."

(2) Section 33 of the said Ordinance is further amended by adding thereto the following subsections:

Endorsement  
on license  
for limited  
time.

"(3) Where a judge or magistrate endorses the particulars of a conviction on a chauffeur's license or an operator's license, he may also endorse thereon the period of time for which such endorsement shall remain on the license but in no case shall that period of time be greater than three years.

(4) An endorsement on a chauffeur's license or an operator's license made under this section is *prima facie* proof of the conviction without proof of the signature or official character of the judge or magistrate."

Endorsement  
as proof of  
conviction.

5. The said Ordinance is further amended by adding thereto, immediately following section 61 thereof, the following section:

Operator to wear safety helmet.

“61A (1) No person shall operate a motorcycle unless he is wearing a safety helmet securely attached on his head.

Passenger to wear safety helmet.

(2) No person shall ride as a passenger on a motorcycle, unless he is wearing a safety helmet securely attached on his head.

To ride only on permanent seat.

(3) A person operating a motorcycle shall ride only upon the permanent and regular seat attached thereto, and such operator shall not carry any other person nor shall any other person ride on a motorcycle unless such motorcycle is designed to carry more than one person, in which event a passenger may ride upon the permanent and regular seat if designed for 2 persons, or upon another seat firmly attached to the rear or side of the operator.”

6. Section 95 of the said Ordinances is repealed and the following substituted therefor :

Where no signs vehicle on right to have right of way.

“95. Except as provided in section 97, where two vehicles approach or enter an intersection from different highways at approximately the same time and there are no “Yield” signs, a driver shall yield the right of way to the vehicle that is on his right, but where there is a “Yield” sign, the driver facing the sign shall yield the right of way to all other traffic.”

7. The said Ordinance is further amended by adding thereto, immediately after section 130 thereof, the following section :

Proof of proper erection and maintenance of traffic control devices.

“130A. Where it is shown that a traffic control device exists, such fact shall be *prima facie* proof that the device was erected and maintained in accordance with the provisions of this Ordinance and the regulations.”

8. The said Ordinance is further amended by adding thereto, immediately following subparagraph (m) of subsection (1) of section 150 thereof, the following subparagraph :

“(n) prescribing the type and specification of safety helmet, and when such regulations have been made, “safety helmet” shall mean a helmet of the type prescribed in such regulations.”

CHAPTER 13

ORDINANCES OF THE YUKON TERRITORY  
1967 (Second Session)

AN ORDINANCE TO AMEND THE  
MOTOR VEHICLES ORDINANCE

(Assented to December 19th, 1967)

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

1. Subsection (b) of section 155 of the *Motor Vehicles Ordinance* is repealed and the following substituted therefor:

- “(b) (i) establishing, acquiring, operating, controlling and regulating parking stands and places for parking vehicles or any class or classes of vehicles on any highway or other public place or on any municipal lands designated in the by-law as parking stands or places and assigning any particular stand or place to a specific person or persons,
- (ii) prescribing a tariff of fees or charges to be paid by persons using such parking stands or places, which fees or charges may vary according to the location, the classification of the vehicles for which they are intended or as the council may otherwise determine, and in its discretion granting free use of all or any parking stands or places for all vehicles or any particular classification thereof for such period of time or during such hours as may be specified in the by-law, and

R.O.Y.T.  
1958, c.77;  
1960 (3rd)  
c.3;  
1961 (1st)  
c.5;  
1961 (2nd)  
c.7;  
1962 (1st)  
c.21;  
1962 (5th)  
c.8;  
1963 (2nd)  
c.9;  
1964 (1st)  
c.9;  
1965 (2nd)  
c.5;  
1966 (2nd)  
c.13.

- (iii) establishing, controlling and regulating a parking meter system or providing in any other manner for the collection of fees or charges payable by persons using such parking stands or places.”

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CHAPTER 14

ORDINANCES OF THE YUKON TERRITORY  
1967 (Second Session)

AN ORDINANCE TO AMEND THE  
MUNICIPAL ORDINANCE

(Assented to December 19th, 1967)

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

1. The *Municipal Ordinance* is amended by adding thereto, immediately after section 92 thereof, the following section:

“92A. (1) Where the Government of the Yukon Territory has incurred the cost of a local improvement within a municipality, the council of that municipality on behalf of the Government of the Yukon Territory, may by by-law assess, levy and collect by means of a special rate upon the parcels of land directly benefitted or upon that land and the municipality as a whole, as the case requires, the cost of such local improvement with interest at a rate not exceeding 6% per annum.

(2) Every by-law passed pursuant to subsection (1) shall provide for the payment of the cost of the local improvement within the probable life thereof as certified by the engineer or other proper officer appointed by the council for that purpose.

(3) Where a council has passed a by-law pursuant to subsection (1), the amount of money collected pursuant to that by-law shall be paid by the council to the Government of the Territory upon demand therefor.”

O.Y.T.  
1959 (2nd)  
c.1;  
1960 (1st)  
c.6;  
1961 (1st)  
c.6;  
1961 (2nd)  
c.5;  
1961 (2nd)  
c.9;  
1961 (3rd)  
c.2;  
1962 (1st)  
c.22;  
1962 (5th)  
c.10;  
1962 (6th)  
c.16;  
1963 (1st)  
c.5;  
1964 (1st)  
c.8;  
1964 (2nd)  
c.12;  
1966 (1st)  
c.6;  
1966 (2nd)  
c.7;  
1967 (1st)  
c.16.

CHAPTER 15

ORDINANCES OF THE YUKON TERRITORY  
1967 (Second Session)

AN ORDINANCE TO AMEND THE  
SCHOOL ORDINANCE

(Assented to December 19th, 1967)

O.Y.T.  
1962 (1st)  
c.7;  
1964 (1st)  
c.7;  
1965 (1st)  
c.3;  
1966 (1st)  
c.5;  
1966 (2nd)  
c.9.

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

1. Subsections (2) to (4) of section 97 of the *School Ordinance* are repealed and the following substituted therefor:

Appointment  
of salary  
committee.

“(2) Where the association referred to in subsection (1) represents a majority of the teachers in the Territorial schools, it may appoint a salary committee of not less than three and not more than four members to meet with the advisory committee referred to in subsection (4) to discuss salaries and working conditions.

Advisory  
committee.

(3) There shall be an advisory committee composed of not less than three and not more than four members appointed by the Commissioner one member of which shall be a Member of Council and appointed upon the recommendation of the Council.

Meetings.

(4) Meetings of the salary committee and the advisory committee may be initiated by either committee and shall be held at a time that will enable proper consideration to be given by the Commissioner before the preparation of the estimates for the succeeding year.

Report.

(5) The advisory committee created under subsection (3) shall report to the Commissioner and the Advisory Committee on Finance of the Council.

Agreement  
not  
binding.

(6) Any agreement reached by the salary committee and the advisory committee shall not be binding on the Commissioner, the association referred to in subsection (1) or any of its members.”

CHAPTER 16

ORDINANCES OF THE YUKON TERRITORY  
1967 (Second Session)

AN ORDINANCE TO AMEND THE  
TAXATION ORDINANCE

(Assented to December 19th, 1967)

O.Y.T.  
1959 (2nd)  
c.2;  
1960 (1st)  
c.5;  
1961 (1st)  
c.4;  
1963 (1st)  
c.6;  
1966 (2nd)  
c.6;  
1967 (1st)  
c.10;  
1967 (1st)  
c.17.

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

1. Section 42A of the *Taxation Ordinance* is repealed and the following substituted therefor:

"42A. Where any person has a complaint in respect of a tax that has been levied pursuant to section 50A or section 50C, that person, on or before the fifteenth day of March in the year in which the tax is levied, may appeal to the Commissioner in such manner as the Commissioner may prescribe."

Appeal to  
Commissioner.

2. Subsection (1) of section 50 of the said Ordinance is repealed and the following substituted therefor:

"50. (1) On or before the first day of February in each year the Commissioner shall, in accordance with this Ordinance, levy taxes at a uniform rate per dollar on the assessed value of all real property in the Territory liable to taxation under this Ordinance."

Taxes.

3. Section 50A of the said Ordinance is repealed and the following substituted therefor:

"50A. (1) In addition to any other tax imposed under this Ordinance the Commissioner may, on or before the first day of February in each year, levy a frontage tax at a uniform rate per foot of frontage

Frontage  
Tax of water  
or sewerage  
tax system.

- (a) in respect of the construction of a water system;
- (b) in respect of the construction of a sewerage system;

(c) in respect of the operation of a water system;

(d) in respect of the operation of a sewer-system, and

on real property abutting on such system.

Non-abutting property.

(2) The Commissioner may levy a frontage tax at a uniform rate per foot of frontage, in accordance with this section, on property not abutting on a water system or a sewerage system which is serviced by such system."

4. Section 50B of the said Ordinance is repealed and the following substituted therefor:

Irregularly shaped lots.

"50B. (1) For the purpose of computing the frontage of irregularly shaped lots, the frontage shall be deemed to be fifty per cent of the aggregate length of the front and rear sides of such lot.

Double abutment.

(2) For the purpose of computing the frontage of real property abutted on two or more sides by a water or sewerage system, the frontage shall be deemed to be fifty per cent of the aggregate length of the abutting sides.

Flankage abutment.

(3) Where a property abuts on a water or sewerage system on one side only (other than on the front thereof) the frontage shall be deemed to be seventy-five per cent of the abutting side."

5. The said Ordinance is further amended by adding thereto, immediately after Section 50B thereof, the following sections:

Financial Administration Ordinance.

"50C. Fees levied pursuant to Section 8 of the *Financial Administration Ordinance* for the use of a water system or a sewerage system may be recovered in the same manner as taxes levied under this Ordinance.

Consultation with ratepayers.

50D. (1) The Commissioner shall consult with the ratepayers liable to pay a tax in respect of a water or sewerage system, and where a majority of such ratepayers agree, the Commissioner may construct a water or sewerage system.

(2) Prior to the installation of such system the Commissioner shall determine, according to the preference of a majority of the ratepayers, the manner in which the costs thereof shall be levied or charged.

Majority of ratepayers.

(3) Where the Commissioner is satisfied that a majority of the ratepayers prefer a change in the manner in which the costs of a water or sewerage system are levied or charged he shall give effect to such change.

Change of levy.

(4) The Commissioner shall prescribe the choices in respect of which, the manner in which, and the method by which, any preference shall be ascertained."

Preference method prescribed.

6. Section 58 of the said Ordinance is repealed and the following substituted therefor:

"58. All taxes levied in any year shall be deemed to have been imposed and to be due and payable on the first day of April in that year."

When taxes payable.

7. Section 58A of the said Ordinance is repealed and the following substituted therefor:

"58A. The Commissioner may provide for the granting of a discount not exceeding five per cent of all payments of taxes made on or before the thirty-first day of March in the year in which the taxes are levied."

Discount.

8. Section 58B of the said Ordinance is repealed and the following substituted therefor:

"58B. A penalty in an amount equal to six per cent of taxes remaining unpaid after the thirtieth day of April in the year in which such taxes are levied is due and payable on the first day of May in such year."

Penalty.

9. Section 58C of the said Ordinance is repealed and the following substituted therefor:

"58C. All taxes and penalties remaining unpaid after the thirtieth day of April in the year in which such taxes are levied shall bear interest from that date at the rate of six per cent per annum."

Interest payable.

**10.** Subsections (1) and (1a) of section 59 of the said Ordinance are repealed and the following substituted therefor:

**Demand  
for taxes.**

**“59. (1) On or before the fifteenth day of February in each year the Collector shall transmit by mail a demand for payment of the taxes payable under this ordinance to each person liable therefor whose name appears on the tax roll or to his agent if the address of the agent has been transmitted to the Collector.”**

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CHAPTER 17

ORDINANCES OF THE YUKON TERRITORY  
1967 (Second Session)

AN ORDINANCE TO AUTHORIZE THE  
COMMISSIONER TO BORROW A SUM NOT  
EXCEEDING ONE HUNDRED THOUSAND  
DOLLARS FROM THE GOVERNMENT OF CANADA  
AND TO AUTHORIZE THE COMMISSIONER TO  
ENTER INTO AN AGREEMENT RELATING  
THERE TO

(Assented to December 19th, 1967)

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

1. This Ordinance may be cited as the *Loan Agreement Ordinance (1967), No. 1.* Short Title.
2. The Commissioner may on behalf of the Yukon Territory borrow from the Government of Canada a sum not exceeding one hundred thousand dollars. Commissioner may borrow.
3. The Commissioner is authorized to enter into and execute on behalf of the Government of the Territory an agreement with the Government of Canada providing for
  - (a) the repayment to the Government of Canada of the amount borrowed pursuant to section 2;
  - (b) the payment to the Government of Canada of interest at such rate as may be agreed upon by the Commissioner on the principal from time to time outstanding on the amount borrowed pursuant to section 2; and
  - (c) such other terms and conditions as may be agreed upon by the Commissioner.Commissioner may execute agreement.
4. The Commissioner is empowered to do every act and exercise every power for the purpose of implementing every obligation assumed by the Government of the Territory under this Agreement. Commissioner may implement agreement.