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SNL2004 CHAPTER L-3.1

**LABRADOR INUIT LAND CLAIMS  
AGREEMENT ACT**

Amended:

2005 c18; 2006 c18; 2009 c36; 2009 c37; 2012 c21

**CHAPTER L-3.1**

**AN ACT TO RATIFY AND GIVE THE FORCE OF LAW TO THE  
LABRADOR INUIT LAND CLAIMS AGREEMENT**

*Analysis*

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WHEREAS the *Constitution Act, 1982* (Canada ) recognizes and affirms the aboriginal and treaty rights of the aboriginal peoples of Canada ;

AND WHEREAS the Inuit of Labrador are an aboriginal people of Canada ;

AND WHEREAS the Inuit of Labrador claim aboriginal rights in and to the Labrador Inuit Land Claims Area based on their traditional and current use and occupancy of the lands, water and sea ice of the Labrador Inuit Land Claims Area in accordance with their own customs and traditions;

AND WHEREAS the Inuit of Labrador as represented by the Labrador Inuit Association, Her Majesty the Queen in right of Newfoundland and Labrador and Her Majesty the Queen in right of Canada have negotiated the Labrador Inuit Land Claims Agreement in order to define and achieve certainty with respect to their respective rights and powers in relation to the aboriginal rights claimed by the Inuit of Labrador;

AND WHEREAS the Inuit of Labrador have ratified the Labrador Inuit Land Claims Agreement in accordance with its terms;

AND WHEREAS the Labrador Inuit Land Claims Agreement requires that legislation be enacted by the province to ratify the Labrador Inuit Land Claims Agreement;

THEREFORE BE IT ENACTED by the *Lieutenant-Governor and House of Assembly in Legislative Session convened, as follows:*

**Short title**

1. This Act may be cited as the *Labrador Inuit Land Claims Agreement Act* .

[2004 cL-3.1 s1](#)

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**Interpretation**

2. (1) In this Act

(a) "Labrador Inuit Framework Taxation Agreement" means the Labrador Inuit Framework Taxation Agreement made on May 5, 2006 between Her Majesty in Right of Newfoundland and Labrador and the Nunatsiavut Government and amendments made to it;

(a.1) "Labrador Inuit Land Claims Agreement" means the Labrador Inuit Land Claims Agreement signed on behalf of the Inuit of Labrador as represented by the Labrador Inuit Association, Her Majesty the Queen in right of Newfoundland and Labrador and Her Majesty the Queen in right of Canada as set out in the Schedule attached to this Act and includes amendments made to that Agreement; and

(b) "Tax Treatment Agreement" means the Labrador Inuit Tax Treatment Agreement made between Her Majesty in right of Canada, Her Majesty in right of Newfoundland and Labrador and the Inuit of Labrador and signed on behalf of Canada on April 12, 2005, on behalf of Newfoundland and Labrador on March 24, 2005 and on behalf of the Inuit of Labrador on March 15, 2005 and amendments made to it.

(2) Unless the context indicates otherwise, a word or term used in this Act shall have the same meaning as that word or term as defined in the Labrador Inuit Land Claims Agreement.

[2005 c18 s1](#); [2006 c18 s1](#)

## PART I LABRADOR INUIT LAND CLAIMS AGREEMENT

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### **Status of Agreement**

3. (1) The Labrador Inuit Land Claims Agreement is a treaty and a land claims agreement within the meaning of sections 25 and 35 of the *Constitution Act, 1982* .

(2) The Labrador Inuit Land Claims Agreement is ratified, given effect, declared valid and has the force of law.

(3) A reference in an Act or regulation of the province to a definition, provision, term or condition of the *Labrador Inuit Land Claims Agreement Act* shall be considered to include a reference to a definition, provision, term or condition of the Labrador Inuit Land Claims Agreement.

[2004 cL-3.1 s3](#)

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### **Board powers and rights**

4. A board established under the Labrador Inuit Land Claims Agreement has the powers, rights, privileges and benefits conferred on that board and its members under the Labrador Inuit Land Claims Agreement and shall perform the duties and is subject to the liabilities imposed under that Agreement.

[2004 cL-3.1 s4](#)

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### **Conflict**

5. (1) In the event of an inconsistency or conflict between the Labrador Inuit Land Claims Agreement and another law of the province, the Labrador Inuit Land Claims Agreement prevails.

(2) In the event of an inconsistency or conflict between this Act and another law of the province, this Act prevails.

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### **Authorization to sign**

6. (1) The Lieutenant-Governor in Council may authorize a minister to sign the Labrador Inuit Land Claims Agreement.

(2) The Lieutenant-Governor in Council may authorize a Minister to enter into an agreement that is contemplated by the Labrador Inuit Land Claims Agreement.

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### **Ownership of land**

7. (1) The Inuit own the estate in fee simple in Labrador Inuit Lands, subject to the terms set out in the Labrador Inuit Land Claims Agreement.

(2) A person's interest in Labrador Inuit Lands other than the estate in Labrador Inuit Lands referred to in subsection (1) is, except where otherwise provided under the Labrador Inuit Land Claims Agreement, extinguished.

(3) A person whose interest has been extinguished under subsection (2) shall not bring an action to enforce or otherwise claim compensation in respect of that claim following the expiration of one year after the coming into force of this Act.

(4) The minister responsible for the administration of this Act under the *Executive Council Act* shall cause a certified copy of the description of the Labrador Inuit Lands and of the Map Atlas to be deposited with the Crown Lands Administration Division as defined under the *Lands Act*.

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### **Payment obligations**

8. Subject to the *Financial Administration Act*, the Minister of Finance may, from money voted by the Legislature for the purpose, make payments as required that arise out of obligations of the government of the province under or in relation to the Labrador Inuit Land Claims Agreement.

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### **Tax Treatment Agreement**

8.1 (1) The Tax Treatment Agreement is ratified, given effect and declared valid and has the force of law during the period that it is in effect.

(2) The Tax Treatment Agreement does not form a part of the Labrador Inuit Land Claims Agreement and is not a treaty or a land claims agreement within the meaning of sections 25 and 35 of the *Constitution Act, 1982*.

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### **Application of municipal taxation to non-beneficiaries**

8.2 (1) Notwithstanding that in accordance with subsections 3(4) and (5) of the *Municipalities Act, 1999* an Inuit Community is no longer a municipality as defined in that Act, the Inuit

Community Council for that Inuit Community may impose upon Persons other than Inuit who are resident in that Inuit Community a tax, assessment or levy described in Parts V and VI of the *Municipalities Act, 1999* and in the *Taxation of Utilities and Cable Television Companies Act* .

(2) Where a tax, assessment or levy is imposed upon Persons other than Inuit under subsection (1), the *Municipalities Act, 1999* , *Taxation of Utilities and Cable Television Companies Act* and the *Assessment Act* shall apply to the Inuit Community Council imposing that tax, assessment or levy as if that Inuit Community Council was a council of a municipality as defined in the *Municipalities Act, 1999*.

(3) The Labrador Inuit Framework Taxation Agreement is ratified, given effect and declared valid and has the force of law during the period that it is in effect.

(4) The Labrador Inuit Framework Taxation Agreement does not form a part of the Labrador Inuit Land Claims Agreement and is not a treaty or a land claims agreement within the meaning of sections 25 and 35 of the *Constitution Act, 1982* .

[2006 c18 s2](#)

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### **Judicial notice and evidence of law**

9. (1) Judicial notice shall be taken of Inuit Laws and Bylaws.

(2) A copy of an Inuit Law or Bylaw purporting to be deposited in a public registry as required under the Labrador Inuit Land Claims Agreement is evidence of that Inuit Law or Bylaw and of its contents unless the contrary is shown.

[2004 cL-3.1 s9](#)

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### **Statutes and Subordinate Legislation Act**

10. An Inuit Law or Bylaw shall not be considered to be subordinate legislation within the meaning of the *Statutes and Subordinate Legislation Act*.

[2004 cL-3.1 s10](#)

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### **Orders and regulations**

11. The Lieutenant-Governor in Council may make orders and regulations for the purpose of carrying out a provision of this Act or of the Labrador Inuit Land Claims Agreement.

[2004 cL-3.1 s11](#)

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### **Notice**

12. (1) Where, in a judicial or administrative proceeding, an issue arises with respect to the

- (a) interpretation or validity of the Labrador Inuit Land Claims Agreement; or
- (b) validity or applicability of this Act or an Inuit Law or Bylaw,

the issue shall not be decided until the party to the proceeding raising the issue has properly served notice on the Attorney General for the province, the Attorney General of Canada and the Nunatsiavut Government.

- (2) The notice required under subsection (1) shall
- (a) describe the judicial or administrative proceeding in which the issue arises;
  - (b) state whether the issue arises in respect of the matters referred to in paragraph (1)(a) or (b) or in both;
  - (c) state the day on which the issue is to be argued;
  - (d) give particulars necessary to show the point to be argued; and
  - (e) be served at least 14 days before the day of argument unless the court or tribunal considering the matter authorizes a shorter notice period.

(3) In a judicial or administrative proceeding to which subsection (1) applies, the Attorney General of the province, the Attorney General of Canada and the Nunatsiavut Government may appear and participate in the proceeding as parties with the same rights as any other party to the proceeding.

[2004 cL-3.1 s12](#)

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### **Chapter 22 validity**

13. Chapter 22 of the Labrador Inuit Land Claims Agreement as implemented before the Effective Date shall be considered to be valid and have the force of law on and after August 29, 2003 and the Ratification Committee shall be considered to have been validly established under that chapter and have all the powers and authority provided to it under the Labrador Inuit Land Claims Agreement on and after that date.

[2004 cL-3.1 s13](#)

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### **Crown bound**

14. (1) This Act binds the Crown to the extent necessary to give effect to the provisions of the Labrador Inuit Land Claims Agreement that apply to the Crown.

(2) Subsection (1) shall not be interpreted to mean that Inuit Laws and Bylaws bind the Crown.

[2004 cL-3.1 s14](#)

## **PART II CONSEQUENTIAL AMENDMENTS**

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### **SNL1999 cA-2.1** as amended

**15. Section 3 of the *Adoption Act* is amended by adding immediately after subsection (2) the following:**

(3) Notwithstanding subsections (1) and (2), this Act and regulations made under this Act shall be read and applied in conjunction with the *Labrador Inuit Land Claims Agreement Act* and, where a provision of this Act or regulations made under this Act is inconsistent or conflicts with a provision, term or condition of the *Labrador Inuit Land Claims Agreement Act*, the provision, term or condition of the *Labrador Inuit Land Claims Agreement Act* shall have precedence over the provision of this Act or a regulation made under this Act.

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**RSNL1990 cA-13**

as amended

**16. The *Aquaculture Act* is amended by adding immediately after section 3 the following:**

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**Labrador Inuit rights**

**3.1** (1) This Act and regulations made under this Act shall be read and applied in conjunction with the *Labrador Inuit Land Claims Agreement Act* and, where a provision of this Act or regulations made under this Act is inconsistent or conflicts with a provision, term or condition of the *Labrador Inuit Land Claims Agreement Act*, the provision, term or condition of the *Labrador Inuit Land Claims Agreement Act* shall have precedence over the provision of this Act or a regulation made under this Act.

(2) Where, under this Act, the minister issues an aquaculture licence he or she may add to that licence terms and conditions that the licensee must comply with in order to ensure compliance with the terms and conditions of the *Labrador Inuit Land Claims Agreement Act*.

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**RSNL1990 cA-16**

as amended

**17. The *Archives Act* is amended by adding immediately after section 17 the following:**

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**Labrador Inuit rights**

**18.** This Act shall be read and applied in conjunction with the *Labrador Inuit Land Claims Agreement Act* and, where a provision of this Act is inconsistent or conflicts with a provision, term or condition of the *Labrador Inuit Land Claims Agreement Act*, the provision, term or condition of the *Labrador Inuit Land Claims Agreement Act* shall have precedence over the provision of this Act.

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**RSNL1990 cC-11**

**18. The *Chattels Real Act* is amended by adding immediately after section 5 the following:**

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**Labrador Inuit rights**

**6.** This Act shall be read and applied in conjunction with the *Labrador Inuit Land Claims Agreement Act* and, where a provision of this Act is inconsistent or conflicts with a provision, term or condition of the *Labrador Inuit Land Claims Agreement Act*, the provision, term or condition of the *Labrador Inuit Land Claims Agreement Act* shall have precedence over the provision of this Act.

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**SNL1998 cC-11.1**

as amended



**19. The *Child Care Services Act* is amended by adding immediately after section 3 the following:**

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#### **Labrador Inuit rights**

**3.1** (1) This Act and regulations made under this Act shall be read and applied in conjunction with the *Labrador Inuit Land Claims Agreement Act* and, where a provision of this Act or regulations made under this Act is inconsistent or conflicts with a provision, term or condition of the *Labrador Inuit Land Claims Agreement Act*, the provision, term or condition of the *Labrador Inuit Land Claims Agreement Act* shall have precedence over the provision of this Act or a regulation made under this Act.

(2) Where, under this Act or regulations made under this Act, a director issues a licence he or she may add to that licence terms and conditions that the licensee must comply with in order to ensure compliance with the terms and conditions of the *Labrador Inuit Land Claims Agreement Act*.

[2004 cL-3.1 s19](#)

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#### **SNL1998 cC-12.1**

as amended

**20. The *Child, Youth and Family Services Act* is amended by adding immediately after section 2 the following:**

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#### **Labrador Inuit rights**

**2.1** This Act and regulations made under this Act shall be read and applied in conjunction with the *Labrador Inuit Land Claims Agreement Act* and, where a provision of this Act or regulations made under this Act is inconsistent or conflicts with a provision, term or condition of the *Labrador Inuit Land Claims Agreement Act*, the provision, term or condition of the *Labrador Inuit Land Claims Agreement Act* shall have precedence over the provision of this Act or a regulation made under this Act.

[2004 cL-3.1 s20](#)

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#### **RSNL1990 cC-13**

as amended

**21. The *Children's Law Act* is amended by adding immediately after section 5 the following:**

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#### **Labrador Inuit rights**

**5.1** This Act shall be read and applied in conjunction with the *Labrador Inuit Land Claims Agreement Act* and, where a provision of this Act is inconsistent or conflicts with a provision, term or condition of the *Labrador Inuit Land Claims Agreement Act*, the provision, term or condition of the *Labrador Inuit Land Claims Agreement Act* shall have precedence over the provision of this Act.

[2004 cL-3.1 s21](#)

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#### **RSNL1990 cC-34**

as amended

**22. The *Conveyancing Act* is amended by adding immediately after section 2 the following:**

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## Labrador Inuit rights

**2.1** This Act shall be read and applied in conjunction with the *Labrador Inuit Land Claims Agreement Act* and, where a provision of this Act is inconsistent or conflicts with a provision, term or condition of the *Labrador Inuit Land Claims Agreement Act*, the provision, term or condition of the *Labrador Inuit Land Claims Agreement Act* shall have precedence over the provision of this Act.

[2004 cL-3.1 s22](#)

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## RSNL1990 cC-43

as amended

**23. Section 7 of the *Crown Royalties Act* is amended by renumbering it as subsection 7(1) and by adding immediately after that subsection the following:**

(2) This Act shall be read and applied in conjunction with the *Labrador Inuit Land Claims Agreement Act* and, where a provision of this Act is inconsistent or conflicts with a provision, term or condition of the *Labrador Inuit Land Claims Agreement Act*, the provision, term or condition of the *Labrador Inuit Land Claims Agreement Act* shall have precedence over the provision of this Act.

[2004 cL-3.1 s23](#)

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## RSNL1990 cD-21

**24. The *Detention of Intoxicated Persons Act* is amended by adding immediately after section 2 the following:**

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## Labrador Inuit rights

**2.1** This Act shall be read and applied in conjunction with the *Labrador Inuit Land Claims Agreement Act* and, where a provision of this Act is inconsistent or conflicts with a provision, term or condition of the *Labrador Inuit Land Claims Agreement Act*, the provision, term or condition of the *Labrador Inuit Land Claims Agreement Act* shall have precedence over the provision of this Act.

[2004 cL-3.1 s24](#)

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## SNL1994 cE-5.1

as amended

**25. The *Electrical Power Control Act, 1994* is amended by adding immediately after section 2 the following:**

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## Labrador Inuit rights

**2.1 (1)** This Act and regulations made under this Act shall be read and applied in conjunction with the *Labrador Inuit Land Claims Agreement Act* and, where a provision of this Act or regulations made under this Act is inconsistent or conflicts with a provision, term or condition of the *Labrador Inuit Land Claims Agreement Act*, the provision, term or condition of the *Labrador Inuit Land Claims Agreement Act* shall have precedence over the provision of this Act or a regulation made under this Act.

(2) Where, under this Act the public utilities board issues a licence, the public utilities board may add to that licence terms and conditions that the licensee must comply with in order to ensure compliance with the terms and conditions of the *Labrador Inuit Land Claims Agreement Act* .

[2004 cL-3.1 s25](#)

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#### **RSNL1990 cE-8**

as amended

**26. Section 22 of the *Emergency Measures Act* is amended by renumbering it as subsection 22(1) and by adding immediately after that subsection the following:**

(2) Notwithstanding subsection (1), this Act and regulations made under this Act shall be read and applied in conjunction with the *Labrador Inuit Land Claims Agreement Act* and, where a provision of this Act or regulations made under this Act is inconsistent or conflicts with a provision, term or condition of the *Labrador Inuit Land Claims Agreement Act* , the provision, term or condition of the *Labrador Inuit Land Claims Agreement Act* shall have precedence over the provision of this Act or a regulation made under this Act.

[2004 cL-3.1 s26](#)

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#### **SNL2001 cE-10.1**

**27. The *Endangered Species Act* is amended by adding immediately after section 5 the following:**

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#### **Labrador Inuit rights**

**5.1** This Act and regulations made under this Act shall be read and applied in conjunction with the *Labrador Inuit Land Claims Agreement Act* and, where a provision of this Act or regulations made under this Act is inconsistent or conflicts with a provision, term or condition of the *Labrador Inuit Land Claims Agreement Act* , the provision, term or condition of the *Labrador Inuit Land Claims Agreement Act* shall have precedence over the provision of this Act or a regulation made under this Act.

[2004 cL-3.1 s27](#)

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#### **SNL2002 cE-14.2**

**28. (1) Section 4 of the *Environmental Protection Act* is amended by adding immediately after subsection (4) the following:**

(5) Notwithstanding subsections (1) to (4), this Act and regulations made under this Act shall be read and applied in conjunction with the *Labrador Inuit Land Claims Agreement Act* and, where a provision of this Act or regulations made under this Act is inconsistent or conflicts with a provision, term or condition of the *Labrador Inuit Land Claims Agreement Act* , the provision, term or condition of the *Labrador Inuit Land Claims Agreement Act* shall have precedence over the provision of this Act or a regulation made under this Act.

**(2) The Act is amended by adding immediately after section 4 the following:**

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**Terms added to approvals, licences etc.**

4.1 Where, under this Act, the minister issues an approval, licence or other authorization the minister may add to that approval, licence or other authorization terms and conditions that the holder of the approval, licence or authorization is required to comply with in order to ensure compliance with the terms and conditions of the *Labrador Inuit Land Claims Agreement Act* .

[2004 cL-3.1 s28](#)

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#### **SNL1995 cE-16.1**

as amended

**29. Section 10 of the *Executive Council Act* is amended by renumbering it as subsection 10(1) and by adding immediately after that subsection the following:**

(2) A minister may enter into an agreement with the Nunatsiavut government respecting matters for which an agreement is required under the *Labrador Inuit Land Claims Agreement Act* .

(3) In subsection (2), "Nunatsiavut government" means the Nunatsiavut Government as defined in the *Labrador Inuit Land Claims Agreement Act*.

[2004 cL-3.1 s29](#)

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#### **RSNL1990 cE-18**

as amended

**30. The *Exhumation Act* is amended by adding immediately after section 5 the following:**

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#### **Labrador Inuit rights**

6. This Act shall be read and applied in conjunction with the *Labrador Inuit Land Claims Agreement Act* and, where a provision of this Act is inconsistent or conflicts with a provision, term or condition of the *Labrador Inuit Land Claims Agreement Act* , the provision, term or condition of the *Labrador Inuit Land Claims Agreement Act* shall have precedence over the provision of this Act.

[2004 cL-3.1 s30](#)

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#### **RSNL1990 cE-19**

as amended

**31. The *Expropriation Act* is amended by adding immediately after section 3 the following:**

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#### **Labrador Inuit rights**

3.1 Notwithstanding section 3, this Act shall be read and applied in conjunction with the *Labrador Inuit Land Claims Agreement Act* and, where a provision of this Act is inconsistent or conflicts with a provision, term or condition of the *Labrador Inuit Land Claims Agreement Act* , the provision, term or condition of the *Labrador Inuit Land Claims Agreement Act* shall have precedence over the provision of this Act.

[2004 cL-3.1 s31](#)

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#### **RSNL1990 cF-2**

as amended

**32. The *Family Law Act* is amended by adding immediately after section 2 the following:**

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## Labrador Inuit rights

**2.1** This Act and regulations made under this Act shall be read and applied in conjunction with the *Labrador Inuit Land Claims Agreement Act* and, where a provision of this Act or regulations made under this Act is inconsistent or conflicts with a provision, term or condition of the *Labrador Inuit Land Claims Agreement Act*, the provision, term or condition of the *Labrador Inuit Land Claims Agreement Act* shall have precedence over the provision of this Act.

[2004 cL-3.1 s32](#)

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## RSNL1990 cF-3

**33. The *Family Relief Act* is amended by adding immediately after section 2 the following:**

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## Labrador Inuit rights

**2.1** This Act shall be read and applied in conjunction with the *Labrador Inuit Land Claims Agreement Act* and, where a provision of this Act is inconsistent or conflicts with a provision, term or condition of the *Labrador Inuit Land Claims Agreement Act*, the provision, term or condition of the *Labrador Inuit Land Claims Agreement Act* shall have precedence over the provision of this Act.

[2004 cL-3.1 s33](#)

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## RSNL1990 cF-8

as amended

**34. Section 22 of the *Financial Administration Act* is amended by**

- (a) deleting the word "and" at the end of the paragraph (e);
- (b) deleting the period at the end of paragraph (f) and substituting a semicolon and the word "and"; and
- (c) adding immediately after paragraph (f) the following:
  - (g) issues may be made in respect of obligations of Her Majesty in Right of the province arising under clauses 7.3.1 to 7.6.11, inclusive, of the *Labrador Inuit Land Claims Agreement Act* as defined in the *Labrador Inuit Land Claims Agreement Act*.

[2004 cL-3.1 s34](#)

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## RSNL1990 cF-12

as amended

**35. The *Fish Inspection Act* is amended by adding immediately after section 2 the following:**

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## Labrador Inuit rights

**2.1 (1)** This Act and regulations made under this Act shall be read and applied in conjunction with the *Labrador Inuit Land Claims Agreement Act* and, where a provision of this Act or regulations made under this Act is inconsistent or conflicts with a provision, term or condition of the *Labrador Inuit Land Claims Agreement Act*, the provision, term or condition of the *Labrador Inuit*

*Land Claims Agreement Act* shall have precedence over the provision of this Act or a regulation made under this Act.

(2) Where, under this Act or regulations made under this Act, the minister issues a licence he or she may add to that licence terms and conditions that the licensee must comply with in order to ensure compliance with the terms and conditions of the *Labrador Inuit Land Claims Agreement Act* .

[2004 cL-3.1 s35](#)

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## **RSNL1990 cF-23**

as amended

**36. The *Forestry Act* is amended by adding immediately after section 3 the following:**

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### **Labrador Inuit rights**

**3.1** (1) This Act and regulations made under this Act shall be read and applied in conjunction with the *Labrador Inuit Land Claims Agreement Act* and, where a provision of this Act or regulations made under this Act is inconsistent or conflicts with a provision, term or condition of the *Labrador Inuit Land Claims Agreement Act* , the provision, term or condition of the *Labrador Inuit Land Claims Agreement Act* shall have precedence over the provision of this Act or a regulation made under this Act.

(2) Where, under this Act or regulations made under this Act, the minister issues a permit or licence he or she may add to that permit or licence terms and conditions that the holder of the permit or licence must comply with in order to ensure compliance with the terms and conditions of the *Labrador Inuit Land Claims Agreement Act* .

[2004 cL-3.1 s36](#)

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## **RSNL1990 cG-3**

as amended

**37. The *Geographical Names Board Act* is amended by adding immediately after section 8 the following:**

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### **Labrador Inuit rights**

**9.** Notwithstanding sections 5 to 8, this Act shall be read and applied in conjunction with the *Labrador Inuit Land Claims Agreement Act* and, where a provision of this Act is inconsistent or conflicts with a provision, term or condition of the *Labrador Inuit Land Claims Agreement Act* , the provision, term or condition of the *Labrador Inuit Land Claims Agreement Act* shall have precedence over the provision of this Act.

[2004 cL-3.1 s37](#)

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## **SNL1995 cP-37.1**

as amended

**38. The *Health and Community Services Act* is amended by adding immediately after section 2 the following:**

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### **Labrador Inuit rights**

**2.1** This Act and regulations made under this Act shall be read and applied in conjunction with the *Labrador Inuit Land Claims Agreement Act* and, where a provision of this Act or regulations made under this Act is inconsistent or conflicts with a provision, term or condition of the *Labrador Inuit Land Claims Agreement Act* , the provision, term or condition of the *Labrador Inuit Land Claims Agreement Act* shall have precedence over the provision of this Act.

[2004 cL-3.1 s38](#)

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#### **RSNL1990 cH-4**

as amended

**39. The *Historic Resources Act* is amended by adding immediately after section 3 the following:**

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#### **Labrador Inuit rights**

**3.1** (1) This Act shall be read and applied in conjunction with the *Labrador Inuit Land Claims Agreement Act* and, where a provision of this Act is inconsistent or conflicts with a provision, term or condition of the *Labrador Inuit Land Claims Agreement Act* , the provision, term or condition of the *Labrador Inuit Land Claims Agreement Act* shall have precedence over the provision of this Act.

(2) Where, under this Act or regulations made under this Act, the minister issues a permit he or she may add to that permit terms and conditions that the holder of the permit must comply with in order to ensure compliance with the terms and conditions of the *Labrador Inuit Land Claims Agreement Act* .

[2004 cL-3.1 s39](#)

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#### **RSNL1990 cH-14**

as amended

**40. (1) Section 4 of the *Human Rights Code* is amended by adding immediately after subsection (3) the following:**

- (4) A provision of the
  - (a) Voisey's Bay Inuit Impacts and Benefits Agreement dated July 29, 2002 , between
    - (i) Labrador Inuit Association, a corporation incorporated under the laws of Newfoundland and Labrador , and
    - (ii) Voisey's Bay Nickel Company Limited, a corporation incorporated under the laws of Newfoundland and Labrador , and
    - (iii) Inco Limited, a corporation incorporated under the laws of Canada ; and
  - (b) Voisey's Bay Innu Impacts and Benefits Agreement dated July 29, 2002 , between
    - (i) Innu Nation, a corporation incorporated under the laws of Canada , and
    - (ii) Voisey's Bay Nickel Company Limited, a corporation incorporated under the laws of Newfoundland and Labrador , and
    - (iii) Inco Limited, a corporation incorporated under the laws of Canada ,

by which preference respecting training, employment and contracting is given or agreed to be given to Inuit as defined under the agreement referred to in paragraph (a) or Innu as defined in the

agreement referred to in paragraph (b) shall have effect notwithstanding this Act.

(5) Subsection (4) shall be considered to have come into force on July 29, 2002 .

**(2) The Act is amended by adding immediately after section 5.1 the following:**

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### **Labrador Inuit rights**

**5.2** Notwithstanding section 5, this Act shall be read and applied in conjunction with the *Labrador Inuit Land Claims Agreement Act* and, where a provision of this Act is inconsistent or conflicts with a provision, term or condition of the *Labrador Inuit Land Claims Agreement Act* , the provision, term or condition of the *Labrador Inuit Land Claims Agreement Act* shall have precedence over the provision of this Act.

[2004 cL-3.1 s40](#)

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### **SNL2002 cI-0.1**

**41. The *Income and Employment Support Act* is amended by adding immediately after section 3 the following:**

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### **Labrador Inuit rights**

**3.1** This Act and regulations made under this Act shall be read and applied in conjunction with the *Labrador Inuit Land Claims Agreement Act* and, where a provision of this Act or regulations made under this Act is inconsistent or conflicts with a provision, term or condition of the *Labrador Inuit Land Claims Agreement Act* , the provision, term or condition of the *Labrador Inuit Land Claims Agreement Act* shall have precedence over the provision of this Act or a regulation made under this Act.

[2004 cL-3.1 s41](#)

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### **RSNL1990 cI-21**

**42. The *Intestate Succession Act* is amended by adding immediately after section 3 the following:**

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### **Labrador Inuit rights**

**3.1** This Act shall be read and applied in conjunction with the *Labrador Inuit Land Claims Agreement Act* and, where a provision of this Act is inconsistent or conflicts with a provision, term or condition of the *Labrador Inuit Land Claims Agreement Act* , the provision, term or condition of the *Labrador Inuit Land Claims Agreement Act* shall have precedence over the provision of this Act.

[2004 cL-3.1 s42](#)

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### **SNL1996 cJ-1.1**

as amended

**43. (1) The *Judgment Enforcement Act* is amended by adding immediately after section 3 the following:**



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## Labrador Inuit rights

**3.1** This Act shall be read and applied in conjunction with the *Labrador Inuit Land Claims Agreement Act* and, where a provision of this Act is inconsistent or conflicts with a provision, term or condition of the *Labrador Inuit Land Claims Agreement Act*, the provision, term or condition of the *Labrador Inuit Land Claims Agreement Act* shall have precedence over the provision of this Act.

**(2) The Act is amended by adding immediately after section 109 the following:**

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## Labrador Inuit lands exempt

**109.1** (1) Notwithstanding subsection 101(1), a creditor with a money judgment shall not instruct the sheriff to sell lands that are Labrador Inuit Lands as defined in the *Labrador Inuit Land Claims Agreement Act* and the sheriff shall not carry out an enforcement proceeding against those lands.

(2) Subsection (1) does not apply to a statutory lien of the government of the province or of Canada upon Labrador Inuit Lands as defined in the *Labrador Inuit Land Claims Agreement Act* .

[2004 cL-3.1 s43](#)

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## SNL1991 c36

as amended

**44. The *Lands Act* is amended by adding immediately after section 2 the following:**

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## Labrador Inuit rights

**2.1** (1) This Act and regulations made under this Act shall be read and applied in conjunction with the *Labrador Inuit Land Claims Agreement Act* and, where a provision of this Act or regulations made under this Act is inconsistent or conflicts with a provision, term or condition of the *Labrador Inuit Land Claims Agreement Act* , the provision, term or condition of the *Labrador Inuit Land Claims Agreement Act* shall have precedence over the provision of this Act or a regulation made under this Act.

(2) Where, under this Act or regulations made under this Act, the minister issues or renews a lease, licence, easement or grant he or she may add to that lease, licence, easement or grant terms and conditions that the holder of the lease, licence, easement or grant must comply with in order to ensure compliance with the provisions, terms and conditions of the *Labrador Inuit Land Claims Agreement Act* .

[2004 cL-3.1 s44](#)

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## SNL1995 cL-16.1

as amended

**45. The *Limitations Act* is amended by adding immediately after section 23 the following:**

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## Labrador Inuit rights

**23.1** Notwithstanding section 23, this Act shall be read and applied in conjunction with the *Labrador Inuit Land Claims Agreement Act* and, where a provision of this Act is inconsistent or conflicts with a provision, term or condition of the *Labrador Inuit Land Claims Agreement Act* , the

provision, term or condition of the *Labrador Inuit Land Claims Agreement Act* shall have precedence over the provision of this Act.

[2004 cL-3.1 s45](#)

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## **RSNL1990 cL-18**

as amended

**46. (1) The *Liquor Control Act* is amended by adding immediately after section 2 the following:**

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### **Labrador Inuit rights**

**2.1** This Act and regulations made under this Act shall be read and applied in conjunction with the *Labrador Inuit Land Claims Agreement Act* and, where a provision of this Act or regulations made under this Act is inconsistent or conflicts with a provision, term or condition of the *Labrador Inuit Land Claims Agreement Act*, the provision, term or condition of the *Labrador Inuit Land Claims Agreement Act* shall have precedence over the provision of this Act or a regulation made under this Act.

**(2) The Act is amended by adding immediately after section 17 the following:**

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### **Appeal from Nunatsiuvut government decision**

**17.1 (1)** Where a person is aggrieved by a decision of the Nunatsiuvut government relating to the denial of an application for an alcoholic beverage licence, the suspension or cancellation of an alcoholic beverage licence or a refusal or failure to renew an alcoholic beverage licence under the *Labrador Inuit Land Claims Agreement Act*, that person may appeal that decision to the board and the board shall hold a hearing at those times and places that the board considers most convenient and shall hear and consider relevant representations made by that person and the Nunatsiuvut government.

(2) In subsection (1), "Nunatsiuvut government" means the Nunatsiuvut Government as defined in the *Labrador Inuit Land Claims Agreement Act*.

[2004 cL-3.1 s46](#)

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## **RSNL1990 cM-3**

as amended

**47. (1) The *Mechanics Lien Act* is amended by adding immediately after section 2 the following:**

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### **Labrador Inuit rights**

**2.1** This Act shall be read and applied in conjunction with the *Labrador Inuit Agreement Act* and, where a provision of this Act is inconsistent or conflicts with a provision, term or condition of the *Labrador Inuit Land Claims Agreement Act*, the provision, term or condition of the *Labrador Inuit Land Claims Agreement Act* shall have precedence over the provision of this Act.

**(2) Section 36 of the Act is amended by adding immediately after subsection (9) the following:**

(10) Notwithstanding subsection (6) or another provision of this Act, an order shall not be made for the sale of lands that are Labrador Inuit Lands as defined in the *Labrador Inuit Land Claims Agreement Act* .

[2004 cL-3.1 s47](#)

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#### **RSNL1990 cM-12**

as amended

**48. The *Mineral Act* is amended by adding immediately after section 4 the following:**

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#### **Labrador Inuit rights**

**4.1** (1) Notwithstanding section 4, this Act and regulations made under this Act shall be read and applied in conjunction with the *Labrador Inuit Land Claims Agreement Act* and, where a provision of this Act or regulations made under this Act is inconsistent or conflicts with a provision, term or condition of the *Labrador Inuit Land Claims Agreement Act* , the provision, term or condition of the *Labrador Inuit Land Claims Agreement Act* shall have precedence over the provision of this Act or a regulation made under this Act.

(2) Where, under this Act or regulations made under this Act, the minister issues, extends or renews a licence, lease or approval he or she may add to that licence, lease or approval terms and conditions that the holder of the licence, lease or approval must comply with in order to ensure compliance with the provisions, terms and conditions of the *Labrador Inuit Land Claims Agreement Act* .

[2004 cL-3.1 s48](#)

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#### **RSNL1990 cM-14**

as amended

**49. The *Mineral Holdings Impost Act* is amended by adding after section 6 the following:**

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#### **Labrador Inuit rights**

**6.1** This Act and regulations made under this Act shall be read and applied in conjunction with the *Labrador Inuit Land Claims Agreement Act* and, where a provision of this Act or regulations made under this Act is inconsistent or conflicts with a provision, term or condition of the *Labrador Inuit Land Claims Agreement Act* , the provision, term or condition of the *Labrador Inuit Land Claims Agreement Act* shall have precedence over the provision of this Act or a regulation made under this Act.

[2004 cL-3.1 s49](#)

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#### **RSNL1990 cM-20**

as amended

**50. The *Motorized Snow Vehicles and All-Terrain Vehicles Act* is amended by adding immediately after section 2 the following:**

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#### **Labrador Inuit rights**

**2.1** This Act and regulations made under this Act shall be read and applied in conjunction with the *Labrador Inuit Land Claims Agreement Act* and, where a provision of this Act or regulations made under this Act is inconsistent or conflicts with a provision, term or condition of the *Labrador Inuit Land Claims Agreement Act*, the provision, term or condition of the *Labrador Inuit Land Claims Agreement Act* shall have precedence over the provision of this Act or a regulation made under this Act.

[2004 cL-3.1 s50](#)

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#### **SNL1999 cM-24**

as amended

**51. Section 3 of the *Municipalities Act, 1999* is amended by adding immediately after subsection (3) the following:**

(4) Notwithstanding subsections (1), (2) and (3) and section 9 an Inuit Community shall cease to be considered to be a municipality under this Act on the first date upon which an Inuit Community Council for that Inuit Community takes office in accordance with the *Labrador Inuit Land Claims Agreement Act*.

(5) In subsection (4), "Inuit Community" means an Inuit Community as defined in the *Labrador Inuit Land Claims Agreement Act*.

[2004 cL-3.1 s51](#)

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#### **RSNL1990 cN-1**

as amended

**52. The *National Parks Lands Act* is amended by adding immediately after section 3 the following:**

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#### **Labrador Inuit rights**

**4.** This Act shall be read and applied in conjunction with the *Labrador Inuit Land Claims Agreement Act* and, where a provision of this Act is inconsistent or conflicts with a provision, term or condition of the *Labrador Inuit Land Claims Agreement Act*, the provision, term or condition of the *Labrador Inuit Land Claims Agreement Act* shall have precedence over the provision of this Act.

[2004 cL-3.1 s52](#)

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#### **RSNL1990 cN-3**

as amended

**53. The *Neglected Adults Welfare Act* is amended by adding immediately after section 2 the following:**

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#### **Labrador Inuit rights**

**2.1** This Act shall be read and applied in conjunction with the *Labrador Inuit Land Claims Agreement Act* and, where a provision of this Act is inconsistent or conflicts with a provision, term or condition of the *Labrador Inuit Land Claims Agreement Act*, the provision, term or condition of the *Labrador Inuit Land Claims Agreement Act* shall have precedence over the provision of this Act.

[2004 cL-3.1 s53](#)

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## **RSNL1990 cP-10**

as amended

**54. The *Petroleum and Natural Gas Act* is amended by adding immediately after section 2 the following:**

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### **Labrador Inuit rights**

**2.1** This Act and regulations made under this Act shall be read and applied in conjunction with the *Labrador Inuit Land Claims Agreement Act* and, where a provision of this Act or regulations made under this Act is inconsistent or conflicts with a provision, term or condition of the *Labrador Inuit Land Claims Agreement Act*, the provision, term or condition of the *Labrador Inuit Land Claims Agreement Act* shall have precedence over the provision of this Act or a regulation made under this Act.

[2004 cL-3.1 s54](#)

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## **RSNL1990 cP-32**

as amended

**55. The *Provincial Parks Act* is amended by adding immediately after section 2 the following:**

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### **Labrador Inuit rights**

**2.1** This Act shall be read and applied in conjunction with the *Labrador Inuit Land Claims Agreement Act* and, where a provision of this Act is inconsistent or conflicts with a provision, term or condition of the *Labrador Inuit Land Claims Agreement Act*, the provision, term or condition of the *Labrador Inuit Land Claims Agreement Act* shall have precedence over the provision of this Act.

[2004 cL-3.1 s55](#)

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## **RSNL1990 cP-43**

as amended

**56. The *Public Service Commission Act* is amended by adding immediately after section 4 the following:**

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### **Labrador Inuit rights**

**4.1** This Act shall be read and applied in conjunction with the *Labrador Inuit Land Claims Agreement Act* and, where a provision of this Act is inconsistent or conflicts with a provision, term or condition of the *Labrador Inuit Land Claims Agreement Act*, the provision, term or condition of the *Labrador Inuit Land Claims Agreement Act* shall have precedence over the provision of this Act.

[2004 cL-3.1 s56](#)

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## **RSNL1990 cP-45**

as amended

**57. The *Public Tender Act* is amended by adding immediately after section 2 the following:**

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## Labrador Inuit rights

**2.1** This Act shall be read and applied in conjunction with the *Labrador Inuit Land Claims Agreement Act* and, where a provision of this Act is inconsistent or conflicts with a provision, term or condition of the *Labrador Inuit Land Claims Agreement Act*, the provision, term or condition of the *Labrador Inuit Land Claims Agreement Act* shall have precedence over the provision of this Act.

[2004 cL-3.1 s57](#)

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## RSNL1990 cP-47

as amended

**58. The *Public Utilities Act* is amended by adding immediately after section 4.1 the following:**

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## Labrador Inuit rights

**4.2** This Act shall be read and applied in conjunction with the *Labrador Inuit Land Claims Agreement Act* and, where a provision of this Act is inconsistent or conflicts with a provision, term or condition of the *Labrador Inuit Land Claims Agreement Act*, the provision, term or condition of the *Labrador Inuit Land Claims Agreement Act* shall have precedence over the provision of this Act.

[2004 cL-3.1 s58](#)

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## RSNL1990 cP-48

**59. The *Public Utilities Acquisition of Lands Act* is amended by adding immediately after section 9 the following:**

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## Labrador Inuit rights

**10.** Notwithstanding sections 3 to 9, this Act shall be read and applied in conjunction with the *Labrador Inuit Land Claims Agreement Act* and, where a provision of this Act is inconsistent or conflicts with a provision, term or condition of the *Labrador Inuit Land Claims Agreement Act*, the provision, term or condition of the *Labrador Inuit Land Claims Agreement Act* shall have precedence over the provision of this Act.

[2004 cL-3.1 s59](#)

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## SNL1998 cQ-1.1

**60. The *Quarry Materials Act, 1998* is amended by adding immediately after section 3 the following:**

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## Labrador Inuit rights

**3.1 (1)** This Act and regulations made under this Act shall be read and applied in conjunction with the *Labrador Inuit Land Claims Agreement Act* and, where a provision of this Act or regulations made under this Act is inconsistent or conflicts with a provision, term or condition of the *Labrador Inuit Land Claims Agreement Act*, the provision, term or condition of the *Labrador Inuit*

*Land Claims Agreement Act* shall have precedence over the provision of this Act or a regulation made under this Act.

(2) Where, under this Act or regulations made under this Act, the minister issues a beach permit, lease, permit or subordinate permit he or she may add to that beach permit, lease, permit or subordinate permit terms and conditions that the holder of the beach permit, lease, permit or subordinate permit must comply with in order to ensure compliance with the provisions, terms and conditions of the *Labrador Inuit Land Claims Agreement Act* .

[2004 cL-3.1 s60](#)

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## **RSNL1990 cQ-3**

as amended

**61. The *Quieting of Titles Act* is amended by adding immediately after section 3 the following:**

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### **Labrador Inuit rights**

**3.1** This Act shall be read and applied in conjunction with the *Labrador Inuit Land Claims Agreement Act* and, where a provision of this Act is inconsistent or conflicts with a provision, term or condition of the *Labrador Inuit Land Claims Agreement Act*, the provision, term or condition of the *Labrador Inuit Land Claims Agreement Act* shall have precedence over the provision of this Act.

[2004 cL-3.1 s61](#)

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## **SNL1997 cS-12.2**

as amended

**62. The *Schools Act, 1997* is amended by adding immediately after section 2 the following:**

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### **Labrador Inuit rights**

**2.1** This Act and regulations and orders made under this Act shall be read and applied in conjunction with the *Labrador Inuit Land Claims Agreement Act* and, where a provision of this Act, regulation or order made under this Act is inconsistent or conflicts with a provision, term or condition of the *Labrador Inuit Land Claims Agreement Act*, the provision, term or condition of the *Labrador Inuit Land Claims Agreement Act* shall have precedence over the provision of this Act.

[2004 cL-3.1 s62](#)

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## **RSNL1990 cS-19**

as amended

**63. (1) The *Solemnization of Marriage Act* is amended by adding immediately after section 2 the following:**

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### **Labrador Inuit rights**

**2.1** This Act shall be read and applied in conjunction with the *Labrador Inuit Land Claims Agreement Act* and, where a provision of this Act is inconsistent or conflicts with a provision, term or condition of the *Labrador Inuit Lands Claims Agreement Act* , the provision, term or condition of the *Labrador Inuit Land Claims Agreement Act* shall have precedence over the provision of this Act.

**(2) The Act is amended by adding immediately after section 6 the following:**

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**Inuit marriage**

**6.1** Notwithstanding sections 3, 4 and 5, a marriage solemnized in accordance with Inuit Laws and Bylaws made in accordance with the *Labrador Inuit Land Claims Agreement Act* shall be considered to be valid.

[2004 cL-3.1 s63](#)

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**RSNL1990 cS-31**

as amended

**64. The *Support Orders Enforcement Act* is amended by adding immediately after section 2 the following:**

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**Labrador Inuit rights**

**2.1** This Act and regulations made under this Act shall be read and applied in conjunction with the *Labrador Inuit Land Claims Agreement Act* and, where a provision of this Act or regulations made under this Act is inconsistent or conflicts with a provision, term or condition of the *Labrador Inuit Land Claims Agreement Act*, the provision, term or condition of the *Labrador Inuit Land Claims Agreement Act* shall have precedence over the provision of this Act or a regulation made under this Act.

[2004 cL-3.1 s64](#)

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**SNL2000 cU-8**

as amended

**65. The *Urban and Rural Planning Act, 2000* is amended by adding immediately after section 3 the following:**

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**Labrador Inuit rights**

**3.1** This Act and regulations made under this Act shall be read and applied in conjunction with the *Labrador Inuit Land Claims Agreement Act* and, where a provision of this Act or regulations made under this Act is inconsistent or conflicts with a provision, term or condition of the *Labrador Inuit Land Claims Agreement Act*, the provision, term or condition of the *Labrador Inuit Land Claims Agreement Act* shall have precedence over the provision of this Act or a regulation made under this Act.

[2004 cL-3.1 s65](#)

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**SNL2002 cW-4.01**

**66. The *Water Resources Act* is amended by adding immediately after section 2 the following:**

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**Labrador Inuit rights**



**2.1** (1) This Act and regulations made under this Act shall be read and applied in conjunction with the *Labrador Inuit Land Claims Agreement Act* and, where a provision of this Act or regulations made under this Act is inconsistent or conflicts with a provision, term or condition of the *Labrador Inuit Land Claims Agreement Act*, the provision, term or condition of the *Labrador Inuit Land Claims Agreement Act* shall have precedence over the provision of this Act or a regulation made under this Act.

(2) Where, under this Act, the minister issues a permit or licence the minister may add to that permit or licence terms and conditions that the holder of the permit or licence is required to comply with in order to ensure compliance with the terms and conditions of the *Labrador Inuit Land Claims Agreement Act* .

[2004 cL-3.1 s66](#)

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## **RSNL1990 cW-8**

as amended

**67. The *Wild Life Act* is amended by adding immediately after section 3 the following:**

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### **Labrador Inuit rights**

**3.1** (1) This Act and regulations made under this Act shall be read and applied in conjunction with the *Labrador Inuit Land Claims Agreement Act* and, where a provision of this Act or regulations made under this Act is inconsistent or conflicts with a provision, term or condition of the *Labrador Inuit Land Claims Agreement Act* , the provision, term or condition of the *Labrador Inuit Land Claims Agreement Act* shall have precedence over the provision of this Act or a regulation made under this Act.

(2) Where, under this Act or regulations made under this Act, the minister issues a licence, he or she may add to that licence terms and conditions that the holder of the licence must comply with in order to ensure compliance with the provisions, terms and conditions of the *Labrador Inuit Land Claims Agreement Act* .

[2004 cL-3.1 s67](#)

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## **RSNL1990 cW-9**

as amended

**68. The *Wilderness and Ecological Reserves Act* is amended by adding immediately after section 3 the following:**

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### **Labrador Inuit rights**

**3.1** Notwithstanding section 3, this Act and regulations made under this Act shall be read and applied in conjunction with the *Labrador Inuit Land Claims Agreement Act* and, where a provision of this Act or regulations made under this Act is inconsistent or conflicts with a provision, term or condition of the *Labrador Inuit Land Claims Agreement Act* , the provision, term or condition of the *Labrador Inuit Land Claims Agreement Act* shall have precedence over the provision of this Act or a regulation made under this Act.

[2004 cL-3.1 s68](#)

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## **RSNL1990 cW-10**

**69. The *Wills Act* is amended by adding immediately after section 21 the following:**

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### **Labrador Inuit rights**

**21.1** This Act shall be read and applied in conjunction with the *Labrador Inuit Land Claims Agreement Act* and, where a provision of this Act is inconsistent or conflicts with a provision, term or condition of the *Labrador Inuit Land Claims Agreement Act*, the provision, term or condition of the *Labrador Inuit Land Claims Agreement Act* shall have precedence over the provision of this Act.

[2004 cL-3.1 s69](#)

## **PART III COMMENCEMENT**

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### **Commencement**

**70. This Act shall come into force on a date to be proclaimed by the Lieutenant-Governor in Council. (In force - Dec. 1/05)**

[2004 cL-3.1 s70](#)

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**(Remainder of Act in force on Nov. 30/18)  
Schedule**

*(See attachment)*

[2004 cL-3.1 Sch; 2009 c36 ss1-3; 2009 c37 ss1-3; 2012 c21](#)