

Backgrounder: Side-by-Side of Legislated Authority under the *Public Health Act* and *Emergency Management Act*

The following table summarizes legislated authorities under the *Public Health Act* and the *Emergency Management Act* during a State of Emergency.

	<i>Public Health Act</i>	<i>Emergency Management Act</i>
Minister Responsible	Minister of Health and Social Services (HSS)	Minister of Municipal and Community Affairs (MACA)
Activating factor/context	A state of public health emergency is declared or under its renewal and for the duration of the order or its renewal.	A state of emergency is declared or under its renewal and for the duration of the order or its renewal.
Provisions	<p>The Minister may, on the recommendation of the Chief Public Health Officer (CPHO), declare a state of public health emergency.</p> <p>The CPHO may perform the following actions:</p> <ul style="list-style-type: none"> a) appoint Deputy Chief Public Health Officers and public health officers with terms effective during the period the declaration is in effect; b) authorize a qualified person to render aid of a type that he or she is qualified to provide; c) recommend to the Minister that he or she issue a temporary permit under the <i>Medical Profession Act</i> to a person who is registered as a medical practitioner in a province or another territory; d) make orders and provide directions restricting or prohibiting travel to or from any area within the Northwest Territories; e) coordinate and provide for the delivery of medical services in any part of the Northwest Territories; f) enter into an agreement for services with any agency of 	<p>The Minister of MACA may perform the following actions:</p> <ul style="list-style-type: none"> a) put into effect emergency plans or programs; b) authorize or require a local authority to put into effect emergency plans or programs for the community; c) acquire or utilize real or personal property, whether private or public, considered necessary to prevent, combat or alleviate the effects of the emergency; d) authorize or require a qualified person to render aid of the type that the person is qualified to provide; e) control or prohibit travel to or from any area within the Northwest Territories; f) provide for the restoration of essential facilities and the distribution of essential supplies; g) provide, maintain and coordinate emergency medical, welfare and other essential services in any part of the Northwest Territories; h) cause the evacuation of persons and the removal of personal property and animals from any area within the Northwest Territories that is or may be affected by

	<i>Public Health Act</i>	<i>Emergency Management Act</i>
	<p>the Government of Canada, a province or another territory that provides health-related services;</p> <p>g) procure and provide for the distribution of medical supplies and equipment in any part of the Northwest Territories;</p> <p>h) acquire or use real or personal property, whether private or public;</p> <p>i) establish a voluntary immunization program for all or a part of the Northwest Territories; or</p> <p>j) enter or authorize any person implementing a direction or order from the Chief Public Health Officer to enter any premises, including a dwelling place, without a warrant.</p>	<p>the emergency;</p> <p>i) arrange for the adequate care and protection of persons, property or animals referred to in paragraph (h);</p> <p>j) authorize the entry into any building or onto any land, without warrant, by a person implementing emergency plans or programs;</p> <p>k) cause the demolition or removal of vegetation, structures, equipment or vehicles, if it is necessary or appropriate to reach the scene of the emergency or to attempt to forestall its occurrence or to combat its progress;</p> <p>l) procure, ration or fix prices for</p> <p><i>(i) food, clothing, fuel, equipment, medical supplies or other essential supplies, or</i></p> <p><i>(ii) the use of property, services, resources or equipment within the Northwest Territories;</i></p> <p>m) authorize the conscription of persons needed to respond to the emergency; and</p> <p>n) do any other act or thing to mitigate, respond to and recover from the effects of the emergency.</p>