



THE NUNAVUT COURT OF JUSTICE

PRACTICE DIRECTIVE #20

APPLICATIONS UNDER THE GUARDIANSHIP AND TRUSTEESHIP ACT BY THE PUBLIC GUARDIAN OR PUBLIC TRUSTEE

Effective February 1, 2010 an application for an order of Guardianship and or Trusteeship brought by the Public Guardian or Public Trustee may be brought before a judge in Chambers for a private (*in camera*) hearing where the following conditions are met:

1. The application is being brought by the Public Guardian and or Public Trustee who is the proposed Guardian/Trustee;
2. The application is consented to by the patient's nearest relative within the meaning of section 1 of the *Act*;
3. Service of the application has been made upon all those persons who are entitled to notice under section 4 of the *Act*; and
4. The applicant knows of no person who is opposed to the application being sought.

Applications for an *in camera* hearing must be supported by a memorandum confirming that the preconditions set out in this practice directive are met.

An order of Guardianship made under section 7 of the *Act* will be in Form 20B as annexed to this directive and modified as the circumstances require.

An order of Trusteeship made under section 36 of the *Act* will be in Form 20C as annexed to this directive and modified as the circumstances require.

An application for the appointment of a trustee may be joined with an application for the appointment of a guardian without leave of the Court.

Revised and issued this 20th day of August, 2019 at the direction of the Judges of the Nunavut Court of Justice.

Chief Justice N. Sharkey

Madam Justice S. Cooper

Madam Justice B. Tulloch

Mr. Justice P. Bychok

Madam Justice S. Charlesworth

Mr. Justice C. Lyons