



1975

Worker's Compensation Ordinance, 1974
Re Collins Steel Products Ltd

1 THE COURT: This matter came on by appeal by way of stated
2 case from Deputy Magistrate Eckardt, L. Eckardt.

3 The main point, that is the one dealing with the
4 definition of worker or workman as it was under the
5 Ordinance that applied at the time, and at that time
6 it was called the Workmen's Compensation Ordinance and
7 it is now called the Worker's Compensation Ordinance.
8 It is now Chapter W4 in the Revised Ordinances, 1974.

9 The facts are not in dispute. It appears that two
10 persons in the employ of the respondent company were
11 sent up to Yellowknife from Edmonton to examine, for
12 brevity we will call it 'problems' in the supply of the
13 steel by virtue of the sub-contract. They were here
14 approximately two hours on that effort. They were the
15 only two persons associated with Collins Steel Products
16 Limited that appear to have set their feet within the
17 territorial boundaries of the Northwest Territories.

18 Looking at Section 4 subsection (1) of the
19 Statute, which says,

20 "This Ordinance applies to employers
21 in respect of employment by them of workers
22 in all industries except the industries
23 exempted by regulation made pursuant to
24 subsection (2)."

25 There is no evidence, of course, that there is an
26 exemption in this case. I would be prepared to say that
27 the two persons here were probably workers within the
meaning of worker set forth in subsection (8) of Section 2
if I was satisfied that the respondent company was an industry



1 covered by the Ordinance, but I think I have to go from
2 Section 4(1) to the definition of industry in Section
3 2(h) which says,

4 "Industry" includes every establishment,
5 undertaking, business or trade that is carried
6 on in the territories."

7 I think that imports more than merely supplying or
8 sub-contracting a product from outside of the Territories.
9 Therefore, the appeal is dismissed.

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