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| **STATUTE** | **1985** | **1988** | **2000** | **2014** |
| **Adoption Act, 2013**  |  |  |  | **19(3)** A birth mother's consent to the adoption of her child is only valid where her child is more than 7 days old when her consent is given. 🡪 *Favouring the birth mother’s opinion in adoption process; no mention of birth father’s opinion*- use of “mother”, “father”, but given equal preference |
| **Automobile Insurance Act**  |  |  |  | 1 Male pronoun – possibly an oversight/ mistake;**34(2)** “medical expense coverage”  |
| **Canada and the United Kingdom Reciprocal Recognition and Enforcement of Judgments Act** |  |  |  | Male pronouns in the treaty attached as schedule **Article I(e),** **Article II s 2(d)(vi)****Article IV s 2(a)****Article IX s 2(a)** |
| **Child Care Act** |  |  |  | use of “mother”, “father” in definitions, but given equal preference |
| **Children and Youth Care and Protection Act** |  |  |  | use of “mother”, “father” in definitions, but given equal preference |
| **Children’s Law Act** |  |  |  | **S 10** (presumption of paternity) *provision focuses on the circumstances and marriage status of the man; little factors are presented on the circumstances or status of the woman.* - no equivalent section on presumption of maternity (**s 6-7**). *Some subsections on the declaration of fatherhood has been repealed in 2009 – may be interesting to see what they were & why they may have been repealed* **S 12** (artificial insemination) *speaks about a man’s consent and intention to becoming a father of the child, but not the mother* S 69(6) (procedure) *provides procedural rules for situation of unknown/ unascertainable father, but not the reverse* 🡪 *More regulatory provisions regarding the determination of fatherhood and paternity; little is provided for the determination of motherhood or maternity***S 72** (best interests of child paramount) *the provision mentions “a right at common law possessed by the father” but does not mention the equivalent common law right for the mother*🡪 *An exception to the usual trend of favouring the mother – the wording of the statute alludes that a father may have more legal right over the custody or upbringing of the child* |
| **Churchill Falls (Labrador) Corporation Limited (Lease) Act, 1961**  |  |  |  | **S 13** minister is referred to as ‘him’**S 2** male noun for contracting parties around the lease  |
| **City of Corner Brook Act** |  |  |  | **S 301(2)** “submit to the council that person’s title deeds and plans of his or her land or property that are available to him and to provide council with…”  |
| **City of St. John’s Act** |  |  |  | **S 398(1)** “a person entitled to notice under section 397 may within 10 days of the service on him of the notice…”**S 281(8)** “add the amount to his security” **S 403(1)** “the discharge of his duties under this Act” |
| **Coat of Arms Act** |  |  |  | **Schedule A** is a copy of a document that describes the Armes and Ensignes of the province, which speaks about King Charles and other men involved in founding of Newfoundland  |
| **College Act, 1996 (no issue)** |  |  |  | **S 10(5)(a) (Membership of board)** “nomination for an appointment to the board… shall consist of an equal number of female and male nominees” 🡨 *deviant from the usual wording of male and female, he or she, etc.* |
| **Correctional Services Act (to be proclaimed)** |  |  |  | **S 4(f) (principles)** This Act shall be interpreted and administered in a manner consistent with the following principles: (f) policies, programs and practices will… be responsive to the particular needs of women…**S 6(3) (appointments)** “a superintendent of a correctional facility that houses female inmates must have the knowledge, experience, skill and education necessary to appreciate and understand the unique challenges and needs faced by the female inmates…which may be the result of their pre-incarceration circumstances” 🡪 no equivalent provision for male inmates**S 45(b)(ii)(B) (continuity of programs and services)** “The director (of Corrections and Community Services; appointed under s 6) shall coordinate and encourage wherever possible (b) both in the correctional facility and in the community (ii) specific programming and services to (B) provide for the particular needs of female offenders. 🡪 no equivalent provision for female offenders |
| **Family Law Act** |  |  |  | **S 73(4)**  **(Pledging credit for necessaries)** s 73 may apply “in place of the rules of common law by which a wife may pledge the credit of her husband” 🡪 *this provision seems to now neutralize then gendered common law understanding of a wife pledging credit for husband (and not reverse).*  |
| **Family Relief Act** |  |  |  | use of “mother”, “father” in definitions, but given equal preference |
| **Fatalities Investigations Act**  |  |  |  | **S 13.3(3)(c) (report of committee)** The Child Death Review committee may” (c) make recommendations to the minister respecting health, safety and well-being of children and pregnant women generally.” |
| **Financial Services Appeal Board Act** |  |  |  | **S 6(6) (appeal)** “the chairperson, or his or designate, may dismiss the appeal with the consent of all parties” 🡨 most likely typo (official version from newfound House of Assembly website, copyright © 2013: Queen’s Printer; (currency: Dec 15/2014) |
| **Fisheries Restructuring Act**  |  |  |  | **Schedule 17 Agreement btw Govt of Canada and Govt of NFLD re: restructuring of NFLD Fishery** “Minister of Fisheries and Oceans of Canada has hereunto set his hand on behalf of Canada on the 26th day of Sept, 1983.” |
| **House of Assembly Accountability, Integrity and Administration Act**  |  |  |  | **S 5(Oath or affirmation of member)** “I… do swear that I will be faithful…to Her Majesty Queen Elizebeth the Second, her heirs..”**S 8 (Oath of clerk)** I… swear that I will well and truly serve Her Majesty the Queen…” |
| **House of Assembly Act** |  |  |  | **S 3(1) (Duration of House of Assembly)** “The Lieutenant-Governor may, by proclamation in Her Majesty’s name, prorogue or dissolve the House of Assembly” |
| **Human Rights Act** |  |  |  | **S 9(2) (prohibited grounds of discrimination)** “where this Act protects an individual from discrimination on the basis of sex, the protection includes… a female from discrimination on the basis that she is or may become pregnant”  |
| **International Commercial Arbitration Act**  |  |  |  | Male nouns throughout in schedules attached to the Act **Schedule A “Convention on the Recognition and Enforcement of Foreign Arbitral Awards” (**adopted by the United Nations Conference on International Commercial Arbitration in New York on June 10, 1958)**Schedule B “Uncitral Model Law on International Commercial Arbitration”** (adopted by the United Nations Commissions on International Trade Law on June 21, 1985)  |
| **International Sale of Goods Act**  |  |  |  | Male nouns throughout in the schedule attached to the Act**Schedule “United Nations Convention on Contracts for International Sale of Goods”** (signed in 1989) |
| **International Trusts Act** |  |  |  | Male nouns throughout in the schedule attached to the Act**Schedule “Convention on the Law Applicable to Trusts and on their Recognition”** (signed in 1989) |
| **Judicature Act**  |  |  |  | **S 3(1) (Jurisdiction continued)** The Supreme Court of Newfoundland and Labrador is continued...(a) by the Imperial Statute passed in the 5th year of the reign of His late Majesty King George the 4th”…(b)… in the 6th year of His late Majesty’s reign |
| **Labour Standards Act** |  |  |  | **S 40(3) (Pregnancy leave), S 41 (special circumstances)**, **s 42(4) (end of pregnancy leave)** female pronouns used throughout **s 43.9(1)(a) (employee may not be dismissed)** “an employer shall not dismiss an employee…(a) for the reason only that the employee informs the employer that she is pregnant or the employee intends to take pregnancy, adoption or parental leave” |
| **Labrador Inuit Land Claims Agreement Act** |  |  |  | **Preamble, s 2 (interpretation), s 34 (consequential amendments)**: contains references to the Queen  |
| **Loan and Guarantee Act, 1957** |  |  |  | **s 8A, 8B**: contains references to the Queen**s 9 (payment of interest deferred in certain cases)**: Lieutenant-Governor in Council referred to as ‘he’ |
| **Lower Churchill Development Act** |  |  |  | **Schedule A (principal agreement)** **s 6(4) (Management of the Corporation)** The Chairman of the Lower Churchill Development Corporation Limited is referred to in male pronoun.**S 9(3) (Dispositions of shares)** the Deputy Minister of Finance is referred to in male pronoun. **S 15(further assurances)** The Newfoundland minister with the signing authority over the agreement is referred to in male pronoun.**Schedule A:** reference to the Queen throughout  |
| **Marriage act**  |  |  |  | use of wife and husband but no preference**S 12 (form of ceremony)**  “…each of the parties shall say to the other: "I call upon persons present to witness that I, A.B., take you C.D., to be my lawful wedded spouse (or wife or husband)", after which the marriage commissioner shall say: "By the authority vested in me by the Marriage Act, I pronounce you, A.B. and C.D., to be spouses of each other (or husband and wife, or wife and wife, or husband and husband)." |
| **Memorial University Act** |  |  |  | **S 26(2) (Term of office)** “an elective member (of the board) shall vacate his seat on the board if he or she stops being a member of the convocation” 🡪 most likely an oversight; all other references to individuals are made as his/her, he/she, him/her. |
| **Motorized Snow Vehicles and All-Terrain Vehicles Act**  |  |  |  | **Ss 20.1(2), 20.1(3) (Prohibition re: snowmobile trails)** refers to “Her Majesty in Right of the Province”  |
| **Municipal Elections Act** |  |  |  | **S 94(2)(b) (effect of corrupt practice)** “the (election) candidate honestly wished and in good faith tried as far as he could to have the election conducted according to law” 🡪 most likely an oversight; in other parts the candidate is referred to as he/she |
| **Oath of Office Act** |  |  |  | **S 2, 3, 10**  refers to “Her Majesty Queen Elizabeth” |
| **Prisons Act** |  |  |  | **S 5** “The prison situated in the City of St. John’s and commonly known as Her Majesty’s Penitentiary…” the penitentiary is also mentioned in **ss 2(a), 2(f), 3(1)**  |
| **Prisons and Reformatories Act (Canada)** |  |  |  | **S 8 (effect on date of release)** “Where a prisoner is granted a temporary absence and the date on which he is due to be released falls within the period of that temporary absence, the prisoner shall, for the purposes of all entitlements accruing to him on release…”  |
| **Provincial Anthem Act** |  |  |  | **Schedule 1 (provincial anthem)** “When the sun rays crown thy pine-clad hills/ And Summer spreads her hand,”… “As loved our fathers, so we love,/ Where once they stood we stand” |
| **Public Safety Act** |  |  |  | **S 2(h) (Definitions)** “’Elevating device’… includes an elevator, dumbwaiter, escalator, man lift, incline lift…”Not so much a problem of gendered drafting as gendered word  |
| **Public Service Commission Act**  |  |  |  | **S 4(1)(k)** refers to “Her Majesty’s Penitentiary” as referred to in the *Prisons Act* |
| **Public Services Resumption and Continuation Act**  |  |  |  | **Schedule C (“Student Assistants Collective Agreement”) cl. 14.02** “Delete Clause 14.02 (of the previous version of collective agreement) and replace with the following: A laid off permanent/ permanent part-time employee shall have the right to bump a junior employee in a school within the district provided she is qualified…” |
| **Radiation Health and Safety Act** |  |  |  | **S 12(e) (duties of committee)** “The committee shall (e) advise the minister respecting the conditions under which a female person of reproductive age and capable of becoming pregnant may be employed as a radiation worker”**S 13(o) (regulations)** “…the minister may, after consultation with the committee, make regulations (o) prescribing the conditions under which a female person of reproductive age and capable of becoming pregnant may be employed as a radiation worker” |
| **Schools Act** |  |  |  | **S 2(l) (definitions)** “”Parent” means (i) the father or mother of a child by birth”S 68(3) (conflict of interest) “a relative of a trustee menas a father, mother, spouse, sister, brother, child, step-child, ward, mother-in-law, father-in-law, sister-in-law or brother-in-law of the trustee.” |
| **Settlement of International Investment Disputes Act** |  |  |  | **Schedule (“Convention on the settlement of investment disputes between states and nationals of other states”)** **- Article 4** “The Administrative Council shall be composed of one representative of each Contracting State. An alternate may act as representative in case of his principal’s absence…”- **Article 5** “The President of the Bank shall be ex officio Chairman of the Administrative Council.. During his absence, ..”**-Article 16(2)** “The Panel of Conciliators and the Panel of Arbitrators shall each consist of qualified persons…”… “If a personshall have been designated to serve on the same Panel by more than one Contracting State, … he shall be deemed to have been designated by the authority which first designated him, or, if one such authority is the State of which he is a national, by that State.”**- Article 45 (Powers and Functions of the Tribunal)** “(regarding international arbitration) Failure of a party to appear or to present his case shall not be deemed an admission of the other party’s assertions.”; similar use in **Article 51(4) & 52(5)**- **Article 48(4)** “Any member of the Tribunal may attach his individual opinion to the award… or a statement of his dissent.”; **- Article 65** “Any Contracting State may propose amendment of this Convention. The…proposed amendment shall be communicated to the Secretary-General…and shall forthwith be transmitted by him to all members of the Administrative Council.”; similar use in **Article 11, 28(3), 36(3)** - **Article 56(3)** “If a conciliator or arbitrator appointed by a party shall have resigned without the consent of the Commission or Tribunal of which he was a member,…”; similar use in **Article 57** |
| **Status of Women Advisory Council Act** |  |  |  | **S 3 (duties)** “The advisory council shall **(a)** advise the minister on those matters relating to the status of women that the minister refers to the advisory council for consideration; **(b)** advise the minister on those matters relating to the status of women that the advisory council feels appropriate; and **(c)** bring before the government and the public matters of interest and concern to women;**S 10 (powers)** “The advisory council may **(a)** receive and hear submissions and suggestions from individuals and groups concerning the status of women; **(b)** research matters relating to the status of women and suggest research areas that may be studied by an interested person; **(c)** recommend and participate in programs concerning the status of women; **(d)** recommend legislation, policies and practices to promote equality of opportunity for women and to improve the status of women;” |
| **Vital Statistics Act, 2009** |  |  |  | **S 2(1)(u)** “"stillbirth" means the complete expulsion or extraction from its mother…”**S 5(3) (Registration of births)** “Where a mother registers the birth of a child…and the other parent of the child is incapable (to register together with the mother), that other parent shall only be named on the birth registration where the court has issued a declaratory order under the *Children's Law Act* naming that other person as the parent of the child.”**S 5(5) (Registration of births)** “The birth registration of a child born as a result of artificial insemination shall be completed showing, with the written consent of the woman and her spouse or cohabiting partner, the particulars of the spouse or cohabiting partner as being the father or other parent of the child.”  |
| **Volunteer War Service Medal Art, 1993** |  |  |  | **S 2(d), (g) (Definitions)** refers to “His Majesty King George VI**Schedule (description of the medal)** (b) “*The Reverse Side* - The central figure of Britannia representing the mother country of the Commonwealth is shown being stalked by beasts of prey represented as 2 male lions symbolic of the threat of the enemy.” |
| **Wills Act** |  |  |  | **Schedule (Convention Providing a Uniform Law on the Form of an International Will)** every person is referred to in male noun throughout. |
| **Workplace Health, Safety and Compensation Act**  |  |  |  | **S 92(4)(a) (medical committees)** “the commission shall…require the worker or the dependents to appoint…1 specialist…and where the worker or his or her dependents fail to make that appointment, the minister shall make an appointment from the list and that member shall be considered to be appointed by the worker or his dependents” *🡪 all other places are marked by “his or her” – probably an oversight* |