WSCC Workers' Safety & Compensation Commission | ᐃᖅᑲᓇᐃᔭᖅᑎᓄᑦ ᐊᑦᑕᓇᖅᑐᓂᒃ ᐊᒻᒪ ᓇᓪᓕᐅᒃᑯᒫᓂᒃ ᖃᐅᔨᓴᖅᑎᑦ

Election to Claim Compensation

(Inter-Jurisdictional)

Claim Number: _____ Worker's Name: _____

Worker's Address	Date of Birth
Social Insurance Number	Telephone (include area code)

I _____ sustained personal injury or occupational disease on the _____ day of _____ , 20 _____ , in the Province or Territory of _____ while in the employ of _____ .

OR (in the case of death)

I am a dependant of _____ , who died on the _____ day of _____ , 20 _____ , as a result of work related injury or an occupational disease sustained in the Province or Territory of _____ .

I must choose whether I will claim compensation under the Workers' Compensation Act of _____ or claim compensation (or damages) under the law of the Province or Territory, where the injury (or occupational disease or fatality) occurred.

Having considered the matter, I elect to claim compensation for this injury (or occupational disease or fatality) under the Workers' Compensation Act of _____ .

Should my claim be accepted, I waive and forego any rights to compensation in any other jurisdiction, and will not apply for or accept any benefits from such other jurisdiction unless authorized to do so by the Workers' Safety & Compensation Commission of the Northwest Territories and Nunavut.

Section 22. (1) - 23. (1 - 7) – see reverse

Dated this _____ day of _____ , 20 _____ , at _____

Signed _____

Workers' Compensation Act, Northwest Territories

Injury, disease or death outside the Northwest Territories

22. (1) Compensation is payable in respect of a worker who suffers a personal injury, disease or death arising out of and during the course of employment while working outside the Northwest Territories, if

(a) the worker's usual place of employment is in the Territories;
(b) the worker's employment involves performing activities both inside and outside the Territories for the same employer; and
(c) the period of work performed outside the Territories does not exceed six months.

Extension of time

(2) The Commission may, on application by the employer, extend the six month limit referred to in paragraph (1) (c), before or after it expires, for such longer period as the Commission considers reasonable.

Election if duel compensation

23. (1) If a person is entitled to compensation or some other remedy under both this Act and the law of another place where the personal injury, disease or death occurred, the person must elect whether

(a) to claim compensation under this Act; or
(b) to claim compensation or the other remedy under the law of that other place.

Notice to Commission

(2) A person making an election under subsection (1) must send written notice of the election to the Commission within 60 days after the day the personal injury or disease occurred or, if the worker died, the day the worker died.

Extension by Commission

(3) The Commission may extend the 60 day notice period, before or after it expires, for such longer period as the Commission considers reasonable.

Presumption if no election

(4) If no notice of election is given within the time allowed by this section, the person is presumed to have elected not to claim compensation under this Act.

No double compensation

(5) No person may receive compensation or some other remedy under both this Act and the law of another place in respect of the same personal injury, disease or death.

Exceptions

(6) Subsection (5) does not apply to a person who

(a) claims or receives immediate medical aid in another place;
(b) participates in legal proceedings in another place with the consent of the Commission under subsection 65(4); or
(c) makes a claim for compensation in another place, if that claim is rejected.

Forfeit rights and repay compensation

(7) A person who contravenes subsection (5)

(a) is deemed to have forfeited all rights to compensation under this Act; and
(b) shall repay any compensation paid to, or on behalf of, that person by the Commission.

Workers' Compensation Act, Nunavut

Injury, disease or death outside Nunavut

22. (1) Compensation is payable in respect of a worker who suffers a personal injury, disease or death arising out of and during the course of employment while working outside Nunavut, if

(a) the worker's usual place of employment is in Nunavut;
(b) the worker's employment involves performing activities both inside and outside Nunavut for the same employer; and
(c) the period of work performed outside Nunavut does not exceed six months.

Extension of time

(2) The Commission may, on application by the employer, extend the six-month limit referred to in paragraph (1) (c), before or after it expires, for such longer period as the Commission considers reasonable.

Election if duel compensation

23. (1) If a person is entitled to compensation or some other remedy under both this Act and the law of another place where the personal injury, disease or death occurred, the person must elect whether

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