

Mr. Chairman, I say it with respect, not for my community of Baker Lake but all Nunavummiut. I think this is something that we, as legislators, are trying to push for. I respect the fact that EIA is acknowledging that access to information and protection of privacy must be implemented.

Mr. Chairman, there are a couple of points that I would like to show. For example, on page 3, bullet 4, they mention GLOs. Nunavut has so much information to share and it's up to the legislators and the House to hear and translate all of this and interpret it. We have our CAs, constituency assistants, we have ourselves, the MLAs, we have GLOs, we have municipalities, and we have committees, councils, and associations. Everybody is held accountable, but we are missing a very critical piece and that's municipalities.

On page 4, the department indicated that the privacy commissioner is not located in Nunavut. In regard to conversations, as far as we know, Ms. Elaine Keenan Bengts has been available and willing to, and has indicated in her own comments that since the birth of Nunavut, she has been trying to implement a lot of this.

I think, on page 6 and 7 as well, it's noted that "Municipalities should not be subjected to the ATIPP Act until they can comply with all of the provisions in a meaningful way." Mr. Chairman, this entity and this body and this Committee is the meaningful way. I think that this is a very critical stage for this government to be able to implement so we can continue using the clichés of fostering, bridging, harmonizing, transparency, and accountability.

Only then, with true openness, will

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constituents have no other place to go or no other means, they come to us for assistance.

This is just a comment and I don't mind the witness not responding to my question. That's the end of my statement. Thank you.

Chairman (interpretation): Thank you, Mr. Enook. (interpretation ends) I'll give Mr. Vandermeulen an opportunity to reply if he would like. Mr. Vandermeulen.

Mr. Vandermeulen: Thank you, Mr. Chairman. I think it's a point worth talking about. First off, there is a consent form and I want to emphasize you are not required to use this. This simply helps you in dealing with your constituents so that you are able to understand fully what they are asking for.

Most of the requests for information are satisfied at the counter. A lot of them don't get there and sort of work their way up to you, but you have to appreciate that the Act is called the *Access to Information and Protection of Privacy Act*. If you take the title of that Act and divide it to "Access to Information" on the one side and "Protection of Privacy" on the other side, that's where the tension lies. We cannot have total access to information because we also have to protect people's privacy. Quite often, the request for information, while we want to give access to information, we also have to protect third party privacy. That is, more than usual, the tension point.

We want to be open and in many cases, we are. That's why many requests are resolved at the counter when your constituents come in and ask for information, particularly if they're asking for information only about themselves. If the record also includes information about a third party, then we

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Mr. Vandermeulen: Thank you, Mr. Chairman. Again, Mr. Tapardjuk has hit on a very important element of serving Nunavummiut and that is serving our elders.

I think that one of the key positions in communications between Nunavummiut and their government is going to be the government liaison officers. The government liaison officers are being deliberately recruited out of the communities within which they live and we are looking for them to have fluency in the languages predominantly spoken in the community. We are hoping that by hiring local people as GLOs, they will also then be the people who elders will readily come to.

I certainly appreciate the caution the Member gives that obviously, our elders don't spend a lot of time on websites. Therefore, while we can provide all of this information to the younger generation, and I include the younger generation as being younger than myself as well, I think the GLOs are going to be an important part of this. Thanks to the Member.

We have just made a note to not just include ATIPP coordinators in our ATIPP training, but we're going to have to put on a special training session for the GLOs so that they can communicate both Nunavummiuts' rights to access to information and protection of privacy, but also how to deal with the government when seeking information for a breach of privacy. Thank you, Mr. Chairman.

Chairman: Thank you, Mr. Vandermeulen. Actually, I was going to add to that as well. Maybe with the emphasis on the GLOs receiving the ATIPP training and whatnot, is that a

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segway into the municipalities as well? Since they're going to be in every community, they could actually work towards helping with the problems you were talking about in terms of having the correct information in the records of the hamlets to be able to accommodate ATIPP requests and whatnot. Is that something that the government is looking at or thinking about? Mr. Vandermeulen.

Mr. Vandermeulen: Mr. Chairman, while the GLOs in many communities will be located in municipal and hamlet offices, they won't be in all cases, but they will be in many cases. That is simply a matter of co-location. It doesn't mean that the GLOs will have any particular authority to deal with hamlet ATIPP issues. The hamlets are going to have to deal with them themselves, but it's clear that we can create growth of ATIPP awareness within the hamlets by offering to include hamlet employees in ATIPP training and perhaps even accompanying the GLOs to ATIPP training. Thank you.

Chairman: Thank you, Mr. Vandermeulen. Before I recognize the Member from Pangnirtung, I was wondering: in terms of the wish of the Committee, would you like to take a 15-minute break?

Some Members: Agreed.

Chairman: Okay. We will be back in 15 minutes. Thank you.

>>Committee recessed at 10:35 and resumed at 10:50

Chairman: Thank you and welcome back. The next Member I have on my list is the Member from Pangnirtung, Mr. Oshutapik.

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>>ሕዝብ ለሰዓት 10:35-7 ልሳለፍኩት ለሰዓት 10:50-7

አባል: (ጋንሳጋጋ): ልሳለፍኩት ይገባል። ለህዝብ ጠቀሜታ ሊያደግሱት ይገባል። ለህዝብ ጠቀሜታ ሊያደግሱት ይገባል። ለህዝብ ጠቀሜታ ሊያደግሱት ይገባል።

Member for Iqaluit West, Ms. Ell.

Ms. Ell: Thank you, Mr. Chairman. Yesterday I asked Ms. Keenan Bengts about whether the ATIPP Act should be amended to allow the Information and Privacy Commissioner the ability to make appeals to the Nunavut Court of Justice. In her annual report for 2007-08, the request process, "Applicant may appeal to the Nunavut Court of Justice within 30 days." The onus is on the applicant to take the proponent to court. What is the GN's position on the idea of having her go to the court rather than an applicant? Thank you, Mr. Chairman.

Chairman: Thank you, Ms. Ell. Mr. Vandermeulen.

Mr. Vandermeulen: Thank you, Mr. Chairman. This is an interesting legal discussion. The information and privacy commissioners across Canada either have the powers that our current commissioner has or are asking for adjudicative powers, some ability to go to a higher court. In fact, most of them enjoy the powers that are limited to sort of being an ombudsman role.

At no point does the GN want to limit any applicant's access to the courts. Let's make that clear right off the top. But at the moment, we do not feel that the commissioner requires more adjudicative powers than the Act already gives her. I think that this is a very important step that the Legislative Assembly has to consider because I think that you also have to look at the powers of all of your independent officers.

By analogy, I would say to you that you just dealt with a report from your Integrity Commissioner, who is also an independent

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ᐱᓴᑦᑖᐅᑦᑕᑦ (ᐅᑦᑖᑦᑖᑦ): ᑦᑖᑦᑖᑦᑖᑦ, ᐱᓴᑦᑖᐅᑦᑕᑦ. ᐱᓴᑦᑖᑦᑖᑦ ᑦᑖ ᑦᑖᑦ ᐱᓴᑦᑖᐅᑦᑕᑦ ᐱᓴᑦᑖᐅᑦᑕᑦ ᐱᓴᑦᑖᐅᑦᑕᑦ ᐱᓴᑦᑖᐅᑦᑕᑦ ᐱᓴᑦᑖᐅᑦᑕᑦ. ᐱᓴᑦᑖᐅᑦᑕᑦ 2007-08 ᐅᓴᑦᑖᐅᑦᑕᑦ ᐱᓴᑦᑖᐅᑦᑕᑦ ᐱᓴᑦᑖᐅᑦᑕᑦ ᐱᓴᑦᑖᐅᑦᑕᑦ ᐱᓴᑦᑖᐅᑦᑕᑦ ᐱᓴᑦᑖᐅᑦᑕᑦ ᐱᓴᑦᑖᐅᑦᑕᑦ ᐱᓴᑦᑖᐅᑦᑕᑦ ᐱᓴᑦᑖᐅᑦᑕᑦ ᐱᓴᑦᑖᐅᑦᑕᑦ ᐱᓴᑦᑖᐅᑦᑕᑦ ᐱᓴᑦᑖᐅᑦᑕᑦ ᐱᓴᑦᑖᐅᑦᑕᑦ ᐱᓴᑦᑖᐅᑦᑕᑦ ᐱᓴᑦᑖᐅᑦᑕᑦ ᐱᓴᑦᑖᐅᑦᑕᑦ ᐱᓴᑦᑖᐅᑦᑕᑦ.

ᐱᓴᑦᑖᐅᑦᑕᑦ (ᐅᑦᑖᑦᑖᑦ): ᑦᑖᑦᑖᑦᑖᑦ, ᑦᑖ ᐱᓴᑦᑖ. ᑦᑖᑦ ᐃᓴᑦᑖᐅᑦᑕᑦ.

ᐃᓴᑦᑖᐅᑦᑕᑦ (ᐅᑦᑖᑦᑖᑦ): ᑦᑖᑦᑖᑦᑖᑦ, ᐱᓴᑦᑖᐅᑦᑕᑦ. ᐱᓴᑦᑖ ᐱᓴᑦᑖᐅᑦᑕᑦ ᐱᓴᑦᑖᐅᑦᑕᑦ ᐱᓴᑦᑖᐅᑦᑕᑦ ᐱᓴᑦᑖᐅᑦᑕᑦ ᐱᓴᑦᑖᐅᑦᑕᑦ ᐱᓴᑦᑖᐅᑦᑕᑦ ᐱᓴᑦᑖᐅᑦᑕᑦ ᐱᓴᑦᑖᐅᑦᑕᑦ ᐱᓴᑦᑖᐅᑦᑕᑦ ᐱᓴᑦᑖᐅᑦᑕᑦ ᐱᓴᑦᑖᐅᑦᑕᑦ ᐱᓴᑦᑖᐅᑦᑕᑦ ᐱᓴᑦᑖᐅᑦᑕᑦ ᐱᓴᑦᑖᐅᑦᑕᑦ ᐱᓴᑦᑖᐅᑦᑕᑦ ᐱᓴᑦᑖᐅᑦᑕᑦ.

ᐱᓴᑦᑖᐅᑦᑕᑦ ᐱᓴᑦᑖᐅᑦᑕᑦ.

ᐱᓴᑦᑖᐅᑦᑕᑦ ᐱᓴᑦᑖᐅᑦᑕᑦ ᐱᓴᑦᑖᐅᑦᑕᑦ ᐱᓴᑦᑖᐅᑦᑕᑦ ᐱᓴᑦᑖᐅᑦᑕᑦ ᐱᓴᑦᑖᐅᑦᑕᑦ ᐱᓴᑦᑖᐅᑦᑕᑦ ᐱᓴᑦᑖᐅᑦᑕᑦ.

enforce as a government to ensure that this legislation applies to all levels of government. I'm not particularly picking on municipalities, but all three levels, municipal, territorial, and federal, should be transparent. I believe the public has the right to know as to what decisions are being based on, whether there is due process.

No doubt, my colleagues and maybe your office as well will be trying to enforce the legislation. I look forward to the day that we would be able to pass the bill and make it a legal entity. I just look forward to the communication, responses, and updates from the department. That was just a comment.

Chairman: Thank you, Mr. Aupaluktuq. I had a specific question. The Government of Nunavut's 2009-2010 annual report on the administration of the *Access to Information and Protection of Privacy Act* indicates that the Department of Health and Social Services has worked with the GN's Privacy Advisory Group to create "industry standard privacy and security policies that will govern the Nunavut Interoperable Electronic Health Record." Can you provide further detail on the contents of these privacy and security policies? Thank you. Mr. Vandermeulen.

Mr. Vandermeulen: Thank you, Mr. Chairman. I'll let my colleague answer the question, but I just want to make some sort of a forward to it.

There are always concerns about the security of documents, and that security is whether they're in the mail or whether they're electronic. That's a legitimate concern. That topic, in fact, is much broader than just ATIPP materials. I would think that you yourselves appreciate the

ሆኖም ብሉይ ህግ ለሁሉም ደረጃዎች ተፈጻሚ ለማድረግ ለመቻላቸው ለግንባር ርዕሰ ጉዳይ ለመሆን ለማረጋገጥ ለሚችሉ ሁሉም ደረጃዎች ላይ ለማሰባሰብ ስሜት ነው።

... ብሉይ ጠባይ ለማስፈን ለሚችሉ ሁሉም ደረጃዎች ላይ ለማሰባሰብ ስሜት ነው። ለሆኖም ብሉይ ህግ ለሁሉም ደረጃዎች ተፈጻሚ ለማድረግ ለመቻላቸው ለግንባር ርዕሰ ጉዳይ ለመሆን ለሚችሉ ሁሉም ደረጃዎች ላይ ለማሰባሰብ ስሜት ነው።

አይላክኛ (ጋኒጎባህ): ማህበራዊ ጥራት ለማረጋገጥ ለሚችሉ ሁሉም ደረጃዎች ላይ ለማሰባሰብ ስሜት ነው። ለሆኖም ብሉይ ህግ ለሁሉም ደረጃዎች ተፈጻሚ ለማድረግ ለመቻላቸው ለግንባር ርዕሰ ጉዳይ ለመሆን ለሚችሉ ሁሉም ደረጃዎች ላይ ለማሰባሰብ ስሜት ነው።

ግንባር (ጋኒጎባህ): ማህበራዊ ልዩነት ለማረጋገጥ ለሚችሉ ሁሉም ደረጃዎች ላይ ለማሰባሰብ ስሜት ነው።

የሆኖም ብሉይ ህግ ለሁሉም ደረጃዎች ተፈጻሚ ለማድረግ ለመቻላቸው ለግንባር ርዕሰ ጉዳይ ለመሆን ለሚችሉ ሁሉም ደረጃዎች ላይ ለማሰባሰብ ስሜት ነው።

way that will protect the privacy of all Nunavummiut. Thank you.

Chairman: Thank you, Ms. Bell. Thank you, Mr. Vandermeulen. Again, I had raised questions in the House about electronic records and you had sort of alluded to or talked a bit about what I had asked questions in the House in terms of did you specifically look at and deal with how the information is stored and where it's stored.

One of the questions I asked talked about the idea of... Well, the answer I received talked about having information stored in multiple sites and I imagine that's a reality because of having information in the community as well as having access to it in the south when people travel for medical. Has your department looked at that and is dealing with that or any concerns coming up through that? Thank you. Mr. Vandermeulen.

Mr. Vandermeulen: Thank you, Mr. Chairman. Again you are making reference to a much broader topic. The broad issue of access to electronic records as Nunavummiut travel and do their business is of concern. It's certainly of concern to me. That access isn't just the health records of people, there are also financial records, and there are also the normal government records of government employees as they travel to fulfill their duties, and indeed, your own records as you travel and I'm sure that you would like to be very confident that they're secure but accessible.

These aren't questions that we, in any way, have the ability to answer. I think they would probably be more properly put to the Informatics Division of CGS. We don't have that kind of information about the computer system. However, going back to

ካላገኘው ደብዳቤ ለሌሎች ለማስገባት ለሚያስፈልገው ደብዳቤዎች ናቸው።

ጠቅላይ ሚኒስትር (ጋኅንባህ): ናይታዲፍ፣ ገላ ለላፍ፣ ናይታዲፍ ለሌሎች ገዢ ጭንቀት ሲሆን ከሌሎች ለሌሎች ለሚያስፈልገው ደብዳቤዎች ለሌሎች ለሚያስፈልገው ደብዳቤዎች ናቸው።

ሌሎች ለሌሎች ለሚያስፈልገው ደብዳቤዎች ለሌሎች ለሚያስፈልገው ደብዳቤዎች ናቸው። ሌሎች ለሌሎች ለሚያስፈልገው ደብዳቤዎች ለሌሎች ለሚያስፈልገው ደብዳቤዎች ናቸው።

ጠቅላይ ሚኒስትር (ጋኅንባህ): ናይታዲፍ፣ ለሌሎች ለሚያስፈልገው ደብዳቤዎች ለሌሎች ለሚያስፈልገው ደብዳቤዎች ናቸው። ሌሎች ለሌሎች ለሚያስፈልገው ደብዳቤዎች ለሌሎች ለሚያስፈልገው ደብዳቤዎች ናቸው።

ርዕይ ለሌሎች ለሚያስፈልገው ደብዳቤዎች ለሌሎች ለሚያስፈልገው ደብዳቤዎች ናቸው። ሌሎች ለሌሎች ለሚያስፈልገው ደብዳቤዎች ለሌሎች ለሚያስፈልገው ደብዳቤዎች ናቸው።

the specifics of your question, again I'll let Jessica elaborate on them. Thank you.

Chairman: Thank you, Mr. Vandermeulen. Ms. Bell.

Ms. Bell: Thank you. In preparation for the electronic health record system coming into place, there were different subcommittees set up that involved officials from various departments. Our department did sit on the Privacy Advisory Group and viewed a lot of those issues. There are different systems in place or policies and directives that have been created and in place, as well as agreements with other jurisdictions to ensure the privacy of personal information that does cross borders.

I believe you were referencing our use of other jurisdictions to provide health care services. There are agreements, policies, and directives in place to ensure the protection of privacy. The majority of these were viewed by various departments. As far as the agreements go, the policies and the ownership, it's mostly for the Department of Health and Social Services. So we did have input, but the ownership would be with that department. Thank you.

Chairman: Thank you, Ms. Bell. I guess my final question to sort of calm any fears or whatnot is: with the proposed legislation that will be coming out in 2012 with the changes that will be made, will the broader picture that Mr. Vandermeulen was talking about in terms of safeguarding this information be reflected or dealt with in the new legislation? Thank you. Mr. Vandermeulen.

Mr. Vandermeulen: Thank you, Mr. Chairman. The challenge of safeguarding the information will be there's always a normal requirement, whether actually

ለገብረኛው ጥያቄዎች ላይ ሲተይ ለባለሥልጣናት ደብዳቤ ለማግኘት ሲሆን ስርዓቱ ለሌሎች ስህተት ሊፈጠር ይችላል።

ሌቶሪያ (ጋኒስትር): ጥያቄዎች ሲሆኑ ለሌሎች ስህተት ሊፈጠር ይችላል።

ለገሰ (ጋኒስትር): ጥያቄዎች ሲሆኑ ለሌሎች ስህተት ሊፈጠር ይችላል። የጥናት ስራዎችን ለማስፈጸም ለሌሎች ስህተት ሊፈጠር ይችላል። የጥናት ስራዎችን ለማስፈጸም ለሌሎች ስህተት ሊፈጠር ይችላል።

የሥነ ምግባር ስራዎችን ለማስፈጸም ለሌሎች ስህተት ሊፈጠር ይችላል። የሥነ ምግባር ስራዎችን ለማስፈጸም ለሌሎች ስህተት ሊፈጠር ይችላል። የሥነ ምግባር ስራዎችን ለማስፈጸም ለሌሎች ስህተት ሊፈጠር ይችላል።

ሌቶሪያ (ጋኒስትር): ጥያቄዎች ሲሆኑ ለሌሎች ስህተት ሊፈጠር ይችላል። የጥናት ስራዎችን ለማስፈጸም ለሌሎች ስህተት ሊፈጠር ይችላል። የጥናት ስራዎችን ለማስፈጸም ለሌሎች ስህተት ሊፈጠር ይችላል።

ሌቶሪያ (ጋኒስትር): ጥያቄዎች ሲሆኑ ለሌሎች ስህተት ሊፈጠር ይችላል። የጥናት ስራዎችን ለማስፈጸም ለሌሎች ስህተት ሊፈጠር ይችላል። የጥናት ስራዎችን ለማስፈጸም ለሌሎች ስህተት ሊፈጠር ይችላል።

