

NUNAVUT HANSARD
UNEDITED TRANSCRIPT
MONDAY, MAY 27, 2024
IQALUIT, NUNAVUT

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Beauchesne's 6th edition, citation 55

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Legislative Assembly of Nunavut

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(Amittuq)

Mary Killiktee

(Uqqummiut)

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(Rankin Inlet South)

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(Arviat North-Whale Cove)

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Minister responsible for Suicide
Prevention*

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(Aivilik)

*Deputy Chair, Committee of the
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(Pangnirtung)

*Minister of Family Services; Minister
responsible for Homelessness;
Minister responsible for the Status of
Women*

(Gjoa Haven)

Officers

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*Minister of Justice; Minister
responsible for Labour; Minister
responsible for Nunavut Arctic
College*

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(Hudson Bay)

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Minister of Environment;
Minister of Energy; Minister of
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responsible for Indigenous Affairs; Minister
responsible for Seniors; Minister responsible
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Hon. Pamela Gross

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Deputy Premier; Minister of Education

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Iqaluit, Nunavut
Monday, May 27, 2024

Members Present:

Hon. David Akeeagok, Hon. P.J. Akeeagok, Hon. Tony Akoak, Mr. Bobby Anavilok, Ms. Janet Brewster, Hon. Pamela Gross, Mr. George Hickes, Hon. David Joanasie, Ms. Mary Killiktee, Hon. Lorne Kusugak, Mr. Solomon Malliki, Hon. John Main, Hon. Margaret Nakashuk, Hon. Karen Nutarak, Hon. Daniel Qavvik, Ms. Joanna Quassa, Mr. Inagayuk Quqqiaq, Mr. Alexander Sammurtok, Mr. Joe Savikataaq, Mr. Craig Simailak.

>>*House commenced at 13:29*

Item 1: Opening Prayer

Speaker (Hon. Tony Akoak)(interpretation): Good day. Before we begin, Ms. Quassa, can you say the opening prayer, please.

>>*Prayer*

Speaker (interpretation): Thank you, Ms. Quassa.

Speaker's Statement

(interpretation ends) Before we proceed with the orders of the day, I would like to first thank the Deputy Speaker for presiding over the House last week, while the Member for Netsilik and myself were unavoidably delayed due to weather.

>>*Applause*

I also extend a very warm welcome to elders and Nunavummiut who are following our proceedings on the radio, television, and Internet live stream.

Over the past few weeks since the conclusion of our winter sitting, members have been engaged in committee and constituency work.

I am pleased to take this opportunity to note that two projects which are important to the community of Gjoa Haven are moving forward.

>>*Applause*

The Qulliq Energy Corporation has recently issued a request for proposals for the design and construction of a new power plant that will have a minimum 40-year lifecycle. The community's current power plant was constructed close to half a century ago and is in need of replacement.

The Department of Economic Development and Transportation has recently awarded a contract for the installation of a barrier-free ramp on the airside of the Gjoa Haven

Airport Terminal Building. This enhancement will make travelling easier for disabled residents and others facing mobility challenges.

>> *Applause*

I wish to take this opportunity to pay tribute to the members of the Municipal Council of Gjoa Haven, the district education authority, the hunters and trappers organization, and the Kikitak Housing Association for their commitment to the community.

I also wish to acknowledge and thank the community's many volunteers who work tirelessly to address food insecurity, provide recreational opportunities for youth, offer spiritual guidance, and many other important initiatives. As your MLA, I am proud to work with you on behalf of all our residents.

We will now proceed with the orders of the day. Ministers' Statements. Hon. Premier of Nunavut, Mr. Pauloosie Akeegok.

Item 2: Ministers' Statements

Minister's Statement 433 – 6(2): Engagement with Federal Ministers

Hon. P.J. Akeegok (interpretation): Thank you, Mr. Speaker. It's great to see you back in the House and I'm happy that our fellow MLAs are now in attendance. I say "good afternoon" to everyone in the House and there are many visitors in the gallery who have come from various communities outside of Iqaluit. I warmly welcome them to their House.

(interpretation ends) Mr. Speaker, on May 5, ahead of the Northern Premiers' Forum, Premier Ranj Pillai, Premier R.J. Simpson, and I had met with three federal ministers here in Iqaluit. The meetings with Minister of Foreign Affairs Mélanie Joly, Minister of National Defence Bill Blair, and Minister of Northern Affairs Dan Vandal, as well as Parliamentary Secretary Yvonne Jones were an opportunity to jointly discuss the needs of the north.

Minister Blair briefed us on the *Our North, Strong and Free: A Renewed Vision for Canada's Defence*, while Minister Joly updated us on the international Arctic strategy the Government of Canada is developing.

Mr. Speaker, considering the political turmoil in the circumpolar world and the rapidly melting of sea ice which is opening the Northwest Passage, Canada's Arctic communities are central to our country's future hopes of peace and prosperity.

As northern premiers, we appreciated the federal ministers' visit to the north and their focus on arctic issues. We know that any decisions about the north must be made in partnership with the people for whom the north is home.

Mr. Speaker, once again, as the three northern premiers, we asserted our commitment to collaborating with the federal government and emphasized the need for investing in multi-use infrastructure that will strengthen communities while addressing Canada's sovereignty and security.

We also emphasized the need for ongoing engagements with indigenous governments and organizations in all three territories.

Finally, we called for federal government investment in areas such as housing, telecommunication, clean energy, and transportation to ensure the well-being, resilience, and prosperity of northern communities and residents. Thank you, Mr. Speaker.

>> *Applause*

Speaker: Ministers' Statements. Hon. Minister of Environment, Mr. Qavvik.

Minister's Statement 434 – 6(2): South Baffin Island Caribou Abundance Survey

Hon. Daniel Qavvik: Thank you, Mr. Speaker. Good afternoon, Nunavummiut.

Mr. Speaker, I rise today to provide an update on a research program that our government is leading to monitor the recovery of Baffin Island caribou. An abundance survey of South Baffin Island caribou was completed in March 2024. This survey collected information on the distribution of caribou across South Baffin Island and will provide an updated abundance estimate for the South Baffin area.

This herd experienced a decline in numbers and the population was estimated to be around 4,600 in 2014. In response to the population decline, a total allowable harvest of 250 male-only tags was put in place in 2015. We have worked with our co-management partners to increase this harvest in recent years. For the 2024-25 harvest season, harvesters will be allowed to take up to 90 females from the total allowable harvest of 450.

We flew over 230 hours using helicopters and fixed wing aircraft and included observers chosen by hunters and trappers organizations in Iqaluit, Pangnirtung, Qikiqtarjuaq, Kimmirut, and Kinngait. I would like to thank these hunters and trappers organizations for their participation in this survey.

An Hon. Member: Hear, hear!

Hon. Daniel Qavvik: Incorporating local knowledge and working together is key when we design and implement these aerial surveys.

Mr. Speaker, we are currently analyzing the data and will share the results when they are available. Initial observations suggest continued positive signs of the herd.

It is through our commitment to the guiding principle of *Avatittinnik Kamatsiarniq*, respecting and caring for the land, animals, and our environment, and with the support of our harvesters and co-management partners that Baffin Island caribou have the best chance at recovery. Thank you, Mr. Speaker.

>> *Applause*

Speaker: Ministers' Statements. Hon. Minister of Health, Mr. Main.

Minister's Statement 435 – 6(2): National Nursing Week

Hon. John Main (interpretation): Thank you, Mr. Speaker. I'm glad that you were able to make it here along with our colleagues.

Mr. Speaker, health centres are important to the well-being of every Nunavut community. Health centres are where we turn for medical care, vital vaccinations, advice on mental health, and many other needs. Our nurses play a critical role in maintaining positive health outcomes and providing access to inclusive patient care in all communities. Despite the unprecedented demands nurses face, they continue to persevere. I would like to take this time to acknowledge the dedication, diligence, and resiliency of all nurses and supporting health staff across Nunavut.

(interpretation ends) National Nursing Week 2024 was held from May 6 to May 12. The theme of this year's Nursing Week was, "Changing Lives. Shaping Tomorrow." It recognized the significance contributions of nurses to individuals, communities, and the future of health care.

Health is dedicated to a comprehensive vision of health workforce development. With the approval of Bill 24, Health is working to bring forward critical staffing measures aimed at stabilizing our staffing through a variety of recruitment and retention initiatives. Along with *The Roadmap to Strengthen the Nunavut Nursing Workforce*, these measures will boost staff resilience and retention by improving work environments to reduce staff burnout while improving patient access to care; offering flexible employment options and a competitive compensation package, especially for difficult-to-fill positions; and creating opportunities to recruit health care students before they enter the workforce.

Ensuring we have a skilled and sufficient health workforce is necessary to deliver essential health care services in all communities. Health plans to continue strengthening our staffing levels across Nunavut for the benefit of all Nunavummiut.

Supporting, empowering, and training local nurses is a crucial component of the future generation of Nunavut's nurses. Training local nurses will not only contribute to relieving the nursing shortage, but it will also provide culturally informed nurses who have been raised in Nunavut and provide them the opportunity to give back to their community.

(interpretation) Thank you, Mr. Speaker.

>>Applause

Speaker: Ministers' Statements. Hon. Minister of Family Services, Ms. Nakashuk.

Minister's Statement 436 – 6(2): Elders' Access to Country Food

Hon. Margaret Nakashuk (interpretation): Thank you, Mr. Speaker. Good afternoon to my fellow MLAs.

Mr. Speaker, in the *Katujjiluta* mandate, Family Services is tasked with improving elders' access to country food. In the past year, the department spent time meeting and talking with elders about their needs, and I am so grateful to them for sharing their stories, their needs, and their *Inuit Qaujimagatuqangit*.

Elders spoke to us about craving more country food, unequal distribution of country food, traditional customs of giving away country food, the importance of knowledge transfer, preferences for specific parts of animals and delicacies, concerns with the sale of country food, and providing salaries to hunters. We heard many of these same concerns from the Nunavut Food Security Coalition and the Nunavut Roundtable for Poverty Reduction.

Mr. Speaker, the time has come to turn these words into actions. I have tasked my officials to begin the work to create full-time hunter positions, young hunter mentorship programs, and community hunts to make country food more accessible to elders. I look forward to updating my colleagues in this House on this important work in the fall. Thank you, Mr. Speaker.

>>Applause

Speaker: Ministers' Statements. Hon. Minister of Community and Government Services, Mr. Joanasie.

Minister's Statement 437 – 6(2): Qikiqtani Construction Project Advancements

Hon. David Joanasie (interpretation): Thank you, Mr. Speaker. I say "good day" to Nunavummiut and my fellow MLAs.

Mr. Speaker, I rise today to provide an update on important capital projects being managed by my department in the Qikiqtani region.

Mr. Speaker, in September 2020 the Sanikiluaq hamlet office was damaged by a severe storm with high winds and torrential rain. Since that time, hamlet staff have been providing municipal programs and services at an interim office space. This summer we anticipate a newly constructed office will be opened in Sanikiluaq. This new facility will enhance service delivery and accessibility in the community, as its design includes ample space for the administration of hamlet and Government of Nunavut programs to the residents of Sanikiluaq.

(interpretation ends) Mr. Speaker, I am proud of the work my department has done to expedite the design and construction of this project to meet the needs of the Hamlet of Sanikiluaq and the Nunavummiut we serve.

Additionally, over the next five years, my department will be advancing a series of water and wastewater treatment projects to ensure Nunavummiut have ongoing access to safe drinking water and that our wastewater is managed effectively.

Mr. Speaker, this year we anticipate substantial completion of the Resolute Bay Water Treatment Plant Expansion project. This is a three-phase project plan to ensure residents of Resolute Bay have ongoing access to safe drinking water.

(interpretation) Mr. Speaker, my department continues to advance municipal and Government of Nunavut capital projects in large and small communities across Nunavut. My department continues to support the development of projects to benefit municipalities and I look forward to bringing forward more requests in the future to continue to advance critical infrastructure for the betterment of Nunavummiut. Thank you, Mr. Speaker, for the opportunity to make this statement.

>>Applause

Speaker: Item 3. Members' Statements. Member for Netsilik, Mr. Quqqiaq.

Item 3: Members' Statements

Member's Statement 579 – 6(2): Happy Birthday to Daughter

Mr. Quqqiaq: Thank you, Mr. Speaker. It's great to be back in the House of Mr. Speaker.

Mr. Speaker, I rise today that on the date of May 24, 2024 was daddy's girl's birthday, so I would love to take this opportunity to say happy birthday to Charmaine Inukpaluk Quqqiaq. Happy birthday, *panik*, and we love you greatly, and let us join our day today. Thank you, Mr. Speaker.

>>Applause

Speaker: Members' Statements. Member for Rankin Inlet North-Chesterfield Inlet, Mr. Sammurtok.

Member's Statement 580 – 6(2): Death in Constituency

Mr. Sammurtok (interpretation): Thank you, Mr. Speaker. (interpretation ends) I rise today and I want to think about Evangeline Owpaluk and her children. They had a recent loss this morning. I send them my condolences. Thank you, Mr. Speaker.

Speaker: Members' Statements. Member for Aivilik, Mr. Malliki.

Member's Statement 581 – 6(2): Health Care Outreach in Naujaat

Mr. Malliki (interpretation): Thank you, Mr. Speaker. Good day to my constituents. I want to say a bit of gratitude for the community of Naujaat and prior to the TB screening that was going to happen and the team that arrived were not just there to examine if they have TB or not, but they also had a chance to look at any critical issues that patients may have or other health issues, so I'm filled with gratitude on that.

I also want to recognize Nunavut Tunngavik Incorporated for their efforts, as well as the Government of Canada, because it was a team effort by the three parties. I believe that 50 percent or beyond 50 percent the community's population attended this event. Thank you, Mr. Speaker.

>>Applause

Speaker (interpretation): Members' Statements. Member for Aggu, Ms. Quassa.

Member's Statement 582 – 6(2): Recognizing Silas and Leah Attagutsiak

Ms. Quassa (interpretation): Thank you, Mr. Speaker. Good day. Hello Nunavummiut, and my fellow residents.

Mr. Speaker, you probably will recall, and particularly as it was on recent news, there was a married couple in Igloolik that were highly involved in the Nunavut Quest dog team race. They volunteered on their own and they were able to raise funds. They received Fulbright Canada's Good Governance Award. I ask my colleagues to join me in congratulating Silas and Leah Attagutsiak. Thank you very much, Mr. Speaker.

>>Applause

Speaker: Members' Statements. Member for Uqqummiut, Ms. Killiktee.

Member's Statement 583 – 6(2): Visit of Governor General to Qikiqtarjuaq

Ms. Killiktee (interpretation): Thank you, Mr. Speaker. Thank you and hello to Nunavummiut.

I am very happy and I want to say how proud I am, so I'm rising today to inform the House that the Governor General of Canada had a recent visit to Qikiqtarjuaq. Mr. Speaker, we're all extremely proud of our nation's first Indigenous Governor General. We are heartfelt about it, all of us.

I have had the privilege of knowing Mary Simon and her husband for many years. I've known them, and I know they selected Qikiqtarjuaq to be part of their visit to Nunavut as part of the 25th anniversary of our territory.

(interpretation ends) Mr. Speaker, the official report on the visit indicated that the Governor General "Met and conversed with residents of Qikiqtarjuaq, including elders, hunters, sewers, carvers, search and rescue volunteers, and Canadian Rangers."

In the afternoon, she also met with students at the Inuksuit School. She engaged with students on one of the eight Inuit social values, specifically *Avatittinnik Kamatsiarniq*.

Mr. Speaker, as the Member of the Legislative Assembly for Uqqummiut, I can state clearly that it was a memorable, wonderful day, and I ask all members to join me in expressing appreciation for her Excellency's service to the nation. (interpretation) Thank you, Mr. Speaker.

>>Applause

Speaker: Members' Statements. Member for Hudson Bay, Mr. Qavvik.

Member's Statement 584 – 6(2): Recent Volleyball Tournament in Iqaluit

Hon. David Qavvik: Thank you, Mr. Speaker. I rise today to recognize and I want to thank Volleyball Nunavut on behalf of my constituents for hosting a volleyball tournament here in our Nunavut capital city in Iqaluit during the weekend. There was a total of nine Nunavummiut communities competing at the tournament, and I'm happy my constituents from Hudson Bay participated in the tournament.

>>Applause

Mr. Speaker, it's good to see our young athletes travel outside their communities. It brings our youth together, making friends. Tournaments like volleyball creates healthy lifestyle, and most importantly seeing the youth smile, laugh, and having fun was the best part of the tournament.

Mr. Speaker, there were two categories for female, and Sanikiluaq girls became third in the Pool A category, placing fifth.

Mr. Speaker, the Sanikiluaq boys went to the finals to play for gold medal, and they became second place and won silver medal. Congratulations to the Iqaluit Huskies who brought home gold.

On behalf of my constituents, we want to thank the family and the community of Iqaluit who honoured Sandy Oolayou, who had the passion for playing volleyball.

Each Nunavut community for boys and girls were awarded All Stars, and Nista Crow and Harley Kowcharlie from Sanikiluaq received the All Star award. At the appropriate time I will recognize the Sanikiluaq volleyball team athletes. Thank you, Mr. Speaker.

>>Applause

Speaker: Members' Statements. Member for Cambridge Bay, Ms. Gross.

Member's Statement 585 – 6(2): Recent Addition to Family

Hon. Pamela Gross: *Quana*, Mr. Speaker, and welcome back. Mr. Speaker, I would like to say hello to my constituents in Cambridge Bay as well as everyone here in the House with us today. It's nice to see a fine group of people, especially our young folks who participate in sport.

Mr. Speaker, I rise today to share a special announcement. Our family welcomed its newest little girl, Ariel Zara Maksaujaq Kaiyogana, to my sister-in-law Averi Kaiyogana and her partner Jonathan Eetoolook. Ariel was born this past Friday, May 24, at the Stanton Territorial Hospital in Yellowknife, weighing seven pounds, four ounces.

Mr. Speaker, I would like to share congratulations to my in-laws, Brenda Sitatak and Clarence Kaiyogana, Averi's biological parents, Cala and Calvin Pedersen, great-grandparents John and Rosie Kaiyogana, as well as Jonathan's parents, Kristen Eetoolook and Jackie Kameemalik and stepfather Simon Dean, as well as great grandparents James and Mary Eetoolook.

Mr. Speaker, I would also like to say congratulations to the many aunts, uncles, great-aunts, uncles, and the families of both Averi and Jonathan on the arrival of our little bundle of joy. I know, Mr. Speaker, that Devon, Qimniq and I are so excited to go home to meet our precious niece and cousin, and I know the rest of the families will be excited to meet and welcome baby Ariel, too. Thank you.

>>Applause

Speaker: Members' Statements. Member for Quttiktuq, Mr. David Akeeagok.

Member's Statement 586 – 6(2): Amazon Discontinues Free Shipping to High Arctic

Hon. David Akeeagok (interpretation): Thank you, Mr. Speaker, and thank you to my fellow MLAs, particularly all those who have now come back. Thank you.

(interpretation ends) Mr. Speaker, my riding is full of very proud Canadians, and some of them are even considered Canadian human flag poles, and should deserve Canadian benefits.

Just last month two major corporations made an abrupt decision that negatively affected my constituents in Grise Fiord, Resolute Bay, and Arctic Bay by not allowing free shipping to these communities, and even some of those orders were in the community but were returned without any notice to customers.

Over the past years, Canada Post has been accepting X0A 1J0, X0A 1B0, X0A 0A1, which has allowed Amazon to provide free shipping to these communities, and my constituents have been able to manage their shopping in community stores or online, and have made the affordability a reality to some of the products that were available to my communities.

Mr. Speaker, Canada Post is a federal government agency that delivers mail to every community. I urge my constituents to contact them directly and ask to reverse their decision and continue to allow them to use that postal code and allow for free shipping. I will do my part by writing letters also.

I further urge Amazon Canada and Canada Post to work together to resolve their differences and focus on serving my constituents that they do to every Canadian in the southern part of our country.

Mr. Speaker, we are equally Canadians, and we deserve those Canadian benefits. Thank you, Mr. Speaker.

>>*Applause*

Speaker: Members' Statements. Member for Tununiq, Ms. Nutarak.

Member's Statement 587 – 6(2): Pond Inlet Participants at Volleyball Tournament

Hon. Karen Nutarak (interpretation): Thank you, Mr. Speaker. It was great on Friday, or at the weekend, when there was a bunch of young people come to Iqaluit to play volleyball. I would like to recognize the team from Pond Inlet for the girls.

They had a coach, Natasha Simonee and Alison Anaviapik, and Lynn Kilukishak, Katherine Nutarak, Angela Ootoovak, Alison Anaviapik, Janet Larissa Koonark, Trisha Killiktee, Desiree Qamanik.

Although they did not win any medals, they had a great time, and all the boys who played had a coach, Jackie Simonee, and they came in third. We were very happy to watch them get their medals. They were Joshua Shappa, Royden Ootook, Cobain Merkosak, Brie-Jimmy Koonark, Alain Nutarak, Stanley Kautainuk, Joseph Koonoo, and Jason Singoorie.

These I would like to thank. Big thanks to Volleyball Nunavut for getting all these young people together so they are able to make friends. As parents, we take part in the enjoyment. Thank you, Mr. Speaker.

Speaker: Members' Statements. Member for Baker Lake, Mr. Simailak.

Member's Statement 588 – 6(2): Commissioner's Awards in Baker Lake

Mr. Simailak: Thank you, Mr. Speaker. Good afternoon, all. I finally noticed Henry. Welcome back, Henry, Inuinnaqtun interpreter, good to see you again.

Mr. Speaker, last week, Tuesday in Baker Lake we had a wonderful evening, a community celebration as the Commissioner of Nunavut was able to come visit Baker Lake and present some awards.

The first one she presented was to Nancy Pukirngnak Aupaluktuq. She received the Commissioner's Arts Award. As some people may or may not know, her works have been spread out, featured all over several different galleries and exhibitions over the years. She also presented some awards. It's called the Knowledge Keepers, awards given to elders who are handing on Inuit knowledge.

There was Timothy Kiligvak Evviuk, Peter Mamnguqsualuk, Susan Toolooktook, Nancy Pukirnak Aupaluktuq, John Avaala, and Joedee Joedee.

Another category was the Junior Ranger Patrol Leaders Volunteerism Award. It was presented to Dominic Kinglik, Timothy Kiligvak, Scott Qiyuk, and Dody Qiyuk.

The next category was for the Long-Term Community Service award, presented to Joan Qilluaq Killulark and Joan Annallunaaq Kashla.

The next category was for volunteerism, presented to Richard Paaka Aksawnee, long-time search and rescue leader; Jason Putumiraqtuq, long-time hockey coach for the youth minor hockey.

The next two volunteerism awards were presented to Helen Depeuter and Mariele Depeuter, who have spent many years volunteering their time with the youth.

The next category was for the humanitarian award, presented to two very young individuals, Dustin Niuqtuq and Peyton Niuqtuq.

The Bravery Award went to Jimmy Nagyogalik.

Plaques were also presented to the Baker Lake Volunteer Firefighters, the Baker Lake Search and Rescue Team, and the Baker Lake Ranger Patrol.

We also had a quick presentation of drills provided by the Baker Lake Junior Ranger Patrol. They were also recognized at the ceremony.

I would like my colleagues to help me provide congratulations to all these worthy individuals. Thank you, Mr. Speaker.

>> *Applause*

Speaker: Item 4. Returns to Oral Questions. Item 5. Recognition of Visitors in the Gallery. Member for Hudson Bay, Mr. Qavvik.

Item 5: Recognition of Visitors in the Gallery

Hon. David Qavvik: Thank you, Mr. Speaker. We've got the whole Sanikiluaq community behind you.

>> *Laughter*

Mr. Speaker, as I mentioned in my member statement, I'm proud to recognize Sanikiluaq volleyball team athletes and their coaches.

Mr. Speaker, I would like the individuals to please stand up when I call your name. (interpretation) Please stand up when I call your name.

(interpretation ends) Girls' volleyball athletes from Sanikiluaq: Suapi Kavik.

>> *Applause*

Melanie Kavik.

>> *Applause*

Miranda Kudluarok.

>> *Applause*

Robin Emikotailak.

>> *Applause*

Louisa Kowcharlie.

>> *Applause*

Jenica Kuki.

>> *Applause*

Oloosie Ainalik.

>> *Applause*

Mr. Speaker, if we can have the camera face to the other side.

>>*Laughter*

I wanted to mention the girls' names first. On the other side we have Tina Novalinga.

>>*Applause*

Mr. Speaker, facing back to my area,

>>*Laughter*

boys volleyball athletes from Sanikiluaq: Kenny Takatak.

>>*Applause*

Leland Takatak.

>>*Applause*

Andrew Qavvik.

>>*Applause*

Devon Kowcharlie.

>>*Applause*

Nista Crow. He's on the other side.

>>*Applause*

Moses Oqaituq.

>>*Applause*

Nickolai Cookie.

>>*Applause*

Mr. Speaker, they were escorted by two coaches from Sanikiluaq as well. I would like to recognize Sappa Cookie.

>>*Applause*

One of the coaches was Mina Mannuk. She also happens to be my constituency assistant.

>>Applause

Nakurmiik. Mr. Speaker, I also would like to recognize that are no stranger to the House, my family. On the other side, first and foremost Margaret Qavvik, my wife.

>>Applause

Daniel Jamal Inuktaluk.

>>Applause

Kitty Inuktaluk.

>>Applause

Stella Inuktaluk.

On the other, behind other members, Jacquinita Inuktaluk.

>>Applause

Rosalinda Inuktaluk.

>>Applause

Mr. Speaker, congratulations to all volleyball team athletes and I hope they all return to their home communities safe and sound. Thank you, Mr. Speaker.

>>Applause

Speaker: Welcome to your Assembly. Recognition of Visitors in the Gallery. Member for Quttiktuq, Mr. David Akeeagok.

Hon David Akeeagok (interpretation): Thank you, Mr. Speaker. A person who lived in Grise Fiord and now living here, I would like to recognize Ross Pudluk to our House. Thank you, Mr. Speaker.

>>Applause

Speaker: Welcome to your Assembly. Recognition of Visitors in the Gallery. I have no more names. Item 6. Oral Questions. Member for Iqaluit-Tasiluk, Mr. Hickes.

Item 6: Oral Questions**Question 857 – 6(2): Delayed Response to Correspondence from Representative for Children and Youth**

Mr. Hickes: Thank you, Mr. Speaker. I would like to direct my question to the Premier.

Mr. Speaker, as we're all aware, we recently had some televised hearings specifically with the Representative for Children and Youth, and during that hearing it was noted that government departments were often very slow in responding to information requests from the office of the representative, and in some cases not responding at all.

For one specific case discussed during the hearing respecting the placement of a number of Nunavut children in an unlicensed group home outside of the territory, the representative noted that her initial correspondence to the government on this issue was sent on March 31, 2023. After learning from the media in February 2024 that a report had been completed in December 2023, the representative made a number of attempts to follow up with the government and finally received a copy of the report on March 7, nearly 49 weeks later.

In the response the representative gave: "To answer your question, I did not think it was an acceptable length of time it took to a) receive the report or even to complete the report, quite frankly."

Can the Premier explain why there was such a delayed response? Thank you, Mr. Speaker.

Speaker: Hon. Premier of Nunavut, Mr. Pauloosie Akeeagok.

Hon. P.J. Akeeagok: Thank you, Mr. Speaker. I would like to thank the member for his question. Children in care are of the utmost importance in terms of our responsibility, especially those that are vulnerable. With that, I would like to highlight the important work we do with Family Services and the responses we have provided to Ms. Jane Bates. In particular, we are working on building a relationship with important work, the arm's-length work that she does to keep us accountable.

The issue of the Ever Bright issue that the member mentions is one where it did require us to fully look into and it did require us to investigate to ensure the processes were followed, and as such, I know, and talking with my deputy minister and my officials that we did reach out to the commissioner throughout the process and more improvements can be made, and I take that note. Thank you, Mr. Speaker.

Speaker: Your first supplementary, Mr. Hickes.

Mr. Hickes: Thank you, Mr. Speaker. The Representative for Children and Youth only has two recourses where she's not satisfied with the government's actions, and that's writing to the commissioner and writing to the Premier.

Can the premier briefly describe the contents of the letter addressed to him and subsequent response made by his office? Thank you, Mr. Speaker.

Speaker: Premier of Nunavut, Mr. Pauloosie Akeeagok.

Hon. P.J. Akeeagok: Thank you, Mr. Speaker. The member is right that the letter did come to our attention and throughout this whole process our primary goal has been to rectify the historic shortcomings that we've seen with the department, and we have put in historic to address the issues that are before us, and as such the details, I am just in the midst of writing back to Ms. Jane Bates as we speak, and as such, I would like to take this question as notice to ensure that I have ample opportunity for me to provide the subsequent information. Thank you, Mr. Speaker.

Speaker: Question taken as notice. Oral Questions. Member for Arviat South, Mr. Savikataaq.

Question 858 – 6(2): Fuel Tank at Arviat Airport

Mr. Savikataaq (interpretation): Thank you, Mr. Speaker. I say “good day” to the people of Arviat.

(interpretation ends) Mr. Speaker, I would like to direct my questions to the minister responsible for Arctic airports. Mr. Speaker, it has been in the news that there was a fuel spill at the air terminal building in Arviat and it had to be shut down. It inconvenienced my constituents extremely. They had to wait outside, at times, but I'm very thankful for Calm Air for letting the passengers wait in their heated cargo warehouse in Calm Air; thank you.

Mr. Speaker, I know the investigation might not be done yet, but as I was leaving Arviat to come here, the tank was outside and visible when I looked at it, and there was a lot of corrosion on the tank. I saw a hole in the tank.

Just curious, Mr. Speaker: Does the minister know when was the last time that fuel tank was replaced in the air terminal building? Thank you.

Speaker: Hon. Minister of Economic Development and Transportation, Mr. David Akeeagok.

Hon. David Akeeagok: Thank you, Mr. Speaker. I, too, thank the people of Arviarmiut for bearing with this fuel leak that has taken place in the terminal and thank Calm Air for that.

In terms of how old that tank is, I don't have that level of detail with me, but I will commit to providing that information to the member. Thank you, Mr. Speaker.

Speaker: Your first supplementary, Mr. Savikataaq.

Mr. Savikataaq: Thank you, Mr. Speaker. As a homeowner, every time our metal fuel tank gets to be ten years old, we get a very nasty letter from the insurance agency, saying if you don't buy a new fuel tank and have it professionally installed, that they will not cover your home insurance anymore. Your home insurance will be void if your fuel tank is more than ten years old.

Is there any government policy in terms of, I can only speak to arctic airports, as I'm questioning the minister. I know the government owns a lot of buildings, a lot of fuel tanks. Does Arctic Airports have any policies about a set time to replace fuel tanks? The minister says he would get back to me on the duration, how old that fuel tank is, but to the best of my recollection, it's the original fuel tank since Nunavut has been in existence, since that air terminal building was built. Is there fully policy on fuel tank replacement time periods that arctic airport has? Thank you.

Speaker: Minister of Economic Development and Transportation, Mr. David Akeeagok.

Hon. David Akeeagok: Thank you, Mr. Speaker. That tank has been in the building since it was built in the early 1990s.

In terms of when a fuel tank needs to be replaced or the maintenance portion of it, this is a group effort between Community and Government Services and us in terms of what needs to be replaced within buildings and the building maintenance side of things.

I don't know if there are actual years that needs for it to be replaced, but it's one that our government has in place where both departments do assess each of the buildings and determine when and how to replace the fuel tanks. Thank you, Mr. Speaker.

Speaker: Second and final supplementary, Mr. Savikataaq.

Mr. Savikataaq: Thank you, Mr. Speaker. A little correction, the fuel tank is outside of the building. It's next to the building but it's outside of the building, it's not in the building. The fuel spill was of such a large amount that it went under the air terminal building and contaminated the gravel, and fumes were in the building.

It appears that there's no policy in terms of when fuel tanks have to be replaced, so I'll ask the minister: Are they covered under insurance, an outside insurance company that would tell them that they have to replace fuel tanks like homeowners? As homeowners a metal tank is good for ten years and then we have to replace it. Is there a clause? Are the air terminal buildings insured with an outside insurance company, and do they have the same conditions, certain conditions have to be met for renewal options? Thank you, Mr. Speaker.

Speaker: Minister of Economic Development and Transportation, Mr. David Akeeagok.

Hon. David Akeeagok: Thank you, Mr. Speaker. I'm sure that we do have policies and procedures and manuals for any tank replacement and at what point do they get replaced, I'm sure those are in place for any of our government buildings.

As for whether the buildings or whether that fuel tank and/or that building is insured, as member might know all of our government buildings are self-insured; therefore, it falls under our government when it comes to replace or to (interpretation) cleanup (interpretation ends) the fuel spills. Thank you, Mr. Speaker.

Speaker: Oral Questions. Member for Netsilik, Mr. Quqqiaq.

Question 859 – 6(2): NHC-Local Housing Organizations Initiatives

Mr. Quqqiaq: Thank you, Mr. Speaker. My questions today are for the Minister responsible for Nunavut Housing Corporation.

Mr. Speaker, as the Member of the Legislative Assembly representing the constituencies of Netsilik, I'm very concerned about situations where long-term government employees become homeless after retiring from their positions and vacating their staff housing units.

Mr. Speaker, I believe that these types of situations are also occurring in other communities, and I believe that it is mainly Inuit employees who are being impacted.

Mr. Speaker, can the minister update the House today on what discussions the Nunavut Housing Corporation has been having with local housing organizations to identify ways of assisting individuals in these circumstances, especially in communities where there are very few private housing options available. Thank you, Mr. Speaker.

Speaker: Hon. Minister responsible for the Nunavut Housing Corporation, Mr. Kusugak.

Hon. Lorne Kusugak: Thank you, Mr. Speaker. I appreciate the question. Mr. Speaker, it is a fact that there is growing concern from the government employees who are getting close to retirement, or ready to retire but lack housing.

Mr. Speaker, I could assure my colleagues that there have been a number of meetings between the president of the Nunavut Housing Corporation and the deputy minister of human resources and other departments that would be affected by this. We are looking at ways to enable those that are in current government staff housing units to be able to access a public housing unit.

There are a few other options within that realm, Mr. Speaker, and I believe over the next four to six weeks we will come up with some strategy and present it to the cabinet to see if we can move forward on some of those steps, Mr. Speaker. Thank you.

Speaker: Your first supplementary, Mr. Quqqiaq.

Mr. Quqqiaq: Thank you, Mr. Speaker, Mr. Speaker, the Nunavut Housing Corporation's 2023-26 business plan indicated that it had "Engaged a consulting firm to produce a report on local housing organization governance models to see how the public housing allocation process and organizational structure can be improved."

Mr. Speaker, could the minister confirm when the report from this work will be ready to be tabled in the Legislative Assembly. Thank you, Mr. Speaker.

Speaker: Minister responsible for Nunavut Housing Corporation, Mr. Kusugak.

Hon. Lorne Kusugak: Thank you, Mr. Speaker. As soon as that report is available to be tabled I will be more than happy to table it in this House, Mr. Speaker. Thank you.

Speaker: Your second and final supplementary, Mr. Quqqiaq.

Mr. Quqqiaq: Thank you, Mr. Speaker, and thank you, minister, for your response. I will be looking forward to that report.

Mr. Speaker, can the minister indicate what specific changes to the local housing organization governance models and organizational structures are being actively considered? Thank you, Mr. Speaker.

Speaker: Minister responsible for the Nunavut Housing Corporation, Mr. Kusugak.

Hon. Lorne Kusugak: Thank you, Mr. Speaker. There are several tweaks or changes we might be able to make in terms of the housing management styles and in the policies, some of which may include looking at regional Inuit associations instead of all local ones. In some communities it becomes a challenge to find local people who want to become part of the housing associations.

There's always a cause of different issues arising in different communities. We are taking a look at what possible solutions there may be; should we take a look at maybe region housing associations and see what kind of benefit those might draw. There are a number of other issues and possibilities we are looking at, at this time. Thank you, Mr. Speaker.

Speaker: Oral Questions. Member for Iqaluit-Sinaa, Ms. Brewster.

Question 860 – 6(2): Federal-Territorial Relations

Ms. Brewster: Thank you, Mr. Speaker, and welcome back to the beautiful City of Iqaluit. It's nice to see you.

My questions are for the Premier and they concern the current state of federal-territorial relations.

As the Premier will recall, I raised concerns during the winter sitting of the Legislative Assembly regarding the alarming number of vacancies in some of the most senior federally appointed positions in Nunavut.

Mr. Speaker, we have been without a deputy commissioner since April of last year; we've been without a Senator since December of last year; and now we are without a permanent chief justice.

Mr. Speaker, as I pointed out to the Premier very clearly, we are not Ontario or Quebec. We cannot continue indefinitely with only half of our federal Parliamentarians being in office, and we cannot continue to risk a vacuum here if the positions of commissioner, deputy commissioner and chief justice were all to be vacant at the same time.

Mr. Speaker can the Premier tell us today what explanations the Prime minister has given to the Premier for the long delays in filling these critical roles? Thank you, Mr. Speaker.

Speaker: Hon. Premier of Nunavut, Mr. Pauloosie Akeeagok.

Hon. P.J. Akeeagok: Thank you, Mr. Speaker. I thank my colleague for that question, and I couldn't agree more, the importance and how vital these very important roles play. Every chance I have, my meetings with the Prime Minister as well the federal counterparts I do stress the importance of urgency.

We continue to impress these are federal processes that are there, but we continue to press from my office to ensure that Ottawa expedites the appointments, whether it's the deputy commissioner, which I know I had sought the advice from the regular members to bring forward some names, and as such we do have weekly conversations with the Prime Minister's Office to ensure that the appointments of that as well as the others are top of mind.

Every channel we use we continue to promote the importance and urgency to do the appointments for Nunavut. Thank you, Mr. Speaker.

Speaker: Your first supplementary, Ms. Brewster.

Ms. Brewster: Thank you, Mr. Speaker. I'm still not clear on what the delay is. Mr. Speaker, on April 17 of this year the Premier issued a news release in which he reacted to the recent federal budget by publicly stating that the Government of Nunavut is eager for details on federal budget investments in housing and Arctic infrastructure, and is awaiting details on funding for housing, green energy, and infrastructure.

Frankly, Mr. Speaker that does not sound like Ottawa has been keeping our government particularly well informed.

Can the Premier tell the house today if the federal government has now shared these budget details, and can he indicate the extent to which the Government of Nunavut is satisfied with what was announced in the federal budget. Thank you, Mr. Speaker.

Speaker: Premier of Nunavut, Mr. Pauloosie Akeeagok.

Hon P.J. Akeeagok: Thank you, Mr. Speaker. To be clear, the three different positions that the member had mentioned are going through different processes and specifically on the deputy commissioner, I could mention to the House that it's going through the security processes at this moment, in terms of the review process.

The Senate piece obviously is one has a committee that will recommend to the Prime Minister, so I believe that they have been vetting through the individuals that are open to be there. We continue to urge Ottawa to ensure that they expedite the appointments because we know how vital these very important positions are.

Mr. Speaker specific to the budget, we have been advocating, and as I had mentioned just in my minister's statement, I had the opportunity to welcome not only one but three federal ministers here. During that time, it was great to get a few updates in terms of the rollout, but in particular to housing, as the member just inquired, we had been advocating very hard to ensure that urban, rural northern housing, and I would like to recognize the incredible leadership of Minister Kusugak on that front.

We have been advocating that we need to see more investments come to the territory, and now I am aware that they are preparing to ensure that the carve-out for the north is recognized through that process.

I'm very pleased in terms of the work that we've been able to do to lobby, and continue to work hard, but look forward to the actual details of the rollout that's forthcoming. Thank you, Mr. Speaker.

Speaker: Your second and final supplementary, Ms. Brewster.

Ms. Brewster: Thank you, Mr. Speaker. On May 5 of this year the Government of Canada announced a number of major investments related to arctic and northern security and sovereignty. The announcement indicated that the three territorial Premiers met with a number of federal ministers to discuss a number of issues, including the establishment of so-called northern operational support hubs and multiuse infrastructure that also meets the needs of territories' Indigenous people and northern communities.

In today's statement the Premier did mention the call for federal investment in areas such as housing, telecommunication, clean energy, and transportation.

However, Mr. Speaker, when my colleague from Aggu asked questions during last Friday's sitting of the House, the Minister responsible for Nunavut Emergency

Management about this new infrastructure, the minister could not provide any substantive detail.

Mr. Speaker the Premier met in person, as we know, with the federal ministers of defence and foreign affairs prior to this announcement.

Can the Premier provide any substantive detail today about where these new northern operational support hubs and multiuse infrastructure will be located, and can he confirm what role if any the territorial government will have in their development? Thank you, Mr. Speaker.

Speaker: Premier of Nunavut, Mr. Pauloosie Akeeagok.

Hon. P.J. Akeeagok: Thank you, Mr. Speaker. Again I thank my colleague for that very important question. She is absolutely right, there's a huge infrastructure gap, and we continue to lobby and advocate for more infrastructure to come up north, and the importance of the national defence policy to ensure it's grounded and it's directly putting investments into the communities that we serve for sovereignty and security purposes.

The invitation of Minister Blair to come and brief us strictly on the defence policy was very welcomed by all three premiers, including myself on that front, and the importance of seeing those investments to our parties that we outline right here in this House as well is something that we did share.

There currently is no definitive definition of exactly what those look like, and the welcome news is we're eager to participate and to define exactly what and where those operation hubs will be selected between the three territories.

We will continue to define and continue to work with my colleagues here to define exactly what that means moving forward with the federal government, as they start defining what they would like to see as well as what we would like to see as part of that defence policy. Thank you, Mr. Speaker.

Speaker: Oral Questions. Member for Rankin Inlet North-Chesterfield Inlet, Mr. Sammurtok.

Question 861 – 6(2): Status of Naja Isabelle Home

Mr. Sammurtok (interpretation): Thank you, Mr. Speaker. (interpretation ends) I would like to direct my question to the Minister of Health.

Mr. Speaker, in February we learned that the government would not be renewing its contract for the operation of Naja Isabelle Home in Chesterfield Inlet. A number of clients at the home have medical issues and require daily care.

Can the minister indicate whether his department was involved in ensuring that these individuals were placed in appropriate facilities after the Naja Isabelle Home was closed? Thank you, Mr. Speaker.

Speaker: Hon. Minister of Health, Minister Main.

Hon. John Main (interpretation): Thank you, Mr. Speaker, and I thank my colleague for raising the question. (interpretation ends) It's possible that there might have been some involvement from my department, but I'm unable to speak in any detail on this. As the member knows, the clients in question are under the purview of Department of Family Services.

However, in terms of the role of the Department of Health staff in Chesterfield Inlet in the former operations or the previous operation of the facility in question, I can consult with my officials and commit to returning with additional detail, if that would be helpful. (interpretation) Thank you, Mr. Speaker.

Speaker: Your first supplementary, Mr. Sammurtok.

Mr. Sammurtok (interpretation): Thank you, Mr. Speaker. (interpretation ends) Due to the type of care provided at Naja Isabelle Home there was a lot of specialized equipment and furniture in the facility. While I recognize the new long-term care facility in Rankin Inlet will provide level 5 and dementia care, there's still a need in the region for beds for level 1 and 2 care. The Naja Isabelle building would be an ideal site for the elders home providing low-level care.

Can the minister advise this House if there has been any consideration of repurposing the Naja Isabelle Home into a level 1 and 2 elders' care facility? Thank you, Mr. Speaker.

Speaker: Minister of Health, Minister Main.

Hon. John Main (interpretation): Thank you, Mr. Speaker. (interpretation ends) The asset in question, the home, it's an asset that belongs to Family Services, and so I think it would be inappropriate for me to answer these questions. I think those questions would be better answered by the Department of Family Services. (interpretation) Thank you, Mr. Speaker.

Speaker: Your second and final supplementary, Mr. Sammurtok.

Mr. Sammurtok (interpretation): Thank you, Mr. Speaker. (interpretation ends) Mr. Speaker, the people of Chesterfield Inlet are wondering what will happen to the Naja Isabelle Home. It is my understanding that the building is getting painted this summer. I note that the old children's group home in Rankin Inlet is also left empty, as the old resource centre at lot 104-21.

There's a great need for program spaces for services that can support the health and well-being of Nunavut residents. Can the minister tell this House how he works with his colleagues to access space to deliver more programming in the areas of mental health and counselling, substance abuse, recovery and elder care and whether the buildings I have just identified are being considered for any of these purposes. Thank you, Mr. Speaker.

Speaker: Minister of Health, Minister Main.

Hon. John Main (interpretation): Thank you, Mr. Speaker. (interpretation ends) That's a great question. That is a question that goes to the heart of I believe what we've been tasked with, which is to be creative, to use *Qanuqtuurniq* and to serve Nunavummiut as a team in terms of my colleagues here.

I can't speak to any detail with regards to the Naja Isabelle facility, but my understanding of facilities in general, that when they become surplus to a department's needs, then they are dealt with through the surplus asset policy, the exact name escapes me, which is a process through which our department of Community and Government Services can take assets and then offer them up through that policy to either other government departments or to other organizations for use.

A good example of use of surplus assets is looking at health centres that are no longer in use. When a new health centre is built in a community, Mr. Speaker, there are quite a few examples of old health centres being turned into office space. They continue to provide, in some cases, staff housing.

I think what I'm trying to say is that the surplus assets can be useful to the government as a whole, in my opinion, and to the Department of Health in some cases. It's through that disposal, the surplus asset policy that those types of decisions are made. (interpretation) Thank you, Mr. Speaker.

Speaker: Oral Questions. Member for Uqqummiut, Ms. Killiktee.

Question 862 – 6(2): Public Housing Rent Scale

Ms. Killiktee (interpretation): Thank you, Mr. Speaker. My question is for the Minister Responsible for Nunavut Housing concerning the issue of public housing rent scale. As the minister is well aware, the current public housing rent scale was announced in January of 2013. It has been over a decade, Mr. Speaker, over ten years, Mr. Speaker.

For this reason, I have a number of questions concerning from what I heard from my constituents in Qikiqtarjuaq and Clyde River, similarly saying the same thing, that the scale is not meeting the needs since the advent of the current rent scale.

Mr. Speaker, it is my understanding that the current rent scale has not changed since it was introduced in 2013.

(interpretation ends) Mr. Speaker, can the minister confirm when the Nunavut Housing Corporation will be reviewing the current public housing rent scale, and will he commit to tabling the results of the review in the Legislative Assembly. (interpretation) Thank you, Mr. Speaker.

Speaker: Hon. Member responsible for the Nunavut Housing Corporation, Mr. Kusugak.

Hon. Lorne Kusugak: Thank you, Mr. Speaker. I appreciate the line of questioning from my colleague. Mr. Speaker, my colleague is correct that the rent scale hasn't been increased since 2014, Mr. Speaker, and during the recent minimum wage increases that took place and those prior to the last one, there have been a number of minimum wage increases since 2014, and that has not affected the rent scale to date.

At this time, during the last salary increases in minimum wage, the housing corporation decided that they would not increase rent prices. At this time the corporation is not looking at increasing or changing the current rent scale. Thank you, Mr. Speaker.

Speaker: Your first supplementary. Ms. Killiktee.

Ms. Killiktee (interpretation): Thank you, Mr. Speaker. It's unfortunate. I think some should have been made, in view of those who don't really make a salary.

(interpretation ends) When the current public housing rent scale was announced in January 2013, the government indicated that one of its primary goals was to "Reduce disincentives to employment, and to support the goals of poverty reduction." I have heard concerns from constituents that the rent scale is no longer achieving this important objective.

Will the minister commit to working with the Minister responsible for Poverty Reduction to explore options in this area? (interpretation) Thank you, Mr. Speaker.

Speaker: Minister responsible for the Nunavut Housing Corporation, Mr. Kusugak.

Hon. Lorne Kusugak: Thank you, Mr. Speaker. I believe the corporation has done well by not increasing the rent as people's minimum wage salaries have increased. I think that was a way to pay attention to those that are struggling and need to have the increase in their salaries and not affect their house rent.

Mr. Speaker, currently if you're making under \$34,000 a year, your monthly rent is \$60 a month, based on that scale. If you're making up to \$40,000, it's \$171 a month, or 9 percent of your salary. If you're making \$50,000, the rent is approximately \$379 a month, or 9 percent of your salary; and if you're making \$80,000 your rent is currently \$1,005 or 18 percent of your salary. That's the current rent scale out there.

Mr. Speaker, it's a very generous rent scale, I believe, and if we were to look at decreasing the rent, Mr. Speaker, it would be one that we would have to look at very

hard, I believe. It currently costs about \$30,000 for housing unit to maintain a house in a year; so, you know, it's hard.

I understand the struggles that people in public housing are going through in order to be able to keep up with the rent, but as of right now we don't have any... . We're not looking at increasing the rent scale at this time.

I understand my colleague is wondering if we could reduce the rent scale and I will take a look and talk to the president and the board of directors to the Nunavut Housing Corporation to see if and when that could be looked at, and what kind of impact that would have. Thank you, Mr. Speaker.

Speaker: Your second and final supplementary, Ms. Killiktee.

Ms. Killiktee (interpretation): Thank you, Mr. Speaker, and thank you for giving me that clarification. What I'm wondering is if there's a uniform rate that you have in your department, and if there's a clear understanding in terms of communicating to the tenant as to the amount of money they make, and if it's \$174 that they get from welfare, or if it's \$500, (interpretation ends) by saying that (interpretation). I'll be moving on, Mr. Speaker.

(interpretation ends) Information published in Nunavut's most recent annual report indicates that there are over 700 public housing tenants whose income exceed over \$100,000 a year, per year.

Can the minister indicate if Nunavut Housing Corporation is considering increasing the maximum rent payable by higher income tenants, in order to decrease the maximum rent payable by middle and lower income tenants? (interpretation) Thank you, Mr. Speaker.

Speaker: Minister responsible for the Nunavut Housing Corporation Mr. Kusugak.

Hon. Lorne Kusugak: Thank you, Mr. Speaker. When my colleague mentioned that when people get a salary increase or get extra money it affects their income.

(interpretation) With respect to what you're talking about, let's say they have more income coming in and the rent will certainly rise following the amount of money they make, and that's what's set out in the tenants who are in public housing. If their salary increases, and sometimes over a course of four years there's an amount set per year, that's an increase. For those with incomes that exceed \$80,000 per year, they have to pay a higher amount of rent accordingly, as to how much they are making per year. So the tenant payments that they make, they're trying to be more uniform in how we could better reflect, compared to other institutions.

Mr. Speaker, also, my fellow MLA mentioned that. I will speak on that again at a later date. Thank you, Mr. Speaker.

Speaker: Oral Questions. Member for Aivilik, Mr. Malliki.

Question 863 – 6(2): Water Infrastructure

Mr. Malliki (interpretation): Thank you, Mr. Speaker. (interpretation ends) My questions are for the minister of Community and Government Services.

Mr. Speaker, I want to revisit the issue of water infrastructure in Coral Harbour and Naujaat. I want to begin by noting the Government of Canada announced \$2 million in funding last Thursday for work to “Develop proposals for upgrading the drinking water treatment facility in Coral Harbour, Clyde River, and Igloolik.”

Mr. Speaker, this fund is much appreciated. Mr. Speaker, when I raised the question to the minister last week about the current state of water treatment infrastructure in my constituencies, I did not get clear answers, so I will try again today.

My question for the minister is: Does the current water treatment infrastructure in Coral Harbour meet the current standard federal guideline for Canadian drinking water quality, yes or no? Thank you, Mr. Speaker.

Speaker: Hon. Minister of Community and Government Services, Mr. Joanasié.

Hon. David Joanasié (interpretation): Thank you, Mr. Speaker and thank you to the MLA, our fellow MLA for seeking further question with regard to the quality of water. We have always tried to make improvements in this area. We appreciate the Government of Canada’s funding that has been allocated to our regions. If you’ll recall, the initial time that this development occurred, and up to today, I could tell you, and we all know that, they are not meeting the standards; so I say no to the MLA, but we are working hard to ensure that we are improving the quality to ensure that we have the highest quality water. Thank you, Mr. Speaker.

Speaker: Your first supplementary, Mr. Malliki.

Mr. Malliki (interpretation): Thank you, Mr. Speaker, and thank you for that. Yes, that’s what I would like to see in this House.

(interpretation ends) Thank you, Mr. Speaker. My next question for the minister is: Does the current treatment plan in Naujaat meet the current federal standard guideline for Canadian drinking water quality, yes or no? Thank you, Mr. Speaker.

Speaker: Minister of Community and Government Services, Mr. Joanasié.

Hon. David Joanasié (interpretation): Thank you, Mr. Speaker. (interpretation ends) My department has been challenged with some of the water treatment facilities across our territory, and as we are currently addressing an operational issue identified in Naujaat, specifically on ongoing performance issue at the treatment plant, as there was an inspection carried out by an environmental health officer and maintenance issues were identified. We are currently reviewing these orders and are anticipating to rectify

operational and maintenance issues to restore the performance at the Naujaat plant.
Thank you, Mr. Speaker.

Speaker: Your second and final supplementary, Mr. Malliki.

Mr. Malliki (interpretation): Thank you, Mr. Speaker and thank you for the responsible minister. (interpretation ends) Mr. Speaker, can the minister assure me that the drinking water supplies in both communities are tested regularly and are safe to drink, yes or no?
Thank you, Mr. Speaker.

Speaker: Minister of Community and Government Services, Mr. Joanasie.

Hon. David Joanasie: Thank you, Mr. Speaker. My department will continue to work with each municipality in both his riding to ensure that there are checks and balances regarding their potable drinking water.

Mr. Speaker my department is trying to enhance tracking these chlorine levels and what have you, to ensure that it is safe to drink. Mr. Speaker, we'll continue to work to ensure that we're following the regulations around drinking water in the territory.

I want to note that these standards that have been going up and up and up, and we're trying to continue to meet them. It's going to continue to require heavy investments by my department and our government as a whole, so we hope to make progress over the coming years. I thank the member for that. Thank you.

Speaker: Oral Questions. Member for Aggu, Ms. Quassa.

Question 864 – 6(2): Departmental Positions

Ms. Quassa (interpretation): Thank you, Mr. Speaker. I want to ask the question directly to the Minister of Environment. Mr. Speaker, this is something that I had asked at an earlier time. This was during the winter sitting of the Legislative Assembly.

(interpretation ends) As the minister is aware, the government's most recent quarterly employment report indicates that the Department of Environment has a total of nine positions located in my community of Igloolik. Only four of the positions are filled, and nine are vacant. This is a vacancy rate of close to 70 percent.

Can the minister provide an update today on which positions are currently filled and which positions are currently vacant? (interpretation) Thank you, Mr. Speaker.

Speaker: Hon. Minister of Environment, Mr. Qavvik.

Hon. David Qavvik: Thank you, Mr. Speaker, and I thank the member for following up in regard to the employment and vacancy rates within the Department of Environment.

Mr. Speaker, the member is right in regard to the departmental vacancies in her riding. As of the notes in front of me, we do have a vacancy for the Conservation Officer 3 for the community of Igloolik. A job offer was rejected by an offer, and we're working towards with Human Resources on next steps, what we will do in regard to the conservation officer position.

Mr. Speaker, in regard to the research section in the community of Igloolik, as a department we have been struggling to fill those vacancies, and we're trying our very best to fill those vacancies so that we can employ our residents.

Mr. Speaker, for the Igloolik positions, there are a number of vacancies. For social science researcher, that has been vacant since 2017; wildlife database management system specialist II, vacant since 2019; ecosystem research coordinator and environmental assessment biologist, vacant since 2016; wildlife biologist II, polar bears, vacant since 2019; wildlife technician II, polar bears, vacant since 2021; polar bear biologist I, vacant since 2022; and wildlife technician II is also vacant. Thank you, Mr. Speaker.

Speaker: Your first supplementary, Ms. Quassa.

Ms. Quassa (interpretation): Thank you, Mr. Speaker, and thank you. My apologies; there are quite a few that are still vacant.

(interpretation ends) It is my understanding that a number of these vacant positions have remained unfilled for years, as you have indicated, and that a number of the positions are very technical in nature. Can the minister clarify what specific actions are being taken by his department to address the high vacancy elaborate in Igloolik? (interpretation) Thank you, Mr. Speaker.

Speaker: Minister of Environment, Mr. Qavvik.

Hon. David Qavvik: Thank you, Mr. Speaker. I thank the member for her continuing advocacy in regards to the having the vacancies filled. We are doing our very best as a department to have those positions offered within her riding, and it has been difficult to access, to employ our vacancies in that department. Limited available housing has been a challenge. Variable access to reliable amenities, such as daycare and career development opportunities in Igloolik are some various to staff dispositions and retaining qualified staff.

We have also looked into discussions with the federal government to potentially move the division to the Canadian High Arctic Research Centre station facility in Cambridge Bay, but again, we're committed to filling those vacancies within the community of Igloolik. Thank you, Mr. Speaker.

Speaker: Your second and final supplementary, Ms. Quassa.

Ms. Quassa (interpretation): Thank you, Mr. Speaker. Thank you, minister, for explaining the challenges that have been faced.

(interpretation ends) When I last raised this issue during the winter sitting I suggested that government should consider transferring some of these long-standing vacant positions to another community, where there would be a greater chance of them being filled by qualified applicants. In return, new positions would be transferred to Igloolik and efforts would be made to ensure that they were the types of positions that could be reasonably filled with local applicants. Is the minister open to considering this suggestion?

(interpretation) Thank you, Mr. Speaker.

Speaker: Minister of Environment, Mr. Qavvik.

Hon. David Qavvik: Thank you, Mr. Speaker. I thank the member for this question. Mr. Speaker, yes, I am certainly interested in the offer, but again, when we move more positions to a different community there's a process within our government that we have to go through.

I can agree that there would need to be some transfer of positions to the community of Igloolik, and I can certainly direct my department, as they are listening in on our sitting, that the discussion around whether we can move these specialized positions to another community where there's more access to southern connection flights that are available, that we use to go to southern Canada, for example.

Yes, Mr. Speaker, when the day comes, if we decide to as a department we will need to decide what position would be offered to the community of Igloolik. Thank you, Mr. Speaker.

Speaker: Oral Questions. Member for Baker Lake, Mr. Simailak.

Question 865 – 6(2): Special Needs Washroom at Baker Lake School

Mr. Simailak: Thank you, Mr. Speaker. Today my questions are directed to the Minister of Education.

Mr. Speaker, I'm sure the minister will recall my questions during our recent winter sitting when I asked about the need to properly address inclusivity in our schools, and specifically about the request for a special needs washroom at the Baker Lake high school.

At that time the minister indicated on two separate occasions that she would be looking into the concerns raised with respect to the inadequacy to the modifications made to a school washroom.

Can the minister provide an update on what she has done to look further into this matter?
Thank you, Mr. Speaker.

Speaker: Hon. Minister of Education, Ms. Gross.

Hon. Pamela Gross: *Quana*, Mr. Speaker, and *Quana* to the member for the question and for the work behind this that he's advocating for.

Mr. Speaker, I do know that the Baker Lake school washroom was an area that the Department of Education did work with Community and Government Services to expand the washroom.

I know that they did follow the guidelines, and the washroom did meet standards for a specialized washroom and they went within the perimeters of what was available for the space, and they utilized what they had and worked towards creating that washroom for the school. Thank you, Mr. Speaker.

Speaker: Your first supplementary, Mr. Simailak.

Mr. Simailak: Thank you, Mr. Speaker. I would strongly suggest the department look into this again, because there is ample room to properly fix a special needs washroom in the area that's specified in the high school.

Mr. Speaker, the Baker Lake District Education Authority had received a letter stating this this file is now closed and that the school washroom renovations were complete.

Mr. Speaker, as I noted in February, the modifications did not expand the washroom space adequately to accommodate a wheelchair space for two staff members to lift an individual out of their chair as well as the toilet, the sink, and the change table.

Can the minister describe what steps should be taken to reactivate this file to ensure that the appropriate renovations are made to properly accommodate students in wheelchairs? Thank you, Mr. Speaker.

Speaker: Minister of Education, Ms. Gross.

Hon. Pamela Gross: Thank you, Mr. Speaker, and thank you to the member for the question. The department has taken a look at this situation, and from my understanding everything was cleared to go ahead. If the member is requesting it again, we can certainly look into it again, but from what I was given, the information from my officials, everything was good in terms of the work that was done towards meeting the needs for the washroom space. We can take a second look at that and get back to the member. Thank you, Mr. Speaker.

Speaker: Your second and final supplementary, Mr. Simailak.

Mr. Simailak: Thank you, Mr. Speaker. There's an obvious disconnect between the people on the ground and to when it gets to the minister's position.

Mr. Speaker, it's very clear that the people in Baker Lake on the ground that necessary renovations and accommodations have not taken place.

The special change table is still sitting in a wooden crate right in the middle of the washroom. This is since December. And here they say the file was closed. They said the renovations are done, but yet there's a wooden crate right in the middle of the washroom. This is since December. This is not promoting inclusivity to our schools where all children have the right to a safe and comfortable environment.

Will the minister commit to addressing this matter herself; not through just your officials, see it for yourself? With today's technology, you can do a Zoom meeting, have someone go in there with a camera to see a live feed of what they say is done.

This is not a completed project. Will the minister commit to actually looking at her herself? She doesn't need to fly there. With today's technology, she can see it online. I would like an answer, please, Mr. Speaker. Thank you.

Speaker: Minister of Education, Ms. Gross.

Hon. Pamela Gross: Thank you, Mr. Speaker, and thank you to our colleague for that. Yes, we can commit to that. Thank you, Mr. Speaker.

Speaker: Oral Questions. Member for Iqaluit-Tasiluk, Mr. Hickes.

Question 866 – 6(2): Master Designated List for NAC

Mr. Hickes: Thank you, Mr. Speaker. I would like to direct my question to the Minister responsible for Nunavut Arctic College regarding return to oral question that was tabled this Thursday, regarding certification of educational institutes on accessing registered education savings plans.

Mr. Speaker, in the response it is stated that a post-secondary institute can be placed on the master designated list as to apply to be placed on a province or territory's master designated list or placed on the master certification list.

Mr. Speaker, also in the response it's stated that discussions with the advanced education with the Department of Education and staff and employment and Social Development Canada and Canada Student Financial Assistance Program have resulted in the recommendation that Nunavut Arctic College were to be placed on a master designated list of a province or territory who participates in the Canada Student Loan Program.

Can the minister give me a timeline whether this is expected to be completed? Thank you, Mr. Speaker.

Speaker: Minister responsible for Nunavut Arctic College, Minister Nutarak.

Hon. Karen Nutarak (interpretation): Thank you to my colleague for always bringing this up. (interpretation ends) We are flagging this matter for the college. His questions initiated countless conversations for the college to have this understanding of the situation and to find solutions.

Payments of the school expenses can now be made by registered education savings plans. (interpretation) thank you, Mr. Speaker.

Speaker: Your first supplementary, Mr. Hickes.

Mr. Hickes: Thank you, Mr. Speaker. I'm a little unclear on that response. In the response it states: "I can confirm the college has begun discussions with its university partner, Memorial University of Newfoundland and Labrador, to be placed on the master designated list," as well as it was stated that Nunavut Arctic College was on Alberta's master designation list but had lapsed in 2018.

First, I would like to get confirmation that, as the minister just stated, that students can access their registered education savings plans currently, and is that available for all Nunavut Arctic College programs? Thank you, Mr. Speaker.

Speaker: Minister responsible for Nunavut Arctic College, Ms. Nutarak.

Hon. Karen Nutarak (interpretation): Thank you, Mr. Speaker, and I thank the member for the question. (interpretation ends) Yes, these discussions have been completed since the return of the oral questions. (interpretation) Thank you, Mr. Speaker.

Speaker: Your second and final supplementary, Mr. Hickes.

Mr. Hickes: Thank you, Mr. Speaker. Again, I didn't get the confirmation that all programs were available. But also in the response, Mr. Speaker, it states that there are two ways to access getting on a master list for Nunavut Arctic College. The most common way is the province or territory that has students participating in the Canada Student Financial Assistance Program or Canada Student Loans attending Nunavut Arctic College. It is stated in the response that "As Nunavut has a robust student financial support system for Nunavummiut, the college appreciates that it does not have students applying for Canada Student Loans."

Mr. Speaker, while that may be true that most students do not access Canada Student Loan programs, we hear every year on delays of funding and some of the financial stresses that students go through. I recognize that the work that the Department of Education does, as well as our regional Inuit organizations have programs that help support and supplement funding for students, but I know many parents that still struggle with student expenses for their children to access education, whether it be through the college or through outside post-secondary institutions.

My final question, Mr. Speaker: What is stopping Nunavut from creating our own master designated list and adding all Nunavut Arctic College programs to it to be recognized? Thank you, Mr. Speaker.

Speaker: Minister responsible for Nunavut Arctic College, Ms. Nutarak.

Hon. Karen Nutarak (interpretation): Thank you, Mr. Speaker. I also thank you for that question. Going back to the previous question, (interpretation ends) we are on the master designated list for all programs. (interpretation) However, I will have to take this question as notice. Thank you, Mr. Speaker.

Speaker: Question taken as notice. Oral Questions. Member for Iqaluit-Sinaa, Ms. Brewster.

Question 867 – 6(2): Status of Collective Bargaining

Ms. Brewster: Thank you, Mr. Speaker, for recognizing me a second time today. I appreciate it.

My questions are for the new Minister of Human Resources who is responsible for the government's collective agreements with the Nunavut Employees Union and Nunavut Teachers Association.

As the minister will be very much aware, the current collective agreement with the Nunavut Employees Union was signed in August of 2022 and expires in September of 2024, a little over four months from now.

Mr. Speaker, when I asked about the status of collective bargaining last fall, the minister's predecessor indicated that there were no updates.

Can the minister provide a clear update today on the status of negotiations between the government and the union? Thank you, Mr. Speaker.

Speaker: Hon. Minister of Human Resources, Mr. David Akeeagok.

Hon. David Akeeagok: Thank you, Mr. Speaker. There are no active negotiations taking place at this time. Thank you, Mr. Speaker.

Speaker: Your first supplementary, Ms. Brewster.

Ms. Brewster: Thank you, Mr. Speaker. Over the past year, the government has introduced a new-Nunavut wide hiring policy and a new out-of-territory remote hiring policy.

Can the minister indicate what concerns, if any, have been raised by the unions in respect to the implementation of these policies, and can he clarify the extent to which matters

covered by the policies will be subject to negotiation as part of the current round or upcoming round of collective bargaining? Thank you, Mr. Speaker.

Speaker: Minister of Human Resources, Mr. David Akeeagok.

Hon. David Akeeagok: Thank you, Mr. Speaker. I applaud my staff for working very hard with the unions on any new programs that do come that affect them, and there's a good working relationship towards that.

Those meetings do take place and do continue, and where areas that both feel that it will require negotiations between collective agreements, those will be put in as a placeholder for those. I encourage everyone to continue those discussions, as we roll out some of these programs that are most needed. Thank you, Mr. Speaker.

Speaker: Your second and final supplementary, Ms. Brewster.

Ms. Brewster: Thank you, Mr. Speaker. I'm still not clear on whether or not the union has raised any issues or concerns over those two policies. I'll move on.

As the minister will recall, the annual ceremony to mark the National Day of Mourning for Injured or Killed Workers was held here at the Legislative Assembly, and I joined with the families in mourning all of those who have been lost.

Mr. Speaker, the new Minister of Human Resources is also the new Minister responsible for the Workers' Safety and Compensation Commission. Can one of those two ministers provide an update today concerning what new initiatives the Department of Human Resources is collaborating on with the Nunavut Employees Union, the Nunavut Teachers Association, and the Workers' Safety and Compensation Commission to identify and enhance workplace safety in Nunavut as part of the overall negotiation and bargaining process? Thank you, Mr. Speaker.

Speaker: Minister of Human Resources, Mr. David Akeeagok.

Hon. David Akeeagok: Thank you, Mr. Speaker. I thought I responded by saying that the discussions are taking place between the union and our staff, and there are issues that they would put them in a place holder if they require bargaining, part of the bargaining.

In terms of for safety and for workplace related to it, I thank the member for participating. There was a good turnout of members here, and I really applaud when it was the National Day of Mourning. As we all know one death is one too many in the workplace, and something that we continue to strive.

I'm very confident that our staff continue to look at workplace safety and workplace; there hasn't been anything specific that comes out that requires a legislative or regulatory change, but those would fall within their perimeters of what needs to be changed.

One of the key critical things that my department under human resources is doing is going and cleaning up a lot of our manuals. As you know, there's a huge book of human resource manuals, and we're going through each of those sections and to make sure that we update them, and if there's areas of safety, that's one of the priorities for that. Thank you, Mr. Speaker.

Speaker: Oral Questions. Member for Arviat South, Mr. Savikataaq.

Question 868 – 6(2): Status of Caribou Populations

Mr. Savikataaq: Thank you, Mr. Speaker. I would like to question the Minister of Environment on the minister's statement of today about the South Baffin Island caribou abundance.

Mr. Speaker, there's many caribou populations that are on the decline in Nunavut, and a few of these have total allowable harvest. And I'm just wondering if the minister can clarify some lingering questions that I have here.

In the statement back in 2014, the abundance survey states that there was 4,600 caribou left on Baffin Island and a total allowable harvest and 250 males were issued, which comes out to 5.4 percent of the population.

And back in 2020, the Dolphin Union had 3,800 caribou, and a total allowable harvest of 1 percent.

For the Bluenose-East in 2021, the population estimate was 23,200 and they had a total allowable harvest of 170 caribou, which is roughly about 1 percent too.

In the minister's statement currently in 2024-25 the total allowable harvest for Baffin Island was 450. What percentage is that, roughly? Thank you.

Speaker: Hon. Minister of Environment, Mr. Qavvik.

Hon. David Qavvik: Thank you, Mr. Speaker. Mr. Speaker, to be really honest, I'm not good with mathematics. Based on there was a percentage in regards to how many percentage that are able to be harvested within the Baffin Island caribou harvest.

For the region of Qikiqtaaluk, Mr. Speaker, I would have to get back to the member in regards to the percentage the member is asking. Thank you, Mr. Speaker.

Speaker: Your first supplementary, Mr. Savikataaq.

Mr. Savikataaq: Thank you, Mr. Speaker. Mr. Speaker, will the minister also get back to the House here on what percentage harvest level should be when the total allowable harvest is issued to a caribou population? Can they confirm that there is a standard

percentage, or will the minister get back to me on what percentage each caribou herd is for the total allowable harvest? Thank you, Mr. Speaker.

Speaker: Minister of Environment, Mr. Qavvik.

Hon. David Qavvik: Thank you, Mr. Speaker. Thank you to the member for that question. Yes, I can commit to getting back to the member in regards to what percentage is required, that are set within the total allowable harvest, and once I have that information, I will share it with the House. Thank you, Mr. Speaker.

Speaker: Your second and final supplementary, Mr. Savikataaq.

Mr. Savikataaq: Thank you, Mr. Speaker. I believe that all Nunavut should be treated equally and, and the way caribou populations are given total allowable harvest to harvest them because they need the food, the Baffin Island caribou has been going up 50 animals per year without a survey being done. From 250 it's up to 450 now.

Without a population estimate survey being completed, will the minister treat the other total allowable harvest species, like the other caribou herds that have a total allowable harvest, will they be going up too at a certain amount per year just like Baffin did? For example, Bluenose-East will it go up, South Hampton Island, will their total allowable harvest be going up yearly without a proper survey being done? Thank you, Mr. Speaker.

Speaker: Minister of Environment, Mr. Qavvik.

Hon. David Qavvik: Thank you, Mr. Speaker. I thank the member for those good questions. For the Blue Nose East caribou herd has been recently surveyed, and the population for that herd have increased almost in double. As a minister it will come to me for a final say whether the total harvest will increase, but I can certainly commit whether other populations will require an increasing total of allowable harvest. It's based on population estimates. Once I have that information, I will share them with the member and to the House. Thank you, Mr. Speaker.

Speaker: Members be aware time allotted for question period is now over. Mr. Malliki.

Mr. Malliki (interpretation): Thank you, Mr. Speaker. (interpretation ends) Mr. Speaker, I would like to request unanimous consent to extend question period. Thank you, Mr. Chairman.

Speaker: The member is seeking unanimous consent to extend question period. Are there any nays?

An Hon. Member: Nay.

Speaker: There is a nay. Item 7. Written Questions. Item 8. Returns to Written Questions. Item 9. Replies to Opening Address. Item 10. Petitions. Item 11. Responses to

Petitions. Item 12. Reports of Standing and Special Committees on Bills and Other Matters. I recognize the Member for Iqaluit-Tasiluk, Mr. Hickes.

Item 12: Reports of Standing and Special Committees on Bills and Other Matters

Committee Report 028 – 6(2): Report on the Review of the 2022-23 Annual Report of the Information and Privacy Commissioner of Nunavut

Mr. Hickes: Thank you, Mr. Speaker. I rise today to present the Report of the Standing Committee on Oversight of Government Operations and Public Accounts on the Review of the 2022-23 Annual Report of the Information and Privacy Commissioner of Nunavut.

The Standing Committee on Oversight of Government Operations and Public Accounts held a televised hearing from April 19 to 20 on the 2022-23 Annual Report of the Information and Privacy Commissioner of Nunavut.

The standing committee's hearing was held here in the Chamber of the Legislative Assembly and was televised live across the territory. The hearing was open to the public and news media to observe from the Visitors' Gallery, and was livestreamed on the Legislative Assembly's website. The transcripts from the standing committee's hearing are available from the Legislative Assembly's website.

Mr. Speaker, witnesses appearing before the standing committee included the Information and Privacy Commissioner and a number of Government of Nunavut officials representing the Department of Executive and Intergovernmental Affairs, the Department of Community and Government Services, the Department of Health, and the Department of Justice. The standing committee notes its appreciation to these witnesses.

Mr. Speaker, the standing committee's report contains a total of 20 sets of formal recommendations. Sixteen formal recommendations are directed to the Government of Nunavut. These cover a number of thematic areas, including:

- Amendments to the *Access to Information and Protection of Privacy Act*;
- The Government of Nunavut's annual reports to the Legislative Assembly concerning its administration of the *Access to Information and Protection of Privacy Act* and related regulations and policies;
- Capacity-building and centralization;
- Privacy impact assessments;
- Public sector salary disclosure;
- Agreements between the Government of Nunavut and external entities under the *Police Act*;
- Prosecutions under section 59 of the *Access to Information and Protection of Privacy Act*;
- Information-sharing and protection of privacy in relation to missing persons legislation and other legislative initiatives;

*See Appendix for full text of Committee Report 28 – 6(2).

- Health privacy issues and the development of health-specific privacy legislation;

*See Appendix for full text of Committee Report 28 – 6(2).

- The application of the *Access to Information and Protection of Privacy Act* to municipalities, district education authorities, and other entities; and
- Information technology, cybersecurity, and the impact of artificial intelligence technology on access to information and protection of privacy.

Mr. Speaker, I wish to note for the record that the standing committee is requesting that the government provide a comprehensive response to this report, pursuant to Rule 91(5) of the *Rules of the Legislative Assembly of Nunavut*.

Mr. Speaker, the standing committee's report also contains four sets of formal recommendations directed to the Office of the Information and Privacy Commissioner, including a recommendation that the office offer to provide advice and support to Nunavut Tunngavik Incorporated and the three regional Inuit organizations regarding the establishment of access to information and protection of privacy systems that can be utilized by Nunavut Inuit in respect to information in the possession of these entities.

Mr. Speaker, I anticipate that the Office of the Information and Privacy Commissioner's responses to the standing committee's recommendations will be tabled in the House through you during our upcoming fall sitting.

With that, I move that the report of the standing committee be received by the House and entered into the record as read. Thank you, Mr. Speaker.

Speaker: The member has moved that the report of the standing committee be received by the House and entered into the record as read. Do members agree?

Some Members: Agreed.

Speaker: It is agreed.

Item 13. Tabling of Documents. Hon. Minister of Finance, Mr. Kusugak.

Item 13: Tabling of Documents

Tabled Document 278 – 6(2): QEC Letter of Expectation

Hon. Lorne Kusugak: Thank you, Mr. Speaker. I am pleased to table the Qulliq Energy Corporation's 2023-24 Letter of Expectation. Thank you, Mr. Speaker.

Speaker: Item 13. Tabling of Documents. Hon. Minister of Economic Development and Transportation, Mr. David Akeeagok.

Tabled Document 279 – 6(2): 2021-22 Tourism Act Annual Report

Hon. David Akeeagok (interpretation): Thank you, Mr. Speaker. I am pleased to table the 2021-22 *Tourism Act* Annual Report. Thank you, Mr. Speaker.

Speaker: Item 14. Notices of Motions. Member for Iqaluit-Tasiluk. Tabling of Documents. Mr. Hickes.

Tabled Document 280 – 6(2): Correspondence from the Minister of Health: Follow-up from Committee of the Whole’s Consideration of the Department of Health’s 2024-25 Main Estimates

Tabled Document 281 – 6(2): Correspondence from the Minister of Community and Government Services: Follow-up from Committee of the Whole’s Consideration of the Department of Community and Government Services’ 2024-25 Main Estimates

Mr. Hickes: Thank you, Mr. Speaker. I have two documents to table today in my capacity as Chairperson of the Committee of the Whole.

The first document is a copy of the correspondence from the Minister of Health in response to questions that were asked during the consideration of the department’s 2024-25 main estimates during the proceedings of the Committee of the Whole during the recent winter 2024 sitting of the Legislative Assembly.

Mr. Speaker, the second document is a copy of the correspondence from the Minister of Community and Government Services in response to questions that were asked during the consideration of the department’s 2024-25 main estimates during the proceedings of the Committee of the Whole during the recent 2024 sitting of the Legislative Assembly.

I encourage all members to review the documents with care. Thank you, Mr. Speaker.

Speaker: Tabling of Documents. Item 14. Notices of Motions. Item 15. Notices of Motions for First Reading of Bills. Item 16. Motions. Item 17. First Reading of Bills. Item 18. Second Reading of Bills. Hon. Minister of Justice, Ms. Nutarak.

Item 18: Second Reading of Bills

Bill 41 – Miscellaneous Statutes Amendment Act – Second Reading

Hon. Karen Nutarak (interpretation): Thank you, Mr. Speaker. (interpretation ends) I move, seconded by the Hon. Member for Hudson Bay, that Bill 41, *Miscellaneous Statutes Amendment Act*, be read for the second time.

Mr. Speaker, this bill repeals two defunct Acts and a number of defunct provisions of Acts, renames two Acts to conform to the standard naming conventions for Acts, repeals a number of definitions that are already provided for in the *Legislation Act*, and makes other non-substantive improvements to certain Acts. Thank you, Mr. Speaker.

Speaker: The motion is in order. To the principle of the bill.

Some Hon. Members (interpretation): Question.

Speaker: All those in favour? Opposed? The motion is carried and the bill is referred to the Standing Committee on Legislation.

Second Reading of Bills. Hon. Minister of Health, Mr. Main.

Bill 42 – An Act to Amend the Dental Profession Act – Second Reading

Hon. John Main (interpretation): Thank you, Mr. Speaker. (interpretation ends) I move, seconded by the Hon. Member for Quttiktuq, that Bill 42, *An Act to Amend the Dental Profession Act*, be read for the second time.

Uqaqtitsijii, this bill amends the *Dental Profession Act* to allow for appointment of a review officer by the minister. (interpretation) Thank you, Mr. Speaker.

Speaker: The motion is in order. To the principle of the bill.

Some Hon. Members (interpretation): Question.

Speaker: All those in favour? Opposed? The motion is carried and the bill is referred to the Standing Committee on Legislation.

Second Reading of Bills. Hon. Minister of Economic Development and Transportation, Mr. David Akeeagok.

Bill 43 – An Act to Amend the Nunavut Business Credit Corporation Act – Second Reading

Hon. David Akeeagok: Thank you, Mr. Speaker. I move, seconded by the Hon. Member for Rankin Inlet South, that Bill 43, *An Act to Amend the Business Credit Corporation Act*, be read for the second time.

Mr. Speaker, the bill amends the *Nunavut Business Credit Corporation Act* to:

- (a) eliminate the role of the minister in decision-making processes,
- (b) eliminate regional boards and lending officers,
- (c) allow for more types of financial instruments to be issued,
- (d) remove onerous conditions of issuance of financial instruments to business enterprises,
- (e) remove the ability for financial instruments to obtain loan guarantees and bonding companies to obtain indemnities,
- (f) increase the aggregate loan limit for one business enterprise and related business enterprises to \$5 million,
- (g) require the inclusion of the names of businesses receiving loans and financial instruments in the corporation's annual report, and

(h) make other changes to modernize the Act.

Thank you, Mr. Speaker.

Speaker: The motion is in order. To the principle of the bill.

Some Hon. Members (interpretation): Question.

Speaker: All those in favour? Opposed? The motion is carried and the bill is referred to the Standing Committee on Legislation.

Second Reading of Bills. Hon. Minister of Justice, Ms. Nutarak.

Bill 44 – An Act to Amend the Creditors Relief Act and the Public Service Garnishee Act – Second Reading

Hon. Karen Nutarak: Thank you, Mr. Speaker. I move, seconded by the Hon. Member for Hudson Bay, that Bill 44, *An Act to Amend Creditors Relief Act and the Public Service Garnishee Act*, be read for the second time.

Mr. Speaker, the bill amends the *Creditors Relief Act* and *Public Service Garnishee Act* to allow for continuing garnishment of wages and salaries. Thank you, Mr. Speaker.

Speaker: The motion is in order. To the principle of the bill.

Some Hon. Members (interpretation): Question.

Speaker: All those in favour? Opposed? The motion is carried and the bill is referred to the Standing Committee on Legislation.

Second Reading of Bills. Hon. Minister of Community and Government Services, Mr. Joanasie.

Bill 45 – An Act to Amend the Cities, Towns and Villages Act and the Hamlets Act – Second Reading

Hon. David Joanasie: Thank you, Mr. Speaker. I move, seconded by the Hon. Member for Pangnirtung, that Bill 45, *An Act to Amend the Cities, Towns and Villages Act and the Hamlets Act*, be read for the second time.

Mr. Speaker, this bill amends the *Cities, Towns and Villages Act* and the *Hamlets Act* to:

- apply the quorum rules at subsection 34(2) of the *Legislation Act* to municipal councils; and
- permit municipal councils to appoint councillors when their membership falls below quorum.

Thank you, Mr. Speaker.

Speaker: The motion is in order. To the principle of the bill.

Some Hon. Members (interpretation): Question.

Speaker: All those in favour? Opposed? The motion is carried and the bill is referred to the Standing Committee on Legislation.

Second Reading of Bills. Hon. Minister of Justice, Ms. Nutarak.

Bill 46 – An Act to Amend the Coroners Act – Second Reading

Hon. Karen Nutarak: Thank you, Mr. Speaker. I move, seconded by the Hon. Member for Hudson Bay, that Bill 46, *An Act to Amend the Coroners Act*, be read for the second time.

Mr. Speaker, this bill amends the *Coroners Act* to add to the list of causes or circumstances of death that require notification, to allow for investigations without access to a body, to update the provisions related to interference with a body, to add procedures for the use of alternate jurors at an inquest, and to require the tabling of annual reports. Thank you, Mr. Speaker.

Speaker: The motion is in order. To the principle of the bill.

Some Hon. Members (interpretation): Question.

Speaker: All those in favour? Opposed? The motion is carried and the bill is referred to the Standing Committee on Legislation.

Item 19. Consideration in Committee of the Whole of Bills and Other Matters. Bills 38 and 47 with Mr. Malliki in the Chair.

Before we proceed to the committee, we will take a 20-minute break.

Sergeant-at-Arms.

>>*House recessed at 15:44 and Committee resumed at 16:11*

Item 19: Consideration in Committee of the Whole of Bills and Other Matters

Chairman (Mr. Malliki): I would like to call this committee to order. In Committee of the Whole, we have the following items to deal with: Bills 38 and 47. What is the wish of the Committee of the Whole? Mr. Savikataaq.

Mr. Savikataaq: Thank you, Mr. Chairman. We wish to recommence with the review of Bill 38 and the supporting documents, followed by Bill 47 and the supporting documents. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. (interpretation ends) Are we in agreement that we first deal with Bill 38?

Some Members: Agreed.

Bill 38 – Supplementary Appropriation (Operations & Maintenance) Act, No. 2, 2023-2024 – Consideration in Committee

Chairman: I would like to ask Minister Kusugak: do you have officials that you would like to appear before the committee?

Hon. Lorne Kusugak: I do, Mr. Chairman.

Chairman: Does the committee agree to let the minister's officials appear before you?

Some Members: Agreed.

Chairman: Sergeant-at-Arms, please escort the witnesses in.

For the record, Minister Kusugak, please introduce your officials and then proceed to your opening comments. Minister Kusugak.

Hon. Lorne Kusugak: Thank you, Mr. Chairman. To my left is Kyle Seeley, Deputy Minister of Community and Government Services, and to my right is Dan Young, Deputy Minister of Finance.

Thank you, Mr. Chairman. I appear before you today to present Bill 38, *Supplementary Appropriation (Operations and Maintenance) Act, No. 2, 2023-2024*.

When I originally presented this bill in the winter sitting of the Legislative Assembly, the government was seeking \$100.88 million in appropriations for 2023-24. I am pleased to provide a much smaller version of the bill today seeking \$20,245,000. Two items have been removed from the original bill: \$76.1 million for the Department of Health and \$4,533,000 for the Department of Community and Government Services.

The Department of Health was successful in signing funding agreements with Canada which provided significant funding for the department in 2023-24: \$15 million under the Territorial Health Investment Fund and \$95 million for Non-Insured Health Benefits. We no longer anticipate needing a supplementary appropriation for the Department of Health for 2023-24.

The Department of Community and Government Services is still seeking \$4,719,000 to bring the Petroleum Products Stabilization Fund back to its legislated limits and \$409,000 for municipal governments, but it is no longer requesting \$4,533,000 for its Infrastructure Branch.

The request from Family Services remains unchanged from the original bill. The department is seeking an appropriation of \$15.1 million to cover overspending in five areas, mainly the Family Wellness Division. About half of the overspending, \$7.5 million, is attributable to increasing expenses for residential care contracts.

Mr. Chairman, there are more details in the briefing notes that you have been provided and in the letters that you received ahead of my appearance today, but I have brought officials from the affected departments to assist me in answering any questions that you may have.

Committee Motion 006 – 6(2): Bill 38 Change the Scheduled Amounts

With that, Mr. Chairman, I move that the schedule be amended by replacing the table with the following:

Vote 1: Operations and Maintenance, Item 1, Community and Government Services, \$5,128,000; Item 2, Family Services, \$15,117,000; total operations and maintenance, \$20,245,000; total supplementary appropriation, \$20,245,000. Thank you, Mr. Chairman.

Chairman: The motion is in order. A copy of the motion has been given to all members. The mover of the motion speaks first. Minister Kusugak.

Hon. Lorne Kusugak: Thank you, Mr. Chairman. I have nothing to add, as per it is covered in my opening comments on the bill, Mr. Chairman. Thank you.

Chairman (interpretation): Thank you. (interpretation ends) To the motion. No. Question has been called. All those in favour? Motion carried.

I have no more names under general comments. Page 4 of the supplementary appropriation maintenance. Page 4. Community and Government Services. Operations and Maintenance. Not Previously Authorized. Total Government Services. \$409,000. Questions? Total Directorate. \$4,719,000. Questions? Mr. Hickes.

Mr. Hickes: Thank you, Mr. Chairman. First, if the Chairman would allow, I would like to get a general question out of the way not specific to the \$4.7 million being requested. I do have some questions on that. With the reduction of the bill to the \$20 million plus, what impact does that have on the Government of Nunavut's fiscal position as far as deficit surplus from the '23-24 fiscal year? Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Minister Kusugak.

Hon. Lorne Kusugak: Thank you, Mr. Chairman. That puts us in a surplus position. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Mr. Hickes.

Mr. Hickes: Thank you, Mr. Chairman. If this bill today is approved, what amount would that surplus be approximately? Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Minister Kusugak.

Hon. Lorne Kusugak: Thank you, Mr. Chairman. If I could allow my deputy to respond to those details, thank you, Mr. Chairman, through you.

Chairman (interpretation): Thank you. (interpretation ends) Mr. Young, please proceed.

Mr. Young: Thank you, Mr. Chairman. Thank you for the question. The audit just started for the 2023-24 fiscal year, so we won't have any specific numbers for quite a few months yet. A lot of it depends on how much capital is built and how a lot of those projects move forward, but as of right now, we expect it to be a fairly small surplus in the \$10 million range.

Chairman (interpretation): Thank you. Mr. Hickes.

Mr. Hickes: Thank you for allowing that question, Mr. Chairman. I would like to move on to the Petroleum Products Division amount being requested.

Back when we were first discussing this bill, there were concerns that I personally raised and a number of my colleagues raised, was the perception that it's putting the onus on the regular members' caucus and in addition to the Assembly to deal with pricing, fuel pricing, which is the responsibility of Community and Government Services, as well as the Financial Management Board and cabinet. So that was one of the purposes of deferring this bill, was to give the department time to express to us as regular members what type of mitigation measures are going to be taken to reduce the stabilization funds balance, if this money is approved, will bring to the \$20 million threshold.

I've seen no activity from the Department of Community and Government Services or the Petroleum Products Division to edge that number down or to find a number to chip away from it.

So even if we approved this 7.4 million today it still leaves the stabilization fund at its maximum allowable limit, which severely restricts any type of wiggle room as the stabilization fund is intended to provide Petroleum Products Division with their pricing.

If the department or the minister can express to me what the plan is to chip away at that 20 million dollar stabilization fund balance. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Minister Kusugak.

Hon. Lorne Kusugak: Thank you, Mr. Chairman. I appreciate the concern and frustrations that were brought by the regular members in terms of dealing with the price of fuel through the Assembly. The intention definitely by cabinet was not to put the onus on regular members to deal with this matter, but I think by default the way that the fuel pricing is currently done, even with previous and current government, puts it in such a way that the current mechanism puts responsibility on this House and regular members to feel like if they have to be the ones to say yes, we have to increase the price of fuel.

That's one thing that we are currently looking at, to see if there could be a non-political, if I could use that term, way of dealing with the increase in cost of fuel. The current process that we use, Mr. Chairman, is to the actual cost of the fuel landed in Nunavut communities they estimate the cost of transportation and other resupply cost, estimate the cost of petroleum product divisions O&M and needs to supply the fuel in the communities, and that divided by the number of litres that we do re-sell back to the communities.

It is a very long process, but nonetheless it becomes a political decision, and this is one that I'm working with my deputy and other deputies to see if there's a mechanism that could be done so that it's something that automatically happens, whether it happens to go up or down.

But in terms of what the department of PPD is doing to mitigate the situation and seeing how we could deal with the current situation, I would like to invite the Deputy Minister Seeley to respond to that aspect, through you, Mr. Chairman.

Chairman (interpretation): Thank you. (interpretation ends) Mr. Seeley, please proceed.

Mr. Seeley: Thank you, Mr. Chair, thank you minister. The Petroleum Products Division has taken a couple of different measures to ensure that we are able to operate within the authorized limit. Those measures include staffing up professional services within the division to make sure that we're charting our numbers and accounts accurately and consistently.

The other measures that have been taken is of course the approval of this House, increasing the authorized limit for the petroleum products revolving fund, in addition to some enhanced measures on collecting on accounts receivable, so with some of the bigger comments of PPD, so the people that buy the most fuel.

By having some additional measures in place to make sure that we're collecting on our accounts receivable and increasing the total authorized limit for the revolving fund, we're hoping to reconcile each year more consistently, as well as starting the annual resupply earlier because it's a significant cost within each year's revolving fund. By completing resupply earlier we'll be able to initiate the audit process that much sooner, to give us confirmed costs rather than forecasted costs, which is the scenario that we base pricing on

the 2022-23 fiscal year on, that lead to the forecast being short by the approximately 5 million that we're requesting for in the House today.

Because of charting that deficit within the Petroleum Products Revolving Fund, at that time we were obliged to bring that appropriation forward for a consideration in the House to clear those books on the 2022-23 fiscal year. Thank you, Mr. Chair.

Chairman (interpretation): Thank you. Mr. Hickes.

Mr. Hickes: Thank you, Mr. Chairman, and I thank both the minister and Mr. Seeley for the response. Just to go a little bit further, and again I appreciate the efficiency and the measures that are taken to make things a little bit more economically stable and accountable, but it still leaves a \$20 million balance in the stabilization fund which is at its maximum level, and I can speak from experience. I have been a part of a government where there was a significant balance left in the stabilization fund where one of the first decisions we had to do is make a significant increase in fuel pricing, which is never politically fun to do, but necessary. When we're addressing with the cost recovery basis like a revolving fund with regards to fuel, that's the only measure that we have in place, is either to increase the rates.

You can find your efficiencies, which may have some nominal impact but you're not going to find \$20 million in staffing and productivity at the Petroleum Products Division.

My concern is that year only a year and a half out from an election. I can't imagine being able to -- and putting the onus on the consumer to recover \$20 million in fuel costs to bring that fund back down to zero.

My concern is that we're going to leave the next government in a position where they're not going to be able to have any leeway with their pricing or very little leeway with their pricing, if the stabilization fund balance is maintained as it currently is right now.

I would like to get a little bit more detail on what the plan is for this government. Is there a target in mind? Are you looking at bringing it down by two or three million dollars? Or \$5 million? Or \$10 million? In correspondence from the Minister of Community and Government Services recently, it was stated recently that if we waited to July to do a price increase it would be 3 cents a litre; if we waited until October it would be 4 cents a litre. To recover the amount that we're looking at approving today.

If we take that off the books and give you a chance to restart at your 20 million dollar limit, what is the plan to bring that stabilization fund closer to balance, if not to balance? Thank you, Mr. Chairman.

Chairman: Minister Kusugak.

Hon. Lorne Kusugak: Thank you, Mr. Chairman. I appreciate the question. If I could have Mr. Seeley respond. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. (interpretation ends) Mr. Seeley, please proceed.

Mr. Seeley: Thank you, Mr. Chair and I thank the member for the question. When this appropriation request is dealt with here today in the House, that will give us assurance on the new current status, one way or the other, of the Petroleum Product Stabilization Fund.

As the member correctly pointed out that fund is currently at its, minimum deficit limit. We can't go below that 20 million lower limit within that fund.

Depending on the outcome of this discussion today, the department has already put together a couple of different pricing strategy options to regain the revenues within the revolving fund in-year, and the second piece of that is of course figuring out the pricing that we're buying the fuel at.

Over a longer period the department is going to need to put a pricing strategy with the approval of the financial management board on those prices to regain those revenues, to stabilize the funds and make sure that they're both operating within their authorized limits.

Depending on the outcome of today we'll find that forward on the revenue stream and what the significance of the price changing might be.

I hope that answers the question. Thank you, Mr. Chair.

Chairman (interpretation): Thank you. Mr. Hickes.

Mr. Hickes: Thank you, Mr. Chairman I think I'll finish off with a comment here. First I would like to commend the Department of Health for successfully negotiating the new agreement with the Indigenous Services Canada on the non-insured health benefit funding. I know those are difficult negotiations. I can attest to that. But at the same time it brought us, as the minister and deputy minister of finance mentioned, into a small surplus position.

One of my concerns when this bill was originally brought forward was it was increasing to a deficit. So in light of that and with the work that the Community and Government Services is doing, and I strongly encourage the department to chip away at that \$20 million stabilization fund as reasonably as possible and with that in mind I do plan to support this bill. Thank you, Mr. Chair.

Chairman (interpretation): Thank you. Minister Kusugak.

Hon. Lorne Kusugak: Thank you, Mr. Chairman, and I look forward to keeping my colleagues abreast in terms of where we are going with these funds, and we are committed in looking at ways to improve the fuel pricing and making it a non-political one.

Just out of interest, you know, Mr. Chairman, our current price excluding Iqaluit is about \$1.74 a litre, which seems high, but when you take a look at the rest of the country, in St. John's, Newfoundland it's \$1.94. In Toronto it's \$1.97. In Vancouver it's \$2.34, so outside territory these are the gas prices for regular gasoline off the pump.

Our prices are from the supreme, highest octane level gas. So when you go to a gas pump down south you see the different prices, the 2.34.8 cents a litre in Vancouver is just regular unleaded gas, whereas in Baker Lake it's \$1.74 a litre of premium gas.

Although it seems high, when you compare it to the rest of the country, we are at a very good rate in terms of prices. I know they're always too high, but I thought I would share that with the colleagues.

Thank you for the support, Mr. Hickes. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. According to my list Mr. Savikataaq is next.

Mr. Savikataaq: Thank you, Mr. Chairman, I have several questions here, but just to go on with what the minister just stated, that in Nunavut here we have one of the lowest prices in Canada, and I take the minister's word on that. Since that is the case, I don't know if the minister can answer this or the deputy, why was the price of gasoline not raised when this \$4.7 million was deferred? If we had the lowest price in Canada why was corrective action not taken? Thank you.

Chairman (interpretation): Thank you. Minister Kusugak.

Hon. Lorne Kusugak: Thank you, Mr. Chairman. Mr. Chairman, Petroleum Products Division has been having some not just revolving funds issues, but revolving staff issues, and I think because they had some personnel shortages and deficiencies within the Petroleum Products Division, it took a while for the real numbers to be able to be calculated and when they did find out that we were in this situation, the wheels started rolling in order to make up the difference. But if Mr. Seeley would like to add to that through you Mr. Chairman.

Chairman (interpretation): Thank you. (interpretation ends) Deputy Minister Seeley, please proceed.

Mr. Seeley: Thank you, Mr. Chair. I think I'll just add that the supplementary request for 2022-23 could have only been impacted by a pricing division in the fall of 2022 or earlier. At that time Petroleum Products Division did increase fuel prices 20 cents a litre at that price change time, when the prices were changed at that time.

Looking back at it, it seems that the prices would have had to have increased double, 40 cents a litre back in the fall of 2022 in order to accommodate the full balance of the fund.

So that decision for that price change, as the minister has just pointed out, was based on forecasts because of some of the programs delays that we had at PPD during particular year. Those forecasted estimates were evidently low. That informed the pricing decision at that time. Thank you, Mr. Chair.

Chairman (interpretation): Thank you. Mr. Savikataaq.

Mr. Savikataaq: Thank you, Mr. Chairman. The supp bill that's here right now is still the exact same amount, I believe, 4.7 million, and that's what it was back when it was deferred a few months ago. That tells me that the pricing for gasoline and diesel fuel in Nunavut is still not chipping away at the stabilization fund, otherwise this bill would have changed just like Health; they got which extra money so their ask went down.

Here it's still the same amount, so why was the price of fuel not increased when it seems to be obvious that it needs to be? Thank you.

Chairman (interpretation): Thank you. Minister Kusugak.

Hon. Lorne Kusugak: Thank you, Mr. Chairman. That's the process of auditing. This audit was in 2022-23, and that audit was closed so we needed to pay for that. That number is not going to change because the audit for 2022 and 2023 with these numbers is already complete. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Mr. Savikataaq.

Mr. Savikataaq: Thank you, Mr. Chairman. I'll ask, then, what is the stabilization fund currently at today, from the latest figures that are available? Thank you.

Chairman (interpretation): Thank you. Minister Kusugak.

Hon. Lorne Kusugak: Thank you, Mr. Chairman. The exact number is around 24, 24 million, 900 plus. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Mr. Savikataaq.

Mr. Savikataaq: Thank you, Mr. Chair. So doing my rudimentary math, then, this 4.7# will not take it to the 20 million, it will still be slightly above the 20 million, then? Thank you.

Chairman (interpretation): Thank you. Minister Kusugak.

Hon. Lorne Kusugak: Exactly 20. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Mr. Savikataaq.

Mr. Savikataaq: I think I need some math lessons here. If the minister can enlighten me, the minister stated that stabilization is 4,900,000, and we're asking for a supp bill 4,700,000. There is a \$200,000 discrepancy. How is it going to get to \$20 million? Thank you.

Chairman (interpretation): Thank you. Minister Kusugak.

Hon. Lorne Kusugak: Thank you, Mr. Chairman. I'll have Mr. Seeley explain Mr. Savikataaq's math for him. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. (interpretation ends) Mr. Seeley, please teach Mr. Savikataaq mathematics.

>>Laughter

Mr. Seeley: Thank you, Mr. Chair. I think the minister's comment was that the stabilization fund was currently at a deficit, posting a deficit of \$24,719,000. The appropriation here today of the 4,719,000 would bring the deficit back up to its minimum lower limit of 20 million even. So you erase the excess deficit to bring the stabilization fund back within its authorized limit. Thank you, Mr. Chair.

Chairman (interpretation): Thank you. Mr. Savikataaq.

Mr. Savikataaq: Thank you, Mr. Chairman. I am just curious, too. This will give us to 20 million and there will be no wiggle room whatsoever? If other expenses come up then the gas has to come up. I'm curious why it's at 4.7 million. Why wasn't it at 24.7 million to bring the stabilization back to zero, so we have a fresh start? Thank you.

Chairman (interpretation): Thank you. Minister Kusugak.

Hon. Lorne Kusugak: Mr. Chairman I'll have Mr. Seeley respond to that PPD question. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. (interpretation ends) Mr. Seeley, please proceed.

Mr. Seeley: Thank you, Mr. Chair. The simple answer is that the Revolving Funds Act requires that any deficit posted beyond the authorized limit will be charged to an appropriation, so it's the overage that is being charged specifically to the appropriation and only the overage. PPD's day-to-day course of work would be through the revolving fund would be the mechanism to recoup those costs in the longer term. Thank you, Mr. Chair.

Chairman (interpretation): Thank you. Mr. Savikataaq.

Mr. Savikataaq: Thank you, Mr. Chair. Just a question for general knowledge, then. If this Bill passes the stabilization fund will be at 20 million. Is the only way to get the

stabilization fund lower is by increasing the price of gas? You could do your efficiencies and all that, but it does not generate revenue. It might lessen your expenses, but it does not generate revenue. For clarification, the only way to put the stabilization fund down is to sell more gas at a higher price? Or more fuel, I should say. Thank you.

Chairman (interpretation): Thank you. Minister Kusugak.

Hon. Lorne Kusugak: Thank you, Mr. Chairman. That would be correct, or at a higher volume. So if we have to sell the gas at a higher rate than we received it at in order to bring that down. It's simply that way, Mr. Chairman. Thank you.

Chairman (interpretation): Thank you. Mr. Savikataaq.

Mr. Savikataaq: Thank you, Mr. Chairman. The deputy talked about all the efficiencies that they have done to make Petroleum Products Division run smoother. By the beginning of sea lift what is the anticipated level of the stabilization fund? Thank you.

Chairman (interpretation): Thank you. Minister Kusugak.

Hon. Lorne Kusugak: Thank you, Mr. Chairman. It will depend on a few factors, Mr. Chairman. It's the math that I read out earlier, in terms of the cost that we received the fuel products at, and the actual cost of fuel, the estimated cost of transportation and resupply of the fuel and the O&M needs of the fuel suppliers. So if this bill passes, we will start at 20 million. The fuel stabilization fund will be at 20 million, and once we get the new fuel and deal with the pricing and then things will begin to change, but it would start at 20 million. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Mr. Savikataaq.

Mr. Savikataaq: Thank you, Mr. Chair. I'm aware that if this bill passes it starts at 20 million. My question is what is it going to be at when it comes to resupply, because it's after resupply where they calculate, we bought this much new fuel, it cost this much to ship it. We have this much old fuel back. What is it going to be at, the stabilization fund, by the time you start trying to figure out what the new price is of the resupply should be? Thank you.

Chairman (interpretation): Thank you. Minister Kusugak.

Hon. Lorne Kusugak: Thank you, Mr. Chairman. It will be at 20 million, and it's only after the audit where we would find out if it changes from 20 million; after the audit. But it will start at 20 million. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Mr. Savikataaq.

Mr. Savikataaq: Thank you, Mr. Chairman. Just for clarity, then, I thought that as we sell gas, as long as we -- as long as the government sells gas for more than what is costs

to purchase and ship it, that it chips away at the stabilization fund. It's just once a year, then? Thank you.

Chairman (interpretation): Thank you. Minister Kusugak.

Hon. Lorne Kusugak: Thank you, Mr. Chairman. Yes, once a year. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Mr. Savikataaq.

Mr. Savikataaq: Thank you, Mr. Chairman. I just want assurance that, come next year, that there's not another supp bill for however amount that it has to be, because if the will is not there to put the price up of fuel to what it needs to be, not what we want it to be, but what it needs to be, then there will be another supp bill because the stabilization fund will be at its max, 20 million, if this bill is passed. There will be no wiggle room whatsoever.

Can get assurance that there won't be another supp bill coming and that the price of fuel in Nunavut will be set appropriately? Because we would sure like -- all of us would like that the price of fuel goes down. I mean if we could all buy fuel in Nunavut for a buck a litre, we would all be happy, a dollar a litre, but it has to be priced appropriately, so that we don't have to have supp bills like this.

I would like some assurance there's not another supp bill coming and then the onus is put on us to pass a supp bill to keep the price from going up. Thank you.

Chairman (interpretation): Thank you. Minister Kusugak.

Hon. Lorne Kusugak: Thank you, Mr. Chairman. Mr. Chairman, the current 2023-24 audit is currently being done. At that time we will find out if we need to do another supp bill for 2023-24 fuel. Mr. Chairman, I'm hopeful that we won't have to do that. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Mr. Savikataaq.

Mr. Savikataaq: Thank you, Mr. Chairman. It's got to be more than hopeful. It's got to be check and balances put in through the Petroleum Products Division, so it's not a hope that you don't have to have a supp bill. That stabilization fund was set up to even up out the up and down for the price of gasoline or diesel in Nunavut, where you could ride out the high but when it gets low then you build up your fund, and it doesn't appear that its being used as its intent was. So just have a comment saying it's got to be more than just hope, you got to put the check and balances within Petroleum Products Division so that we do not get another supp bill. Thank you.

Chairman (interpretation): Thank you. Minister Kusugak.

Hon. Lorne Kusugak: Thank you, Mr. Chairman. Mr. Chairman, it's something that happens. I am hopeful that it doesn't. I've been in previous governments where supp bills had to be done and they do have, you know, it's something we don't want to see happen but we'll see what the 2023-2024 audit comes with, Mr. Chairman.

But moving forward, Petroleum Products Division is committed to ensuring that the fuel prices will reflect recovery of the fuel cost and begin to get into decreasing the \$20 million stabilization fund. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Mr. Savikataaq.

Mr. Savikataaq: Thank you. That was going to be my last comment, but to add to that, yes, I've seen a supp bill for Petroleum Products Division before, too. I think it was at two hundred and something thousand. This is 4.7 million. We're talking 20 times the amount. So it's a startling amount, so *taima*. Thank you.

Chairman (interpretation): Thank you. (interpretation ends) It's just a comment. Any more questions? I don't see any. Total Department, \$5,128,000. Agreed?

Some Members: Agreed.

Chairman: Go to page 5. Family Services. Operations and Maintenance. Not Previously Authorized. Total Family Wellness, \$11,816,000. Questions? I don't see any. Total Income Assistance. \$1,666,000. Questions? Total Career Development. \$273,000. Questions? Total Poverty Reduction. \$990,000. Questions? Total Corporate Management. \$372,000. Questions? Total Department. \$15,517,000. Agree?

Some Members: Agreed.

Chairman: Go to Bill 38 in the legislative binder. Bill 38, *Supplementary Appropriation (Operations and Maintenance) Act, No. 2, 2023-2024*. Clause 1. Agreed?

Some Members: Agreed.

Chairman: Clause 2. Agree?

Some Members: Agreed.

Chairman: Clause 3. Agree?

Some Members: Agreed.

Chairman: Go to page 2. Schedule. Supplementary Amounts Appropriated for the Fiscal Year Ending March 31, 2024. Total Supplementary Appropriation. \$20,245,000. Agree?

Some Members: Agreed.

Chairman: Clause 4. Agree?

Some Members: Agreed.

Chairman: Clause 5. Agree?

Some Members: Agreed.

Chairman: Clause 6. Agree?

Some Members: Agreed.

Chairman: Clause 7. Agree?

Some Members: Agreed.

Chairman: Do members agree to Bill 38 as a whole?

Some Members: Agreed.

Chairman: Do members agree to put Bill 38 under orders of the day for third reading?

Some Members: Agreed.

Chairman: Closing commends, Minister Kusugak.

Hon. Lorne Kusugak: Thank you, Mr. Chairman. I thank my colleagues for their patience and in passing this bill. I would like to take a moment to thank the Department of Health in their successful negotiations with the federal government, and decreasing our supplementary needs. We greatly appreciate the hard work of the department and minister. Having battled with that department, I'm sure myself and Mr. Hickes are appreciative of the hard work.

I would like to take this opportunity to thank Mr. Seeley for his hard work and their department on working on the PPD, and of course the passage of this Bill. Thank you, Mr. Chairman.

>> *Applause*

**Bill 47 – Supplementary Appropriation (Capital) Act, No. 2, 2024-2025 –
Consideration in Committee**

Chairman (interpretation): Thank you. (interpretation ends) Minister, we will now proceed to Bill 47, Minister Kusugak, do you have officials you would like to switch or stick with the same witnesses?

Hon. Lorne Kusugak: Thank you, Mr. Chairman I would like to do a substitution, Mr. Chairman.

Chairman (interpretation): Thank you. (interpretation ends) Does the committee agree?

Some Members: Agreed.

Chairman: Sergeant-at-Arms, please. Minister, do you have officials to appear before this committee? (interpretation) Thank you.

Hon. Lorne Kusugak: Thank you, Mr. Chairman. I would like to reintroduce Daniel Young, Deputy Minister of Finance to my right, and Ms. Rebecca Hainnu, Deputy Minister of Education. If you allow me I will begin my opening comments.

Mr. Chairman, I appear before you today to present Bill 47, *Supplementary Appropriation (Capital) Act, No. 2, 2024-2025*. Through this bill we are seeking \$3.6 million in supplementary capital appropriation for 2024-25.

This supplementary appropriation is for the Department of Education to immediately address safety-related and high priority repairs to the elementary school in Igloolik, which cannot wait until 2025-26.

Since this was an emergency, the department transferred 3.6 million from the Taloyoak new high school project to the elementary school, so they could access funds immediately. A letter was sent to the chair of the standing committee on social wellness informing the members of this transfer.

This \$3.6 million supplementary funding request is necessary to replenish the Taloyoak project funding where the money was borrowed from, so that the Taloyoak school project can proceed on schedule.

The project in Taloyoak has contractual commitments that must be met. Therefore, the funds need to be replaced by September 2024. Education only transferred the funds because the situation at the Igloolik school is critical, and there was no other funding available to meet the need.

Delay in addressing the identified safety concerns could have led to the school being shut down with no other place to house the schoolchildren.

The Department of Education is working with both the Department of Finance and the Department of Community and Government Services on the elementary school plan. However, before we come up with the final plan, we must keep the school safe for the students and the community.

Mr. Chair, I have I am available to address the questions about the supplementary appropriation or our capital process, generally; however, I encourage members to save

their questions on this specific project to the responsible minister. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you, (interpretation ends), minister. Do members have any general comments before we proceed to detailed questions? Seeing none, turn to page 4 on your supplementary appropriation, No. 2, 2024-2025. Education. Capital. Not Previously Authorized. Total Department. \$3,600,000. Questions. Mr. Hickes.

Mr. Hickes: Thank you, Mr. Chairman. I just have a couple questions here.

With the \$3.6 million that's being requested on the emergency basis for the school, and it did say in the opening comments that this needed to be done so that the school wouldn't have to close.

I guess my question on that matter would be did materials have to get flown in? Or was the scope of work identified previously and materials were already there? I would like to get an explanation on how this \$3.6 million amount came to be, and were there any additional cost pressures by having to fly materials in to deal with this on an emergency basis. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Minister Kusugak.

Hon. Lorne Kusugak: Thank you, Mr. Chairman. There was a number of repairs that needed to be done in the schools. Some of the material had to be flown in.

I'll give you some examples. In May of this year, earlier this month, they issued a contract to KRT Electrical for a fire alarm system upgrade. This work is scheduled to be completed by the end of June. Also in May, there was a contract issued to Accutech to complete a doors replacement drawings package and foundation work, and re-grading the design and tender package. Upon completion of the door replacement drawings package, procurement of the doors replacement project will be initiated for completion by 2024.

These are a series of actions required for the resolution of critically safety concerns at the elementary school to provide them a safe environment. Some of these materials had to be flown in and I'm assuming that more will have to be done within the school to cover this \$3.6 million. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Mr. Hickes.

Mr. Hickes: Thank you, Mr. Chairman. Also in the opening comments at the bottom of page 1 it states that the project in Taloyoak had contractual comments that must be met. Therefore, these funds that were borrowed from that project needed to be replaced by December of 2024, and that Education only transferred the funds because the situation at the Igloodik school is critical there was no other funding available to meet the need.

There is or was another funding opportunity through a special warrant which could have alleviated the need to take the money from another project. If the minister can maybe explain why that method wasn't used. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Minister Kusugak.

Hon. Lorne Kusugak: Thank you, Mr. Chairman. There's a timeline where we could use special warrants, and the timeline to use the special warrants in order to access the funds and not go through this were exceeded, so we had to go through this process. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. (interpretation ends) Are there any more questions? Mr. Quqqiaq.

Mr. Quqqiaq: Thank you, Mr. Chairman. In order to approve this \$3.6 million funding request, and the contractor commitments that must be met, therefore the funds need to be replaced by September 2024. What assurance can I have that the funding will be replaced by 2024? Is there a possibility that you guys may need to find other funds to replace by September 2024? Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Minister Kusugak.

Hon. Lorne Kusugak: This is a paper process, so whatever funds we get through this if they are approved it will be pretty much automatic. The process we're going through is to make sure we are following legislation and law to be able to transfer from one account to the other. I'll leave it at that Mr. Chairman. Thank you.

Chairman (interpretation): Thank you. Mr. Quqqiaq.

Mr. Quqqiaq: Thank you, Mr. Chairman. Can I have assurance that the project from the Taloyoak high school won't be put on hold? It's been a long time since we had some construction in the community and this is potential job opportunities for my constituents. I would love to see this project go ahead and I would like to see the funds be brought back before September 2024 or on September 2024. Can I have an assurance that they will find the funds? Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Minister Kusugak.

Hon. Lorne Kusugak: Thank you, Mr. Chairman. In short, yes, we do have the funds. They will have it in time if you pass this. So I ask for your support to pass this. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. (interpretation ends) Thank you. I have no more names on my list. If not, the department, \$3,600,000. Agreed?

Some Members: Agreed.

Chairman: Move to Bill 47, *Supplementary Appropriation (Capital) Act, No. 2, 2024-2025*. Clause 1. Agreed?

Some Members: Agreed.

Chairman: Clause 2. Agree?

Some Members: Agreed.

Chairman: Clause 3. Agree?

Some Members: Agreed.

Chairman: Go to Schedule 2 on page 2. Schedule. Supplementary Amounts Appropriated for the Fiscal Year Ending March 31, 2025. Total Supplementary Appropriation. \$3,600,000. Agree?

Some Members: Agreed.

Chairman: Clause 4. Agree?

Some Members: Agreed.

Chairman: Clause 5. Agree?

Some Members: Agreed.

Chairman: Clause 6. Agree?

Some Members: Agreed.

Chairman: Clause 7. Agree?

Some Members: Agreed.

Chairman: Do members agree to Bill 47 as a whole?

Some Members: Agreed.

Chairman: Do members agree to put Bill 47 on the orders of the day for third reading?

Some Members: Agreed.

Chairman: Closing comments, Minister Kusugak.

Hon. Lorne Kusugak: Thank you very much, Mr. Chairman. I would like to thank the Department of Family Services and Health and Education on this, Mr. Chairman. Thank you, colleagues. It has been a short day. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. (interpretation ends) Sergeant-at-Arms, please escort the officials out. As this concludes our business for the day, I will rise to report progress.

Speaker: Report of the Committee of the Whole. Mr. Malliki.

Item 20: Report of the Committee of the Whole

Mr. Malliki: Thank you, Mr. Speaker. Your committee has been considering Bills 38 and 47 and would like to report that Bills 38 and 47 are immediately ready for third reading, pursuant to Rule 73, and that one committee motion was carried. Mr. Speaker, I move that the Report of the Committee of the Whole be agreed to. Thank you, Mr. Speaker.

Speaker: The motion is in order. Is there a seconder? Ms. Brewster. The motion is in order. All those in favour? Opposed? The motion is carried.

Item 21. Third Reading of Bills. Minister of Finance, Mr. Kusugak.

Item 21: Third Reading of Bills

Bill 38 – Supplementary Appropriation (Operations & Maintenance) Act, No. 2, 2023-2024 – Third Reading

Hon. Lorne Kusugak: Thank you, Mr. Speaker. I move, seconded by the Hon. Member for Quttiktuq, that Bill 38, *Supplementary Appropriation (Operations & Maintenance) Act, No. 2, 2023-2024*, be read for the third time. Thank you, Mr. Speaker.

Speaker: The motion is in order.

Some Hon. Members: Question.

Speaker: All those in favour? Opposed? The motion is carried and the bill is ready for assent.

Third Reading of Bills. Minister of Finance, Mr. Kusugak.

Bill 47 – Supplementary Appropriation (Capital) Act, No. 2, 2024-2025 – Third Reading

Hon. Lorne Kusugak: Thank you, Mr. Speaker. I move, seconded by the Hon. Member for Quttiktuq, that Bill 47, *Supplementary Appropriation (Capital) Act, No. 2, 2024-2025*, be read for the third time. Thank you, Mr. Speaker.

Speaker: The motion is in order. All those in favour? Opposed? The motion is carried and the bill is ready for assent.

>>*Applause*

Item 22. *Orders of the Day*. Mr. Clerk.

Item 22: Orders of the Day

Clerk (Mr. Quirke): Thank you, Mr. Speaker. Just a reminder that the Full Caucus meets tomorrow morning at nine o'clock in the Nanuq Boardroom.

Orders of the Day for May 28:

1. Prayer
2. Ministers' Statements
3. Members' Statements
4. Returns to Oral Questions
5. Recognition of Visitors in the Gallery
6. Oral Questions
7. Written Questions
8. Returns to Written Questions
9. Replies to Opening Address
10. Petitions
11. Responses to Petitions
12. Reports of Standing and Special Committees on Bills and Other Matters
13. Tabling of Documents
14. Notices of Motions
15. Notices of Motions for First Reading of Bills
16. Motions
17. First Reading of Bills

18. Second Reading of Bills
19. Consideration in Committee of the Whole of Bills and Other Matters
20. Report of the Committee of the Whole
21. Third Reading of Bills
22. Orders of the Day

Thank you.

>>*Applause*

Speaker: This House stands adjourned until Tuesday, May 28, at 1:30 p.m.

Sergeant-at-Arms.

>>*House adjourned at 17:08*

Appendix – May 27, 2024



Standing Committee on Oversight of Government Operations and Public Accounts

*Report on the Review of the 2022-2023 Annual Report of the
Information and Privacy Commissioner of Nunavut*

**2nd Session of the 6th Legislative Assembly of Nunavut
Spring 2024 Sitting**

Chair

George Hickes

Co-Chair

Alexander Sammurtok

Members

Bobby Anavilok
Janet Pitsiulaaq Brewster
Mary Killiktee
Adam Arreak Lightstone
Solomon Malliki
Joanna Quassa
Joseph Quqqiaq
Joe Savikataaq
Craig Simailak

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Introduction

The Standing Committee on Oversight of Government Operations and Public Accounts held a televised hearing from April 19-20, 2024, on the 2022-2023 annual report of the Information and Privacy Commissioner of Nunavut.

The standing committee's hearing was held in the Chamber of the Legislative Assembly and was televised live across the territory. The hearing was open to the public and news media to observe from the Visitors' Gallery, and was livestreamed on the Legislative Assembly's website. The transcripts from the standing committee's hearing are available from the Legislative Assembly's website.

Witnesses appearing before the standing committee included the Information and Privacy Commissioner and a number of Government of Nunavut officials representing the Department of Executive and Intergovernmental Affairs, the Department of Community and Government Services, the Department of Health and the Department of Justice. The standing committee notes its appreciation to the witnesses.

Overview and Chronology of Recent Events

The *Access to Information and Protection of Privacy Act* was inherited upon division on April 1, 1999.

The most recent set of significant amendments to the *Access to Information and Protection of Privacy Act* were made in 2017. Bill 48, *An Act to Amend the Access to Information and Protection of Privacy Act*, received 1st Reading on June 6, 2017. The Bill received Assent on September 19, 2017.

Section 61 of the statute provides, in part, that:

Appointment of Information and Privacy Commissioner

61. (1) The Commissioner, on the recommendation of the Legislative Assembly, shall appoint an Information and Privacy Commissioner to carry out the duties and functions set out in this Act and shall undertake other duties and functions in addition as required by other legislation.

The current incumbent, Graham Steele, assumed office on January 11, 2021. His term office expires on January 10, 2026. His predecessor, the late Elaine Keenan Bengts, served from November 15, 1999 to January 10, 2021.

The 2016-2017 annual report of the Information and Privacy Commissioner was tabled in the Legislative Assembly on September 12, 2017. The 2017-2018 annual report was tabled on October 26, 2018. The 5th Legislative Assembly of Nunavut's Standing Committee on Oversight of Government Operations and Public Accounts held a

televised hearing on the annual report on April 11, 2019. The standing committee presented its *Report on the Review of the 2015-2016 Annual Report of the Information and Privacy Commissioner* at the Legislative Assembly's sitting of June 6, 2019. The Government of Nunavut's response to the standing committee's report was tabled in the Legislative Assembly on October 25, 2019.

The 2018-2019 annual report of the Information and Privacy Commissioner was tabled in the Legislative Assembly on October 17, 2019. The 2019-2020 annual report was tabled on October 21, 2020. As a consequence of the COVID-19 pandemic, televised hearings were not held on these reports.

The 2020-2021 annual report of the Information and Privacy Commissioner was tabled in the Legislative Assembly on September 9, 2021. The 2021-2022 annual report was tabled on May 25, 2022. The standing committee held a televised hearing on the annual reports from September 26-27, 2022. The standing committee subsequently presented its report to the House on November 8, 2022. The Information and Privacy Commissioner's response to the report of the standing committee was tabled in the Legislative Assembly on March 6, 2023. The Government of Nunavut's response to the standing committee's report was tabled in the Legislative Assembly on May 24, 2023.

The 2022-2023 annual report of the Information and Privacy Commissioner was tabled in the Legislative Assembly on May 24, 2023. The Information and Privacy Commissioner's 2024-2027 business plan was tabled in the Legislative Assembly on February 27, 2024.

The Government of Nunavut's Department of Executive and Intergovernmental Affairs has overarching responsibility for the government's administration of the *Access to Information and Protection of Privacy Act* and related regulations and policies (the *Access to Information and Protection of Privacy Policy*, the *Privacy Breach Policy* and the *Privacy Impact Assessment Policy*). The government's 2019-2020 annual report on the administration of the *Access to Information and Protection of Privacy Act* was tabled in the Legislative Assembly on March 16, 2021. The 2020-2021, 2021-2022 and 2022-2023 annual reports have not yet been tabled. The annual report is not required by statute to be tabled.

Observations and Recommendations Directed to the Government of Nunavut

Issue: **Annual Reports on the Administration of the *Access to Information and Protection of Privacy Act***

The Government of Nunavut's Department of Executive and Intergovernmental Affairs has overarching responsibility for the government's administration of the *Access to Information and Protection of Privacy Act* and related regulations and policies (the *Access to Information and Protection of Privacy Policy*, the *Privacy Breach Policy* and the *Privacy Impact Assessment Policy*).

The government's 2019-2020 annual report on the administration of the *Access to Information and Protection of Privacy Act* was tabled in the Legislative Assembly on March 16, 2021. The 2020-2021, 2021-2022 and 2022-2023 annual reports have not yet been tabled. The annual report is not required by statute to be tabled.

The standing committee emphasizes the importance of timely tabling of annual reports to the Legislative Assembly.

Standing Committee Recommendation #1:

The standing committee recommends that the Government of Nunavut's 2020-2021, 2021-2022 and 2022-2023 annual reports on the administration of the *Access to Information and Protection of Privacy Act* be tabled in the Legislative Assembly at the earliest practicable opportunity.

The standing committee further recommends that the Government of Nunavut introduce amendments to the *Access to Information and Protection of Privacy Act* to provide for a statutory requirement for the Minister responsible for the Act to table, within six months after the end of each fiscal year, an annual report in the Legislative Assembly on the administration of the legislation.

Issue: Capacity-Building and Centralization

Significant attention was paid during the standing committee's televised hearings of September 26-27, 2022, and April 19-20, 2024, to the issues of capacity and centralization.

In his 2021-2022 annual report to the Legislative Assembly, the Information and Privacy Commissioner indicated that "there are too many vacancies, too much turnover, not enough training and little or no management support" with respect to the government's Access to Information and Protection of Privacy Coordinators.

In his 2022-2023 annual report to the Legislative Assembly, the Information and Privacy Commissioner indicated that "capacity issues inside the Government of Nunavut are killing access to information and protection of privacy."

The standing committee recognizes that the government continues to face a number of significant capacity challenges in filling critical positions, such as health care workers.

On August 12, 2022, the Government of Nunavut issued *Request for Proposals 2022-52: Standing Offer Agreement - Privacy and Information Management-Specific Training and Consulting Services*. The Request for Proposals closed on September 16, 2022.

The annual budget of the Department of Executive and Intergovernmental Affairs' Access to Information and Protection of Privacy Office has increased by 115% from \$293,000 in the 2022-2023 fiscal year to \$630,000 in the 2024-2025 fiscal year. The Department of Executive and Intergovernmental Affairs' 2024-2025 main estimates indicated that the number of positions in its Access to Information and Protection of Privacy Office was projected to increase from 2.0 PYs in the 2022-2023 fiscal year to 5.0 PYs in the 2024-2025 fiscal year.

The department's current business plan indicates that the territorial Access to Information and Protection of Privacy Office "has full training modules for Access Requests and Privacy Breach Investigations. Work on a training module for Privacy Impact Assessments will commence after full review of the current Privacy Impact Assessment process. The Access to Information and Protection of Privacy Office will initiate the development of online self-guided courses."

The department's current business plan also indicates that the "Government of Nunavut's Information Technology Security Awareness Training Program includes Access to Information and Protection of Privacy specific training. The Access to Information and Protection of Privacy Office also worked with the Department of Health to develop an online privacy module for health professionals. The Access to Information and Protection of Privacy Office has developed training material that can be used as part of on-boarding and orientation of new staff ... work on creating a mandatory training regime will continue in 2024-2025."

The department's current business plan also indicates that two of its current priorities are to "modernize Access to Information and Protection of Privacy interfaces for the public and for the public service" and "create a mandatory training regime for Government of Nunavut employees at each organizational level regarding their Access to Information and Protection of Privacy obligations and responsibilities."

Standing Committee Recommendation #2:

The standing committee recommends that the Government of Nunavut's response to this report provide a detailed update on the status of filling positions in the Access to Information and Protection of Privacy Office of the Department of Executive and Intergovernmental Affairs.

The standing committee further recommends that the Government of Nunavut's response to this report provide a detailed update on what specific actions are being taken to enhance centralized support to departments and other public bodies in respect to the administration of the *Access to Information and Protection of Privacy Act*.

The standing committee further recommends that the Government of Nunavut's response to this report provide a detailed description of work performed to date by entities under the terms of *Request for Proposals 2022-52: Standing Offer Agreement - Privacy and Information Management-Specific Training and Consulting Services*.

The standing committee further recommends that the Government of Nunavut's response to this report provide a detailed update on the status of the Access to Information and Protection of Privacy-related training and modernization initiatives that are referenced on page 8 of the 2024-2026 business plan of the Department of Executive and Intergovernmental Affairs.

Issue: Sunsetting Policies

The Government of Nunavut's Department of Executive and Intergovernmental Affairs administers the *Access to Information and Protection of Privacy Policy*. The policy was most recently revised in October of 2019 and sunsets in October of 2024.

The Government of Nunavut's Department of Executive and Intergovernmental Affairs administers the *Privacy Breach Policy*. The policy was most recently revised in October of 2019 and sunsets in October of 2024.

The Government of Nunavut's Department of Executive and Intergovernmental Affairs administers the *Privacy Impact Assessment Policy*. The policy was most recently revised in October of 2019 and sunsets in October of 2024.

Standing Committee Recommendation #3:

The standing committee recommends that the Government of Nunavut's response to this report provide a detailed update on the status of its reviews of the *Access to Information and Protection of Privacy Policy*, the *Privacy Breach Policy* and the *Privacy Impact Assessment Policy*.

Issue: Privacy Impact Assessments

In 2017, the Legislative Assembly passed a number of amendments to the *Access to Information and Protection and Privacy Act*, including the addition of new provisions concerning privacy impact assessments.

The statute defines a "privacy impact assessment" to mean "an assessment that is conducted by a public body as defined in section 2, but not including a municipality, to determine if a current or proposed program or service meets or will meet the requirements of Part 2 of this Act."

Section 42.1 of the statute provides that:

Privacy impact assessment

42.1. (1) A minister shall, during the development of a program or service by a public body or the redesign of an existing program or service by a public body, submit to the Minister responsible for this Act

(a) a privacy impact assessment for the Minister's review and comment; or

(b) the results of a preliminary assessment showing that a privacy impact assessment of the program or service is not required.

Preliminary assessment

(2) A minister shall conduct a preliminary assessment and, where required, a privacy impact assessment in accordance with the directions of the Minister responsible for this Act.

Municipality not included

(3) A municipality is not a public body for the purposes of subsection (1).

Standing Committee Recommendation #4:

The standing committee recommends that the Government of Nunavut's response to this report include detailed descriptions of the findings of each privacy impact assessment and preliminary assessment undertaken under section 42.1 of the *Access to Information and Protection of Privacy Act* between April 1, 2022 and March 31, 2024, and that these descriptions detail the extent to which the Information and Privacy Commissioner was consulted in their preparation.

Issue: Non-Disclosure Agreements

Significant attention was paid during the standing committee's televised hearings of September 26-27, 2022, and April 19-20, 2024, to the subject of non-disclosure agreements.

In his testimony to the standing committee of September 27, 2022, the Information and Privacy Commissioner stated that:

“The answer to your question is that, in my opinion as your Information and Privacy Commissioner, and as a lawyer of more than 30 years' experience, the information law prevails over non-disclosure agreements, especially in the government context, because it is the people's money. If there's a non-disclosure agreement entered into by the Government of Nunavut, it means that there is some aspect of the public interest at play, and although the issue has not come before me, if somebody applied to see an agreement and the government said, 'No, we're not giving it to you because there is a non-disclosure clause in the agreement,' I'm very likely to say that that is legally wrong and the agreement should be disclosed. To put it in one sentence, Member, I do not believe that governments should enter into non-disclosure agreements and, if they do, it is very much subject to the information and privacy law.”

In his testimony to the standing committee of April 19, 2024, the Department of Justice's witness stated that:

“To get to your second part about out-of-court settlements, sometimes confidentiality agreements are part of those settlements. It is usually protective of the personal information of individuals and sometimes to protect the specific details of a financial settlement. As the privacy commissioner has said before, and we certainly agree, the dollar value that the Government of Nunavut spends is your business and it's the public's business, and that is something that we would disclose. It's not something that would be generally under the cloak of a confidentiality undertaking in a settlement, unless the court ordered something different.”

Standing Committee Recommendation #5:

The standing committee recommends that the Government of Nunavut's response to this report include a detailed list of non-disclosure agreements entered into between the Government of Nunavut and other entities and individuals between April 1, 2022 and March 31, 2024.

The standing committee further recommends that the Government of Nunavut's response to this report disclose the aggregate amount of public funds expended from the Consolidated Revenue Fund during the 2021-2022 and 2022-2023 fiscal years in respect to matters described in Note 21(b) of the 2021-2022 *Public Accounts of Nunavut*.

Issue: Public Sector Salary Disclosure

In 2017, the Legislative Assembly passed a number of amendments to the *Access to Information and Protection and Privacy Act*, including the addition of new provisions to allow, through regulation, the disclosure of remuneration of prescribed classes of public employees. However, new regulations to give effect to these changes have not yet been passed.

The standing committee notes that section 36 of the *Legislative Assembly and Executive Council Act* provides that:

Annual report by Speaker

36. (1) The Speaker shall, during each fiscal year, cause a report to be laid before the Legislative Assembly

(a) setting out any policies made under subsection 33.1(1) in the previous fiscal year; and

(b) showing the amounts paid by the Legislative Assembly by way of indemnity, allowance, expense or benefit during the previous fiscal year to each person who had been a member during that previous fiscal year, other than those amounts paid pursuant to a policy made under subsection 33.1(2).

Annual report by Premier

(2) The Premier shall, during each fiscal year, cause a report to be laid before the Legislative Assembly

(a) setting out any policies made under subsection 33.1(2) in the previous fiscal year; and

(b) showing the amounts paid pursuant to a policy made under subsection 33.1(2), by way of allowance, expense or benefit, during the previous fiscal year to each person who had been a member of the Executive Council during that fiscal year.

Combined report

(3) For further clarity, the information required to be reported under this section may be combined into one report.

The standing committee supports enhanced levels of public disclosure of remuneration for Government of Nunavut employees in the executive and senior management occupational categories.

Standing Committee Recommendation #6:

The standing committee recommends that the Government of Nunavut's response to this report provide a detailed update on the current status of the development of regulations under sections 73(1.1) and (1.2) of the *Access to Information and Protection of Privacy Act* in respect to the disclosure of remuneration of prescribed classes of public employees.

Issue: Information-Sharing Agreements

A significant number of territorial statutes allow for the government to enter into information-sharing agreements with other entities.

Standing Committee Recommendation #7:

The standing committee recommends that the Government of Nunavut's response to this report provide a detailed description of each information-sharing agreement entered into by the Government of Nunavut under the authority of a territorial statute between April 1, 2022 and March 31, 2024, and that these descriptions indicate the extent to which the Information and Privacy Commissioner was consulted in their preparation.

Issue: *Police Act*

Nunavut's new *Police Act* was passed by the 5th Legislative Assembly and received Assent on June 8, 2021. It is not yet in force. The legislation provides, in part, that:

Agreement - contracted investigative body

6. (1) The Minister may, from time to time, on behalf of the Government of Nunavut, enter into an agreement with an independent investigative body, or with its government, to authorize the independent investigative body to be a contracted investigative body for the purposes of this Part.

Agreement - contracted police force

(2) The Minister may, from time to time, on behalf of the Government of Nunavut, enter into an agreement with a police force in Canada, or with its government, municipality or other authority, to authorize the police force to be a contracted police force for the purposes of this Part.

These provisions concern investigations into serious incidents occurring within the meaning of the federal *Royal Canadian Mounted Police Act*.

In his 2021-2022 annual report to the Legislative Assembly, the Information and Privacy Commissioner indicated that his office had not yet been consulted by the Department of Justice concerning proposed agreements between the Government of Nunavut and independent investigative bodies and other entities.

Although the Government of Nunavut's May 2023 response to the November 2022 report of the standing committee on the review of the 2020-2021 and 2021-2022 annual reports of the Information and Privacy Commissioner indicated that the Department of Justice had "had discussions with the Information and Privacy Commissioner in April and September of 2022 on the regulatory process," the Information and Privacy Commissioner's testimony of April 19, 2024, indicated that:

"As of today, there has still been no consultation on the topic that was promised on June 7, 2021. Now, I would like to add, Mr. Chairman, that new *Police Act* is still not in force. It is still not the law of Nunavut. It's sitting there waiting for the government, probably specifically the Department of Justice, to do certain things that need to be done before it's ready. When I say that there's been no consultation, I don't want anybody to take that as blame or criticism. What it means is that underlying work has not been done yet. I'm confident that the promise will be kept, but I believe it's my duty to inform you, the Members, that it has not yet been kept yet."

The standing committee notes the importance of ensuring that agreements entered into between the Government of Nunavut and independent investigative bodies and other entities include disclosure requirements that are comparable to those which are in place in other Canadian jurisdictions in respect to the public reporting of investigative findings.

Standing Committee Recommendation #8:

The standing committee recommends that the Government of Nunavut's response to this report provide a detailed update on the status of consultations with the Office of the Information and Privacy Commissioner regarding the entering into of agreements with contracted investigative bodies and contracted police forces under the new *Police Act*.

The standing committee further recommends that the Government of Nunavut's response to this report provide a detailed timeline for the coming into force of the new *Police Act*.

Issue: Prosecutions under Section 59 of the *Access to Information and Protection of Privacy Act*

In his 2022-2023 annual report to the Legislative Assembly, the Information and Privacy Commissioner indicated that:

“Section 59 of the *Access to Information and Protection of Privacy Act* creates an offence, punishable on summary conviction, for anyone who knowingly breaches privacy or who wilfully interferes with the work of this office. There has never been a prosecution under this section.

In this fiscal year, there was one file for which prosecution should at least have been considered. It was a privacy breach case. Unfortunately, both the Royal Canadian Mounted Police and the Public Prosecution Service of Canada are doubtful that investigating (in the case of the Royal Canadian Mounted Police) or prosecuting (in the case of the Public Prosecution Service of Canada) is within their mandate. Investigation and prosecution of territorial offences is normally done by the Government of Nunavut’s Department of Justice. The problem is that an *Access to Information and Protection of Privacy Act* offence will almost always involve someone employed by or contracted to the GN. The Government of Nunavut’s Department of Justice will usually be in a conflict of interest.

In short, it appears that there is nobody to investigate or prosecute an *Access to Information and Protection of Privacy Act* offence. Even if there were, the maximum fine (\$5,000) is hardly worth the effort. Section 59, as currently written, is an empty threat. This is not a desirable situation. I bring it to the attention of the Legislative Assembly because a legislative response may be required.”

In its formal response to the Information and Privacy Commissioner’s *Review Report 23-239*, the Government of Nunavut indicated that it “did not refer this matter for prosecution as it was uncovered well after the expiry of the six-month limitation period for the prosecution of territorial offences as specified in section 3 of the *Summary Conviction Procedures Act*. In light of the challenges posed by the six-month limitation, the Government of Nunavut would be open to discussing with the [Information and Privacy] Commissioner the possibility of a limitation period or an administrative penalty regime specific to offences under the *Access to Information and Protection of Privacy Act*.”

Standing Committee Recommendation #9:

The standing committee recommends that the Government of Nunavut’s response to this report provide a detailed update on the status of developing amendments to address the issue of prosecutions under section 59 of the *Access to Information and Protection of Privacy Act*.

Issue: Missing Persons Legislation and Clare’s Law

Information published by the Government of the Northwest Territories indicates that:

“In the *Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls*, Call for Justice Number 5.8 calls upon provinces and territories to adopt legislation related to missing persons.

As of June 2023, missing persons legislation has been enacted in Saskatchewan, Alberta, Nova Scotia, New Brunswick, Manitoba, British Columbia, Newfoundland, and Ontario. Yukon’s *Missing Persons Act* received assent in 2017 but is not yet in force.

Time is of the essence when a person goes missing. When police begin a missing person investigation, they often have no reason to suspect that a crime has been committed and therefore cannot obtain a production order under the Criminal Code or otherwise compel parties to release personal information about the missing person. Legislation provides mechanisms so police can access information more quickly and efficiently when conducting a missing person investigation. Most legislation in Canada related to missing persons provides for court orders that allow police to access records related to, and to enter premises to search for, a missing person. In many jurisdictions, legislation also allows police in certain situations to make emergency demands for records without a court order, for example, if it is suspected that records may be destroyed or that a missing person may be harmed during the time that would be required to obtain a court order.

When an investigation spans more than one jurisdiction, having similar legislation across provinces and territories can help police work together more effectively to locate a missing person.”

In his testimony to the standing committee of April 19, 2024, the Information and Privacy Commissioner stated that:

“What I can say is how it relates to the existing access and privacy law, and the sort of things that Members would want to be thinking about if such a piece of legislation is tabled in this House for consideration.

What the law does essentially is it opens up one more avenue for the police to obtain information that they do not currently have because, in our system of justice, we do not let the police go out and get information if no crime is suspected or if there’s no actual crime. This would say, well, under certain circumstances, not all circumstances but under certain circumstances, they could go out even if there’s no evidence of a crime and obtain information that they can’t already get.

Now, under the existing law in Nunavut, it would not be allowed and that's why a piece of legislation is required. If such a piece of legislation were adopted, then it would fit in with the privacy law because the privacy law says, among other things, that it is okay to disclose information as long as there is a law that says that it's okay. If this House were to pass that legislation, it would fit in with the existing privacy law."

During his September 2022 televised appearance before the standing committee, the Information and Privacy Commissioner confirmed that he had provided formal written input in July of 2021 to the Department of Justice concerning the development of a "Clare's Law" for Nunavut, the purpose of which is to address the issue of intimate partner violence. This submission was tabled in the Legislative Assembly by an individual Member on September 14, 2021, as part of an exchange of correspondence with the Information and Privacy Commissioner.

In his testimony to the standing committee of April 19, 2024, the Department of Justice's witness stated that "... it is still on the legislative priority list for the department and it is still being looked at by colleagues in Justice policy."

Standing Committee Recommendation #10:

The standing committee recommends that the Government of Nunavut's response to this report include a detailed timeline for the introduction of missing persons legislation for Nunavut.

The standing committee further recommends that the Government of Nunavut's response to this report include a detailed timeline for the introduction of a Clare's Law for Nunavut.

Issue: Health-Specific Privacy Issues and Related Matters

Significant attention was paid during the standing committee’s televised hearings of September 26-27, 2022, and April 19-20, 2024, to health-specific privacy issues.

The standing committee again takes note of the September 2022 resolution concerning digital healthcare that was issued at the annual meeting of federal, provincial and territorial information and privacy commissioners.

The standing committee also notes that the Government of Nunavut’s *Information Sharing Agreement with Nunavut Tunngavik Incorporated on Tuberculosis Data* was tabled in the Legislative Assembly on February 22, 2024.

The Information and Privacy Commissioner’s 2022-2023 annual report indicated that:

“The *Access to Information and Protection of Privacy Act* is inadequate to deal with information and privacy in the health system. Almost every other Canadian jurisdiction has health-specific legislation. There is no reason that Nunavut should be so far behind.”

Subsection 67(c) of the *Access to Information and Protection of Privacy Act* provides that the Information and Privacy Commissioner may “offer comment on the implications for privacy protection of proposed legislative schemes or government programs.”

Standing Committee Recommendation #11:

The standing committee recommends that the Government of Nunavut’s response to this report include a detailed update on the current status of the development of health-specific privacy legislation, and that this update provide a clear timeline for when a Bill is planned to be introduced in the Legislative Assembly.

The standing committee further recommends that the Department of Health formally consult with the Office of the Information and Privacy Commissioner regarding the development of health-specific privacy legislation, and that the Office’s recommendations be tabled in the Legislative Assembly.

The standing committee further recommends that the Government of Nunavut’s response to this report include a detailed update on the current status of the administration of the Government of Nunavut’s *Information Sharing Agreement with Nunavut Tunngavik Incorporated on Tuberculosis Data*, and that this update include a description of what privacy training, if any, has been offered to, and taken by, employees of Nunavut Tunngavik Incorporated in respect the organization’s responsibilities and obligations under the *Agreement*.

Issue: Application of the *Access to Information and Protection of Privacy Act* to Municipalities, District Education Authorities and Alcohol Education Committees

In April of 2015, the *Access to Information and Protection and Privacy Regulations* were amended to designate housing authorities and housing associations as public bodies. However, District Education Authorities (DEAs) are not yet covered by the legislation. In 2017, the Legislative Assembly passed a number of amendments to the *Access to Information and Protection and Privacy Act*, including the addition of new provisions to allow, through regulation, for the designation of municipalities as public bodies. However, new regulations to give effect to these changes have not yet been passed.

On November 9, 2021, the Iqaluit City Council passed a formal motion directing the municipal administration to “work with the Government of Nunavut and the Office of the Information and Privacy Commissioner of Nunavut on funding, training and file management systems, with the goal of coming under the *Access to Information and Protection of Privacy Act* by January 2023.”

In his 2022-2023 annual report to the Legislative Assembly, the Information and Privacy Commissioner indicated that:

“In my last annual report, I wrote that access to information for municipalities appeared to be back on the agenda. One year later, municipal access to information and protection of privacy is off the agenda and shows no signs of being revived. At the Standing Committee on Oversight of Government Operations and Public Account’s [televised] hearing in September 2022, the deputy minister of Executive and Intergovernmental Affairs indicated that municipal access to information and protection of privacy is not being pursued by this government. The City of Iqaluit, which adopted a motion on November 9, 2021, to explore the possibility of coming under the *Access to Information and Protection of Privacy Act*, has taken no further steps towards coming under the *Access to Information and Protection of Privacy Act*.”

Although the standing committee supports the principle of having federal, territorial and municipal levels of government being covered by appropriate legislative frameworks in respect to access to information and protection of privacy, it recognizes the reality of capacity challenges facing smaller entities.

Consequently, it is incumbent on the government to develop clear and realistic timetables in respect to such entities as municipalities, District Education Authorities and Alcohol Education Committees.

Standing Committee Recommendation #12:

The standing committee recommends that the Government of Nunavut's response to this report provide a detailed update on the current status of the development of regulations under section 73(a) of the *Access to Information and Protection of Privacy Act* in respect to the designation of municipalities as public bodies.

The standing committee further recommends that the Government of Nunavut's response to this report provide a detailed update on the current status of the development of regulations under section 73(a) of the *Access to Information and Protection of Privacy Act* in respect to the designation of District Education Authorities as public bodies.

The standing committee further recommends that the Government of Nunavut introduce amendments to the *Access to Information and Protection of Privacy Act* to allow, through regulation, for the designation of Alcohol Education Committees established under section 50 of the *Liquor Act* as public bodies.

Issue: Labour Relations and the *Access to Information and Protection of Privacy Act*

The Information and Privacy Commissioner has written in a number of his formal review reports that the *Access to Information and Protection of Privacy Act* has become a “proxy battleground for labour relations issues within the Government of Nunavut.”

In his testimony to the standing committee of April 20, 2024, the Information and Privacy Commissioner stated that:

“In my first year here in Nunavut, I would say that easily the majority of the cases that I saw fit within that category. So that is why I mentioned it. I used a fancy phrase; the proxy battleground, but really all that means is people were using this law to fight each other inside the Government of Nunavut. That’s really what I meant.

Now interestingly, in my second year and into my third year here in Nunavut, that kind of faded away and it was never clear to me why. Since the Department of Executive and Intergovernmental Affairs hasn’t been producing any statistics for a number of years now, it hasn’t been clear to me what’s going on down on the ground. I only see the appeals, but there was a period when I was getting very few of that kind of thing, and it’s interesting; just in the last few months it has come back again.

Since the beginning of this calendar year, 2024, I would say the majority of the new cases that I’ve seen have involved fights inside the Government of Nunavut. I’ve been hoping that they were gone forever, but that has turned out, sadly, not to be the case.”

The Government of Nunavut’s May 2023 response to the standing committee’s November 2022 report indicated that “to date, the Government of Nunavut has not had any discussions to revise the grievance processes in relation to Access to Information and Protection of Privacy. The issue can be raised this at the next meeting with the Nunavut Employees Union.”

Section 1104 of the Government of Nunavut’s *Human Resources Manual* (“Release of Information”) was last updated on April 10, 2006, over fifteen years ago.

On February 20, 2024, the Minister responsible for the *Public Service Act* announced the appointment of Nunavut’s first resident Ethics Officer.

Standing Committee Recommendation #13:

The standing committee recommends that the Government of Nunavut's response to this report describe, in detail, what specific discussions it has had with the Nunavut Employees Union and the Nunavut Teachers' Association concerning potential changes to the grievance process in respect to access to information and protection of privacy.

The standing committee further recommends that the Government of Nunavut's response to this report describe, in detail, the status of work to update *Human Resources Manual Section 1104 - Release of Information*.

The standing committee further recommends that the Minister responsible for the *Public Service Act* formally request the Office of the Ethics Officer to initiate contact with the Office of the Information and Privacy Commissioner to discuss areas of potential collaboration between the two entities.

Issue: Information Technology

Significant attention was paid during the standing committee’s televised hearings of September 26-27, 2022, and April 19-20, 2024, to the issues of information technology, cybersecurity and ransomware. In his 2021-2022 annual report to the Legislative Assembly, the Information and Privacy Commissioner indicated that “we live in a world of surveillance and cyberattacks.”

On June 1, 2023, the Information and Privacy Commissioner issued *Special Report 23-245-SR* concerning the Government of Nunavut’s network Y-drive. The Information and Privacy Commissioner’s testimony of April 19, 2024, indicated that:

“... in my special report, I made a number of recommendations to the government. The most fundamental recommendation was that the Y-drive needs to be replaced. Because of its design, it is not possible to fix the Y-drive to protect privacy the way it needs to be protected ... I have told them that ‘My overall recommendation is you need a better system. You need a better warehouse for the information that protects privacy.’ How, when, and with what they do it, I have left up to their best judgment, given budget priorities and procurement and all those things. I know this is a multi-year task.”

The Government of Nunavut’s formal response of August 31, 2023, to the Information and Privacy Commissioner’s *Special Report 23-245-SR* indicated, in part, that:

“Given the Y-drive’s inherent limitations and inability to provide automated functionalities essential for recordkeeping, security, and compliance with the *Access to Information and Protection of Privacy Act*, we agree with your recommendation for its decommissioning. The Information Management/Information Technology Division of the Department of Community and Government Services is in the advanced stages of considering a cloud-based solution that integrates with our existing Microsoft 365 framework. We will ensure that our next information management system incorporates privacy by design and can adapt to evolving digital landscapes.”

Standing Committee Recommendation #14:

The standing committee recommends that the Government of Nunavut’s response to this report provide a detailed update on the status of work to decommission and replace the network Y-drive.

The standing committee further recommends that the Government of Nunavut’s response to this report describe the results of any Privacy Impact Assessments that have been undertaken to date in respect to migrating information in the possession of the Government of Nunavut to “cloud-based solutions.”

Issue: Artificial Intelligence and Bill C-27

An emerging theme of the standing committee's deliberations concerns the impact of artificial intelligence on the government's administration of access to information and protection of privacy legislation and policies.

In his testimony to the standing committee of April 20, 2024, the Information and Privacy Commissioner stated that:

"I've been the [Information and Privacy] Commissioner here in Nunavut for three years, and during the first two years, hardly heard the words artificial intelligence at all. Now when I go to a conference or I meet with my colleagues, it's all everybody is talking about.

This technology has burst into the public in a way that I think none of us imagined and it has profound implications for the way information is handled within a government. It has profound implications for access to information and also on privacy.

My very fundamental recommendation, Member, is that the Government of Nunavut needs to get ahead of this issue. The technology is developing so fast that the Government of Nunavut is already behind. I cannot urge them enough to at least give to their employees a framework for how artificial intelligence should be used within the Government of Nunavut. First of all, in decision-making, artificial intelligence has the ability to be used to make decisions, but suddenly now the decision is not being made by a human being; it's being made by a machine. If you apply for information about how that decision was made, it's not clear at all how the access law applies to that, or whether the Government of Nunavut would even be able to explain how it made that decision. So that's the big implication on the access side.

On the privacy side, the way that artificial intelligence works is to gather an enormous amount of information, an unimaginable amount of information and analyze it so that essentially it can predict what the next word in a sentence is going to be, or should be, or usually is. That means that the models take in as much information as they can get their hands on. I think people would be shocked if they knew how much information is being taken up by these models, and that includes the information of Nunavummiut."

On June 16, 2022, Bill C-27, *An Act to enact the Consumer Privacy Protection Act, the Personal Information and Data Protection Tribunal Act and the Artificial Intelligence and Data Act and to make consequential and related amendments to other Acts*¹ received First Reading in the House of Commons.

¹ The Short Title of the Bill is the *Digital Charter Implementation Act, 2022*.

The official summary of the Bill indicates that:

“Part 1 enacts the *Consumer Privacy Protection Act* to govern the protection of personal information of individuals while taking into account the need of organizations to collect, use or disclose personal information in the course of commercial activities. In consequence, it repeals Part 1 of the *Personal Information Protection and Electronic Documents Act* and changes the short title of that Act to the *Electronic Documents Act*. It also makes consequential and related amendments to other Acts.

Part 2 enacts the *Personal Information and Data Protection Tribunal Act*, which establishes an administrative tribunal to hear appeals of certain decisions made by the Privacy Commissioner under the *Consumer Privacy Protection Act* and to impose penalties for the contravention of certain provisions of that Act. It also makes a related amendment to the *Administrative Tribunals Support Service of Canada Act*.

Part 3 enacts the *Artificial Intelligence and Data Act* to regulate international and interprovincial trade and commerce in artificial intelligence systems by requiring that certain persons adopt measures to mitigate risks of harm and biased output related to high-impact artificial intelligence systems. That Act provides for public reporting and authorizes the Minister to order the production of records related to artificial intelligence systems. That Act also establishes prohibitions related to the possession or use of illegally obtained personal information for the purpose of designing, developing, using or making available for use an artificial intelligence system and to the making available for use of an artificial intelligence system if its use causes serious harm to individuals.”

Standing Committee Recommendation #15:

The standing committee recommends that the Government of Nunavut’s response to this report provide a detailed description of what policies, directives and guidelines have been approved and/or are in development concerning the use of artificial intelligence technology by public bodies in respect to their obligations under the *Access to Information and Protection of Privacy Act* and related regulations and policies.

The standing committee further recommends that the Government of Nunavut’s response to this report clarify, in detail, its position concerning Bill C-27.

Issue: Amendments to the *Access to Information and Protection of Privacy Act*

Section 37 of the *Access to Information and Protection of Privacy Act* provides, in part, that:

Appeal of decision of head

37. (1) An applicant or a third party may appeal a decision made by a head of a public body under section 36 to the Nunavut Court of Justice.

However, the Information and Privacy Commissioner does not have the explicit authority under the legislation to appeal a decision made by a head of a public body in respect to their recommendations.

The Information and Privacy Commissioner indicated in his 2021-2022 annual report that the *Access to Information and Protection of Privacy Act* should be amended to “give the Information and Privacy Commissioner the power to order the disclosure of documents.” This recommendation was reiterated in his 2022-2023 annual report.

In his testimony to the standing committee of September 27, 2022, the Information and Privacy Commissioner stated that:

“The whole system would work better if I had the order power, but I know that inside the government, what they’re really afraid of is what if I make a bad decision, what if I do something that they think is just stupid, what do they do? They don’t want to give me that power, to which I say, ‘But the answer is simple and, that is, that if they don’t like my order, they go to court to have it overturned.’

If I issue an order that doesn’t make a lot of sense, they just get it overturned in court. Otherwise it becomes an order of the court and then they have to obey an order of the court or the government is in contempt of court. That’s using a technical, legal word, in contempt of court. That’s what happens in other jurisdictions in Canada.

That’s what should happen here. I am very happy to have my work looked at by a judge and, if a judge says I’m wrong, that’s great. That’s what judges are for, but the system right now in my view is quite unsatisfactory where, no matter what I say, the government can just keep doing what they’re doing. That’s what I would suggest, but there has to be a combination. I should have order power and the government can take me to court ...”

The standing committee’s November 2022 report on the review of the 2020-2021 and 2021-2022 annual reports of the Information and Privacy Commissioner recommended that that the Government of Nunavut introduce amendments to sections 36, 49.6 and 49.13 of the *Access to Information and Protection of Privacy Act* that would provide for a requirement on the part of the head of a public body to provide written reasons for

decisions made in respect to recommendations made by the Information and Privacy Commissioner. The standing committee also recommended that that the Government of Nunavut introduce amendments to the *Access to Information and Protection of Privacy Act* to provide the Information and Privacy Commissioner with the authority to appeal a decision made by a head of a public body under sections 36, 49.6 and 49.13 of the *Access to Information and Protection of Privacy Act* to the Nunavut Court of Justice.

The Government of Nunavut's May 2023 response to the November 2022 report of the standing committee indicated that:

"The Government of Nunavut will consider these revisions when the *Access to Information and Protection of Privacy Act* is next reviewed. A review and amendment of the *Access to Information and Protection of Privacy Act* is expected to commence in 2025."

Standing Committee Recommendation #16:

The standing committee recommends that the Government of Nunavut introduce amendments to the *Access to Information and Protection of Privacy Act* to provide order-making power to the Information and Privacy Commissioner in respect to the office-holder's duties under Division D of Part 1 of the *Access to Information and Protection of Privacy Act* and Division D of Part 2 of the *Access to Information and Protection of Privacy Act*.

The standing committee further recommends that the Government of Nunavut introduce amendments to the *Access to Information and Protection of Privacy Act* to provide the head of a public body with the authority to appeal a decision or order of the Information and Privacy Commissioner to the Nunavut Court of Justice.

Observations and Recommendations Directed to the Office of the Information and Privacy Commissioner

Issue: Office of the Information and Privacy Commissioner’s Annual Report

Section 68 of the *Access to Information and Protection of Privacy Act* provides that:

Annual report

68. (1) The Information and Privacy Commissioner shall, within six months after the end of each fiscal year, submit to the Speaker of the Legislative Assembly an assessment of the effectiveness of this Act and a report on the activities of the Information and Privacy Commissioner under this Act during the fiscal year, including information concerning any instances where recommendations made by the Information and Privacy Commissioner after a review have not been followed.

Laying report before Legislative Assembly

(2) The Speaker shall, at the first opportunity, lay a copy of the annual report referred to in subsection (1) before the Legislative Assembly.

The 2022-2023 annual report of the Office of the Information and Privacy Commissioner was tabled in the Legislative Assembly on May 24, 2023, less than 60 days after the end of the 2022-2023 fiscal year. The standing committee applauds the Information and Privacy Commissioner for the timeliness of his reporting.

The Legislative Assembly’s 2022-2023 main estimates included \$400,000 in funding for the Office of the Information and Privacy Commissioner. The standing committee recognizes that the annual budget of the Office of the Information and Privacy Commissioner has been stable in recent years.

Standing Committee Recommendation #1:

The standing committee recommends that the Office of the Information and Privacy Commissioner’s annual reports to the Legislative Assembly which are prepared and submitted under section 68 of the *Access to Information and Protection of Privacy Act* include a budget expenditure summary that is broadly comparable to those which are included in the annual reports of the Chief Electoral Officer, Languages Commissioner and Representative for Children and Youth.

Issue: Community Travel

The standing committee continues to be of the view that the Information and Privacy Commissioner's work, especially in respect to the potential future application of the *Access to Information and Protection of Privacy Act* to municipalities, District Education Authorities and other entities, would benefit from first-hand exposure to the environment in which they operate.

The standing committee recognizes that pandemic-related travel restrictions during the 2020-2021 and 2021-2022 fiscal years precluded the Information and Privacy Commissioner from undertaking community travel within Nunavut during that time.

Standing Committee Recommendation #2:

The standing committee recommends that the Office of the Information and Privacy Commissioner, in cooperation with the Government of Nunavut and the Nunavut Association of Municipalities, undertake at least one visit to a smaller Nunavut community outside of Iqaluit prior to the end of the 2024-2025 fiscal year, and that the results of the visit be reported in the office's 2024-2025 annual report to the Legislative Assembly.

Issue: Information-Sharing Agreements

The standing committee's report on the review of the 2020-2021 and 2021-2022 annual reports of the Information and Privacy Commissioner recommended that the office's response include copies of information-sharing agreements entered into with other federal, provincial and territorial information and privacy commissioners between January 11, 2021 and September 30, 2022.

The Information and Privacy Commissioner's response included a copy of the *Memorandum of Understanding Between the Office of the Privacy Commissioner of Canada and the Office of the Information and Privacy Commissioner of Nunavut* that was entered into on October 14, 2021.

Standing Committee Recommendation #3:

The standing committee recommends that the Office of the Information and Privacy Commissioner's response to this report include copies of all information-sharing agreements entered into with other federal, provincial and territorial information and privacy commissioners between October 1, 2022 and March 31, 2024.

Issue: Access to Information and Protection of Privacy in Respect to Inuit Organizations

The Information and Privacy Commissioner's 2022-2023 annual report indicated that the office "provided comments on policy proposals and/or advice on specific situations to a number of different organizations and individuals, including an Inuit organization."

During the standing committee's televised hearing, the Information and Privacy Commissioner stated that:

"My office acts as a general resource for the people of Nunavut on the access and privacy law. When it comes to that specific function that the Member is referring to, that is, a request for comments or advice, that part of my work is not limited to the Government of Nunavut. In the particular example that the Member refers to, there was an Inuit organization that was developing a submission to an entity of the Government of Nunavut. They wanted to refer to the access and privacy law in their submission and they just wanted to check with me to make sure that they had understood correctly how the legislation works so that their submission to the government would be stronger. Whether it's an Inuit organization, or a private citizen, or a Member of this legislature, I am willing to provide that kind of general advice to anybody. "

The standing committee applauds the Information and Privacy Commissioner for his proactive approach.

The standing committee recognizes that Inuit organizations are not considered to be public bodies within the meaning of the territorial *Access to Information and Protection of Privacy Act*. However, the standing committee also notes that Inuit organizations are likely to be in possession of significant amounts of personal information concerning Nunavut Inuit. For example, the 2011 *Report of the Auditor General of Canada to the Legislative Assembly of Nunavut on Children, Youth and Family Programs and Services in Nunavut* indicated that:

"The *Adoption Act* requires the Department to consult with the applicable Aboriginal organization for the child (that is, the Aboriginal organization of which the child or his or her parent is, or is eligible to be, a member) when a private adoption is taking place. The Department has interpreted consultation to be contact through written correspondence. As such, the Department writes to one of the three regional Inuit associations (which represent the interests of Inuit and are affiliated with Nunavut Tunngavik Incorporated, the organization that represents the rights and interests of *Nunavut Land Claims Agreement* beneficiaries) to inform it that an adoption plan has been developed for an Inuk child to be privately adopted, usually by a non-Inuit family. This provides an opportunity for the Regional Inuit Association (RIA) to respond with an alternate plan of care for the child, should it choose to do so."

Other examples include personal information held in respect to the administration of the Elders Support Program/Nunavut Elders Pension Program and personal information held in respect to the administration of compassionate/bereavement travel programs.

During her June 23, 2021, televised appearance before a standing committee, the President of Nunavut Tunngavik Incorporated stated that:

“Inuit organizations have been recognized by the governments, for many purposes, as public bodies performing the function of a government, and are holding Inuit-owned lands for the collective benefit of Inuit, and should be treated akin to governments instead of a private, for-profit entity like a mining company or a regular private land owner.”

The extent to which Nunavut Tunngavik Incorporated and/or the three Regional Inuit Organizations (Qikiqtani Inuit Organization, Kivalliq Inuit Organization and Kitikmeot Inuit Organization) are actively considering establishing access to information and protection of privacy systems that can be utilized by Nunavut Inuit in respect to information in the possession of these organizations is unclear.

The standing committee would be strongly supportive of efforts on the part of the Information and Privacy Commissioner to provide advice and support to these organizations in respect to such an initiative.

Standing Committee Recommendation #4:

The standing committee recommends that the Office of the Information and Privacy Commissioner proactively contacts Nunavut Tunngavik Incorporated and the three Regional Inuit Organizations with an offer to provide advice and support to the organizations regarding the establishment of access to information and protection of privacy systems that can be utilized by Nunavut Inuit in respect to information in the possession of these entities.