



Government of Nunavut Response to the 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*

Contents

Introduction 3

Responses To Recommendations 3

 Standing Committee Recommendation #1 3

 Standing Committee Recommendation #2 3

 Standing Committee Recommendation #3 5

 Standing Committee Recommendation #4: 6

 Standing Committee Recommendation #5 6

 Standing Committee Recommendation #6 7

 Standing Committee Recommendation #7 7

 Standing Committee Recommendation #8 7

 Standing Committee Recommendation #9 8

 Standing Committee Recommendation #10 8

 Standing Committee Recommendation #11 9

 Standing Committee Recommendation #12 10

 Standing Committee Recommendation #13 12

 Standing Committee Recommendation #14 12

 Standing Committee Recommendation #15 14

 Standing Committee Recommendation #16 14

Appendix A – Work Completed Under Standing Offer Agreement 2022-52 16

Appendix B – Preliminary Privacy Impact Assessments and Privacy Impact Assessments 17

Appendix C - Information Sharing Agreements as of March 2023 19

Introduction

The 2022-2023 Annual Report of the Information and Privacy Commissioner of Nunavut was tabled in the Legislative Assembly of Nunavut on May 24, 2023.

The Standing Committee on Oversight of Government Operations and Public Accounts held a televised hearing on the report from April 19-20, 2024. On May 27, 2024 the Chair of the Standing Committee on Oversight of Government Operations and Public Accounts presented a report on their review of the 2022-2023 Annual Report of the Information and Privacy Commissioner.

This document is the comprehensive response to the report requested by the Chair pursuant to Rule 91(5) of the Rules of the Legislative Assembly. The Standing Committee's recommendation is included verbatim from their report with the addition of sub-numbers for ease of reference where there are parts to the recommendation.

Responses To Recommendations

Standing Committee Recommendation #1

1.1 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.

1.2 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.

GN Response 1.1

The Government of Nunavut tabled a consolidated annual report covering the outstanding years of 2020-2021, 2021-2022 and 2023 on May 30, 2024.

GN Response 1.2

The Government of Nunavut agrees that a statutory tabling requirement is appropriate. However, the current practice is to include the Government of Nunavut's response to the Information and Privacy Commissioner's Annual Report within the annual report. If the current practice is to continue, the government's recommendation would be to require the annual report be due six months from the tabling of the Information and Privacy Commissioner's annual report.

Standing Committee Recommendation #2

2.1 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.

2.2 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.

2.3 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.

2.4 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.

GN Response 2.1

As of July 26, 2024, the Government of Nunavut has filled the Access to Information and Protection of Privacy (ATIPP) Analyst and both ATIPP Specialist positions on an indeterminate basis and the only unfilled position is the ATIPP Manager position. The staffing process is underway for the ATIPP Manager position.

GN Response 2.2

The following are normal activities of the Territorial ATIPP Office to support ATIPP Coordinators in each public body:

- Assigning tracking numbers and due dates for new requests for information and privacy breach notifications;
- Providing advice on requests for information, privacy breach investigations and privacy impact assessments (PIAs);
- Training ATIPP Coordinators;
- Producing templates, manuals and forms used in the administration of the ATIPP Act; and,
- Chairing the ATIPP Coordinator's Committee.

In addition to these normal activities, the Department of Executive and Intergovernmental Affairs has prepared a template Memorandum of Understanding (MOU) and delegations of authority to take on ATIPP work from departments. The MOU does the following:

- Sets out the services the Territorial ATIPP Office can provide, which were previously done by departments internally;

- Sets service standards for the administration of these services, including consultation with the originating department and time windows for decision-making;
- Sets expectations for the originating public body in providing records and approval for the final products, to ensure deadlines are met under the ATIPP Act; and,
- Creates a dispute resolution mechanism if there should be disagreement during the process.

The MOU has been piloted in several test cases and each of the requests were responded to on time and to the satisfaction of the applicant.

GN Response 2.3

A list of contracted services can be found attached in Appendix A.

GN Response 2.4

The Department has begun a full review of the Privacy Management Manual, including how we undertake privacy breach investigations, preliminary privacy impact assessments and full privacy impact assessments.

The goal of the review is to implement a new suite of privacy related guidelines and forms that are easy to use and understand. This will ensure compliance with privacy related requirements of the Government of Nunavut by simplifying the process while continuing to provide the necessary information to protect the privacy of Nunavummiut and respond to privacy breaches appropriately and quickly.

ATIPP Coordinator training, and employee orientation training modules have both been updated and now include more information about how to appropriately collect, use, access and disclose personal information.

The Department of Executive and Intergovernmental Affairs has been working with the Oracle Fusion Cloud team on ways that we can support each other, including incorporating privacy and access training into the new software and the viability of using the client management software for ATIPP administration.

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.

GN Response 3

The work is ongoing to review these policies to be consistent with the changes to the Territorial ATIPP Office.

The focus will be on ensuring these policies match operational necessities and are consistent with any amendments to the Privacy Management Manual.

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.

GN Response 4

Please find attached in Appendix B a full list of preliminary privacy impact assessments and privacy impact assessments from April 1, 2022 to March 31, 2024.

Standing Committee Recommendation #5

5.1 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.

5.2 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.

GN Response 5.1

Non-disclosure agreements are typically entered into with companies at the negotiation stage of directly negotiated contracts. This is particularly the case when the contracting partner will disclose intellectual or business information to the Government of Nunavut for the purpose of the negotiations.

This is distinguishable from confidentiality agreements, which form part of almost all settlement agreements entered into by the Government of Nunavut. The Government of Nunavut does not ask complainants who allege sexual or other harassment to sign non-disclosure agreements.

While a limited list with some information was provided as part of our last standing committee appearance, given the nature of these agreements and our legal obligations, the Government of Nunavut has examined the situation and has decided to not continue to provide non-disclosure agreement data, as this could constitute a breach of those same agreements. However, we can confirm that the number of non-disclosure agreements currently binding on the Government of Nunavut is quite low.

GN Response 5.2

Below is a table with the aggregate amounts paid in respect to matters described in Note 21(b) of the 2021-2022 Public Accounts of Nunavut:

Fiscal Year	2021-2022	2022-2023
Aggregate Amount	\$488,895.95	\$591,99.26

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(I.1) and (I.2) of the Access to Information and Protection of Privacy Act in respect to the disclosure of remuneration of prescribed classes of public employees.

GN Response 6

The Departments of Human Resources, Finance and Executive and Intergovernmental Affairs are working together to discuss this file and how to proceed. There have been concerns raised following coming into force of this section of the *ATIPP Act* regarding the impact salary disclosure of public sector employees would have on Inuit employees, particularly in smaller communities.

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.

GN Response 7

A full list of Information Sharing Agreements can be found attached in Appendix C. It is not a requirement for these agreements to be reviewed by the Information and Privacy Commissioner and no departments have sent them to his office for review on a voluntary basis.

Standing Committee Recommendation #8

8.1 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.

8.2 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.

GN Response 8.1

The Government of Nunavut remains committed to engaging with the Information and Privacy Commissioner about privacy matters as they relate to agreements with contracted investigative bodies and contracted police forces under the new *Police Act*. The Department of Justice is currently negotiating a draft MOU with an investigative body for the investigation of serious incidents in Nunavut. Once the initial draft of the MOU is prepared and there is sufficient substantive content for the Information and Privacy Commissioner to review, the Department will engage with the Information and Privacy Commissioner for feedback and recommendations.

GN Response 8.2

The Government of Nunavut continues to work toward bringing the *Police Act* into force and intends to do so within this government. The Department of Justice has made significant progress on the development of the necessary regulations and plans to complete stakeholder engagement shortly and begin drafting later in the Fall 2024. The department anticipates completing the regulations and taking the steps to bring the *Police Act* into force by Spring 2025.

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*.

GN Response 9

The Government of Nunavut agrees with this recommendation and is considering options to address this issue.

Standing Committee Recommendation #10

10.1 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.

10.2 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.

GN Response 10.1

The Department of Justice has been monitoring developments on missing persons laws in other jurisdictions. The department does not have immediate plans to propose similar legislation for Nunavut; however, we will continue to examine this issue taking into account: the unique context of our territory, the number and nature of cases where persons go missing in Nunavut or cases of Nunavummiut who go missing in other provinces and territories, and the need to balance police investigative powers with privacy and the protection of personal information, among other considerations.

GN Response 10.2

The Department of Justice continues to make progress reviewing how Clare's Law is designed and operates in other Canadian jurisdictions, and assessing whether a similar law would be an effective tool for helping Nunavummiut at risk. We are undertaking the necessary policy work and have begun engaging with key stakeholders, like the RCMP, to better understand how Clare's Law could be adapted for Nunavut's unique needs.

The Department of Justice intends to bring forward amendments to the *Family Abuse Intervention Act* (FAIA) in the winter of 2025. At one point, it was thought that a Nunavut version of Clare's Law could possibly be part of the FAIA amendment package. However, upon further consideration and policy review, it has become clear that a Clare's Law for Nunavut would need to be a standalone piece of legislation.

The conventional Clare's Law in southern Canada and the United Kingdom is restricted to sharing any history of intimate partner violence information with a current or potential intimate partner. Members of the Legislative Assembly have asked the Department of Justice to consider a made in Nunavut Clare's Law, which would have an expanded scope, covering the disclosure of information pertaining to child abuse, elder abuse, and other violent offenses. While the Department understands the rationale behind an expanded Clare's Law model, this has resulted in additional engagement, legal, and policy work to be done.

At this time, it is uncertain when this review will be completed due to the expanded scope and consideration of Nunavut's unique circumstances. We recognize the importance of this work, but much remains to be done, and we currently do not have a specific timeline for its completion.

Standing Committee Recommendation #11

11.1 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.

11.2 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.

11.3 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.

GN Response 11.1

The Department of Health launched public consultations for Health Specific Privacy Legislation with an online survey on June 18, 2024, followed by community consultations in Qikiqtarjuaq on June 20, 2024. Community consultations will continue in September and October of 2024 in the following communities: Rankin Inlet, Arviat, Whale Cove, Cambridge Bay, Kugluktuk, and Iqaluit.

Based on the updated consultation schedule and the legislative schedule it is expected that the legislation will be ready for consideration for introduction in the next government.

GN Response 11.2

The Department of Health will be available to meet with the information and Privacy Commissioner (IPC) prior to, and during, fall public consultations and will formally consult the IPC once substantive feedback has been received from the public. This way Health can brief the IPC on what has been heard to date from Nunavummiut.

GN Response 11.3

The Department of Health shares TB data with NTI as it becomes available per the agreement. There are regular meetings between CPHO's office and NTI where GN approved data is shared. There is an understanding among parties to the agreement that the purpose of the Information Sharing Agreement is to maintain privacy and confidentiality.

Standing Committee Recommendation #12

12.1 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.

12.2 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.

12.3 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.

GN Response 12.1

Following the appearance before Standing Committee, on June 11, 2024, the department of Community and Government Services, engaged the Nunavut Association of Municipalities (NAM) requesting information pertaining to their current position on the development of Regulations under 73(a) of the *ATIPP Act* considering designation of municipalities as public bodies.

The response, received on June 28, 2024, indicated a number of barriers that prevents their support of municipalities being designated as public bodies under the *ATIPP Act*. The following concerns were raised:

- Capacity of municipal administrators who are already overstretched with a multitude of activities related to critical municipal services and a limited budget;
- Challenges related to cybersecurity and data infrastructure;
- Unreliable technology infrastructure;
- Privacy concerns related to small community sizes; and,
- Vexatious and malicious requests for information.

Further to these concerns, NAM anticipated that, if compliance with the *ATIPP Act* became mandatory, that they would need at least five years to build a system that would be compliant with the legislation.

The NAM letter suggested that other avenues for transparency and accountability should be explored before making the *ATIPP Act* binding on municipalities, including community meetings, local consultations and other forms of direct engagement with residents.

Given the position of NAM, discussions are occurring between Departments of Executive and Intergovernmental Affairs and Community and Government Services on this file around the appropriate management of information and protection of privacy within municipalities. Issues around access to information and privacy will be included in future consultations around the *Hamlets Act* and *Cities, Towns and Villages Act*.

GN Response 12.2

The Departments of Education and Executive and Intergovernmental Affairs are exploring the potential of incorporating District Education Authorities into the *ATIPP Regulations*, including logistical and administrative considerations related to access to information. The Department of Education supports District Education Authorities and encourages them to follow Part 2 of the *ATIPP Act* for protection of privacy.

GN Response 12.3

Alcohol Education Committees could currently be designated under regulation and no amendment to the legislation would be necessary.

The relevant part of Section 2 of the *ATIPP Act* currently reads as follows:

“public body” means

- (a) A department, branch, or office of the Government of Nunavut, or*
- (b) An agency, board, commission, corporation, office, municipality, **or other body designated in the regulations [emphasis ours]***

An Alcohol Education Committee is considered an “other public body”. Because the Legislation currently allows for regulations to be made of this nature, we will not be considering the recommended amendments at this time; instead, the Department of Finance will consider the standing committee’s recommendation to designate Alcohol Education Committees (AECs) as a public body under the *ATIPP Act* in conjunction with its ongoing legislative review of the *Liquor Act*. There are several challenges in making AECs public bodies under the *ATIPP Act*, including:

- AEC members do not have any issued electronic devices. If they do, they use their own personal device.
- They are elected and fully independent. While the Government of Nunavut and municipalities may offer some support and assistance in administration, there is currently no way to hold them accountable to follow requirements under the *ATIPP Act*. There is no formal relationship to an administrative body that could provide assistance in responding to, reviewing or managing an *ATIPP* request.
- Because Alcohol Education Committees are elected and independent in nature and do not have a direct reporting relationship to a Minister or other member of the legislative assembly, it is not clear who the head of the public body would be for the purposes of decision making under the Act.
- AECs make decisions of a quasi-judicial nature, that are currently not under the scope of the *ATIPP Act* as per section 3b of the legislation.

Finance is cognizant of its limited capacity to undertake legislative reform related to the Liquor Act, and has limited capacity to deliver training and ongoing oversight that would be required to assist AECs in applying ATIPP into their operations.

Standing Committee Recommendation #13

13.1 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.

13.2 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.

13.3 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.

GN Response 13.1

To date, the GN has not had any discussions to revise the grievance processes to address concerns about how the current process impacts administration of the *Access to Information and Protection of Privacy Act*. The issue will be raised at the next meetings with the Nunavut Employees Union and Nunavut Teacher's Association.

GN Response 13.2

The Department of Human Resources has consulted with stakeholders including; the ATIPP Coordinators Committee, Employee Relations, the Department of Finance, the Territorial ATIPP Office, and the Department of Justice, on what issues they are encountering with the current Human Resources Manual Section 1104 and what amendments may be appropriate in the updated policy.

The Department of Human Resources is reviewing the feedback and is working on possible updates to this section.

GN Response 13.3

The Government of Nunavut accepts this recommendation. Correspondence has been sent to the Ethics Officer requesting that he reach out to the Information and Privacy Commissioner to discuss areas of potential future collaboration.

Standing Committee Recommendation #14

14.1 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.

14.2 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.”

GN Response 14.1

The Information Management and Information Technology Division (IM/IT) is working on a project to migrate departmental shared drives (Y-Drives) to the cloud, using SharePoint Online and OneDrive.

The Y-Drives contain the GN's operational and historical data, which are essential for the GN's functions and services.

The Y-Drives are currently stored on GN's servers on-premise; however, the Y-Drive migration project will enable the GN to store its data in the cloud, which will improve the data availability, accessibility, and security.

The Y-Drive migration project will also include the devolution data that will be transferred from the federal government, as part of the GN's devolution agreement.

The Y-Drive migration project is in the planning stage, with a strategy being developed by IM/IT and the stakeholders.

GN Response 14.2

The Y-Drive migration project will require additional privacy assessments and data management standards, such as digital transformation, data classification, naming conventions, and retention policies.

A new preliminary privacy impact assessment will be completed as part of this planning process.

In May 2022, as part of a pre-PIA exercise, the Government of Nunavut identified the initiative to replace existing human resources and financial systems with a Cloud-based enterprise resource planning (ERP) solution would require additional privacy considerations.

Following additional work, the project team determined that due to the scope of the project a single PIA would not be suitable. Undertaking a single PIA too early would not be useful as most questions would not be answerable. Undertaking a PIA too late would mean the GN could not learn from the assessment findings. Instead, the team took an approach of considering privacy throughout the project, focusing on the right issues of the day and building them into the design of the project and system. The project team documented and communicated this approach through a report in October 2022 and shared the plan – and the report - with the Information and Privacy Commissioner shortly afterwards.

As an example of assessing privacy in different ways along the way, in 2023 the Departments of Finance and CGS engaged outside experts to assess and advise on network access, user authentication, and identity management – all issues that relate to getting onto the system in the first place.

Separately, the Departments of Finance and CGS have engaged external lawyers who specialize in technology contract and privacy law to help ensure Government of Nunavut contracts with the vendor contain appropriate safeguards.

As the project advances, we are ready to consider privacy from a new angle. The Department of Finance has initiated discussions with another firm for another assessment – this time focused on the impacts and risks of how we have configured the system for use, and to advise on how the Government of Nunavut can use, adopt, and adapt our protocols, processes, and policies to safeguard personal and corporate information contained in the Cloud.

Standing Committee Recommendation #15

15.1 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.

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

GN Response 15.1

The Department of Executive and Intergovernmental Affairs is working with IM/IT to develop clear, easy to understand, rules related to the use of artificial intelligence in Government of Nunavut workplaces. This work is ongoing and will be based on the *ATIPP Act*, ensuring that there are reasonable protections in place so that personal information in our custody and control isn't put at unnecessary risk.

GN Response 15.2

The Government of Nunavut welcomes additional regulation on the use of Artificial Intelligence to ensure commercial entities in Canada respect the privacy of all Canadians, including Nunavummiut. We will be monitoring the situation as Bill C-27 works its way through the parliamentary process and undergoes any changes.

Standing Committee Recommendation #16

16.1 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.

16.2 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.

GN Response 16.1

While this is not something the Government of Nunavut can commit to at this time, we have committed to a major review of the *ATIPP Act* in 2025. The planned review will include all aspects of access to information and protection of privacy and include the question of whether to provide order making power to the Information and Privacy Commissioner.

GN Response 16.2

While this is not something the Government of Nunavut can commit to at this time, we have committed to a major review of the *ATIPP Act* in 2025. The planned review will include all aspects of access to information and protection of privacy and include consideration for the recommended amendment.

Appendix A – Work Completed Under Standing Offer Agreement 2022-52

Department	Service Provided	Date	Vendor used	Contract Price
HSS	Privacy Services Health Information Unit	3-21-23	Privacy Horizon	\$ 150,000.00
EDU	Privacy Impact Assessment	6-19-23	Privacy Horizon	\$ 15,000.00
FIN	ATIPP Request Assistance	5-23-23	PrivacyWorks Consulting Inc.	\$ 17,500.00
EDU	Privacy Impact Assessment	11-01-23	Privacy Horizon	\$ 6,000.00
FS	Audit Report Review	8-24-23	PrivacyWorks Consulting Inc.	\$ 6,250.00
FS	Privacy Impact Assessment	8-09-23	Securewise Inc.	\$ 24,200.00

Appendix B – Preliminary Privacy Impact Assessments and Privacy Impact Assessments

Date	Department	Project Title	PIA or Pre-PIA	Full PIA Required	Sent to IPC for review
19-Apr-22	WSCC	Third party help	PIA	Completed	No
30-Apr-22	Finance	Identifying the Need to Conduct a PIA for the Enterprise Resource Planning Project	Pre-PIA	Part 1 Completed	Yes
3-May-22	Education	Edsembli - Student Records	Pre-PIA	Completed	No
4-May-22	Health	Lab Analyzer Equipment	Pre-PIA	No	No
6-May-22	Health	Canadian North Nordamis software	Pre-PIA	No	No
11-Aug-22	Health	Tobacco and Smoking Act	Pre-PIA	No	No
19-Aug-22	Nunavut Arctic College	CCTC System	Pre-PIA	No	No
28-Aug-22	Health	ISA Vital Stats	Pre-PIA	No	No
3-Sep-22	Community and Government Services	Motor Vehicles Policy	Pre-PIA	No	No
7-Oct-22	Education	Archiving Emails	Pre-PIA	No	No
24-Oct-22	Finance	Enterprise Resource Planning	Part 1	Completed	Yes
6-Feb-23	Family Services	Client Database	Pre-PIA	No	No
24-Mar-23	Justice	Statutory Appointments Tracking System	Pre-PIA	No	No
12-Apr-23	Health	New Nursing Professions Act	Pre-PIA	No	No
23-Jun-23	Health	Health Data Integration Engine	Pre-PIA	No	No
11-Jul-23	Health	Food Safety Regulations under the Public Health Act	Pre-PIA	No	No
21-Aug-23	Health	Central Monitoring Project	Pre-PIA	No	No
8-Sep-23	Education	Early Learning Child Care Database Development (ELCC) and Hosting	PIA	No	No
8-Sep-23	Education	Proposed Amendments to Student Record Regulations	PIA	No	No

18-Sep-23	Health	Community Health Centre Statistics Dashboard	PPIA	no	No
4-Oct-23	Community and Government Services	Contributions and Relationship Information System	PIA	no	No
9-Nov-23	Culture And Heritage	Heritage Collections Database	Pre-PIA	no	No
16-Nov-23	Health	Nursing Professions Regulations	Pre-PIA	No	No
7-Dec-23	Nunavut Arctic College	Sanirajak Community Learning Centre - CCTV	Pre-PIA	no	No
15-Dec-23	Health	Medical Professionals Regulations	Pre-PIA	No	No
9-Feb-24	Economic Development and Transportation	Angamarlik Visitor Center Security Camera and Alarm Installation	Pre-PIA	No	No
19-Feb-24	Health	QGH CT Scanner Upgrade	Pre-PIA	No	No
5-Mar-24	Education	Xello - Career Planning Program	PIA	Completed	No

Appendix C - Information Sharing Agreements as of March 2023

Title	Public Body	Third Party	Purpose of Agreement (Information Disclosed)	Territorial Statute	IPC Consultation
COVID 19, agreement	Health	Royal Canadian Mounted Police	Coordination of information needed to address Covid 19 concerns.	N/A	Yes
(Multiple Tax Information Sharing Agreements)	Finance	Canada Revenue Agency; Finance Ministries Of The Governments Of: British Columbia, Manitoba, New Brunswick, Nova Scotia, Northwest Territories, And Saskatchewan	These information-sharing agreements are for the purposes of tax enforcement. Except for the agreement with Canada Revenue Agency, these agreements all predate the time period listed in the question, (mentioned for the sake of completeness).	Various, including: Income Tax Act Insurance Act Petroleum Products Tax Act Property Assessment and Taxation Act Tobacco Tax Act Payroll Tax Act	No
Solicitor Client Letter	Finance	Office of the Auditor General	Acknowledges the GN's requirement and agreement to comply with any information requests for relevant documents under the control of the Government. The correspondence from the OAG confirms that any information disclosed will be treated in strict confidence.	Nunavut Act and the Financial Administration Act of Nunavut	No
Memorandum of Agreement	Culture & Heritage	Winnipeg Art Gallery	Agreement includes storage and care of Nunavut's collections, digitization of the GN art collection, and education programs for general museum practices.	N/A	No
Memorandum of Agreement	Culture & Heritage	Canadian Museum of Nature	These agreements are for Nunavut's Archaeology Collection and Palaeontology Collection and include storage and management of the collections. Under general provisions, disclosure of information relevant to this agreement shall only be made by appropriate CMN officers. The	N/A	No

			CMN has obligations under the federal Access to Information Act which provides protections similar to Nunavut's ATIPPA.		
Concerning the Disclosure of Driver's License Information	Economic Development And Transportation	Statistics Canada	Collecting personal information on people living in Nunavut as part of Stats Canada's mandate.	Statistics Act	No
Concerning the Disclosure of Information Products (Vehicle registration files)	Economic Development and Transportation	Statistics Canada	Providing vehicle registration files for carrying out Canadian Vehicle Surveys	Statistics Act	No
Agreement with Elections Canada	Economic Development and Transportation	Elections Canada	Sharing of driver's license information for the purposes of updating the Register of Electors.	Traffic Safety Act	No
Agreement Concerning the Sharing of Information between Statistics Canada and the Nunavummit Kiglisiniartiit (Nunavut Bureau of Statistics)	Executive and Intergovernmental Affairs	Statistics Canada	Sharing of personal information of Nunavummiut collected by both public bodies for the purposes of statistical analysis of data.	Statistics Act	No

Canadian Cancer Registry	Health	Statistics Canada	Agreements with Statistics Canada for sharing of information related to Cancer prevalence in Nunavut.	Statistics Act Diseases Regis-tries Act	No
Canadian Congenital Anomalies Surveillance System	Health	Public Health Agency of Canada	Agreement with the Public Health Agency of Canada to exchange health data.	<i>Diseases Regis-tries Act</i>	No
Statistics Canada Data Sharing Agreement	Health	Statistics Canada	Agreement to cover information sharing from Statistics Canada to Nunavut, including provisions related to privacy, security, use of information, and dealing with branches. Also includes appendices on data security and the role of the data custodian.	<i>Statistics Act</i>	No
Canadian Chronic Disease Surveillance System	Health	Public Works Canada	Service Contract with Public Works (Canada) and Services Canada on behalf of the Public Health Agency of Canada.	<i>Statistics Act</i>	No
Public Health Agency of Canada Invasive Bacterial Diseases Surveillance Program Memorandum of Understanding	Health	Public Health Agency of Canada	Memorandum of Understanding with the Public Health Agency of Canada to share information to allow for the surveillance of Inflammatory Bowel Disease in Nunavut.	<i>Statistics Act</i>	No
Public Health Agency of Canada Hepa-	Health	Public Health Agency of Canada	Agreement to allow for the study of Hepatitis B Vaccination in Nunavut.	<i>Statistics Act</i>	No

titis B Vaccination Study					
Protocol between the Representative for Children and Youth and the Department of Education	Education	Representative For Children and Youth	Protocol for the sharing of information between the Representative for Children and Youth and the Department of Education for the administration of the <i>Representative for Children and Youth Act</i> .	<i>Representative for Children and Youth Act</i>	No
Protocol between the Representative for Children and Youth and the Department of Family Services	Family Services	Representative For Children and Youth	Protocol for the sharing of information between the Representative for Children and Youth and the Department of Family Services for the administration of the <i>Representative for Children and Youth Act</i> .	<i>Representative for Children and Youth Act</i>	No
Agreement with Nunavut Housing Corporation for the sharing of information related to Income Assistance and Nunavut Housing Corporation Programs.	Family Services and Nunavut Housing Corporation	N/A	Agreement with FPTs and Public agencies for administering, enforcing or evaluating programs.	<i>Income Assistance Act</i>	No

Nunavut Child Abuse And Neglect Response Agreement	Family Services, Justice, Health, Education, Cgs	RCMP, PPSC, RCYO, Arctic Child & Youth Foundation, Licensed Childcare Facilities	An agreement between several stakeholders, led by FS, to address child abuse by providing support to help detect, report, investigate and prosecute cases of child abuse and support children.	<i>Children and Family Services Act</i>	No
GN interdepartmental Service Coordination Protocol for the Delivery of Services for Children and Youth	Family Services, Health, Education and, Justice		A protocol meant to remove or address barriers that service providers might face in coordinating services including concerns about privacy, uncertainty about where the responsibility lies for providing services, and a lack of follow-up and monitoring individuals during and after services have been initiated.	<i>Children and Family Services Act</i>	
Interagency Information Sharing Protocol	Health, Justice, and Family Services	Royal Canadian Mounted Police	A collaborative arrangement created to better identify and assist individuals at risk for suicide		
Information Sharing Agreement for Article 32	Executive And Intergovernmental Affairs	Nunavut Tunngavik Incorporated	Agreement regarding sharing information, including personal information, for the purposes of implementing Article 32.	N/A (Nunavut Agreement)	No
Umingmak Centre Memorandum of Understanding	Justice	Child & Youth Foundation	Protocol for the sharing of information between the Representative for Children and Youth and the Department of Education for the administration of the Representative for Children and Youth Act.		