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Speaker: The Honourable George Qulaut, M.L.A.

Legislative Assembly of Nunavut

Speaker

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(Amittuq)

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Simeon Mikkungwak
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Hon. Paul Okalik
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Iqaluit, Nunavut**Wednesday, November 4, 2015****Members Present:**

Mr. Tony Akoak, Ms. Pat Angnakak, Hon. Monica Ell-Kanayuk, Mr. Joe Enook, Mr. George Hickes, Mr. David Joanasié, Mr. Pauloosie Keyootak, Hon. George Kuksuk, Mr. Steve Mapsalak, Hon. Johnny Mike, Mr. Simeon Mikkungwak, Hon. Paul Okalik, Hon. Keith Peterson, Hon. Paul Quassa, Hon. George Qulaut, Mr. Allan Rumbolt, Mr. Alexander Sammurtok, Mr. Tom Sammurtok, Mr. Joe Savikataaq, Mr. Isaac Shooyook, Hon. Peter Taptuna, Hon. Jeannie Ugyuk.

>>*House commenced at 13:30***Item 1: Opening Prayer**

Speaker (Hon. George Qulaut) (interpretation): Ms. Ugyuk, can you say the opening prayer, please.

>>*Prayer*

Speaker (interpretation): Good afternoon, my fellow Nunavummiut. Members, ministers, and (interpretation ends) Premier, (interpretation) welcome to the House.

Ministers' Statements. (interpretation ends) Hon. Minister of Executive and Intergovernmental Affairs, Mr. Taptuna.

Item 2: Ministers' Statements

**Minister's Statement 040 – 4(3):
Government of Nunavut
Operational Audit**

Hon. Peter Taptuna: Thank you, Mr. Speaker. Good afternoon, colleagues, Kuglukturmiut, and Nunavummiut.

Mr. Speaker, as you know, our government is in the midst of a full operational audit of our programs and services. Today, I am providing an update to my colleagues about the progress of the program review.

I am pleased to report that the first phase of this endeavour is complete and the department has received the recommendations. We are currently reviewing those recommendations in order to move ahead. The audit will provide information from a functional perspective to assess what we are doing well and can improve upon.

The consultants are using an inclusive process that reflects the character and culture of Nunavut's public service. Departments and territorial corporations have been involved from the start and they are actively contributing to the consultants' observations through meetings, workshops, a survey, and document sharing.

Mr. Speaker, initial discussions with our departments and corporations took place in June and July, and the consultants have analyzed many public and internal documents to understand our government's programs. The process has also incorporated recent program evaluations and audits and tracking the implementation of related recommendations.

The consultants held meetings with departments during September to discuss their observations and ensure that the findings are accurate and the recommendations are relevant. Mr. Speaker, these discussions will help departments during the 2016-17 business planning cycle.

Mr. Speaker, I look forward to reporting regularly on the progress of this audit and how we move forward to improve our government's service delivery for the people of Nunavut. Thank you, Mr. Speaker.

>>Applause

Speaker (interpretation): Thank you. Ministers' Statements. Minister of Economic Development and Transportation, Ms. Ell-Kanayuk.

**Minister's Statement 041 – 4(3):
Global Entrepreneurship Week**

Hon. Monica Ell-Kanayuk (interpretation): Thank you, Mr. Speaker. November 16 to 22 is Global Entrepreneurship Week. This event aims to inspire people around the world to explore their potential as self-starters and innovators. Events are held each year to introduce people to new possibilities and opportunities to explore their entrepreneurial potential. Around 7 million people in 150 countries take part.

The Department of Economic Development and Transportation is committed to helping entrepreneurs get started. Working out of five offices across the territory, as well as through a range of partner organizations, the department provides entrepreneurs with information, funding, and other support they need to succeed.

At the same time as we recognize the contributions and accomplishments of Nunavut's businesspeople during Global Entrepreneurship Week, I would also like to make sure that they understand that the Government of Nunavut is ready to help. Together, we will build a strong

and dynamic economy that will benefit all Nunavummiut. Thank you, Mr. Speaker.

>>Applause

Speaker (interpretation): Thank you. Ministers' Statements. Minister of Family Services, Ms. Ugyuk.

**Minister's Statement 042 – 4(3):
Family Violence Prevention Month**

Hon. Jeannie Ugyuk: Thank you, Mr. Speaker. November is Family Violence Prevention Month. My department, together with groups like the Qullit Nunavut Status of Women Council, continues to raise awareness on family violence in our territory.

Mr. Speaker, Nunavut experiences rates of family violence that are 12 times higher than the national average. As Minister responsible for the Status of Women, I know that those statistics need to change. Family violence impacts every member of a family. My department understands that programs and services need to focus on prevention, and in the coming months, we will be engaging families in prevention programming.

We are actively adding family violence and victim support resources to our website. Training is available to all our community social services workers in each region, and more information materials on family violence and healthy relationships are being provided to our Children and Family Services offices as part of our awareness-raising efforts.

Mr. Speaker, it is always an important time to engage the public in family

violence prevention and to highlight the services that are available to Nunavummiut so we can build healthy and safe communities for our families.

Today, I invite all of my colleagues to collaborate with us in reducing the incidence of family violence and to send a united message that violence does not belong in our families, our communities, and our territory. Thank you, Mr.

Speaker.

>>Applause

Speaker (interpretation): Thank you. Ministers' Statements. Premier, Mr. Taptuna.

Minister's Statement 043 – 4(3): Paris Climate Change Conference

Hon. Peter Taptuna: Thank you, Mr. Speaker. I am very pleased to announce that I will be attending the 21st Conference of the Parties to the United Nations Framework Convention on Climate Change in Paris in December of this year.

The Prime Minister as well as 10 of my colleague premiers are scheduled to be part of Canada's delegation. Minister Mike will also be representing Nunavut with me at this important meeting. My colleagues and I will be involved in discussions and decisions that will help the world reduce global emissions of greenhouse gases and control the rise in worldwide temperatures.

Mr. Speaker, we all know how vulnerable the Arctic is to climate change. It is imperative that Nunavut have a voice at the conference. It gives us the opportunity to participate in

discussions on how the Arctic and the rest of the world is being affected by climate change.

Mr. Speaker, most importantly, we have a chance to discuss what can be done to assist vulnerable communities like those in Nunavut in adapting to these changes. I look forward to sharing the results from these meetings during the next session. Thank you, Mr. Speaker.

>>Applause

Speaker (interpretation): Thank you. Ministers' Statements. Minister of Education, Mr. Quassa.

Minister's Statement 044 – 4(3): Be Safe! Programming in Schools

Hon. Paul Quassa (interpretation): Thank you, Mr. Speaker. Good day, Nunavummiut and my fellow community residents, as well as the members.

(interpretation ends) Mr. Speaker, we know that there is a proven connection between sexual abuse experienced in childhood and suicide. For this reason, we are committed to teaching our children how to be safe.

All our elementary schools have Be Safe! kits that teachers can use to strengthen the personal safety components of the health curriculum in kindergarten to grade 4. The Be Safe! kits are from the Red Cross. We are continuing our partnership with the Red Cross to train teachers to use the Be Safe! Kit in all our elementary schools.

Kimmirut received Be safe! training in May as a whole community experience

and is an example of total community involvement. They held radio shows, a parent night, and training in how to use the kits that lasted over a week. All children in kindergarten to grade 4 received the program.

Naujaat is on their third cycle of implementing Be Safe! and there is strong support in the community for the training. The school has been using the kits with all elementary grade levels. Sam Pudlat School in Cape Dorset is also using the kit and reported that it is well received by the community.

(interpretation) Mr. Speaker, my department is committed to continuing the training of staff in the use of the Be Safe! kits and in supporting them to use the kits with their students. We know that teaching personal safety skills to students is a life-enhancing investment. Thank you, Mr. Speaker.

>>Applause

Speaker (interpretation): Thank you. Item 3. Members' Statements. Member for Kugluktuk, Mr. Taptuna.

Item 3: Members' Statements

Member's Statement 097 – 4(3): Development of Kugluk (Bloody Falls) Park and Cultural Centre

Hon. Peter Taptuna: Thank you, Mr. Speaker. I rise today to inform the House that this past summer when we hosted the northern premiers for a meeting in Kugluktuk, it was an opportunity to showcase a part of Nunavut that many Nunavummiut never get a chance to see.

My hometown of Kugluktuk is the farthest west community in our huge territory and two time zones away from the capital. It was built at the mouth of the famous Coppermine River where Samuel Hearne recorded the massacre of many Inuit, hence its name Bloody Falls.

Today, as mentioned last week in Minister Mike's ministerial statement, a park and trails to the site attract tourists and locals alike. Kugluktuk recently completed, with the help of the Dominion Diamond mines, formerly BHP, a cultural centre that is becoming recognized as one of the best anywhere in the north. The continuous search for mineral wealth near the community has also boosted employment and bodes well for our future.

This summer, I spent some time with my family and relatives at home. It's always good to visit with my constituents and my neighbours in Kugluktuk. Being Premier, it means that you spend a lot of time away from your home community, away from family and friends.

Mr. Speaker, I am proud to be MLA for Kugluktuk, an area where I was born and raised. Mr. Speaker, we moved to the community by dog team when it was still very much an outpost. I have seen our community grow and prosper, yet still be the same friendly and welcoming place that it's famous for.

I invite all of Nunavummiut and all of my colleagues to visit our new cultural centre and to think about a vacation, a holiday, and a visit to Kugluktuk. Thank you, Mr. Speaker.

>>Applause

Speaker (interpretation): Thank you. Members' Statements. Member for Uqqummiut, Mr. Keyootak.

**Member's Statement 098 – 4(3):
Reminder of the Dangers of Newly
Formed Ice**

Mr. Keyootak (interpretation): Thank you, Mr. Speaker. I rise today to remind everyone and to encourage everyone, especially in my community and in Nunavut. We are all aware that Nunavut freezes over in the wintertime and then melts in the summer. The sea ice is now freezing over again and it's very dangerous because of the way the ice forms these days. It is a lot different from the way it was in past.

I would like to remind everyone and those who are younger than we are, our sons, our grandsons, and our great grandsons, that if they're going to go out on the ice to go hunting, they must be aware that the new ice forms differently in different places, although it all looks the same from the top. It's very different and it forms very differently in different places.

Mr. Speaker, I have gone through the experience of falling through the ice and I had to get saved. Mr. Speaker, Inuit traditional knowledge is one of the few things I know about and it is what I am conveying to you so that new hunters hunting on the new ice are aware. I believe in *Inuit Qaujimagatuqangit*.

A man's best friend is his harpoon. If you're going to go on the ice, you must always have a harpoon. That is the main implement to never forget when you're going out hunting on new ice. This is especially for the younger hunters,

hunters that are younger than we are, but I want to remind everyone that if you're going hunting, don't forget your harpoon.

I'm reminding everyone who is watching and listening right now and again, especially the younger people. The water is very cold and dangerous. At this time of year in the fall when the ice is still very thin, it's impossible to know how thin or thick the ice is by just looking at it. You need to use your harpoon. Thank you, Mr. Speaker.

>> *Applause*

Speaker (interpretation): Thank you. Members' Statements. Member for Tununiq, Mr. Enook.

**Member's Statement 099 – 4(3):
Recognizing the Work of
Constituents for the Creation of
Nunavut**

Mr. Enook (interpretation): Thank you, Mr. Speaker. Good afternoon, people of Pond Inlet and Nunavut.

Mr. Speaker, I would like to recognize people from my community and that's why I'm standing here today. In the past when we were getting Nunavut, many people had jobs and a lot of them are recognized these days, especially the people who were negotiators and leaders during the land claims and around that time.

However, in my community and probably all of our communities, there are people out there who have never been recognized, including people who chose the lands that we were going to claim, the lands that are close to our

communities, and the lands that we consider precious. We had people deciding on which lands we want and we had people like that in Pond Inlet as well.

I would like to express my pride with the Qikiqtani Inuit Association. They're celebrating their 40th anniversary and they are recognizing people who had been doing all this work prior to Nunavut. I would like to recognize these people. They have been recognized by the Qikiqtani Inuit Association for all their efforts and I would like to recognize them in the House as well. Some of these people have passed on, but some of them are still with us today, which is great.

In my community, there are people who have been recognized for their achievements and I would like to recognize them. They are:

Elijah Nashook;
Daniel Komangapik;
Gamailee Kilukishak;
Cornelius Nutarak Sr.;
Paniloo Sangoya;
Sam Omik Sr.;
John Tongak;
Ningiuq Killiktee; and my late mother,
Enooya Enook.

All the people of Pond Inlet have expressed their gratitude to these people for all their help. Thank you, Mr. Speaker.

>> *Applause*

Speaker (interpretation): Thank you. Members' Statements. Member for Baker Lake, Mr. Mikkungwak.

**Member's Statement 100 – 4(3):
Recognition of the Work of RCMP
in Baker Lake**

Mr. Mikkungwak (interpretation):
Thank you very much, Mr. Speaker.
Good day to the people of Baker Lake
and Nunavut.

Mr. Speaker, before I proceed with my statement, I would just like to say that one of my grandchildren is now two years old. Today, Ursula Taki Niego is two years old. Happy birthday.

Last year, I asked some questions about the fact that the people of Baker Lake needed help in getting ammunition. A few days ago, I had a call from somebody from Baker Lake and they were very happy that their firearms acquisition certificates are coming in now.

I would like to recognize and express my thanks to those people who went to Baker Lake so that people could fill in applications for their firearms acquisition certificates. It's very important to have firearms and it really helps life up here in Nunavut. Russell Akeegok and another RCMP officer came to do this work and assist people applying for FACs.

I would like to recognize the Department of Justice for doing all this work. People are getting their FACs and some of them are still just applying. My people received great help and I would like to express my gratitude for that. Thank you very much, Mr. Speaker.

>> *Applause*

Speaker (interpretation): Thank you. Members' Statements. Member for Iqaluit-Tasiluk, Mr. Hickes.

**Member's Statement 101 – 4(3):
Acknowledging New Canadians**

Mr. Hickes: Thank you, Mr. Speaker. It's with great pride today that I rise to make this Member's Statement.

A week ago today on October 28, 25 people from different places around the world swore an oath to call Canada home. These new citizens of Canada, for however long they have been calling Canada home, can now formally do so and be recognized around the globe as Canadian citizens.

Mr. Speaker, diversity of our population is something the country of Canada is not only renowned for but proud of. These people have not only chosen to make Canada their new home, but specifically Nunavut.

Mr. Speaker, I would like to acknowledge in this House this important stage in their lives and welcome them all as fellow Canadians. At the appropriate time, I would be proud to rise and recognize those who were able to attend the legislature here in person today. Thank you, Mr. Speaker.

>>Applause

Speaker (interpretation): Thank you. Members' Statements. Member for South Baffin, Mr. Joanasié.

**Member's Statement 102 – 4(3):
Heritage Minute Honouring
Kenojuak Ashevak**

Mr. Joanasié (interpretation): Thank you, Mr. Speaker. I rise today to express my pride and to share in celebrating with the people of Cape Dorset Kenojuak Ashevak's latest acknowledgement for her cultural work.

A one-minute clip will be created about her by filmmakers Historica Canada. They travelled to Cape Dorset last week to film the people and her home community. She has been recognized around the world for her art and I am proud of her accomplishments. This film is to be released next year and it will be broadcast on television and the World Wide Web.

I am extremely proud of her as this is the first time a Nunavut citizen will get a one-minute recognition clip for cultural accomplishments. It will also be available in Inuktitut and it is the very first clip with an Inuktitut narrative.

I am very proud of her relatives for being part of this filming. All her family are very proud, I'm sure, and the whole community is very proud of her and the fact that she has been recognized in the world. I would like all of you to share in celebrating and expressing our pride in her. Thank you, Mr. Speaker.

>>Applause

Speaker (interpretation): Thank you. Members' Statements. Member for Aggu, Mr. Quassa.

**Member's Statement 103 – 4(3):
Recognizing Pages in the House**

Hon. Paul Quassa (interpretation): Thank you, Mr. Speaker. I rise today to express my pride in our pages, who are

all youth coming from the various schools throughout Nunavut. They learn something different here and only students with good attendance or students with potential are asked to serve as our pages. They also provide this great service that allows this Chamber to move along.

I am rising today to share the various schools and communities from which they originate. I encourage my colleagues to promote this further, as the pages from the schools can have a different learning experience and it provides a great learning tool for them.

Another reason for my sense of accomplishment is the fact that I am able to be here with my grandson and my son, who are partaking in the parent/children workplace program that is being done today. That is the reason they are here. Wayne Terrance Quassa is over there and on his right is Akutuugaq Tamnaruluk Quassa. They are two of the reasons why I am proud of our youth and of our pages for providing excellent services when they are here. We should always be appreciative of them while they're here. Thank you, Mr. Speaker.

>>Applause

Speaker (interpretation): Thank you. Members' Statements. Member for Aivilik, Mr. Mapsalak.

**Member's Statement 104 – 4(3):
Recognition of Raymond
Ningeocheak**

Mr. Mapsalak (interpretation): Thank you, Mr. Speaker. I rise today to express my pride and ask my colleagues to share in expressing their pride as a recent

celebration was held in Coral Harbour to recognize Raymond Ningeocheak.

The president of Nunavut Tunngavik Incorporated acknowledges Inuit who have provided great service towards Nunavut. Raymond has been heavily involved in the work towards Nunavut and they were able to hold the celebration recognizing Raymond for his past work in fighting for Nunavut. He was a director for Nunavut Tunngavik Incorporated for many years, and further, he partook in the many land claims negotiations that resulted in Nunavut through TFN.

He served as the vice-president of Nunavut Tunngavik Incorporated for many years, as well as the second vice-president. He has been instrumental in assisting Nunavummiut, particularly towards his fellow Inuit and on behalf of the hunters to get equipment used for harvesting.

Raymond Ningeocheak was the subject of the celebrations in Coral Harbour with various organizations meeting in the community, as well as artists and singers arriving for that event. As well, he is serving as the vice-president of the Kivalliq Inuit Association. Further, while accepting the award, he stated that he won't be quitting anytime soon. Due to his commitment to help his fellow Nunavummiut, he will continue.

I would like to ask my colleagues to help me celebrate and express our pride in Raymond Ningeocheak for all his work and recognition this past week. Thank you, Mr. Speaker.

>>Applause

Speaker (interpretation): Thank you. Members' Statements. Member for Iqaluit-Sinaa, Mr. Okalik.

**Member's Statement 105 – 4(3):
Congratulations to Hunter Tootoo
upon His Selection for Federal
Cabinet**

Hon. Paul Okalik (interpretation): Thank you, Mr. Speaker. I would like to welcome the new Canadians, especially today as an aboriginal person of Canada. I feel like I finally got home when I saw who was selected to represent the Government of Canada today.

Our fellow Inuit and the very little children who were throat-singing at the opening of the appointments, I was very proud of that. We also saw a fellow Inuk who was appointed to the cabinet. Mr. Hunter Tootoo became the Minister of Fisheries and Oceans.

Again, I was very proud of an aboriginal woman who is a lawyer and was appointed to be the Minister of Justice. It is something that's very near and dear to my heart. I'm very proud of the aboriginal representatives. I'm sure that I'll be able to work very closely with them.

This government has indicated that they would like to follow through with the aboriginal rights in Canada and I'm sure that they will do that. They have an aboriginal lawyer and I've had meetings with Jody Wilson-Raybould, of whom I'm very proud. I'm sure we will have a good, productive relationship. Thank you very much, Mr. Speaker.

>>Applause

Speaker (interpretation): Thank you. Members' Statements. I have no more names on my list. Moving on. Item 4. Returns to Oral Questions. (interpretation ends) The Hon. Minister of Cultural and Heritage, Mr. Kuksuk.

Item 4: Returns to Oral Questions

**Return to Oral Question 077 – 4(3):
Elders' Issues**

Hon. George Kuksuk (interpretation): Thank you very much, Mr. Speaker. I say "good day" to my fellow Nunavummiut, as well as the people of Whale Cove and Arviat.

(interpretation ends) Thank you, Mr. Speaker. I have a return to oral question No. 77 –4(3) asked by the Member for Gjoa Haven on October 28, 2015 concerning the Nunavut's 2010-14 Elders Program Strategy as tabled. The question was, "When will the minister be tabling his department's update strategy?"

Mr. Speaker, this return is quite detailed. I have filed it with the Clerk for transcribing into *Hansard* for the public record and for distribution to all members.

Answer:

Mr. Speaker, here is my return to oral question that was asked to me by the Member for Gjoa Haven.

Mr. Speaker, I will table an updated elders strategy during the fall sitting of the 2016-17 Legislative Assembly. It is not being tabled until a year from now due to capacity within the Department of Culture and Heritage's Elders and Youth

Division. The division worked on changes to the youth strategy this past year, including holding regional youth workshops, delivery of the on-land program, and the production of “Inuit Kinship.” The elders strategy will be the focus of the division during the next year, including holding regional workshops.

Regional gatherings of community elders committees worked together to focus on four key areas: Empowering Elders, Promoting Respect for Elders, Passing on Traditional Knowledge, and Creating Healthy Lives and Families, as a part of the 2010-14 Elders Strategy. Elders provide a valuable community resource and strengthen and enhance our culture and language, as they have a highly respected role in Inuit society and help keep families strong.

Mr. Speaker, Culture and Heritage will once again be working with regional elders committees to identify objectives that the Government of Nunavut and communities will need to work on that will improve the lives of elders and strengthen our communities. Once Culture and Heritage has completed the engagement process, we will incorporate new priorities identified by elders into the strategy.

I hope this response is of assistance and look forward to the additional opportunities we will have to discuss elders and in our government’s commitment to strengthening and assisting elders committees. Thank you, Mr. Speaker.

Speaker (interpretation): Thank you. (interpretation ends) Item 4. Returns to Oral Questions. Hon. Minister of

Economic Development and Transportation, Ms. Ell-Kanayuk.

**Return to Oral Question 089 – 4(3):
Cancellation of CARS Agreement
with NAV CANADA**

Hon. Monica Ell-Kanayuk: Thank you, Mr. Speaker. This is a return to an oral question asked by Alexander Sammurtok, MLA for Rankin Inlet South, No. 89 – 4(3), on the cancellation of the CARS agreement with NAV CANADA.

Question:

On March 4, 2015, I asked the minister questions about the government’s decision to end its agreement with NAV CANADA for the administration of community aerodrome radio station services.

One of the impacts of this decision was the cancellation of the observer/communicator training course that had been offered at the Kivalliq Campus of [Nunavut] Arctic College.

Seven months ago, the minister informed the House that her department would be, and I quote, “looking at ways to offer that training in Rankin Inlet.”

What has been done since I first raised this issue?

Answer:

The observer/communication training program is funded by NAV CANADA and had been offered at Nunavut Arctic College in Rankin Inlet prior to the termination of the CARS contract on March 31, 2015.

Subsequently, a request was made to NAV CANADA asking them to consider keeping the training program in Rankin Inlet. However, the decision was made to provide the program from the NAV CANADA training facility located in Fort Smith, NWT.

Nunavummiut are still actively participating in this program. Five students from Nunavut registered for the course in the summer semester. Four of the five students were successful and are now qualified observer/communicators.

The recruitment of Nunavut students for the winter semester, which begins January 6, 2016, has already begun. Thank you, Mr. Speaker.

Speaker (interpretation): Thank you. (interpretation ends) Returns to Oral Questions. (interpretation) I have no more names on my list. (interpretation ends) Item 5. Recognition of Visitors in the Gallery. Hon. Member for Iqaluit-Tasiluk, Mr. Hickes.

Item 5: Recognition of Visitors in the Gallery

Mr. Hickes: Thank you, Mr. Speaker. Like I stated in my Member's Statement today, it's with a lot of pride that I stand here today to recognize these visitors in the gallery that were able to make it and take the time out of their busy days to attend this session.

I would first like to thank my assistant, Jessica Patterson, for helping me organize all this.

I would like to welcome to the gallery:

Ms. Emine Neary;

If you can please stand when I call your name.

Joanne Curioland;

Anthony Jordaen;

Bonnie Berzamina;

Christopher Afah Lang;

Floreen Demavivas and his wife, Nenette;

Christelle Djouaka;

Judy Sessua and her daughters Alessia and Kirsten.

Welcome to the House and welcome to Canada.

>> *Applause*

Speaker (interpretation): Thank you. Welcome to the gallery and welcome to Canada. Thank you. Recognition of Visitors in the Gallery. Member for Iqaluit-Manirajak, Ms. Ell-Kanayuk.

Hon. Monica Ell-Kanayuk

(interpretation): Thank you, Mr. Speaker. My constituents from Iqaluit-Manirajak are rarely in the House, so I would like to recognize Janet Brewster. Thank you.

>> *Applause*

Speaker (interpretation): Thank you. Welcome to the gallery. Recognition of Visitors in the Gallery. Member for Aggu, Mr. Quassa.

Hon. Paul Quassa (interpretation): Thank you, Mr. Speaker. I would also

like to recognize my constituents. We don't see people from Igloolik very often in the House. I am very pleased to recognize Judah Sarpinak, Andy Attagutlukuttuk, and Steven Qaatani Sarpinak. We also have Dexter Koonoo. These people are from my community of Igloolik and I would like to recognize them.

As an addendum, they are full-time hunters. They make a huge contribution to our community in all sorts of ways. They are professional hunters, they participate in search and rescue, and they make a huge contribution to our community. I would like to recognize them and introduce them to the Members of the Legislative Assembly. Thank you, Mr. Speaker.

>> *Applause*

Speaker (interpretation): Welcome to the gallery, my fellow community residents. Recognition of Visitors in the Gallery. I have no more names on my list. Moving on. Item 6. Oral Questions. Member for Quttiktuq, Mr. Isaac Shooyook.

Item 6: Oral Questions

Question 126 – 4(3): Wildlife Research Methods

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

Mr. Speaker, earlier this week, I asked the minister a number of questions related to the current methods that are used to survey wildlife in Nunavut.

On November 19, 2013, the minister of the day tabled the department's statutory report on wildlife to the Legislative Assembly.

This report indicates that the 2009 Nunavut Wildlife Symposium included representatives from all co-management organizations to develop constructive communication about the most important issues related to Nunavut's wildlife.

This report indicates that one of the shared objectives of these organizations is to find alternatives to handling wildlife in research and that using innovative, non-invasive ways to conduct research must be a focus.

Can the minister specify what non-invasive methods for researching wildlife in Nunavut has been identified to date? Thank you, Mr. Speaker.

Speaker (interpretation): Thank you. (interpretation ends) The Hon. Minister of Environment, Mr. Mike.

Hon. Johnny Mike (interpretation): Thank you, Mr. Speaker. I say "good day" to Nunavummiut and I welcome the new Canadians, our newest fellow residents who are here in the gallery.

Last year, I indicated that changes have occurred in the wildlife research field using less dangerous practices and more non-invasive methods to lessen the impacts. With respect to the tranquilizing of animals, I spoke to the issue last year, that this method would no longer be used in wildlife research and that less invasive methods would be used that result in no handling of animals or touching by any human hands. These are the changes we have

made to date in this field, Mr. Speaker.
Thank you.

Speaker (interpretation): Thank you.
Your first supplementary, Mr.
Shooyook.

Mr. Shooyook (interpretation): Thank you, Mr. Speaker. I recognize that various organizations and wildlife boards have stated their support for the use of aerial surveys as an alternative to capture and collaring of wildlife which has been shown to affect the behaviour of polar bears and caribou.

Can the minister indicate if his department examines the effects that the aerial surveys may have on the natural behaviour of caribou and polar bear populations in Nunavut and, if so, what are the department's conclusions on this area? Thank you, Mr. Speaker.

Speaker (interpretation): Thank you.
Minister of Environment, Mr. Mike.

Hon. Johnny Mike (interpretation): Thank you, Mr. Speaker. I can't tell you exactly as to how it affects the wildlife. If we're talking about aerial surveys, I don't know how it affects the natural behaviour of wildlife. I can't respond to that question right now, but I can look into that and get back to the member. Thank you, Mr. Speaker.

Speaker (interpretation): Thank you.
Your final supplementary, Mr.
Shooyook.

Mr. Shooyook (interpretation): Thank you, Mr. Speaker. Can the minister indicate what aerial surveys, if any, are currently planned to take place within the next two years? Thank you, Mr.

Speaker.

Speaker (interpretation): Thank you.
(interpretation ends) Hon. Minister of
Environment, Mr. Mike.

Hon. Johnny Mike (interpretation): Thank you, Mr. Speaker. We use aerial surveys depending on what animal we will be surveying because the aerial survey method of wildlife varies. We use aerial surveys especially for surveying caribou. Recent surveys that we have done on caribou in the Baffin region were aerial surveys. As for the next two years, I'm not sure what other alternatives we will be using other than aerial surveys. Thank you, Mr. Speaker.

Speaker (interpretation): Thank you.
Oral Questions. Member for Iqaluit-
Niaqunngu, Ms. Angnakak.

Question 127 – 4(3): Status of Housing Initiatives

Ms. Angnakak: Thank you, Mr. Speaker. Today, my questions are for the Minister responsible for the Nunavut Housing Corporation. I haven't asked him a question yet.

Mr. Speaker, one of the goals in the framework for the Government of Nunavut Long-term Comprehensive Housing and Homelessness Strategy is to, and I quote, "encourage GN employees to move out of staff housing and become homeowners."

Mr. Speaker, as we are all very much aware, it's not cheap to be a homeowner in Nunavut. In April of 2015, the president of the Nunavut Housing Corporation appeared before the Committee of the Senate of Canada. In

her testimony, she stated that, and I quote, “The cost of owning and operating a house in Nunavut ranges from \$158,100 to \$186,000 per year,” This is the minimum income you would need to be able to afford homeownership in various communities.

Can the minister indicate how the Nunavut Housing Corporation is working to make it easier for Nunavummiut to afford the high cost of homeownership? Thank you, Mr. Speaker.

Speaker (interpretation): Thank you. (interpretation ends) The Hon. Minister responsible for the Nunavut Housing Corporation, Mr. Kuksuk.

Hon. George Kuksuk (interpretation): Thank you very much, Mr. Speaker. I also thank the member for her question. Mr. Speaker, we try to deal with the homeownership programs to the best of our ability to make sure that we provide services. We have different programs for homeowners, for example, the tank replacement program and other programs that we use. Through our programs, we try to provide support.

Our support has increased because we have heard in the past years or in the past month that it’s very cumbersome for homeowners to keep up with their bills. When we heard about it at the time, we decided to discuss it so that we have various programs to provide support to homeowners in Nunavut. Thank you, Mr. Speaker.

Speaker (interpretation): Thank you. Your first supplementary, Ms. Angnakak.

Ms. Angnakak: Thank you, Mr. Speaker. Another one of the goals in the framework for the Government of Nunavut’s Long-term Comprehensive Housing and Homelessness Strategy is to, and I quote, “discourage GN employees from remaining in staff housing indefinitely.”

I certainly agree that high-income employees should not be living indefinitely in subsidized staff housing. What specific actions is the Nunavut Housing Corporation taking to discourage GN employees from remaining in staff housing indefinitely? Thank you, Mr. Speaker.

Speaker (interpretation): Thank you. Minister responsible for the Housing Corporation, Mr. Kuksuk.

Hon. George Kuksuk (interpretation): Thank you very much, Mr. Speaker. I can say today that when we have many homeless people in the communities and when we lack social housing and staff who are living in staff housing, we have been encouraging them and we can provide support to the staff to encourage them to become homeowners. We provide support to discourage them from remaining in staff housing. We encourage the staff to move out of GN staff housing. We have a supportive program for the staff to get into homeownership. That is what I can say, Mr. Speaker.

Speaker (interpretation): Thank you. Your final supplementary, Ms. Angnakak.

Ms. Angnakak: Thank you, Mr. Speaker. I thank the minister for his reply. I think things like the condo

project that we had for our GN employees would be something to look at again.

Earlier this year, the Nunavut Housing Corporation issued a request for proposals for the coordination and productions of the Government of Nunavut Housing Action Plan. A contract worth a maximum of just a little over \$297,000 was awarded to Outcrop Nunavut to undertake this work.

Can the minister tell us when the Government of Nunavut's housing action plan will be ready for tabling in the Legislative Assembly? Thank you, Mr. Speaker.

Speaker (interpretation): Thank you. (interpretation ends) The Hon. Minister responsible for the Nunavut Housing Corporation, Mr. Kuksuk.

Hon. George Kuksuk (interpretation): Thank you very much, Mr. Speaker. If I'm correct, I'm not too sure if she's asking about the Blueprint for Action on Housing, but the contract was going to be awarded. Mr. Speaker, I can tell you that there are lots of stakeholders that will be taking on this responsibility along with NTI and government. Mr. Speaker, we will be dealing with this action plan in the 2016 fall session. We're planning to table that information at that time. Thank you very much, Mr. Speaker.

Speaker (interpretation): Thank you. Oral Questions. Member for South Baffin, Mr. Joanasie.

Question 128 – 4(3): G.R.E.A.T. Program Rollout

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

On October 23, 2015, the minister announced a new pilot project called "Getting Ready for Employment and Training," the G.R.E.A.T. program. Perhaps I can provide some suggestions for making this G.R.E.A.T. program into an even greater program.

In her statement, the minister indicated that the G.R.E.A.T. program includes ten weeks of labour market training and a tailored two-week work placement for income assistance recipients "that is specific to the needs and choices of each client" in their home community.

Can the minister clarify whether this program was designed by taking into consideration the labour needs in each community? Thank you, Mr. Speaker.

Speaker (interpretation): Thank you. (interpretation ends) The Hon. Minister of Family Services, Ms. Ugyuk.

Hon. Jeannie Ugyuk (interpretation): Thank you, Mr. Speaker. I also thank my colleague for asking about the G.R.E.A.T. program. Nunavut Arctic College is helping us to deal with this program to make sure that we provide employment and training programs. The recipients usually choose which program or training they would like to take. They look at the client's ability and they meet with each other to decide which training program they're best suited for. Thank you, Mr. Speaker.

Speaker (interpretation): Thank you. Your first supplementary, Mr. Joanasié.

Mr. Joanasié (interpretation): Thank you, Mr. Speaker. Many community-based organizations and groups have a variety of needs and could use support in the form of labour. Can the minister identify which employers have agreed to train and place income assistance clients in work positions through this program? Thank you, Mr. Speaker.

Speaker (interpretation): Thank you. Minister of Family Services, Ms. Ugyuk.

Hon. Jeannie Ugyuk (interpretation): Thank you, Mr. Speaker. I would also like to thank the member for that question. The instructors are working with the communities. That's the response I can provide. Thank you, Mr. Speaker.

Speaker (interpretation): Thank you. Your final supplementary, Mr. Joanasié.

Mr. Joanasié (interpretation): Thank you, Mr. Speaker. As part of its review of the Income Assistance Program, can the minister clarify whether her department is considering making changes to the eligibility criteria for income assistance clients that would require clients to make small contributions to the territory by such means as labour? Thank you, Mr. Speaker.

Speaker (interpretation): Thank you. (interpretation ends) The Hon. Minister of Family Services, Ms. Ugyuk.

Hon. Jeannie Ugyuk (interpretation): Thank you, Mr. Speaker. I also thank my colleague for that question. We would

like to put the income support clients under training. Funding is provided to make sure that they can be trained for employment. Once their training has been completed, how can we put them back into the workforce? Looking at the ability of each individual and to make sure that they get into the workforce, the Career Development Division sets these programs with the help of the Income Support Division. The instructors meet with the communities to find out what kinds of training programs are required. Thank you, Mr. Speaker.

Speaker (interpretation): Thank you. Oral Questions. Member for Baker Lake, Mr. Mikkungwak.

Question 129 – 4(3): Status of Site Remediation in Baker Lake

Mr. Mikkungwak: Thank you, Mr. Speaker. My questions today are directed to the Minister responsible for the Qulliq Energy Corporation.

Mr. Speaker, we appear to have established a new tradition in this Assembly. Each sitting, my colleague from South Baffin asked the minister about the status of the new power plant in Cape Dorset, and I asked about the status of the environmental clean-up at the site in Baker Lake that was inherited from the Northern Canada Power Corporation.

It has always been QEC's position that the contamination in Baker Lake is, and I quote, "100 percent attributable to federal activities." However, the federal government has not acknowledged its responsibility.

Earlier today, a new federal cabinet was sworn into office. What plans does the minister have to raise this issue with his appropriate federal counterparts? Thank you, Mr. Speaker.

Speaker (interpretation): Thank you. Minister responsible for the Qulliq Energy Corporation, Mr. Peterson.

Hon. Keith Peterson: Thank you, Mr. Speaker. I thank Mr. Mikkungwak for the question and pointing out the annual tradition. I'm hoping to break that tradition. Moving forward with Mr. Joanasie's power plant, we're going to hopefully build it in his lifetime.

>> *Laughter*

Unfortunately, I can't say that we're going to clean up Baker Lake's contaminated site in your lifetime.

>> *Laughter*

I'll meet with my colleague, the Minister of Environment, and we will talk about the issue. There is a GN contaminated site working group that is looking at all the contaminated sites in Nunavut to establish the ownership.

I did meet with the Auditor General of Canada last week for an hour. We did discuss contaminated sites. It's a serious issue. The Auditor General of Canada is taking it quite seriously and has asked me to assure them that the Government of Nunavut will move forward on contaminated sites in the future. Thank you, Mr. Speaker.

Speaker (interpretation): Thank you. Your first supplementary, Mr. Mikkungwak.

Mr. Mikkungwak: Thank you, Mr. Speaker. I believe it could be accomplished in my lifetime also.

When I last raised this issue at our House sitting on June 1, 2015, in the *Nunavut Hansard* as indicated, stated that the government was also, and I quote, "...working on a process to identify all the sites in Nunavut that are contaminated, who owns them, and processes like that."

Can the minister update the House today on the status of this work? Thank you, Mr. Speaker.

Speaker (interpretation): Thank you. (interpretation ends) The Hon. Minister responsible for the Qulliq Energy Corporation, Mr. Peterson.

Hon. Keith Peterson: Thank you, Mr. Speaker. I thank Mr. Mikkungwak for the question. Unfortunately, I'm not the minister with responsibility for that file. All I can tell him is that the Auditor General and I have talked about contaminated sites in Nunavut from a public liability point of view for our public accounts. Thank you, Mr. Speaker.

Speaker (interpretation): Thank you. Your final supplementary, Mr. Mikkungwak.

Mr. Mikkungwak: Thank you, Mr. Speaker. When I last raised this issue at our sitting of June 1, 2015, the minister indicated that the Qulliq Energy Corporation was considering, and I quote, "four remedial options" regarding the contaminated site in Baker Lake. Can the minister tell me today which process QEC will be pursuing? Thank

you, Mr. Speaker.

Speaker (interpretation): Minister responsible for the Qulliq Energy Corporation, Mr. Peterson.

Hon. Keith Peterson: Thank you, Mr. Speaker. I thank Mr. Mikkungwak for the question. Mr. Speaker, currently the Qulliq Energy Corporation has what we call the Waterloo Emitter barrier system that has been put in place to clean up the sites and ensure that contaminants didn't get into their drinking water. The annual maintenance is provided on it. There was annual maintenance this past July and it has continued to provide good results. Thank you, Mr. Speaker.

Speaker (interpretation): Thank you. Oral Questions. Member for Tununiq, Mr. Enook.

Question 130 – 4(3): Harvester Support Programs

Mr. Enook (interpretation): Thank you, Mr. Speaker. I would like to direct my question today to the Minister of the Environment.

I would like to speak to my questions today properly because I have been asking the same question for many years and it has become obvious how they have become defined.

In May of this year, the Department of Environment provided funding in the amount of \$50,000 through the hunter support program to Coral Harbour hunters who lost their hunting equipment. First of all, I'll ask the minister: under the Harvester Disaster Compensation Program, the incident that I just talked about, what did you identify

it as? Was it a natural disaster or just an accident? Thank you, Mr. Speaker.

Speaker (interpretation): Thank you. Minister of Environment, Mr. Mike.

Hon. Johnny Mike (interpretation): Thank you, Mr. Speaker. When harvesters lose their equipment, they report what happened, whether the cause was weather-related, and those things are considered. We know the Coral Harbour incident was weather-related. When the ice broke away, it was weather-related and that's what I have been informed of. Thank you, Mr. Speaker.

Speaker (interpretation): Thank you. Your first supplementary, Mr. Enook.

Mr. Enook (interpretation): Thank you, Mr. Speaker. In my community, there have been accidents with exactly the same types of circumstances, but people who applied for compensation were always refused by the department. We are just told that it's an accident or a natural disaster. With the incident in Coral Harbour, why was it treated differently? Thank you, Mr. Speaker.

Speaker (interpretation): Thank you. Minister of Environment, Mr. Mike.

Hon. Johnny Mike (interpretation): Thank you, Mr. Speaker. The hunters and trappers organizations are involved with filling out applications for compensation by submitting a letter of support and these are requirements of this process. With respect to inclement weather resulting in loss or damage of hunting equipment, they have to apply for compensation. The HTO board identifies the hunters that lost equipment

and outline the circumstances. That is how it is set up.

In cases where the hunter is aware that inclement weather is forecasted or if the weather is considered dangerous but the hunter leaves anyway knowing weather is forecasted as being bad or if they are aware that the ice conditions are becoming dangerous but they set out anyway, then it is more difficult. They have to consider all the factors when reviewing the application and can result in their claims not being approved. All the reasons are considered. Whether they approve or deny the applications, they look at it from all angles. Thank you, Mr. Speaker.

Speaker (interpretation): Thank you. Your final supplementary, Mr. Enook.

Mr. Enook (interpretation): Thank you, Mr. Speaker. This is where it gets confusing when the minister states that if the local HTO supports the harvester's claim, it is acceptable to submit the claim for losses, yet when a harvester submits a claim with the support of the HTO, the department usually denies their application.

The local HTO, knowing their hunters, supports the replacement of the lost equipment applications, but the department doesn't approve the application in the majority of cases and that is why it is so confusing to get that response. When communities follow the criteria, it is denied anyway. That is causing the confusion.

Nonetheless, I have to move forward. Mr. Minister, you are well aware that a report was created by this government and Nunavut Tunngavik Incorporated

regarding harvester compensation programming as a joint report. Recently, you sent a letter to my attention that this report has been fully reviewed by your department. When will the joint report be tabled to us? Thank you, Mr. Speaker.

Speaker: The Hon. Minister of Environment, Mr. Mike.

Hon. Johnny Mike (interpretation): Thank you, Mr. Speaker. My colleague asked a question regarding the compensation needed by our harvesters. I believe that Nunavut Tunngavik Incorporated is currently reviewing this report, although they stated that a review would be commenced on the compensation programming. The Nunavut government's Department of Environment released their harvester compensation or assistance programming.

Last week, our colleague, Mr. Mikkungwak raised a question on when this report would be tabled and my response now will be the same response I provided to the member. The review of the programming is complete; the report is in my office now. I returned the report to the officials to consult the communities, especially the local HTOs, to review the report so that I can table the report in this House.

It has been returned to the communities for consultations because I want further clarification since the HTOs are involved in this process, whether the report is true. This winter, a final report will be finalized and I believe I will be able to table this report at our winter session after the consultations with the HTOs, including other wildlife management organizations who we work

with on harvester compensation programming. That's where it stands right now. Thank you, Mr. Speaker.

Speaker (interpretation): Thank you. Oral Questions. Member for Iqaluit-Tasiluk, Mr. Hickes.

Question 131 – 4(3): Internal Capacity Enhancements

Mr. Hickes: Thank you, Mr. Speaker. I would like to direct my question today to the Minister of Health.

Mr. Speaker, on October 27, the minister tabled the Department of Health's annual report on the operation of the medical care plan. I realize that some of the numbers in here encompass both insured and non-insured health expenses. It does state that more than one-third of the department's total operational budget is spent on costs associated with medical travel, almost \$65 million, and physician and hospital services outside the territory over \$57 million.

Mr. Speaker, on page 3 of that report, it speaks to the access to a range of hospital and specialist services that often does require residents to travel outside the territory, but it does state that the two regional health facilities in Rankin Inlet and Cambridge Bay, as well as here in Iqaluit, the Qikiqtani General Hospital are enabling Nunavut to build internal capacity and enhance the range of services that can be provided within the territory.

I would just like to get an update of what type of internal capacity enhancements have been ongoing as projects of the Department of Health to alleviate some

of these cost pressures. Thank you, Mr. Speaker.

Speaker (interpretation): Thank you. Minister of Health, Mr. Okalik.

Hon. Paul Okalik (interpretation): Thank you, Mr. Speaker. (interpretation ends) We have undertaken a number of initiatives. The primary one is training our own nurses here in our territory. That's ongoing. The other one we have been working with the federal government is called NunaFam where locums come to our territory and do their practicum in our hospital here. From there, they usually stay in our territory and provide much needed doctor services for our community.

There are some things that we can do within our territory, but a lot of times, we can't maintain specialized fields of medicine. For those instances, we have to make sure that the patient is taken care of outside our territory and that we provide those services. (interpretation) Thank you, Mr. Speaker.

Speaker (interpretation): Thank you. Your first supplementary, Mr. Hickes.

Mr. Hickes: Thank you, Mr. Speaker. That leads into my next question. I understand there's a lot of federal money that also gets spent through non-insured health benefits for residents of Nunavut that are travelling south to access those health services. According to information provided by the Minister of Community and Government Services earlier this year, health infrastructure is not eligible for investment from the Building Canada Fund.

My question would be: what, if any, discussions have occurred exploring federal investments in Nunavut infrastructure outside of other funding models that are already in place to alleviate pressures on federal expenditures? Thank you, Mr. Speaker.

Speaker (interpretation): Thank you. (interpretation ends) The Hon. Minister of Health, Mr. Okalik.

Hon. Paul Okalik (interpretation): Thank you, Mr. Speaker. (interpretation ends) Health may not be eligible for the Building Canada Fund, but we do find ways to access various programs and services that we can find. We have our telehealth technology. We access other pots of money that was available for health services and it was a national fund. Now, we have telehealth in every community in our territory, for example.

There may not be funds the real mortar health facilities, but we do find ways to access other programs to try and assist in improving our services for our territory. (interpretation) Thank you, Mr. Speaker.

Speaker (interpretation): Thank you. Your final supplementary, Mr. Hickes.

Mr. Hickes: Thank you, Mr. Speaker. The minister's mind-reading abilities are in full swing this afternoon.

>> *Laughter*

I have often brought up telehealth as an avenue available to reduce travel and physician costs, as that's what it was designed to do.

Has there been a notable impact on medical travel or physician services

since telehealth was implemented?
Thank you, Mr. Speaker.

Speaker (interpretation): Thank you. Minister of Health, Mr. Okalik.

Hon. Paul Okalik (interpretation): Thank you, Mr. Speaker. (interpretation ends) Wow! I didn't know that. I was ahead of the game in this one for a change.

For this past year, it has been a very good uptake of telehealth. I believe there have been over 700 patients that have used telehealth throughout our territory from April to September of this year. We are also increasing capacity with the technology by being able to get special cameras that can look into ears and eyes. Those will be put in place over the coming months. It will increase our capacity for diagnoses throughout Nunavut and being able to provide for better care in the diagnoses for all patients in our territory. (interpretation) Thank you, Mr. Speaker.

Speaker (interpretation): Thank you. Oral Questions. Member for Arviat, Mr. Savikataaq.

Question 132 – 4(3): Strategic Investments Program

Mr. Savikataaq: Thank you, Mr. Speaker. My questions are for the Minister of Economic Development and Transportation.

During our spring sitting, I asked a detailed written question concerning the hundreds of thousands of dollars in grants and contributions that her department hands out each year to

private businesses under its Strategic Investments Program.

I believe that it is important for the government to have some way of determining what the actual results are of its spending in this area. As some of my colleagues would say, it's bang for your buck. I say it's value for your money.

In her response to my question, the minister stated that her department lacks a system to, and I quote, "allow program management staff to collect meaningful monitoring and evaluation data." I ask the minister: what is her department doing to address this issue? Thank you, Mr. Speaker.

Speaker (interpretation): Thank you. (interpretation ends) The Hon. Minister of Economic Development and Transportation, Ms. Ell-Kanayuk.

Hon. Monica Ell-Kanayuk: Thank you, Mr. Speaker. I thank the member for that question. (interpretation) In order to report on that, on April 1, 2015, we introduced some (interpretation ends) guidelines (interpretation) directing the department to strengthen their work on this issue.

(interpretation ends) Mr. Speaker, what I'm talking about is that on April 1, 2015, we're now having a look at the review of the guidelines in order to provide procedures to strengthen the administrative process and for reviewing the project proposals under the SIP program under Schedule A and also under the other schedule, Schedule B. Thank you, Mr. Speaker.

Speaker (interpretation): Thank you. Your first supplementary, Mr. Savikataaq.

Mr. Savikataaq: Thank you, Mr. Speaker. In the 2013-14 fiscal year, the minister's department handed out approximately \$1.5 million in grants and contributions to businesses. I know the minister just stated that they just have new guidelines, but can the minister provide any kind of estimates as to how many jobs for Nunavut residents were created as a result of spending this money? Thank you, Mr. Speaker.

Speaker (interpretation): Thank you. Minister of Economic Development and Transportation, Ms. Ell-Kanayuk.

Hon. Monica Ell-Kanayuk (interpretation): Thank you, Mr. Speaker. I also thank the member. Currently, our department's annual contributions funding are under review, including a review of how jobs are created and whether their job descriptions can be improved. Obviously, we want to be successful and complete in our review and completely understand how much return is stemming from our investment into Nunavut. We have to grow properly within our territory. In order to move forward, the funds the Nunavut government provides contributions through have to be reviewed to ensure that they are being spent properly.

(interpretation ends) Mr. Speaker, the department is committed to evaluating the outcomes of these contributions to make sure that our economic development goals are being realized and that Nunavut gets the value for these public funds. Moving forward, the

evaluation of this programming is what it's intending to do. Thank you, Mr. Speaker.

Speaker (interpretation): Thank you. Your final supplementary, Mr. Savikataaq.

Mr. Savikataaq: Thank you, Mr. Speaker. The department's Strategic Investments Program Policy formally expired in 2011. In her response to the question that I had asked her in the spring, the minister indicated that a new policy was expected to be introduced by the fall of 2015. We're here, so where is it? Thank you, Mr. Speaker.

Speaker (interpretation): Thank you. (interpretation ends) The Hon. Minister of Economic Development and Transportation, Ms. Ell-Kanayuk.

Hon. Monica Ell-Kanayuk: Thank you, Mr. Speaker. I thank the member for that question. Mr. Speaker, the Strategic Investments Program is one of EDT's largest economic development contribution programs and is presently being reviewed as per our departmental priority for the fiscal 2015-16. Currently that review is still in place. Thank you, Mr. Speaker.

Speaker (interpretation): Thank you. Oral Questions. Member for Uqqummiut, Mr. Keyootak.

Question 133 – 4(3): Baffin Island Caribou

Mr. Keyootak (interpretation): Thank you, Mr. Speaker. My questions will be directed to the Minister of Environment.

As we are all aware, in the Baffin region,

there has been a caribou moratorium and then it opened for hunting this summer. It was explained to us how many caribou can be caught. It was 250 caribou for the whole Baffin region for the communities that were closed to hunting.

Mr. Speaker, this past summer when they were allowed to hunt caribou and then they had to stop it in October for mating season, we were told not to hunt during mating season. Can you give us an update on that? Thank you, Mr. Speaker.

Speaker (interpretation): Thank you. Minister of Environment, Mr. Mike.

Hon. Johnny Mike (interpretation): Thank you, Mr. Speaker. What he's talking about, during mating season, I will have to look into that to see if that's actually the case. I can't respond to that question right now. I'll have to look into it first. Thank you, Mr. Speaker.

Speaker (interpretation): Thank you. Your first supplementary, Mr. Keyootak.

Mr. Keyootak (interpretation): Thank you, Mr. Speaker. This passed summer we tried to go caribou hunting, including myself. We were looking for caribou after it opened and then in the fall, just before we went to the fall session, I really wanted to go caribou hunting again and our conservation officer told us to stop because it was supposed to be closed again in October for hunting.

Mr. Speaker, can the minister explain to us: did you inform the HTOs in the communities that there would be another closure in October or did the conservation officers just do that on their

own? Thank you, Mr. Speaker.

Speaker (interpretation): Thank you. (interpretation ends) The Hon. Minister of Environment, Mr. Mike.

Hon. Johnny Mike (interpretation): As I stated, I will have to look into this matter first before I can answer his question as to what happened with that. The 250 tags were made available and I don't know why it was stopped in October. I will look into that. Thank you.

Speaker (interpretation): Thank you. Your final supplementary, Mr. Keyootak.

Mr. Keyootak (interpretation): Thank you, Mr. Speaker. When the caribou moratorium first started, we were verbally informed and that's why I brought this up in the House. The first time the moratorium was introduced, we were only told verbally and I wanted to make sure the communities were not just told verbally.

We all know how the government operates. The government never wants to collaborate with Inuit, and the people we represent don't want just verbal notifications but actual notices and announcements about the changes or the way it will be operated. They want to be notified through the proper channels, especially our harvesters if the animals they are subsisting on will be subject to management changes.

Most residents don't want verbal notifications, as per my past statements. I wonder if this initiative will fall into that type of verbal notification only and if residents are to be informed, all methods of notification have to be used

for the moratorium issue. Will we get written notices? Thank you, Mr. Speaker.

Speaker (interpretation): Thank you. (interpretation ends) Hon. Minister of Environment, Mr. Mike.

Hon. Johnny Mike (interpretation): Thank you. I also thank my colleague for that question. As I indicated earlier, we will have to review this regarding the caribou moratorium and the reopening of the 250 tags. It was all in correspondence. We made sure that we got the information out there regarding caribou hunting in the Baffin region.

As I indicated earlier, I will have to review the situation and see if there's a paper trail and what happened because I wasn't aware that people weren't allowed to hunt caribou during the mating season. I never made a statement on this issue in the House. I will look into this because I never said anything in the House about putting a ban on caribou hunting during the mating season. I will look into this. Thank you, Mr. Speaker.

Speaker (interpretation): Thank you. Oral Questions. Member for Iqaluit-Niaqunngu, Ms. Angnakak.

Question 134 – 4(3): Need for Daycare Spaces across Nunavut

Ms. Angnakak: Thank you, Mr. Speaker. I would like to direct my question to the Minister of Education.

Mr. Speaker, as the minister is aware, the availability of child care is an important issue across many of the Nunavut communities.

Mr. Speaker, can the minister provide an update on what steps his department has taken to determine the number of daycare spaces that are needed across Nunavut? Thank you, Mr. Speaker.

Speaker (interpretation): Thank you. Minister of Education, Mr. Quassa.

Hon. Paul Quassa (interpretation): Thank you, Mr. Speaker. I also thank my colleague for that question. On this issue, the Department of Education wanted to initiate a review for the 2014-15 fiscal year. However, this initiative was stalled due to the (interpretation ends) Auditor General's (interpretation) report which the department wanted to focus on, especially the recommendations. Although we wanted to conduct the review in fiscal year 2014-15, we haven't been able to conduct that to date and I can't provide details on where this stands. However, the review will be commenced through (interpretation ends) public consultations (interpretation) and that is where it stands. That is what I can respond with. Thank you, Mr. Speaker.

Speaker (interpretation): Thank you. Your first supplementary, Ms. Angnakak.

Ms. Angnakak: Thank you, Mr. Speaker. I look forward to hearing more about that kind of information.

Mr. Speaker, as the minister is aware, his department has committed to include a daycare in all educational facilities built in Nunavut. Can the minister provide an update of how many new daycare spaces have been provided to date through this policy? Thank you, Mr. Speaker.

Speaker: The Hon. Minister of Education, Mr. Quassa.

Hon. Paul Quassa (interpretation): Thank you, Mr. Speaker. I also thank the member for that question. As per past departmental announcements, all new schools being designed and constructed include a daycare facility. To date, all new schools that have been constructed have included a daycare centre. I can refer to the school in Naujaat as well as other new schools that have a daycare spaces.

I don't have the number of spaces at this point, but I can give you the information once we have all the numbers. This policy applies to all new educational facilities and not only the schools but also the community learning centres. All new educational facilities will include daycare spaces. I will return to you once we have all the information. Thank you, Mr. Speaker.

Speaker (interpretation): Thank you. Your final supplementary, Ms. Angnakak.

Ms. Angnakak: Thank you, Mr. Speaker. I look forward to hearing more about that as well.

Mr. Speaker, our review of the Department of Education's capital plan has shown that not very many new schools will be built in the near future. Can the minister indicate whether any consideration has been given to including daycare spaces in other new government buildings or what other means for providing more new daycare spaces across Nunavut? Thank you, Mr. Speaker.

Speaker (interpretation): Thank you. Minister of Education, Mr. Quassa.

Hon. Paul Quassa (interpretation): Thank you, Mr. Speaker. All future facilities we would be building incorporate daycare space, and further this applies to buildings being (interpretation ends) renovated (interpretation) as it includes that daycare space. Even if the building isn't new, once the building is being (interpretation ends) renovated (interpretation) then the daycare space would be added as part of the renovation.

These are the two situations where this occurs, but I can't speak to other government facilities, however I am focussing on the schools here. When schools are going to be renovated, the daycare space is included even if it is an older building. That's the response I can provide. Thank you, Mr. Speaker.

Speaker (interpretation): Thank you. Oral Questions. Member for Tununiq, Mr. Enook.

Question 135 – 4(3): Harvester Support Programs

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

I recently received a letter from the minister indicating that the Hunters and Trappers Disaster Compensation Program review has been completed. Now that it is completed, what is the next step now that the consultations are done? Thank you, Mr. Speaker.

Speaker (interpretation): Thank you. (interpretation ends) The Hon. Minister of Environment, Mr. Mike.

Hon. Johnny Mike (interpretation): Thank you, Mr. Speaker. The review has been done and I indicated earlier that even though it's completed, it would have to go to my office once we have the final report. After reviewing it personally, I directed my staff because I thought it was completed, but there is one additional review that has to go around. I indicated that I wanted to give it back to the communities. Even though it was completed, I wanted to give it back to the communities. It's back at the community level. They wanted to get additional information. The report was complete, but as the Minister of Environment, I thought that it has to be facts and figures and because of that, I returned it to the communities and to the hunters and trappers organizations. They are reviewing the final report. Thank you, Mr. Speaker.

Speaker (interpretation): Thank you. Your first supplementary, Mr. Enook.

Mr. Enook (interpretation): Thank you, Mr. Speaker. The hunters and trappers organizations received a copy of the final report. It's an all-inclusive report. When were those copies given to the hunters and trappers organizations? Thank you, Mr. Speaker.

Speaker (interpretation): Thank you. (interpretation ends) The Hon. Minister of Environment, Mr. Mike.

Hon. Johnny Mike (interpretation): Thank you, Mr. Speaker. It was just recent at the beginning of this sitting. I directed my staff to get it back to the

communities, especially to the hunters and trappers organizations. That's where we stand at this point. It's for all of Nunavut. That's where we stand right now. Thank you, Mr. Speaker.

Speaker (interpretation): Thank you. Your final supplementary, Mr. Enook.

Mr. Enook (interpretation): Thank you, Mr. Speaker. When you wrote a letter to me, and I will go back to it again, you indicated that the consultation portion was completed, but that's apparently not the case. It was not completed yet. Now that the final report is back to the hunters and trappers organizations and the board of directors, when it comes back to you and you don't like the contents of it, are you going to give it back to the communities? Thank you, Mr. Speaker.

Speaker (interpretation): Minister of Environment, Mr. Mike.

Hon. Johnny Mike (interpretation): Thank you, Mr. Speaker. The consultation stage is done. It has been done for quite a while. The member for Arviat asked the same question in the spring sitting. At that time, I responded that the consultation stage is done. We're giving it back to the communities for further review and amend it if necessary. The consultation stage is done. I wanted to get additional information from the communities and for the communities to have a change for a final review because I felt that there was a need for a final review. I indicated earlier that I would be able to table the final report in the winter session. Thank you, Mr. Speaker.

Speaker (interpretation): Thank you. Members will note that the time for

question period has expired. Moving on, Item 7. Written Questions. (interpretation ends) 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. The Hon. Member for Iqaluit-Tasiluk, Mr. Hickes.

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

Committee Report 007 – 4(3): Report on the Review of the 2014-2015 Annual Report of the Information and Privacy Commissioner of Nunavut

Mr. Hickes: Thank you, Mr. Speaker. I happily rise today to present the report of the Standing Committee on Oversight of Government Operations and Public Accounts on its review of the 2014-15 annual report to the Legislative Assembly of the Information and Privacy Commissioner of Nunavut.

Ms. Elaine Keenan Bengts was appointed Nunavut's first Information and Privacy Commissioner in 1999. She was reappointed in February of 2015 for a fourth five-year term of office. Mr. Speaker, I would also like to note for the record that she has served as the Information and Privacy Commissioner of the Northwest Territories since 1996, when that jurisdiction's legislation originally came into effect.

*See Appendix for full text of Committee Report 7 – 4(3).

As an independent officer of the House, the Information and Privacy Commissioner is required to prepare and submit an annual report to the Legislative Assembly. Since her initial appointment in 1999, the Information and Privacy Commissioner has submitted an annual report each year to the Legislative Assembly of Nunavut. In each annual report, she has presented a number of recommendations.

Mr. Speaker, the *Access to Information and Protection of Privacy Act* exists to achieve two broad goals: ensuring that the public has access to government information while preventing the unauthorized use or disclosure of personal information held by government departments and other public bodies.

The Information and Privacy Commissioner plays a key role in maintaining this balance. In addition to providing independent reviews of decisions made by public bodies with respect to requests made under the legislation, the Information and Privacy Commissioner may offer formal comments on proposed legislation, as well as providing public education on the Act.

The Information and Privacy Commissioner's 2014-15 annual report was backdoor tabled under the provisions of Rule 44(2) of the *Rules of the Legislative Assembly of Nunavut* on July 7, 2015.

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. The government's 2013-14 annual report on the administration of the *Access to Information and Protection of Privacy Act* was tabled in the Legislative Assembly on November 4, 2014. However, the government's formal response to the Information and Privacy Commissioner's 2013-14 annual report has not yet been tabled in the House.

Mr. Speaker, this year's appearances of the Information and Privacy Commissioner and Government of Nunavut officials before the standing committee took place in the Chamber of the Legislative Assembly from September 28 through 29, 2015.

The standing committee's hearings were televised live across the territory and were open to the public and news media to observe from the Visitors' Gallery. Transcripts from the standing committee's hearings are available on the Legislative Assembly's website.

The standing committee notes that the government has made progress in a number of areas in recent years.

Amendments to the *Access to Information and Protection of Privacy Act* were passed by the Legislative Assembly in 2012 and came into force in May of 2013. These amendments provide the Information and Privacy Commissioner with clear authority to undertake privacy-related reviews concerning personal information held by public bodies. The amendments also establish a statutory requirement for public bodies to notify her office where a material breach of privacy has occurred with respect to personal

information under their control. Mr. Speaker, the Government of Nunavut's Department of Executive and Intergovernmental Affairs has recently produced a formal Privacy Breach and Incident Policy, as well as a Privacy Management Manual.

Amendments to the Access to Information and Protection of Privacy Regulations were published in the April 2015 edition of Part II of the *Nunavut Gazette*. The most significant amendment is the inclusion of housing associations and housing authorities under the definition of "public body." This means that the *Access to Information and Protection of Privacy Act* now applies to local housing organizations. This is an issue that received considerable attention during the standing committee's 2014 televised hearing on the 2012-13 and 2013-14 annual reports of the Information and Privacy Commissioner.

However, further action is required in other areas, such as the application of access to information and protection of privacy legislation to municipalities and addressing the need for health-specific privacy legislation in the territory.

I would like to take a moment to highlight the thematic areas that the standing committee has addressed in its report:

- First, the public disclosure of information concerning Government of Nunavut contracting, procurement and leasing activities. The standing committee's report raises a number of continuing concerns regarding the extent to which information concerning the government's

activities and expenditures in these areas is accessible to the public.

- The application of access to information and protection of privacy legislation to municipalities. At present, Nunavummiut have statutorily prescribed rights under federal and territorial legislation concerning access to information and protection of privacy in relation to the institutions of the Government of Canada and the Government of Nunavut. However, there is still no legislative framework concerning access to information and protection of privacy with respect to the municipal level of government in Nunavut.
- The development of health-specific privacy legislation and the management of electronic health records. Nunavut is now the only Canadian jurisdiction without health-specific privacy legislation.
- The application of access to information and protection of privacy legislation to district education authorities.
- In addition, amendments to the *Access to Information and Protection of Privacy Act* in relation to the Information and Privacy Commissioner's discretion to extend the time for requesting a review.
- The ability of parties to appeal a decision made by a head of a public body under section 36 of the *Access to Information and Protection of Privacy Act* to the Nunavut Court of Justice.

- The protection of personal information provided to third parties under the *Adoption Act* and the *Child and Family Services Act*.

Mr. Speaker, earlier this year, the Information and Privacy Commissioner discontinued her private law practice in order to allow her to focus on her work as Information and Privacy Commissioner for both Nunavut and the Northwest Territories.

The standing committee is of the view that this will help enable the Information and Privacy Commissioner to engage in more training, education, and outreach activities, as well as helping to ensure that her website is kept up to date on an ongoing basis.

Consequently, a number of recommendations in this year's report of the standing committee are directed to the Office of the Information and Privacy Commissioner itself. These include recommendations concerning the following thematic areas:

- The importance of the Office of the Information and Privacy Commissioner meeting with the Government of Nunavut's IQK to exchange perspectives on issues related to access to information and protection of privacy. During the Information and Privacy Commissioner's recent appearance before the standing committee, a thoughtful dialogue took place concerning privacy rights and the obligations of government in the unique cultural context of Nunavut.
- Public access to the government's written responses to Information and

Privacy Commissioner's formal review recommendations.

- Also, the Office of the Information and Privacy Commissioner's upcoming comprehensive review of the *Access to Information and Protection of Privacy Act*.
- Lastly, privacy audits of Government of Nunavut departments, Crown agencies, and territorial corporations.

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

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 (interpretation): Thank you. (interpretation ends) 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 (interpretation): There is agreement. Item 13. Tabling of Documents. (interpretation ends) The Hon. Minister of Environment, Mr. Mike.

Item 13: Tabling of Documents**Tabled Document 043 – 4(3): 2014-2015 Natural Resources Conservation Trust Fund Annual Report**

Hon. Johnny Mike: *Uqaqtii*, I am pleased to table the 2014-15 *Natural Resources Conservation Trust Fund Annual Report*. Thank you, Mr. Speaker.

Speaker (interpretation): Thank you. (interpretation ends) Tabling of Documents. The Hon. Minister of Community and Government Services, Mr. Mike.

Tabled Document 044 – 4(3): Nunavut Lottery Financial Statements, March 31, 2015

Hon. Johnny Mike (interpretation): Thank you, Mr. Speaker. I am pleased to table the (interpretation ends) March 31, 2015 Nunavut Lottery's Financial Statements. (interpretation) Thank you, Mr. Speaker.

Speaker (interpretation): Thank you. Tabling of Documents. Minister of Justice, Mr. Okalik.

Tabled Document 045 – 4(3): Nunavut Human Rights Tribunal Annual Report 2013-2014

Hon. Paul Okalik: Mr. Speaker, I am pleased to table the Nunavut Human Rights Tribunal Annual Report for 2013-14. (interpretation) Thank you, Mr. Speaker.

Speaker (interpretation): Thank you. Tabling of Documents. (interpretation ends) The Hon. Minister of Economic

Development and Transportation, Ms. Ell-Kanayuk.

Tabled Document 046 – 4(3): Oil and Gas Summit Report, January 12 to 15, 2015

Hon. Monica Ell-Kanayuk (interpretation): Thank you, Mr. Speaker. I am pleased to table the Oil and Gas Summit Report held in Iqaluit, January 12 to 15, 2015. Thank you, Mr. Speaker.

Speaker (interpretation): Thank you. I have no more names on my list. Moving on. Item 14. (interpretation ends) 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. Item 19. Consideration in Committee of the Whole of Bills and Other Matters. Tabled Documents 107 – 4(2) and 149 – 4(2) with Mr. Akoak in the Chair.

Before proceeding further, we will take a 20-minute break.

(interpretation) Sergeant-at-Arms.

>>*House recessed at 15:27 and Committee resumed at 15:57*

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

Chairman (Mr. Akoak): Good afternoon, fellow MLAs (interpretation) and Inuit who are watching and listening to the proceedings. (interpretation ends) I would like to call the committee meeting to order. In Committee of the Whole, we have the following items to deal with: Tabled Documents 107 – 4(2)

and 149 – 4(2). What is the wish of the committee? Mr. Rumbolt.

Mr. Rumbolt: Thank you, Mr. Chairman, and good afternoon. Mr. Chairman, we wish to deal with Tabled Document 107 – 4(2) titled “Agreement for the Management and Administration of Local Housing Organization Programs.” Thank you, Mr. Chairman.

Chairman: Thank you. Are we in agreement that we begin with Tabled Document 107 – 4(2)?

Some Members: Agreed.

**Tabled Document 107 – 4(2):
Agreement for the Management
and Administration of Local
Housing Organization Programs –
Consideration in Committee**

Chairman: Is the committee agreed that Minister Kuksuk’s staff go to the witness table?

Some Members: Agreed.

Chairman: *Iqsuqti*, please assist the staff to go to the witness table.

Thank you. Minister Kuksuk, please introduce your staff.

Hon. George Kuksuk (interpretation): Mr. Chairman, thank you very much. Good afternoon, my colleagues and Nunavummiut who are watching and listening to the proceedings.

Mr. Chairman, with me today to my left is Steven Hooey, Chief Operating Officer at the Nunavut Housing Corporation, and to my right is the

President of the Nunavut Housing Corporation, Lori Kimball. Thank you.

Chairman: Thank you. Proceed with your opening comments, Minister Kuksuk.

Hon. George Kuksuk: Thank you, Mr. Chairman. I want to first of all thank my colleagues for the opportunity to discuss the management agreement between the Nunavut Housing Corporation and its community partners, the local housing organizations.

The management agreement is an important document, as it is the basis of the corporation’s longstanding relationship with LHOs. Mr. Chairman, I believe that many of my colleagues would share my sense that this relationship has taken a backseat to other priorities for a number of years now. Although very valid priorities, such as the delivery of several major construction initiatives to provide desperately needed housing to Nunavummiut, it has been clear for some time to NHC that it needs to do more to support its LHO partners. NHC has been working hard to reconnect with our partners and determine the best ways to restore a strong working relationship.

Over the past two years, the corporation has been able to finally take the steps needed to rebuild its capacity in order to move forward in strengthening its bond with LHOs. For example, since 2013, the NHC executive team has visited 14 communities, 7 this past summer alone. In addition, to ensure that contact is made with all LHOs each year, the NHC president is also holding conference calls with LHO boards that were not visited this summer.

The management agreement has existed in some form since before Nunavut was created and has been updated over the years to adjust to changes in the housing landscape. However, the last time the agreement was updated was in 2006. Therefore, the Nunavut Housing Corporation is in the process of reviewing the agreement to reflect the new environment within which LHOs are now operating.

New technologies, new software, new legal landscapes, changes in accounting standards, increases in scope of other legislation, such as the *Access to Information and Protection of Privacy Act*, and requirements to comply with Government of Nunavut policies, such as the NNI Policy and GN procurement standards, are all examples of how the landscape in which LHOs and NHC operate has changed.

To sort through the implication of all these factors, NHC has established a senior management committee working group, which includes LHO representation, to review and establish the parameters of a new agreement. This is a major endeavour still in the early stages. The working group is currently establishing the scope of the project and working to clarify all of the concerns to be addressed in the review. For example, a major aspect of this initiative is clarifying NHC's obligations to LHOs, especially where legal and IT services are concerned.

Other elements will lean towards determining how NHC can support the growth of LHO capacity by including LHO staff as part of the corporation's overall Inuit Employment Plan. For instance, NHC will work with its

partners to develop local capacity by identifying training pathways for LHO staff to further develop trade, financial, management, and leadership skills. NHC is also examining ways to provide opportunities that will enable LHO staff to progress into district and headquarter positions.

The work of this management agreement review will continue through 2016 and I will be glad to provide regular updates on the progress of this initiative to my colleagues.

Mr. Chairman, I look forward to answering any questions you may have. Thank you.

Chairman: Thank you. Does the member who moved this item to Committee of the Whole have comments? Mr. Enook.

Mr. Enook (interpretation): Thank you, Mr. Chairman. I won't start with too many points, but I want to speak to some of the issues.

Let me start by thanking the minister. Good afternoon. I am pleased that you are able to appear here with your officials.

I proposed a motion last spring to review the agreement and to have my colleagues share in this review of the agreement. My reasoning was that we have often heard from the communities that local housing association boards have different interpretations of the language in the document. Further, Members of the Legislative Assembly have a different understanding of the roles and responsibilities of the housing associations personally.

Mr. Chairman, while on this subject and with Nunavummiut listening to the proceedings, I wanted to discuss this issue so everyone has the same information and to ensure everyone has the same understanding of the connection between the organizations as it is written in the agreement. This is between the local housing association elected boards as well as the Nunavut Housing Corporation. To ensure that we understand along with Nunavummiut listening to the proceedings, perhaps by discussing it, we can all have the same understanding so that we can work together to move forward. That is our goal.

However, we don't have the same understanding right now concerning this document. I can say that right off. Therefore, because of our lack of understanding, we will be submitting our questions on these issues. What seems obvious is that although we may have the same mindset at the beginning, the only way to arrive at a common understanding and to raise new issues to be deliberated on by the committee and members is through debate. That is all I will comment on for now, Mr. Chairman. Thank you.

Chairman: Thank you. Are there any questions on the opening comments? Seeing none, I will now open the floor to questions. Mr. Enook.

Mr. Enook (interpretation): Let me start with the questions, Mr. Chairman. Thank you. I'll start with and base my question on the agreement. In your September 14, 2015 letter to MLAs, you wrote that the Nunavut Housing Corporation "is in the process of reviewing the existing Master Agreement for the Management and

Administration of Local Housing Organization Programs" and that this review "is being done in consultation with LHOs." Let me first ask: which LHOs have provided input to you? Thank you, Mr. Chairman.

Chairman: Thank you. Minister Kuksuk.

Hon. George Kuksuk (interpretation): Thank you very much, Mr. Chairman. I can respond in part to his question, but if I cannot provide a response, either one of my officials can respond. Mr. Chairman, if I understood the question correctly, I can respond by region, the Baffin, Kitikmeot, or Kivalliq. The information is distributed to the communities through the district offices. Thank you.

Chairman: Mr. Enook.

Mr. Enook (interpretation): Thank you. Perhaps my question is not clear, so I'll restate it. Concerning the agreement, during the review by the Nunavut Housing Corporation, which communities have you heard from? Which communities have you involved? Which housing boards have been involved in your review? Thank you, Mr. Chairman.

Chairman: Thank you. Regarding the consultations with local housing offices, which LHOs provided input to NHC concerning this review? Minister Kuksuk.

Hon. George Kuksuk (interpretation): Thank you very much, Mr. Chairman. I think I understand now. Mr. Chairman, the corporation staff visited the communities and they had met. I can use

as an example the communities that have been visited: Sanikiluaq, Igloodik, Arctic Bay, Pond Inlet, Clyde River, and Qikiqtarjuaq.

Mr. Chairman, for the communities we hadn't visited, we had teleconference calls with them and they are the communities of Arviat, Gjoa Haven, Whale Cove, and Taloyoak. We are still working on the communities we haven't been able to visit and they are the communities of Kimmirut, Naujaat, Kugaaruk, and Chesterfield Inlet. We have planned to schedule conference calls with these communities.

We are still planning to meet with the other 12 communities and it's being worked on. Thank you, Mr. Chairman.

Chairman: Mr. Enook.

Mr. Enook (interpretation): Thank you, Mr. Chairman. When you visit the communities or talk to them on the telephone, do you do a page-by-page review of this master plan and do you give them an opportunity to let you know how they feel about certain clauses or give suggestions for revisions? Do you do that with all the communities with this document? Is that how your consultations are set up? Thank you, Mr. Chairman.

Chairman: Minister Kuksuk.

Hon. George Kuksuk (interpretation): Thank you very much, Mr. Chairman. The people were representing the Nunavut Housing Corporation. They had representatives from the NHC board on the tour of the communities I mentioned in an earlier statement that were visited. I personally don't have knowledge of

some of the issues and I cannot answer. Nonetheless, Ms. Kimball was present for the entire tour of the communities and she also had telephone meetings. In order to have your question responded to, I would ask that she be allowed to respond to that question, Mr. Chairman.

Chairman: Ms. Kimball.

Ms. Kimball: Thank you, Mr. Chairman. One of the things that we have undertaken this past year is I want to get out and have a personal connection with each of the boards and the managers. With each group that I have met with, my questions have basically been: what is working; what is not working; where do you need support that you're not getting it; why NHC needs the things we need from the LHOs to help lobby for additional funding; and to explain the bigger picture of what we're doing to address the housing crisis.

No, we have not been doing a clause-by-clause review as part of those initial consultations. At this point, we're trying to get a sense on the big picture of what's working and what's not. We have formed a working group. We're not going to have all 25 LHOs represented on the working group. It is going to be a subset of the LHOs and that group is going to go through and do that detailed clause-by-clause review. At that point, once we have a first draft, it's our intention to then work with the whole group of LHOs and circulate it for feedback at that point, but again, we're at the very early stages of this process. Thank you, Mr. Chairman.

Chairman: Mr. Enook.

Mr. Enook (interpretation): Thank you, Mr. Chairman. Once these consultations or talks have taken place, how many boards do you think you will have spoken to? All the communities' boards or just some of them? Once consultations are done, will you have spoken to all of them or only some of them? Thank you, Mr. Chairman.

Chairman: Minister Kuksuk.

Hon. George Kuksuk (interpretation): Mr. Chairman, I want to give you a definitive answer and not a guess. If I understand the question correctly, we have already listed the communities that we have visited already. The communities that we could not visit were consulted by telephone. As I stated earlier, we still have a number of communities that have not been visited and have not been consulted by telephone. We still have 12 communities to deal with, so the consultations have not been completed. Not all the communities in Nunavut have been visited. We still have 12 more communities to consult either by telephone or by direct visit. Thank you very much, Mr. Chairman.

Chairman: Mr. Enook.

Mr. Enook (interpretation): Thank you, Mr. Chairman. I understand what you just said and it's perfectly clear to me.

Let me go back to something else. I believe Ms. Kimball stated, if I understood her correctly, that local housing organizations are not involved in the detailed clause-by-clause review of the agreement, but you have stated that you are reviewing it. Will the communities get an actual opportunity to

make amendments or give their input when amendments are being made to the agreement? Thank you, Mr. Chairman.

Chairman: Minister Kuksuk.

Hon. George Kuksuk (interpretation): Thank you very much, Mr. Chairman. Yes, we have no choice but to work with the local housing organizations on the management agreement. Thank you.

Chairman: Mr. Enook.

Mr. Enook (interpretation): Thank you. Yes, I understand that. You just said you are going to work with them. I understand that. Let me ask this question then. In Nunavut, the municipalities and hamlets are represented by the Nunavut Association of Municipalities. With the Nunavut local housing organization chairs, do they meet annually to discuss issues and ideas and to provide their suggestions for areas that need improvement? Do they do that as well and, if so, do they meet with the Nunavut Housing Corporation president or the minister during the AGM? Thank you, Mr. Chairman.

Chairman: Minister Kuksuk.

Hon. George Kuksuk (interpretation): Thank you very much, Mr. Chairman. I thank the member for the question. Your question about the chairs, no, we don't meet with them. We have not set up anything like that. There is no funding for that purpose. However, the association's managers that run the associations have regional meetings in Nunavut. Thank you, Mr. Chairman.

Chairman: Mr. Enook.

Mr. Enook (interpretation): Thank you, Mr. Chairman. I don't understand. Let me ask this. You stated in English, so I'll say it in English. I don't understand association management. Is it the workers and the clerk, the workers that work for the board? Is this the actual managers of the housing association? When you say association manager, who do you mean? Let me get that clarified first before I ask my next question. Thank you, Mr. Chairman.

Chairman: Minister Kuksuk.

Hon. George Kuksuk (interpretation): Thank you very much. I will clarify that for you. If a housing association manager from a community, let's say in Pond Inlet, the housing association managers from (interpretation ends) each association (interpretation) have regular meetings, if you can understand me.

Chairman: Mr. Enook.

Mr. Enook (interpretation): Thank you for explaining that. Mr. Minister, if I ask you, how would you respond to this? The Nunavut Housing Corporation is always saying that these community boards have a lot of authority and they are the managers. Would it be appropriate to say that these actual managers and boards should be made to meet annually? What would you think about that idea? Thank you, Mr. Chairman.

Chairman: Minister Kuksuk.

Hon. George Kuksuk (interpretation): Thank you very much, Mr. Chairman. Your question is asking about the chairs of the local housing organizations. If I understood correctly, you asked if they

could be met with. I can respond by saying that the district offices in the Baffin, Kitikmeot, and Kivalliq handle each region. Whenever there is a new chair or board elected, our staff from the district offices will go to the communities and work with them. Thank you.

Chairman: Mr. Enook.

Mr. Enook (interpretation): Thank you, Mr. Chairman. This is my actual question. I'm not talking about the district offices or the regions. I'm asking for why this would not happen where the local housing boards create something like NAM, an association where they can meet annually, and then they will get together and work on all of the problems, and then they come to you with suggestions on how to make improvements. What is the problem with creating that? Thank you, Mr. Chairman.

Chairman: Minister Kuksuk.

Hon. George Kuksuk (interpretation): Thank you very much, Mr. Chairman. It is totally understandable to want to know that.

With respect to funds specific to the chairperson meetings of the LHOs, I understood the subject to be meetings with chairpersons of the local associations. For specific funds like this, if funds are not earmarked for specific budget items, it can be difficult as the LHO manager of the association is responsible for the entire operations. These managers are the ones who meet with the board (interpretation ends) management (interpretation) and this is one avenue for board officials to work with the system.

However, what I am not saying is that this is impossible. Perhaps in the future, we will have to reassess the situation with regard to the question about chairpersons' annual meetings and whether we can accommodate that. We will have to determine whether funds are available for this type of meeting, but we can at least look into it. Thank you, Mr. Chairman.

Chairman: Mr. Enook.

Mr. Enook (interpretation): Thank you. As you will be looking into it, I will have expectations. We know that finance is always touching things, but I know for a fact when you went to Pond Inlet this summer, you went by charter and you went to other communities by charter as well. Charters are extremely expensive and here we have daily scheduled flights.

For you and your staff for your community visits, if you're not worried about finances for coming to the communities like chartering and stuff like that, I'm sure you can find the money to have the board chairpersons meeting annually. If you're not worried about spending all of that money to go to the communities, I'm sure it can be not worrisome where you set up a way where the chairpersons will have annual meetings. I am just thankful that this concern will now be taken into consideration by the department.

While on this issue, I have another question regarding this master agreement. As you work towards completing these issues, I believe you stated that you are reviewing the master agreement, if I heard you correctly, at the Nunavut Housing Corporation. Are

you now able to identify what areas will be changed or which areas you anticipate making changes? Thank you, Mr. Chairman.

Chairman: Minister Kuksuk.

Hon. George Kuksuk (interpretation): Thank you very much, Mr. Chairman. Before I answer your question, I would like to make a comment on the chart that you referred to and how we went to the communities.

There were ten housing corporation employees working on the tour and they looked at the options of where it was the cheapest to go visit the communities. The cheapest way to go was to go by charter, which is cheaper than going on regularly scheduled flights. It was cheaper by charter. There were ten employees who were going to be visiting the communities and it was going to be a lot more expensive to go on scheduled flights. We opted to use the charter as we were going to different communities. I wanted to make that clear.

With your next question, we haven't completed the review yet. There are 12 communities and LHOs that we have to work with. I'm sure there are going to be some changes, but at this point, I can say that we haven't completed the review as we have to work with the other communities. Thank you, Mr. Chairman.

Chairman: Mr. Enook.

Mr. Enook (interpretation): Thank you, Mr. Chairman. Sometimes it's quite obvious. I wasn't going to mention it, but I will have to make a rebuttal. You stated that it was cheaper if there were ten. Was it necessary to have ten people

going to the communities? When a flight is chartered by the government, there are usually two or three people working and then there are the people who hopped on for the joy of it. I don't know whether those ten were all essential staff. I don't know how it was.

My question: the master agreement is being reviewed and once it's completed and before final approval, would it be sent to the housing organizations for review? Thank you, Mr. Chairman.

Chairman: Thank you. As the Chair, I will remind members to be respectful and maintain decorum during proceedings in Committee of the Whole. Minister Kuksuk.

Hon. George Kuksuk (interpretation): The other one was just a comment, but the member wanted to know if the board of directors would look at the amended copy before approval. Yes, it would. Thank you, Mr. Chairman.

Chairman: Mr. Enook.

Mr. Enook (interpretation): Thank you, Mr. Chairman. I'm confused again, but you mentioned something about decorum in the House. I don't know whether or not I can ask questions now. Can I proceed?

Mr. Chairman, the Nunavut Housing Corporation's board of directors will see the proposed new master agreement prior to approval. What role will the cabinet have, if any, in approving the proposed new Master Agreement for the Management and Administration of Local Housing Organization Programs? Thank you, Mr. Chairman.

Chairman: Minister Kuksuk.

Hon. George Kuksuk (interpretation): Thank you very much, Mr. Chairman. If it is necessary to bring it to cabinet, then we will do so. Thank you.

Chairman: Mr. Enook.

Mr. Enook (interpretation): Thank you. Let me ask: what does it mean when you say "if necessary"? What would be an indicator that it would have to go to cabinet? Thank you, Mr. Chairman.

Chairman: Minister Kuksuk.

Hon. George Kuksuk (interpretation): Thank you very much. I was looking at the time here. With respect to my response, "If it is necessary to bring it to cabinet," I will refer it to Ms. Kimball so that she can respond to the question. Thank you.

Chairman: Ms. Kimball.

Ms. Kimball: Thank you, Mr. Chairman. I will have to consult with my policy officials and EIA to find out what the criteria is for going to cabinet. I'm not sure if this agreement in the past has been a cabinet approved document. If it has, then we would definitely bring it back to cabinet. If it hasn't gone to cabinet previously, I'm not sure if there is a requirement to go to cabinet. That is a decision above my level. Thank you.

Chairman: Thank you. The next name on the list, Ms. Angnakak.

Ms. Angnakak: Thank you, Mr. Chairman. Welcome to you all this afternoon. We have been talking about the management agreement. In the letter

that the minister wrote in September, the timeline that was provided was the 2016-17 fiscal year, and then a new one would be in place. I'm wondering if this timeline still stands today. Thank you, Mr. Chairman.

Chairman: Minister Kuksuk.

Hon. George Kuksuk (interpretation): Thank you very much, Mr. Chairman. I thank the member for her question. Yes, that is still our target. We would like to have it developed before the end of 2017. Thank you, Mr. Chairman.

Chairman: Ms. Angnakak.

Ms. Angnakak: Thank you, Mr. Chairman. I would like to ask the minister if he would be willing, as soon as it's completed, to table it in the House, whenever the next sitting is in the fall. Thank you, Mr. Chairman.

Chairman: Minister Kuksuk.

Hon. George Kuksuk (interpretation): Thank you very much, Mr. Chairman. Yes, definitely. Once it's completed, I can table it in the House. Thank you, Mr. Chairman.

Chairman: Ms. Angnakak.

Ms. Angnakak: Thank you, Mr. Chairman. Does the current agreement apply to both the local housing associations and authorities? Thank you, Mr. Chairman.

Chairman: Minister Kuksuk.

Hon. George Kuksuk: Yes.

Chairman: Ms. Angnakak.

Ms. Angnakak: Thank you, Mr. Chairman. At present, there are local housing authorities in Cape Dorset, Iqaluit, Baker Lake, Coral Harbour, Kugaaruk, and Taloyoak. Have any local housing authorities in other communities ever requested a change that they want to become an organization instead of an authority? Thank you, Mr. Chairman.

Chairman: Minister Kuksuk.

Hon. George Kuksuk (interpretation): Thank you very much, Mr. Chairman. I would like to thank the member for that question. We have not seen any other requests to have their titles change. Thank you.

Chairman: Ms. Angnakak.

Ms. Angnakak: Thank you, Mr. Chairman. Is there any local authority or organization that you may be considering changing the status of them? Are there any local housing organizations or authorities that you might be changing the status from an organization to authority or vice versa? Thank you, Mr. Chairman.

Chairman: Minister Kuksuk.

Hon. George Kuksuk (interpretation): Thank you very much, Mr. Chairman. There have been some associations that have changed to authority status. I have not been informed of an authority being changed to an association, but I would like to refer this question to Ms. Kimball. Thank you, Mr. Chairman.

Chairman: Ms. Kimball.

Ms. Kimball: Thank you, Mr. Chairman. We generally don't pursue

flipping from an association to an authority unless there's an issue with the status of the association. If the association is incurring issues maintaining its status, then it can have its status revoked, which makes them a non-existent legal entity. That creates a number of challenges. They're no longer able to do payroll and banking. We have to look at options if they find themselves in that situation.

Our first focus is to try to find a way to resolve the issue maintaining the association. We do have two that we have some challenges with and we're working with very closely to try to address that and keep them as an association, but if they were to lose their status, then we're kind of stuck where we have to do something quickly to be able to keep operating. Thank you.

Chairman: Ms. Angnakak.

Ms. Angnakak: On page 2 of the Nunavut Housing Corporation's Master Agreement for the Management and Administration of Local Housing Organization Programs, it states that "the corporation's current Core Need criteria shall be used to determine a household's level of need for housing assistance" and that "allocation of public housing assistance shall be based on the corporation's client selection criteria guaranteeing universal and public delivery."

To what extent are local housing organizations permitted to deviate from the Nunavut Housing Corporation's criteria when they are allocating public housing units? Thank you, Mr. Chairman.

Chairman: Minister Kuksuk.

Hon. George Kuksuk (interpretation): Thank you very much, Mr. Chairman. I again thank the member for her question. I will refer the question to Ms. Kimball as she has the documentation in front of her, if it's okay with you, Mr. Chairman. Thank you.

Chairman: Ms. Kimball.

Ms. Kimball: Thank you, Mr. Chairman. The current point rating system allocates up to a maximum of 100 points. Of those 100 points, right now, there are up to 40 community-specific points that the board can elect to include specific criteria that is set out, whether they choose to include that or not include that. Outside of the point rating criteria itself, the board also has capacity to set things like residency requirements, whether or not the applicants are eligible to go onto the waitlist, then they go through the point rating system. The point rating is a cabinet approved system, but it does include a number of points that are community-specific, so each board can determine how they want it, which point sets they want to include. Thank you.

Chairman: Ms. Angnakak.

Ms. Angnakak: In circumstances then where a local housing organization wishes to deviate from the Nunavut Housing Corporation's core need criteria or client selection criteria in making a housing allocation decision, what actions does your organization take when this happens? Thank you, Mr. Chairman.

Chairman: Minister Kuksuk.

Hon. George Kuksuk (interpretation): Thank you very much, Mr. Chairman. I would like to have Ms. Kimball continue with the response. Thank you.

Chairman: Ms. Kimball.

Ms. Kimball: Thank you, Mr. Chairman. For special circumstances, the board can propose a deviation from the process. We do ask that that get shared with our district office so that they can review it. That's more of an audit control standpoint to make sure that there is not favouritism or relationships. We want to make sure that ultimately the program must remain open, transparent, and fair. We do a review to make sure that the board has documented their rationale and that it's legitimate rationale. In those cases, we will be okay with making special circumstance requests. Thank you.

Chairman: Ms. Angnakak.

Ms. Angnakak: Thank you, Mr. Chairman. When that happens, how often do you get these kinds of requests to deviate from the plan? Thank you, Mr. Chairman.

Chairman: Minister Kuksuk.

Hon. George Kuksuk (interpretation): Thank you very much, Mr. Chairman. With respect to her question as to how we use that, again I don't have the information, so I will ask Ms. Kimball to respond. Thank you.

Chairman: Ms. Kimball.

Ms. Kimball: Thank you, Mr. Chairman. I don't have specific stats with me. I know we try to discourage it

as much as possible because we want to work through the point rating system, again, to make sure it is equitable and fair.

The fundamental problem is that we need 3,000 more housing units and we have a housing stock of 5,100. There are some really dire circumstances out there, and we have to be very careful every time we make an exception that there isn't a large number of other people who would fall in that same exception because we don't have the housing to accommodate everybody. I don't have a specific number. We try to keep it few and far between. Thank you.

Chairman: Ms. Angnakak.

Ms. Angnakak: Thank you, Mr. Chairman. When we talk about the core need criteria or client selection criteria, how many recommendations have you gotten perhaps over the last 10 years from local housing organizations? How many recommendations for changes to those criteria have you received? Thank you, Mr. Chairman.

Chairman: Minister Kuksuk.

Hon. George Kuksuk (interpretation): Thank you very much, Mr. Chairman. I have no idea how many recommendations have been made in the last 10 years in regard to the selection criteria. I'm sure Ms. Kimball has that information from her office, so I would refer this question to her. Thank you.

Chairman: Ms. Kimball.

Ms. Kimball: Thank you, Mr. Chairman. As we go through and do this review of the management agreement, it

may well lead into looking at other deeper pieces. We know we will want to have a revisit of the point rating system at some point. We're not there yet. I'll leave it at that. Thank you.

Chairman: Ms. Angnakak.

Ms. Angnakak: It seems like there is a lot of work to do when it comes to making the right decisions about public housing units. It's very complex.

If you did get recommendations before, can you give us an example of perhaps a recommendation that was provided to the Nunavut Housing Corporation in regard to changes to client selection criteria or core need criteria? Thank you, Mr. Chairman.

Chairman: Minister Kuksuk.

Hon. George Kuksuk (interpretation): Thank you very much, Mr. Chairman. This is continuing from the previous question, so I would like Ms. Kimball to respond. Thank you.

Chairman: Ms. Kimball.

Ms. Kimball: Thank you, Mr. Chairman. I think maybe a step back is just to explain how our organization is structured. We do have regular annual meetings of various levels throughout the organization in terms of their functions. For instance, LHO managers and TROs, or tenant relations officers, would meet on an annual basis with regional program staff and have a group meeting to review issues. At those meetings, suggestions and feedback on what's working and what's not working is gathered. We do gather it at our district levels.

What we're working on is creating better mechanisms to get that bubbled up to the headquarters office and better mechanisms to be able to make those revisions on a more ongoing basis. This is going to be an evolving thing. I don't think we're ever going to have it perfect, so we want to create a mechanism so we can have continual improvements. Thank you.

Chairman: Ms. Angnakak.

Ms. Angnakak: On page 5 of the Nunavut Housing Corporation's Local Housing Organization Board Members Manual, this one here that we have been going through, it states that members of the local housing organization boards are expected to "make fair and open decisions, regardless of family connections."

When I was looking at this, it's in a bullet and it's kind of like at the end of the first bullet, it says "...regardless of family connections, serving your community by making fair and open decisions." Regardless of family connections, I thought it was a little bit subtle there.

I guess what I want to ask is: to what extent is favouritism and nepotism a concern with the local housing organizations? Thank you, Mr. Chairman.

Chairman: Minister Kuksuk.

Hon. George Kuksuk (interpretation): Thank you very much, Mr. Chairman. I understand the question. However, since I don't have the detailed information, I won't be able to respond. Perhaps Ms. Kimball can respond to that because she

knows the operations of the corporation, if that's okay. (interpretation ends)
Thank you.

Chairman: Ms. Kimball.

Ms. Kimball: Thank you, Mr. Chairman. That is probably the number one feedback I get back from our district and program staff that do audits. That has been one of our focal points for the past number of years. I think it has significantly improved since we have put the procedure in place that when there are exceptions from the point rating system, it does have to be reviewed by our district office. By creating that oversight and everybody knowing that it has go through that process, I think that has cut down quite a bit on some issues we've had in the past. Thank you.

Chairman: Ms. Angnakak.

Ms. Angnakak: Thank you, Mr. Chairman. When you do have an issue of nepotism or somebody is accusing an organization of running or making decisions, but somebody else looks at it in a different way and says, "Look, there is nepotism going on here," how do you deal with that? What are your procedures? Thank you, Mr. Chairman.

Chairman: Minister Kuksuk.

Hon. George Kuksuk (interpretation): Thank you very much. Again, as this is a continuation of the line of questioning, I would like Ms. Kimball to respond. (interpretation ends) Thank you.

Chairman: Ms. Kimball.

Ms. Kimball: Thank you, Mr. Chairman. As allocations are made, they

are supposed to be forwarded to our district for review. It's supposed to be reviewed prior to tenants actually getting keys and moving in. That always happens, but that's supposed to happen. If our districts have questions for follow-up, it is usually escalated to the programs manager within that district. They would communicate with the board any concerns we have for follow-up for feedback.

If we don't feel that those concerns are being addressed, then it would be escalated to the district director. In some cases, the district director will even fly out and meet with the board to address any concerns. Thank you.

Chairman: Ms. Angnakak.

Ms. Angnakak: Thank you, Mr. Chairman. I want to go on a little bit and again it's in your board member's manual on page 18. I'm not going to read the whole thing, but I will read part of it. It's talking about the board has the authority to make a different decision than, perhaps, what a policy would suggest, such as allocating a unit to someone who may not be on top of the waiting list. It says in here, and I'm quoting, "...but the Directors must document the basis for that decision in the minutes and forward the documentation to the District Office. In other words, the Board has the authority in exceptional circumstances to use their best judgement based on local knowledge and insight, but these decisions must be fair, rational, defensible and documented."

On how many occasions over the last two years, perhaps, have the local housing organization boards formally

requested approval from the Nunavut Housing Corporation to make a decision that perhaps deviated from the existing policy that you have in place? Thank you, Mr. Chairman.

Chairman: Minister Kuksuk.

Hon. George Kuksuk (interpretation): Thank you very much, Mr. Chairman. Briefly to the question as to how many occasions, we don't have that figure at this time on the LHOs. We can discuss this or talk with the LHOs and then we can figure it out. Thank you.

Chairman: Ms. Angnakak.

Ms. Angnakak: When we're talking about exceptional circumstance, what does that mean to the Nunavut Housing Corporation? Thank you, Mr. Chairman.

Chairman: Minister Kuksuk.

Hon. George Kuksuk (interpretation): Thank you very much, Mr. Chairman. There are many different means that can formulate the reasons on the client selection criteria or prioritizing the list. There can be different reasons for the exception, such as for the family or the person, and there can be various reasons. Perhaps Ms. Kimball can provide an example where an association can sidestep the policies. Maybe Ms. Kimball can be allowed to elaborate as I know it was experienced quite a number of times for different associations. Mr. Chairman, I would ask that Ms. Kimball supplement my response. (interpretation ends) Thank you.

Chairman: Ms. Kimball.

Ms. Kimball: Thank you, Mr. Chairman. One example that comes to mind is if there's a fire or some sort of unexpected incident and they find themselves homeless unexpectedly.

We are in the process of working on the second phase of our rent scale software, which is going to allow the online tracking of applications. We're actually going to have insight as to every point section available in the point rating system. We will actually be able to analyze the data to see what are the different points being allocated and for what to get a sense of the different issues that is leading to the allocations. It's also going to give us more insight into the special circumstance scenarios. Thank you.

Chairman: Ms. Angnakak.

Ms. Angnakak: Thank you, Mr. Chairman. I was going to ask about these requests, how many were approved and how many were denied, but because I didn't really get an answer, that you didn't know what kind of recommendations were made, I'm assuming that you wouldn't have that information. Am I correct? Thank you, Mr. Chairman.

Chairman: Minister Kuksuk.

Hon. George Kuksuk: Yes, that is correct. Thank you.

Chairman: Ms. Angnakak.

Ms. Angnakak: Thank you, Mr. Chairman. When we talk about considering such requests, what's the role of the minister in this, if any? Thank you, Mr. Chairman.

Chairman: Minister Kuksuk.

Hon. George Kuksuk (interpretation): Thank you very much, Mr. Chairman. That's a very good question and I can't personally respond to it. Perhaps it's in the Nunavut Housing Corporation's legislation on the Minister responsible for the Nunavut Housing Corporation's role in considering requests. Perhaps Ms. Kimball can add to my response. My response is that we use the housing corporation's Act. Thank you.

Chairman: Ms. Angnakak. Ms. Kimball. Sorry. Ms. Kimball.

Ms. Kimball: Thank you, Mr. Chairman. Within the management agreement itself, the management agreement does have clauses in it that does give the minister direct roles and responsibilities in terms of he has ultimate authority in terms of suspending the board or terminating the agreement if there are issues with the execution. Basically, if the LHO side is not delivering what they are committed to, the minister can suspend the agreement. If NHC is not delivering what we're committed to, obviously I have a reporting role here, so the minister has roles on both sides. Thank you.

Chairman: Ms. Angnakak.

Ms. Angnakak: Thank you, Mr. Chairman. I have a little over one minute that I can ask more questions, so I'll get on with it.

In 2008, the Auditor General did a report and one of the recommendations that she [made] said that the Nunavut Housing Corporation should really "clarify the appeal process for applicants and tenants

who feel they have been treated unfairly, and clarify the internal corporate procedures for managing the appeal."

The Nunavut Housing Corporation subsequently committed to "developing an independent, transparent process that is simple and accessible." As of today, what is the appeals process for public housing applicants and tenants who feel they have been treated unfairly by either the Nunavut Housing Corporation or their LHO? Thank you, Mr. Chairman.

Chairman: Minister Kuksuk.

Hon. George Kuksuk (interpretation): Thank you very much, Mr. Chairman. I also thank the member for her question. When it comes to appeals, none have come to my attention personally, but this is a process managed by the district office or it goes through the LHO to the district office. These are the processes that we follow. There's an appeal process and it goes from the local housing organization to the regional districts and if it has to go any higher, we have policies to that effect. Thank you.

Chairman: Ms. Angnakak.

Ms. Angnakak: Thank you, Mr. Chairman. That concerns me a little bit only because I have heard some real problems with the district office and the local housing organizations. There's a clash with some of them. How do you deal with that? Do you give them no choice but to go through the district office that they may or may not have a problem with? How do you deal with that and how do you ensure that their cases are being treated respectfully and transparently? Thank you, Mr.

Chairman.

Chairman: Minister Kuksuk.

Hon. George Kuksuk (interpretation): Thank you very much, Mr. Chairman. I'll refer this question to Ms. Kimball for clarification on the process and how it is dealt with. Thank you.

Chairman: Ms. Kimball.

Ms. Kimball: Thank you, Mr. Chairman. One of the things that NHC is very much focused on is rebuilding a relationship with the LHOs and as part of that, also working with our district staff in terms of how we relate to our LHOs and how we interact.

Earlier, we spoke of 10 people going on our community tour and that was actually why we did that. We had our district staff and our headquarters representation as well as our directorate executives all together to send the same message to every level at the same time in the tone of how we want to communicate with our LHOs to set that precedent and to create that dialogue.

Unfortunately, that is our structure. The issue should come through the district. We are working on improving that, but there's an escalation process. If they're not happy with the results they get from the district office, we do have our headquarters where the oversight for the entire rental program is there. It can go to that office and if that fails, there's always my office. There are multiple layers. If there is a layer with the problem, it should be able to go on beyond that. Thank you.

Chairman: Thank you. Ms. Angnakak,

you've got four seconds.

Ms. Angnakak: I know.

>>*Laughter*

It's enough to ask one question, four seconds.

On average, how many appeals are made each year by applicants who feel that they may have been treated unfairly either by the Nunavut Housing Corporation or the LHO? I hope you have an answer because that was my last question. Thank you very much, Mr. Chairman.

Chairman: Minister Kuksuk.

Hon. George Kuksuk: I'll make it very short. We don't have that information.

>>*Laughter*

Chairman: I've got one more name. Mr. Mikkungwak, you have eight minutes plus 120 seconds.

>>*Laughter*

Mr. Mikkungwak: Thank you very much, Mr. Chairman. That's plenty time there.

Page 3 of the Nunavut Housing Corporation's Master Agreement for the Management and Administration of Local Housing Organization Programs states that LHOs "agree to ensure that all matters related to the affairs of clients and the corporation comply with the *Access to Information and Protection of Privacy Act*."

In April of 2015, the Government of Nunavut amended the Access to Information and Protection of Privacy Regulations to include housing authorities and housing associations under the definition of “public body.” The new regulations provide that the Minister responsible for the Nunavut Housing Corporation has been designated as the “head of each housing authority and housing association.”

For the purpose of the *Access to Information and Protection of Privacy Act*, how is NHC helping LHOs to comply with their obligations under the *Access to Information and Protection of Privacy Act*? Thank you, Mr. Chairman.

Chairman: Minister Kuksuk.

Hon. George Kuksuk (interpretation): Thank you very much, Mr. Chairman. I don’t know the exact details when it comes to the Privacy Act. I’ll refer this question to Ms. Kimball on access to information. Thank you.

Chairman: Ms. Kimball.

Ms. Kimball: Thank you, Mr. Chairman. NHC provides support through our policy shop. If there are any access to information requests that come through our office, our policy shop provides the support and guidance to LHOs and work with the LHO staff. That saves us having to try to train 25 separate organizations on how to deal with one request that they might get every several years.

We do have some challenges, though, in terms of the technology used at the LHO level. For instance, part of the ATIPP Act requires that you be able to pull all

your email activities if there’s a request, yet not all of our LHOs have the technology and a system in place to be able to accommodate that.

Those are some of the things that we are looking at as we’re reviewing the management agreement and updating it. It’s to look at services we may be able to provide to support the LHOs so that they will be able to be more compliant. Thank you.

Chairman: Mr. Mikkungwak.

Mr. Mikkungwak: Thank you, Mr. Chairman. When you’re talking about technology and seeing that the *Access to Information and Protection of Privacy Act* is very important, do you have a strategy in place to ensure that all LHOs are up to date with technology? Thank you, Mr. Chairman.

Chairman: Minister Kuksuk.

Hon. George Kuksuk (interpretation): Thank you very much, Mr. Chairman. In this case, the managers within the LHO who are the day-to-day managers are provided training via workshops to ensure that they understand the information required from the LHO, which is the local association. Just as an example to answer his question, how they would deal with these needs and what information the manager is required to know in order to manage the association, and the needs are identified as part of the training process and this is where it should be done. Thank you, Mr. Chairman.

Chairman: Mr. Mikkungwak.

Mt. Mikkungwak: Thank you, Mr. Chairman. Maybe I'll rephrase my question. To eliminate the hassle for the Nunavut Housing Corporation with the *Access to Information and Protection of Privacy Act*, as the official indicated, to eliminate the problem that you currently have, do you have a one-year strategy to update all the technology with all the LHOs? Thank you, Mr. Chairman.

Chairman: Minister Kuksuk.

Hon. George Kuksuk (interpretation): Thank you very much, Mr. Chairman. Maybe Ms. Kimball can respond to his question on whether we have a strategic plan. (interpretation ends) Thank you.

Chairman: Ms. Kimball.

Ms. Kimball: Thank you, Mr. Chairman. At this point, we don't have a strategy. That's why we're looking at different technologies and what our options are given the remoteness of locations, the Internet connectivity, the software, and the technology that could be run to be able to ensure that appropriate back-ups are saved and stored. This is quite a big IT endeavour and therefore, IT is a key centre point around the revisions of the management agreement in terms of those services.

We are providing tentative services if LHOs choose to use them. For instance, we have created a nunavuthousing.ca set of emails for all LHO staff so the LHOs can receive that through a central server and that server then has all the technology to be able to track emails. We haven't developed a formal broad spectrum strategy for how we're going to comply. There is going to be quite a bit of cost and planning involved,

especially given the technology and Internet realities in Nunavut. Thank you.

Chairman: Mr. Mikkungwak.

Mr. Mikkungwak: Thank you, Mr. Chairman. I guess I was trying to be proactive, but maybe I'll go on the flipside here. Before you initiate that strategy, how many formal requests under the *Access to Information and Protection of Privacy Act* have been made to LHOs since the regulations were amended in April of this year? Thank you, Mr. Chairman.

Chairman: Minister Kuksuk.

Hon. George Kuksuk (interpretation): Thank you very much, Mr. Chairman. The exact number of requests hasn't reached me. We know that it's dealt with through district offices and headquarters. I'll have Ms. Kimball respond to the number of requests. Thank you.

Chairman: Ms. Kimball.

Ms. Kimball: Thank you, Mr. Chairman. I don't have a specific number with me. I know in the past, and I can't recall if this is before or after that change because the LHOs have always been covered under the ATIPP Act. It was just clarified with this revision. We have had other requests in the past specific to LHOs, but we also get a number of broad requests to NHC that can include information that maybe exists at the LHO. Thank you.

Chairman: Mr. Mikkungwak.

Mr. Mikkungwak: Thank you, Mr. Chairman. Would you be able to elaborate on that broad information that

you're referring to? Thank you, Mr. Chairman.

Chairman: Minister Kuksuk.

Hon. George Kuksuk (interpretation): Thank you very much, Mr. Chairman. I'll refer this to Ms. Kimball. It's just an addition to the last question. Thank you.

Chairman: Ms. Kimball.

Ms. Kimball: Thank you, Mr. Chairman. I don't have the details with me at this time. Thank you.

Chairman: Mr. Mikkungwak.

Mr. Mikkungwak: Thank you, Mr. Chairman. Seeing that there is no information, maybe I'll move on to something else here.

On page 3 of the Nunavut Housing Corporation's Master Agreement for the Management and Administration of Local Housing Organization Programs, it states that NHC will provide LHOs with "operations and maintenance funding based on the corporation's Local Housing Organization Funding Formula." How often is the funding formula reviewed? Thank you, Mr. Chairman.

Chairman: Minister Kuksuk.

Hon. George Kuksuk (interpretation): Thank you very much, Mr. Chairman. It is reviewed annually. Thank you.

Chairman: Mr. Mikkungwak.

Mr. Mikkungwak: In circumstances where an LHO disputes its annual allocation under NHC's local housing

organization funding formula, how is the matter resolved? Thank you, Mr. Chairman.

Chairman: Minister Kuksuk.

Hon. George Kuksuk (interpretation): Thank you, Mr. Chairman. As to how situations like that have been dealt with, Ms. Kimball deals with the LHOs, so I'll get her to respond to it. Thank you.

Chairman: Ms. Kimball.

Ms. Kimball: Thank you, Mr. Chairman. Whenever we see an issue, if there's a deficit being run at any of our LHOs, we definitely work with our LHOs. Our district staff, we have district finance staff, program staff, technical and maintenance. They will all work closely with the LHO manager and also the board to understand what's driving the variance.

Across Nunavut, we do look at the whole spectrum. We have very few LHOs at this point that are running annual deficits. We're actually in an overall surplus position. When we compare similar size and scale LHOs, we look at why others are able to operate within their budget and why an LHO is struggling. We look at the specific line items to see if there's an operational rationale.

So far, we have been able to identify steps the LHO can take to make changes to its operation to be in compliance with its budget. We haven't encountered a case where the LHO is completely unable to meet its budget without assistance or guidance in how they can manage. Thank you.

Chairman: Mr. Mikkungwak.

Mr. Mikkungwak: Thank you, Mr. Chairman. I believe I was not answered. With the LHOs that dispute, you guys really start discussing the funds and accounting procedures with the LHO. If they have proven that they could be very operational, do you guys respect that or do you guys still stand your Nunavut Housing Corporation decision on that? Thank you, Mr. Chairman.

Chairman: Minister Kuksuk.

Hon. George Kuksuk (interpretation): Thank you very much, Mr. Chairman. If I understand the question correctly, the funding for the operations, if they are able to do it with the funding they have in their organization, then they do, if it's very obvious that they can operate and run things on their own as a local housing association. However, if we need to deal with it or take it over for whatever reason, then we would have to follow the wording of the agreement or if they did not follow the wording of the agreement and we had to get involved, we would get involved. Thank you.

Chairman: Mr. Mikkungwak.

Mr. Mikkungwak: Thank you, Mr. Chairman. Maybe I'll move on from there. Pages 3 and 4 of the Nunavut Housing Corporation's master agreement, I'm referring to your document again, the Nunavut Housing Corporation's Master Agreement for the Management and Administration of Local Housing Organization Programs states that LHOs "agree to deal with employees according to the terms of the corporation's Local Housing Organization Personnel Manual, except

where the Personnel Manual is superseded by a collective agreement." As of today, how many LHOs have signed collective agreements with their employees? Thank you, Mr. Chairman.

Chairman: Minister Kuksuk.

Hon. George Kuksuk (interpretation): Thank you very much, Mr. Chairman. With respect to his question about how many LHOs have signed the agreement, unfortunately we don't have that information in front of us. However, the majority of the associations have agreements like that. Thank you.

Chairman: Mr. Mikkungwak.

Mr. Mikkungwak: I guess my question in addition to that would be: when you look at signed collective agreements, do you negotiate by the three regions separately or is that done as an entire Nunavut region? Thank you, Mr. Chairman.

Chairman: Minister Kuksuk.

Hon. George Kuksuk (interpretation): Thank you very much, Mr. Chairman. The local housing organizations independently negotiate their agreements. They are local negotiations and agreements. NHC negotiates with individual LHOs to get their agreements done. Thank you.

Chairman: Mr. Mikkungwak.

Mr. Mikkungwak: Thank you, Mr. Chairman. When you have these collective agreements that are signed, are they fixed for a number of years, for example, it's a three-year agreement, four-year agreement, or two-year

agreement? What would the number be possibly for the majority of the local housing organizations or associations? Thank you, Mr. Chairman.

Chairman: Minister Kuksuk.

Hon. George Kuksuk (interpretation): Thank you very much, Mr. Chairman. As I stated earlier, each local housing organization negotiates their collective agreement. They set it up themselves and they are different from each other. Some of them have multiyear agreements and others have agreements that are shorter. As to the actual number, we don't have that in front of us right now, but the LHOs negotiate their own collective agreements and there is no one-time negotiating and agreeing. Thank you.

Chairman: Mr. Mikkungwak.

Mr. Mikkungwak: On page 3 of your September 14, 2015 letter to MLAs, you indicated that "as part of the development of a new Master Management Agreement, the NHC will be creating new recommended human resources policies for LHOs. The new policies will help establish a more structured approach to human resources that will ensure fairness and protect LHOs against litigation." What are the specific problems with the LHOs' current approach to human resources? Thank you, Mr. Chairman.

Chairman: Minister Kuksuk.

Hon. George Kuksuk (interpretation): Thank you very much, Mr. Chairman. Ms. Kimball will respond to the details of the question. Thank you.

Chairman: Ms. Kimball.

Ms. Kimball: Thank you, Mr. Chairman. Today's environment in terms of staffing and employee relations is very legal. Employees that are unhappy with, for instance, how they have been terminated, the creation of the legal contracts when they're doing hiring contracts, all those aspects have a bunch of legal ramifications and if they're not properly handled and not properly vetted, it creates a significant risk for the organization.

We do have a number of legal actions in progress. I'm unable to get into the details obviously, but that's creating a risk for NHC and we want to spend money on houses, not spend money on these types of litigations. We want to make sure that we have some improved structure that is vetted by a legal set of eyes before we do things like employment contracts, terminations, employee relations management, that we're following all the proper protocols to protect the LHO and to protect the government. Thank you.

Chairman: Mr. Mikkungwak.

Mr. Mikkungwak: Thank you, Mr. Chairman. In what specific ways do LHOs need to have more structured human resources policies? Thank you, Mr. Chairman.

Chairman: Minister Kuksuk.

Hon. George Kuksuk (interpretation): Thank you very much, Mr. Chairman. I would like Ms. Kimball to continue responding to this line of questioning. (interpretation ends) Thank you.

Chairman: Ms. Kimball.

Ms. Kimball: Thank you, Mr. Chairman. As I mentioned, it would be things like the employment contract and the language of employment contract, the execution of the employment contract, the timing of when it is signed, the timing of when employees start, if there is an issue in terms of performance management, how expectations are communicated with employees in writing in terms of performance, if the employee is not performing to satisfaction, what are the steps to take in how you communicate that with an employee to make sure that there has been proper opportunity for the employee to rectify the situation. If it doesn't go the right way, we do have to proceed with termination to make sure that we followed all the correct processes legally. It would basically be around hiring, performance management, and termination. Thank you, Mr. Chairman.

Chairman: Mr. Mikkungwak.

Mr. Mikkungwak: Thank you, Mr. Chairman. When you're looking at policies, aside from the three that you just previously indicated, what specific new policies are also being developed? Thank you, Mr. Chairman.

Chairman: Minister Kuksuk.

Hon. George Kuksuk (interpretation): Thank you very much, Mr. Chairman. I don't have the response to that in front of me, so I would like Ms. Kimball to respond to that if she can. Thank you.

Chairman: Ms. Kimball.

Ms. Kimball: Thank you, Mr. Chairman. NHC is continually revisiting and looking at our procedures, things like the Tenant Relations Manual and our Rent Scale Manual. We have refreshed our Preventative Maintenance Manual recently. We're in the process of revisiting other maintenance protocols and modernization and improvement protocols. It's not necessarily a policy. It's more of supportive procedures that we want to improve the documenting of and get that circulated out to LHOs. All of those, of course, would be done in consultation with LHOs.

I don't have specifics with me. We have done a number of them over the past few years and we're continuing to identify other ones as we have workshops with our LHOs. If we identify ones that need to be refreshed, we start that process. Thank you.

Chairman: Mr. Mikkungwak.

Mr. Mikkungwak: Thank you, Mr. Chairman. How many lawsuits related to human resources issues have been initiated against the LHOs over the past five years? Thank you, Mr. Chairman.

Chairman: Minister Kuksuk.

Hon. George Kuksuk (interpretation): Thank you very much, Mr. Chairman. Regrettably we don't have that in front of us. We would have to check with the local housing organizations in order to respond to the numbers. Thank you.

Chairman: Thank you. Mr. Savikataaq.

Mr. Savikataaq: Thank you, Mr. Chairman. I move to report progress.

Chairman: Thank you. We have a motion on the floor to report progress and the motion is not debatable. All those in favour of the motion. All those opposed. The motion is carried and I will now rise to report progress.

I would like to thank the minister and his officials. Sergeant-at-Arms, please escort the officials out of the witness table.

Speaker (interpretation): Item 20. Report of the Committee of the Whole. Mr. Akoak.

Item 20: Report of the Committee of the Whole

Mr. Akoak: Thank you, Mr. Speaker. Your committee has been considering Tabled Document 107 – 4(2) and would like to report progress. Mr. Speaker, I move that the Report of the Committee of the Whole be agreed to. Thank you, Mr. Speaker.

Speaker (interpretation): There is a motion on the floor. Is there a seconder? Mr. Keyootak. (interpretation ends) The motion is in order. To the motion.

An Hon. Member: Question.

Speaker: All those in favour. Opposed. The motion is carried.

Item 21. Third Reading of Bills. Item 22. (interpretation) *Orders of the Day*. (interpretation ends) Mr. Clerk.

Item 22: Orders of the Day

Clerk (Mr. Quirke): Thank you, Mr. Speaker. Just a reminder that there's a meeting tomorrow of the Regular

Members' Caucus at nine o'clock in the Tuktu Boardroom.

Orders of the Day for November 5:

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
 - Motion 7 – 4(3)
 - Motion 8 – 4(3)
 - Motion 9 – 4(3)
 - Motion 10 – 4(3)
17. First Reading of Bills
18. Second Reading of Bills

19. Consideration in Committee of
the Whole of Bills and Other
Matters

- Tabled Document 107 – 4(2)
- Tabled Document 149 – 4(2)

20. Report of the Committee of the
Whole

21. Third Reading of Bills

22. Orders of the Day

Thank you.

Speaker (interpretation): Thank you.
(interpretation ends) This House stands
adjourned until Thursday, November 5,
at 1:30 p.m.

(interpretation) Sergeant-at-Arms.

>>*House adjourned at 17:34*

Appendix – November 4, 2015



Standing Committee on Oversight of Government Operations and Public Accounts

Report on the Review of the 2014-2015 Annual Report of the Information and Privacy Commissioner of Nunavut

**3rd Session of the 4th Legislative Assembly of Nunavut
Fall 2015 Sitting**

**George Hickers, Chair
Alexander Sammurtok, Co-Chair
Tony Akoak, MLA
Pat Angnakak, MLA
Joe Enook, MLA
David Joanasi, MLA
Pauloosie Keyootak, MLA
Steve Mapsalak, MLA
Simeon Mikkungwak, MLA
Allan Rumbolt, MLA
Tom Sammurtok, MLA
Joe Savikataaq, MLA
Isaac Shooyook, MLA**

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Introduction

The *Access to Information and Protection of Privacy Act* provides for the Commissioner of Nunavut to appoint, on the recommendation of the Legislative Assembly, the Information and Privacy Commissioner for a five-year term of office.

Ms. Elaine Keenan Bengts was reappointed on February 24, 2015, for a 5-year term of office as Nunavut's Information and Privacy Commissioner. This is her fourth term as Information and Privacy Commissioner of Nunavut. Ms. Keenan Bengts also serves as the Information and Privacy Commissioner of the Northwest Territories.

The Legislative Assembly of the Northwest Territories enacted the *Access to Information and Protection of Privacy Act* prior to division. As the Information and Privacy Commissioner has noted:

“The *Access to Information and Protection of Privacy Act* was created to promote, uphold and protect access to the information that government creates and receives and to protect the privacy rights of individuals.”

The *Access to Information and Protection of Privacy Act* and regulations made under the Act were inherited from the Northwest Territories on April 1, 1999. Between 1999 and 2012, a number of minor amendments to the legislation were made to address conflicts with other territorial statutes. The changes that have been made to the regulations since April 1, 1999, have been largely housekeeping in nature. The list of public bodies has been amended to reflect changes to the organizational structure of the government.

Bill 38, *An Act to Amend the Access to Information and Protection of Privacy Act*, received 1st Reading on June 1, 2012. Bill 38 received Assent on June 8, 2012. These amendments provided clear authority for the Information and Privacy Commissioner to undertake privacy-related reviews concerning personal information held by public bodies. The amendments also established a statutory requirement for public bodies to notify the Information and Privacy Commissioner where a material breach of privacy has occurred with respect to personal information under their control. The amendments came into force on May 11, 2013.

Amendments to the *Access to Information and Protection of Privacy Regulations* were published in the April 2015 edition of Part II of the *Nunavut Gazette*. The most significant amendment is the inclusion of housing associations and housing authorities under the definition of “public body.” This means that the *Access to Information and Protection of Privacy Act* now applies to Local Housing Organizations. This is an issue that received considerable attention during the standing committee's 2014 televised hearing. The standing committee applauds the Government of Nunavut for having acted in a timely manner to address this issue.

As the Information and Privacy Commissioner has noted, her office is mandated to:

“...conduct reviews of decisions of public bodies and to make recommendations to the Minister involved ... the Information and Privacy Commissioner has the obligation to promote the principles of the Act through public education. She is also mandated to provide the government with comments and suggestions with respect to legislative and other government initiatives which affect access to information or the distribution of private personal information in the possession of a government agency.”

Under section 68 of the *Access to Information and Protection of Privacy Act*, the Information and Privacy Commissioner is required to prepare and submit an annual report to the Legislative Assembly on her office's activities. The standing committee's televised hearings on the annual reports of independent officers of the Legislative Assembly provide an opportunity for the issues raised in each report to be discussed in a public forum.

Government accountability is fostered through the requirement in the *Rules of the Legislative Assembly of Nunavut* that the government table a comprehensive response to the Standing Committee's report and recommendations within 120 days of its presentation to the House.

In 2005, the Government of Nunavut began the practice of tabling an annual report on the administration of the *Access to Information and Protection of Privacy Act*. The government's most recent annual report on the administration of the Act was tabled in the Legislative Assembly on November 4, 2014.

The Information and Privacy Commissioner's 2014 appearance before the standing committee took place on September 18, 2014, on the occasion of its televised hearing on her 2012-2013 and 2013-2014 annual reports to the Legislative Assembly. Officials from the Government of Nunavut's Department of Executive and Intergovernmental Affairs subsequently appeared before the standing committee.

The standing committee's report on this hearing was subsequently presented to the Legislative Assembly on October 28, 2014. The Government of Nunavut's response to the Standing Committee's report was tabled in the Legislative Assembly on February 26, 2015.

The Information and Privacy Commissioner's 2014-2015 annual report was backdoor tabled under the provisions of Rule 44(2) of the *Rules of the Legislative Assembly of Nunavut* on July 7, 2015. The September 28-29, 2015, appearances of the Information and Privacy Commissioner and Government of Nunavut officials before the standing committee took place in the Chamber of the Legislative Assembly. The standing committee's hearings were televised live across the territory and were open to the public and news media to observe from the Visitors' Gallery. Transcripts from the standing committee's hearings are available on the Legislative Assembly's website.

Observations and Recommendations

Issue: Disclosure of Government of Nunavut Contracting, Procurement and Leasing Activities

An ongoing issue that has been raised in the context of annual hearings on the reports of the Information and Privacy Commissioner is the public disclosure of information concerning the contracting, procurement and leasing activities of the Government of Nunavut's departments, Crown agencies and territorial corporations.

In her 2013-2014 annual report to the Legislative Assembly, the Information and Privacy Commissioner noted that:

“Another issue that has come up on numerous occasions again this year, after a bit of a hiatus, is how the Government of Nunavut awards contracts, especially the large, multi-million dollar, multiple year contracts. While Nunavut has done some work with respect to proactive disclosure of these contracts, this government is far behind many provincial/territorial governments in disclosing information relating to contracts, particularly large contracts. While information is available online, the amount of information is sparse and, when it comes to the very large contracts, really not very helpful.

Nunavut is a small jurisdiction and everyone has a connection in one way or another. A very high percentage of individuals and companies rely, to a very large degree, on government contracts for their livelihood. For this reason, interest in the contracting process is very high and much higher than it is in other jurisdictions. The general public in Nunavut is generally far more aware about who is getting government contracts than in other parts of the country where the pool is larger. There are lots of questions about why certain individuals and businesses are successful in obtaining government contracts and others are not.

The public is, at times, going to question the hows and the whys of certain awards. The more of this information that can be made proactively available, the less room there is for any suggestion of favouritism, nepotism, fraud or other allegations of improper considerations. The larger the contract and the longer its duration, the more important it is to ensure that the process and the outcome are open. The Government of Nunavut, generally, can and should do a much better job of this.”

In her 2014-2015 annual report to the Legislative Assembly, the Information and Privacy Commissioner noted that:

“In my last annual report, I commented on the issue of proactive disclosure of information with respect to government contracts. I commented in particular about the difficulty I had in finding information about contracts awarded ... It appears that there is far more information on line than I first thought, if you know where to look for it. I would encourage all public bodies to continue to improve their proactive disclosure of as much information as possible and to make finding that information intuitive and easy. Many Canadian jurisdictions are making progress in this, making records available in electronic form at a ‘one stop shop’ so that it can be found and downloaded with the least amount of effort on the part of the public.”

In its October 29, 2010, report on the review of the 2009-2010 annual report of the Information and Privacy Commissioner, the standing committee reiterated a recommendation that the Government of Nunavut table annual reports in the Legislative Assembly on the contracting, procurement and leasing activities for all of its Crown agencies and territorial corporations. This recommendation was reiterated in its March 5, 2012, report on the review of the 2010-2011 annual report of the Information and Privacy Commissioner. This recommendation was reiterated in its May 14, 2013, report on the review of the 2011-2012 annual report of the Information and Privacy Commissioner. This recommendation was reiterated in its October 28, 2014, report on the review of the 2012-2013 and 2013-2014 annual reports of the Information and Privacy Commissioner.

In its formal response to the standing committee’s October 28, 2014, report, the Government of Nunavut indicated that:

“In the interest of increased transparency, accountability and effectiveness, Ministers responsible for public agencies and territorial corporations have issued directives to provide important information to the Government of Nunavut and Nunavummiut, including the tabling of yearly reports on procurement, contracting and leasing activities.”

The standing committee notes that this issue has been addressed in recent Ministerial *Letters of Expectation* to the Chairs of the boards of directors of Crown agencies and territorial corporations.

As of **October 21, 2015**, the most recent annual reports to have been tabled in the Legislative Assembly on the contracting, procurement and leasing activities of Crown agencies and territorial corporations were as follows:

- Nunavut Business Credit Corporation: 2010-2011 report tabled on October 23, 2012
- Nunavut Development Corporation: Not yet tabled
- Nunavut Housing Corporation: 2012-2013 report tabled on March 20, 2014

- Qulliq Energy Corporation: 2011-2012 and 2012-2013 reports tabled on October 21, 2014
- Nunavut Arctic College: Not yet tabled

Standing Committee Recommendation #1:

The standing committee recommends that the responsible Ministers of the Government of Nunavut table in the Legislative Assembly, in a timely manner, annual reports on the contracting, procurement and leasing activities for all of the government's Crown agencies and territorial corporations, which are the:

- Nunavut Business Credit Corporation;
- Nunavut Development Corporation;
- Nunavut Housing Corporation;
- Qulliq Energy Corporation; and
- Nunavut Arctic College.

The standing committee further recommends that the Government of Nunavut, as part of its ongoing review of procurement, contracting and leasing practices, work to refine its public reporting practices to more clearly differentiate between the approved "maximum values" of contracts and the actual expenditures undertaken pursuant to such contracts.

The standing committee further recommends that the Government of Nunavut, as part of its ongoing review of procurement, contracting and leasing practices, work to refine its public reporting practices to more clearly account for contract awards made under standing offer agreements.

The standing committee further recommends that the Government of Nunavut, in its response to this report, clarify what specific actions are undertaken by the Financial Management Board, the Executive Council and the Public Agencies Council in circumstances where Crown agencies and/or territorial corporations do not fulfill, in a timely manner, their tabling requirements in respect to procurement, contracting and leasing activities.

Issue: Application of Access to Information and Protection of Privacy Legislation to Municipalities

An ongoing issue that has been raised in the context of annual hearings on the reports of the Information and Privacy Commissioner is the application of access to information and protection of privacy legislation to Nunavut's municipalities.

At present, Nunavummiut have statutorily-prescribed rights under federal and territorial legislation concerning access to information and protection of privacy in relation to the institutions of the Government of Canada and the Government of Nunavut. However, there is still no legislative framework concerning access to information and protection of privacy with respect to the municipal level of government in Nunavut. In her 2013-2014 annual report to the Legislative Assembly, the Information and Privacy Commissioner noted that:

"I am aware that the Access to Information and Protection of Privacy Office in the Department of the Executive and Intergovernmental Affairs is working, in particular, with the City of Iqaluit on these issues. Some progress is being made but it is very slow and is focused only on the larger communities at this point.. Once again, I would encourage the Government of Nunavut to engage municipal and community governments to establish and implement privacy policies as a starting point.

In its formal response to the standing committee's October 28, 2014, report, the Government of Nunavut indicated that it:

"... is committed to moving forward with the implementation of access and privacy within the Nunavut municipalities."

It should be noted that the current business plan of the Department of Executive and Intergovernmental Affairs indicates that one of its priorities for the 2015-2016 fiscal year is to:

"... explore options regarding municipal access to information and protection of privacy legislation."

It should also be noted that the September 29, 2015, opening statement of the Government of Nunavut's witnesses to the standing committee indicated that:

"... there is a huge discrepancy between the capacities of the larger communities versus the smaller communities and that is being considered as we move forward with consultations."

Extensive discussion on these issues took place during the September 28-29, 2015, appearances of the Information and Privacy Commissioner and witnesses from the Government of Nunavut.

Standing Committee Recommendation #2:

The standing committee reaffirms its support for ensuring that appropriate legislative frameworks concerning access to information and protection of privacy apply to the federal, territorial and municipal levels of government in Nunavut.

The standing committee recommends that the Government of Nunavut's response to this report provide a detailed update on its progress to date in working with the Nunavut Association of Municipalities, the Municipal Training Organization and the Office of the Information and Privacy Commissioner to review the issue of access to information and protection of privacy at the municipal level in Nunavut.

The standing committee further recommends that the Government of Nunavut's response to this report provide a detailed update on its collaborative training initiatives involving municipal employees, Government Liaison Officers, the Municipal Training Organization and other parties.

The standing committee further recommends that the Government of Nunavut, in partnership with appropriate stakeholders, examine such options as introducing access to information and protection of privacy legislation that is specific to municipalities and/or having the territorial *Access to Information and Protection of Privacy Act* apply to municipalities in a manner that would address such operational concerns as the ability of municipalities to respond to historical access requests.

The standing committee suggests that such concerns could be addressed through such means as explicitly providing that the legislation does not provide a right to access in respect to information that was generated by municipalities prior to an effective commencement date.

The standing committee notes that recently-passed amendments to the *Access to Information and Protection of Privacy Regulations* make Local Housing Authorities and Local Housing Associations subject to the *Access to Information and Protection of Privacy Act*. However, these regulations designate the Minister responsible for the Nunavut Housing Corporation as the "head of each housing authority and housing association" for the purpose of administering the legislation. The standing committee suggests that a similar approach with respect to smaller municipalities and the role of the Minister of Community and Government Services might serve to help address capacity concerns.

Issue: Application of Access to Information and Protection of Privacy Legislation to District Education Authorities

A new issue that emerged during the Standing Committee's September 28, 2015, hearing on the 2014-2015 annual report of the Information and Privacy Commissioner to the Legislative Assembly is the application of access to information and protection of privacy legislation to District Education Authorities (DEAs).

During her September 28, 2015, appearance before the standing committee, the Information and Privacy Commissioner noted that:

"The District Education Authorities come to mind because there's an issue right now involving the privacy of a teacher in a particular community. The District Education Authority clearly didn't know how to deal with the issue and that's because they're not under Act. They never had to deal with it before. On the other hand, the teachers are government employees, so it's a confusing juxtaposition of different people and different organizations that are responsible for different things and nobody knows what."

During his appearance before the standing committee, the Government of Nunavut's lead witness stated that:

"We will work closely with the [Information and Privacy] Commissioner on that. I don't have a firm decision on that for District Education Authorities, but as we mentioned, we continue to improve and this year, we included the local housing authorities and the local housing associations under the Nunavut Housing Corporation. That's something similar that we are working with the Department of Education to see how we can go and resolve this."

Standing Committee Recommendation #3:

The Standing Committee recommends that the Government of Nunavut formally consult with the Information and Privacy Commissioner concerning a practicable timetable for having the *Access to Information and Protection of Privacy Act* apply to District Education Authorities.

The standing committee notes that recently-passed amendments to the *Access to Information and Protection of Privacy Regulations* make Local Housing Authorities and Local Housing Associations subject to the *Access to Information and Protection of Privacy Act*. However, these regulations designate the Minister responsible for the Nunavut Housing Corporation as the "head of each housing authority and housing association" for the purpose of administering the legislation. The standing committee suggests that a similar approach with respect to District Education Authorities and the role of the Minister of Education might serve to help address capacity concerns.

Issue: Health-Specific Privacy Legislation

An ongoing issue that has been raised in the context of annual hearings on the reports of the Information and Privacy Commissioner is the development of health-specific privacy legislation for Nunavut.

In her 2009-2010 annual report to the Legislative Assembly, the Information and Privacy Commissioner noted that:

“Nunavut needs to begin the process of creating separate legislation to deal with privacy of health records. The country is charging into the era of electronic health records and electronic medical records. Every jurisdiction in Canada, other than Nunavut, has now either passed health specific privacy legislation or is developing such legislation to address the very real privacy concerns raised by electronic records. The issues are significant and complicated. All Canadian jurisdictions are talking about an integrated electronic health record system to allow any person in Canada to be able to access their electronic medical records, no matter where they happen to be in the country. The challenges of such a system are enormous, but there seems to be the will in most of the country to make it happen ...”

In her 2014-2015 annual report to the Legislative Assembly, the Information and Privacy Commissioner noted that:

“As I have advocated for a number of years, once again I would encourage the development of health specific privacy legislation which will not only accommodate the realities of how personal information is used within the health system, but will also create the privacy framework around electronic medical records as the system moves more and more in that direction. Nunavut is now the only Canadian jurisdiction which does not have this kind of legislation.”

It should be noted that the current business plan of the Department of Health indicates that one of its priorities for the 2017-2018 fiscal year is to “introduce health-specific privacy legislation.”

Standing Committee Recommendation #4:

The Standing Committee recommends that the Government of Nunavut’s formal response to this report contain a detailed timeline for the development and introduction of health-specific privacy legislation for Nunavut.

The Standing Committee further recommends that copies of the Department of Health’s privacy and security directives concerning electronic health records be tabled in the Legislative Assembly at the earliest opportunity.

Issue: Protection of Personal Information Provided to Third Parties Under the *Adoption Act* and the *Child and Family Services Act*

The Auditor General of Canada's 2011 *Report to the Legislative Assembly on Children, Youth and Family Programs and Services in Nunavut* noted that:

"The [territorial] *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.

We found that the files we reviewed contained a copy of a letter to the RIA with the appropriate information. However, we were informed that the Department has never received a response from an RIA. Furthermore, when asked during the audit whether they were aware of this correspondence from the Department, two of the three RIAs had no knowledge of it. The Department has made little effort to follow up with the RIAs to determine why it has not heard back from them."

The territorial *Child and Family Services Act* also contains provisions concerning the role of Inuit organizations in relation to such areas as child protection.

The Standing Committee notes that the personal information provided by the government in such circumstances is, by its very nature, likely to be sensitive. However, it has not been clear what agreements and/or understandings and/or protocols are in place between the government and designated Inuit organizations to ensure that such personal information is subject to appropriate safeguards after it has been provided to the designated Inuit organization.

Following its April 18, 2013, hearing on the 2011-2012 annual report of the Information and Privacy Commissioner, the Standing Committee reported back to the House on May 14, 2013. In its report, the Standing Committee recommended that the Government of Nunavut:

"... in partnership with the Information and Privacy Commissioner, work co-operatively with designated Inuit organizations to develop appropriate guidelines to ensure that safeguards are in place with respect to personal information that is provided concerning matters arising under the *Adoption Act* and the *Child and Family Services Act*."

The government's formal response to the report of the standing committee was tabled in the Legislative Assembly on September 6, 2013. The response stated that:

"The Department of Family Services understands the importance of protecting personal information and commits to working collaboratively with both the Information and Privacy Commissioner and designated Inuit organizations to ensure that appropriate safeguards are in place to protect personal information concerning matters arising under the *Adoption Act* and the *Child and Family Services Act*. Initial work will involve consulting with designated Inuit organizations to determine privacy safeguards currently in effect. Consultation with the Information and Privacy Commissioner to assess current practices and to determine if additional safeguards are required will also take place. The Department of Family Services anticipates completion of this recommendation by the fall of 2013."

This issue was revisited during the standing committee's September 2014 hearings on the 2012-2013 and 2013-2014 annual reports of the Information and Privacy Commissioner of Nunavut and the Auditor General's 2014 *Follow-up Report on Child and Family Services in Nunavut*.

The Standing Committee was disappointed at the government's lack of progress in this area. Testimony provided by the Information and Privacy Commissioner during her 2014 appearance before the Standing Committee indicated that consultations with her office had not yet occurred.

The standing committee provided a comprehensive set of recommendations on this issue in its October 28, 2014, report to the House.

In its formal response to the standing committee's October 28, 2014, report, the Government of Nunavut indicated that it:

"... is committed to working with the Office of the Information and Privacy Commissioner and to working co-operatively with Designated Inuit Organizations to develop appropriate guidelines to ensure that safeguards are in place with respect to personal information that is provided concerning matters arising under the *Adoption Act* and the *Child and Family Services Act*.

The Government of Nunavut is also taking steps to conduct a review of the necessity and effectiveness of the current statutory provisions and a letter has been forwarded seeking consultation with the Information and Privacy Commissioner for Nunavut. The tentative date for the meeting is February 24, 2015.

The objective of the meeting/consultation is to seek advice from the [Information and Privacy] Commissioner as to what types of provisions we might put into an agreement to ensure that personal information is adequately protected. The meeting will be between the relevant senior staff in the Family Services division impacted upon by the stipulations of the above mentioned Acts.

We feel that this consultation is prudent prior to beginning the consultation process with the Inuit organizations on the development of a *Protocol for Handling Personal Information Provided to Third Parties Under the Adoption Act and the Child and Family Services Act*.

Once the provisions required are clarified, an internal meeting will be held in March of 2015 during which a committee will be struck to develop the terms of reference for the consultations which will be drafted by April 2015. The consultation process will then commence with expected completion in the fall of 2015. A final report will be drafted by March 31, 2016.”

During her September 28, 2015, appearance before the standing committee the Information and Privacy Commissioner stated that:

“... I had a fairly long meeting with departmental officials and I have also since written them an even longer letter outlining some the suggestions that came out of that meeting and how we could proceed going forward. I know that since then, there have been additional meetings with the various officials in I believe it was Health, but it could have been Family Services. I know the issue is being dealt with. I know that there are ongoing discussions within the government and I expect that I will hear from them again soon. My letter went out just a couple of months ago. With the summer ensuing, I’m thinking that I may hear from them again in the next few months. I know it’s an ongoing issue and we are having some fruitful discussions.”

Standing Committee Recommendation #5:

The standing committee recommends that the Government of Nunavut, in its response to this report, provide a detailed update on the status of its work to develop a new *Protocol for Handling Personal Information Provided to Third Parties Under the Adoption Act and the Child and Family Services Act*.

The standing committee further recommends that the March 31, 2016, “final report” that was referred to in the Government of Nunavut’s formal response to the October 28, 2014, report of the standing committee, be tabled in the Legislative Assembly during its spring 2016 sitting.

Issue: Ability of the Information and Privacy Commissioner to Appeal a Decision Made by a Head of a Public Body Under Section 36 of the Access to Information and Protection of Privacy Act to the Nunavut Court of Justice

An outstanding issue from prior years' annual reports of the Information and Privacy Commissioner to the Legislative Assembly concerns her ability to appeal a decision made by a head of a public body under section 36 of the *Access to Information and Protection of Privacy Act* to the Nunavut Court of Justice.

Section 37 of the *Access to Information and Protection of Privacy Act* provides 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.

Notice of appeal

(2) An applicant or third party who wishes to appeal a decision of a head shall file a notice of appeal with the Nunavut Court of Justice and serve the notice on the head within 30 days after the day the appellant receives the written notice of the decision.

Written notice to third party

(3) A head who has refused an application for access to a record or part of a record shall, as soon as is reasonably practicable after receipt of the notice of appeal, give written notice of the appeal to any third party to whom a report was sent under paragraph 35(b).

Written notice to applicant

(4) A head who has granted an application for access to a record or part of a record shall, as soon as is reasonably practicable after receipt of the notice of appeal, give written notice of the appeal to the applicant.

Parties to appeal

(5) An applicant or a third party who has been given notice of an appeal under this section may appear as a party to the appeal.

Information and Privacy Commissioner not a party

(6) The Information and Privacy Commissioner is not a party to an appeal.

During her November 24, 2011, appearance before the standing committee, the Information and Privacy Commissioner stated that:

“ ... I would like that power, to take something to court, because when I make a recommendation, it's because that's what I believe the Act says and if it's not followed, there are some instances. I don't think I take everything to court where

my opinion wasn't followed, but there are some instances where I think that it would have more impact, where we really need to know whether my interpretation is correct or the public body's interpretation is correct, and a court can do that. So yes, I would love to have that option, many of my colleagues do, and it's used within reason and on occasion to take governments to court on recommendations. I think it would be an extra tool in my toolbox and very useful."

The standing committee has previously noted that systemic barriers, including financial resources, generally preclude private citizens from exercising their notional right under section 37 of the *Access to Information and Protection of Privacy Act* to appeal a decision by a head of a public body to the Nunavut Court of Justice.

This observation was echoed during the Information and Privacy Commissioner's September 28, 2015, appearance before the standing committee, during which she stated that:

"I think one of the things I've talked about, if there were to be a review of the Act, and we've talked about it; I think we even talked about it last year, is that in certain cases, it would be helpful, I think, if the Information and Privacy Commissioner had the ability to appeal something because an individual isn't likely to do it for a number of reasons: the costs; the effort; the time; the need for a lawyer; the need to have at least some knowledge about how the system works if you wanted to do it yourself. I had a situation, not in Nunavut, but in the Northwest Territories, where a member of the press, who you would think has some resources behind them, started an appeal and withdrew it very quickly because they soon realized that the appeal required more than simply appearing in court and asking the court to review my recommendations. So there is a weakness in the Act, definitely."

In its formal response to the standing committee's October 28, 2014, report, the Government of Nunavut indicated that it has:

"... begun looking at other jurisdictions in terms of the powers of their oversight equivalent to see what the best approach would be for us to allow the [Information and Privacy] Commissioner more power to initiate an appeal or participate in an appeal of a decision of a head of a public body under the *Access to Information and Protection of Privacy Act*. We commit to further review of the [Information and Privacy] Commissioner's power as it relates to appeals to the Nunavut Court of Justice under section 36 of the *Access to Information and Protection of Privacy Act*."

Standing Committee Recommendation #6:

The Standing Committee recommends that the Government of Nunavut introduce amendments to the *Access to Information and Protection of Privacy Act* within the next twelve months that would permit the Information and Privacy Commissioner to appeal a decision made by a head of a public body under section 36 of the *Access to Information and Protection of Privacy Act* to the Nunavut Court of Justice.

Issue: Information and Privacy Commissioner’s Discretion to Extend the Time for Requesting a Review

An outstanding issue from prior years’ annual reports of the Information and Privacy Commissioner to the Legislative Assembly concerns her ability to extend the time for requesting a review under the Act in certain circumstances.

In her 2009-2010 annual report to the Legislative Assembly, the Information and Privacy Commissioner noted that:

“... it would be my recommendation that the Information and Privacy Commissioner be given discretion to extend the time for requesting a review in appropriate circumstances, except in the case where the issue involves a third party objection to the disclosure of information. It may also be appropriate to consider extending the time for asking for a review from 30 days to 45 or 60 days.”

In its formal response to the standing committee’s October 28, 2014, report, the Government of Nunavut indicated that it has:

“... committed to making this amendment to the *Access to Information and Protection of Privacy Act*. Currently, this issue is addressed administratively as the GN accepts reviews that are not placed within the 30-day time period, that are done so in good faith. his amendment will be included in the next round of amendments to the *Access to Information and Protection of Privacy Act*.”

Standing Committee Recommendation #7:

The Standing Committee recommends that the Government of Nunavut introduce amendments to the *Access to Information and Protection of Privacy Act* within the next twelve months that would address the Information and Privacy Commissioner’s recommendations concerning her ability to exercise discretion to extend the time for requesting a review under the Act in certain circumstances.

Issue: Information and Privacy Commissioner's Review of the Access to Information and Protection of Privacy Act

Earlier this year, the Information and Privacy Commissioner discontinued her private law practice in order to allow her to focus on her work as Information and Privacy Commissioner for both Nunavut and the Northwest Territories.

The standing committee is of the view that this will help enable the Information and Privacy Commissioner to engage in more training, education and outreach activities, as well as helping to ensure that her website is kept up-to-date on an ongoing basis.

In her 2014-2015 annual report to the Legislative Assembly, the Information and Privacy Commissioner notes that she plans to:

“... work on creating more content for my web site so as to provide resources, guidelines, FAQs, suggestions and papers on various subjects to assist government agencies and the public. I will also be taking more time to focus on new initiatives and legislation proposed by public bodies and the Legislative Assembly so as to provide comment on projects which may have an impact on either access to information or on the privacy of individuals. **Thirdly, I will begin to lay the groundwork for a full review of the *Access to Information and Protection of Privacy Act* with a view to modernizing the legislation and making it more responsive to today's business realities.**”

The Information and Privacy Commissioner's 2014-2015 annual report also highlights a number of thematic areas that she believes to be worthy of consideration during the review of the legislation:

- A legislated duty to document;
- Broadening and clarifying which public entities are covered by the Act;
- Limiting the ability of public bodies to extend the time for responding to access requests;
- Clarifying that disclosure is the rule, even where discretionary exemptions might apply;
- Establish[ing] clear accountability mechanisms for managing information at all steps of the digital information life cycle (collection, use, disclosure, retention and disposal) including proper monitoring and sanctions for non-compliance among other things;
- Requiring the completion of privacy impact assessments for all new projects undertaken by a public body, with a review by the Information and Privacy Commissioner; and
- Strengthening reporting requirements to the public with respect to the disclosure of personal information between public bodies and/or between public bodies and the private sector.

During her September 28, 2015, appearance before the standing committee, a number of questions were posed to the Information and Privacy Commissioner concerning the scope of this review. Recognizing that the *Access to Information and Protection of Privacy Act* was originally passed in 1994, at the dawn of the Internet age, Members engaged in a broad dialogue with the Information and Privacy Commissioner concerning the impact that technology has had on the administration of the legislation.

Standing Committee Recommendation #8:

The Standing Committee recommends that the Information and Privacy Commissioner of Nunavut submit, no later than September 1, 2016, a set of comprehensive and specific recommendations for possible amendments to the *Access to Information and Protection of Privacy Act*.

The Standing Committee further recommends that the Information and Privacy Commissioner's review of the *Access to Information and Protection of Privacy Act* include consideration of the following matters:

- The extent to which the legislation takes into account Inuit Qaujimajatuqangit and Inuit Societal Values;
- The extent to which the legislation has kept pace with the Internet and other communications technology;
- The extent to which the legislation is being used for the purpose of furthering private commercial interests; and
- The extent to which the legislation is being used for the purpose of pursuing interpersonal workplace disputes in public bodies.

The Standing Committee notes that the Information and Privacy Commissioner's review should be submitted to the Office of the Speaker of the Legislative Assembly for subsequent transmittal to the standing committee and tabling in the House.

The Standing Committee further notes that this timeline will allow it to begin consideration of the recommendations during its televised hearing on the Information and Privacy Commissioner's 2015-2016 annual report to the Legislative Assembly, with the ultimate goal of passing legislation prior to the dissolution of the 4th Legislative Assembly.

Issue: Consultation with the Inuit Qaujimajatuqangit Katimajit

On March 24, 2003, the Government of Nunavut announced the establishment of the Inuit Qaujimajatuqangit Katimajit (IQK), an external and non-governmental body with the mandate to monitor the government's initiatives to incorporate Inuit Qaujimajatuqangit into its laws, policies, programs, and services. As an advisory body to the government, the IQK meets with departmental officials on a regular basis to assess the government's initiatives related to the integration of Inuit Qaujimajatuqangit.

On June 1, 2015, the Legislative Assembly passed a motion to amend the terms of reference of the standing committee to "explicitly address the integration of Inuit societal values and Inuit Qaujimajatuqangit into the laws, policies, programs, and services of the Government of Nunavut, including the holding of public hearings on the annual reports of the Inuit Qaujimajatuqangit Katimajit."

On September 23, 2015, representatives from the Inuit Qaujimajatuqangit Katimajit (IQK) made their first-ever appearance to present the most recent annual reports of that body.

During her September 28, 2015, appearance before the standing committee, the Information and Privacy Commissioner engaged in a thoughtful dialogue with Members concerning privacy rights and the obligations of government in the unique cultural context of Nunavut. This dialogue took place against the backdrop of the recently-completed coroner's inquest into suicide in Nunavut, a process which has led to recommendations for amendments to statutes such as the *Mental Health Act*.

Standing Committee Recommendation #9:

The Standing Committee recommends that the Information and Privacy Commissioner of Nunavut meet in person with representatives from the Inuit Qaujimajatuqangit Katimajit on at least one occasion during the 2015-2016 fiscal year in order to exchange perspectives on issues related to access to information and protection of privacy.

The Standing Committee further recommends that the Information and Privacy Commissioner's 2015-2016 annual report to the legislation account, in detail, for her discussions with the Inuit Qaujimajatuqangit Katimajit.

Issue: Government of Nunavut Responses to the Information and Privacy Commissioner’s Review Recommendations

The Information and Privacy Commissioner’s annual reports to the Legislative Assembly include summaries of each formal review recommendation that she made during the period of time covered by the annual report.

The standing committee applauds the Information and Privacy Commissioner for ensuring that the full text of each review recommendation is publicly available on her office’s website. These review recommendations contain detailed analysis and commentary on each matter that formally comes before her during the course of the year, and are invaluable for achieving a full understanding of the complexities of the issues that her office addresses.

Section 68 of the *Access to Information and Protection of Privacy Act* provides that:

“The Information and Privacy Commissioner shall, by July 1 in each year, submit to 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 previous year, **including information concerning any instances where recommendations made by the Information and Privacy Commissioner after a review have not been followed.**”

During her September 28, 2015, appearance before the standing committee, the Information and Privacy Commissioner noted that her recommendations “were not accepted in two instances” during the 2014-2015 fiscal year.

It is the position of the standing committee that it is incumbent on both the government and the Office of the Information and Privacy Commissioner to ensure that the public also has access to the government’s formal responses to each review recommendation made by the Information and Privacy Commissioner.

The standing committee further notes that this would be consistent with the manner in which government responses to reports and recommendations of standing committees are made available to the public.

Standing Committee Recommendation #10:

The Standing Committee recommends that the Government of Nunavut’s formal written responses to the Information and Privacy Commissioner’s review recommendations be made publicly accessible through posting on the website of the Office of the Information and Privacy Commissioner.

Issue: Privacy Audits of Government of Nunavut Departments, Crown Agencies and Territorial Corporations

During her September 18, 2014, appearance before the Standing Committee, the Information and Privacy Commissioner stated that:

“There are lots of projects that I would like to involve myself more in. For example, with the new authority given to me under the privacy provisions of the Act, I would like to be able to undertake privacy audits of various departments and organizations to see how they’re doing and make suggestions for improvement.”

In its October 28, 2014, report to the House, the standing committee recommended that the Government of Nunavut:

“... co-operate with the Office of the Information and Privacy Commissioner in undertaking at least one formal privacy audit of a department, Crown agency or territorial corporation during the 2015-2016 fiscal year, and that the results of the privacy audit be tabled in the Legislative Assembly as soon as practicable.”

In its formal response to the standing committee’s October 28, 2014, report, the Government of Nunavut indicated that it:

“... welcomes all tools that can help to improve the privacy of our programs. The Information and Privacy Commissioner can expect full compliance with any privacy audit conducted within the Government of Nunavut. We consider this an opportunity to improve internal processes as well as a learning experience for our employees.”

During her September 28, 2015, appearance before the standing committee, the Information and Privacy Commissioner was asked to provide an update on the status of this initiative. The Information and Privacy Commissioner stated that:

“I’m playing catch-up right now since coming on full-time. The fact is that prior to January 1, I was probably spending 60 percent of my time on these matters on access and privacy and only 40 percent of my time on my private law practice. Now I’ve got 100 percent of the time, but it’s not like it’s double the time or anything like that. I’m still catching up. I still have that on my radar. Hopefully by this time next year I’ll have a plan in place and we will be working towards that or maybe even completed one.”

Standing Committee Recommendation #11:

The Standing Committee recommends that the Information and Privacy Commissioner undertake at least one formal privacy audit of a Government of Nunavut department, Crown agency or territorial corporation during the 2015-2016 fiscal year, and that the findings of the audit be accounted for, in detail, in the Information and Privacy Commissioner's 2015-2016 annual report to the Legislative Assembly."