



**LEGISLATIVE ASSEMBLY OF NUNAVUT**

**4th Session**

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**Wednesday, September 17, 2008**

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**Iqaluit**

**Speaker: The Honourable Peter Kilabuk, M.L.A.**

## Legislative Assembly of Nunavut

### *Speaker*

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(Pangnirtung)

**Hon. Olayuk Akesuk**

(South Baffin)

*Minister of Environment; Minister of Health and Social Services*

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(Arviat)

**James Arreak**

(Uqqummiut)

*Deputy Speaker; Chair of the Committee of the Whole*

**James Arvaluk**

(Tununiq)

**Hon. Levi Barnabas**

(Quttiktuq)

*Minister of Human Resources; Minister responsible for the Workers' Safety and Compensation Commission*

**Hon. Levinia Brown**

(Rankin Inlet South – Whale Cove)

*Deputy Premier; Minister of Community and Government Services; Minister responsible for the Status of Women*

**Tagak Curley**

(Rankin Inlet North)

**Peter Kattuk**

(Hudson Bay)

*Deputy Chair, Committee of the Whole*

**Steve Mapsalak**

(Akulliq)

**Hon. Patterk Netser**

(Nanulik)

*Minister of Economic Development and Transportation; Minister responsible for the Nunavut Housing Corporation*

**Hon. Paul Okalik**

(Iqaluit West)

*Premier; Minister of Justice; Minister of Executive and Intergovernmental Affairs*

**Keith Peterson**

(Cambridge Bay)

**Hon. Ed. Picco**

(Iqaluit East)

*Government House Leader; Minister of Education; Minister of Energy; Minister responsible for Multiculturalism, Homelessness and Immigration*

**David Simailak**

(Baker Lake)

**Hon. Louis Tapardjuk**

(Amittuq)

*Minister of Culture, Language, Elders and Youth; Minister of Finance; Chairman, Financial Management Board*

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**Iqaluit, Nunavut**  
**Wednesday, September 17, 2008**

**Members Present:**

Honourable Olayuk Akesuk, Mr. David Alagalak, Mr. James Arreak, Mr. James Arvaluk, Honourable Levi Barnabas, Honourable Levinia Brown, Mr. Tagak Curley, Mr. Peter Kattuk, Honourable Peter Kilabuk, Mr. Steve Mapsalak, Honourable Patterk Netser, Honourable Paul Okalik, Mr. Keith Peterson, Honourable Edward Picco, Mr. David Simailak, Honourable Louis Tapardjuk, Mr. Hunter Tootoo.

**Item 1: Opening Prayer**

**Speaker** (Hon. Peter Kilabuk) (interpretation): Good day. I would like to ask Mr. Curley to say the opening prayer. Mr. Curley.

>>*Prayer*

**Speaker** (interpretation): Good day, Mr. Premier, Cabinet, and Members.

Item 2. Ministers' Statements. Minister of Environment and Health and Social Services, Minister Akesuk.

**Item 2: Ministers' Statements**

**Minister's Statement 221 – 2(4): Mental Health Symposium**

**Hon. Olayuk Akesuk** (interpretation): Good afternoon, people of Nunavut and Members of the Legislative Assembly.

(interpretation ends) Mr. Speaker, last week, approximately 90 people who work in the mental health and criminal justice fields from Nunavut and other parts of Canada gathered in Iqaluit for the Nunavut Mental Health Symposium. This was the first symposium of its kind held in Nunavut.

Mr. Speaker, we know good mental health is vital to our wellbeing. It is an indication of a healthy and growing society. Connection and partnership are the keys to improving the quality of life and care for those affected by mental health challenges.

(interpretation) Mr. Speaker, we believe that people come first; mental health and wellness must meet the mental, emotional, spiritual and physical needs of Nunavummiut and be culturally sensitive through the use of *Inuit Qaujimagajatuqangit*.

Mr. Speaker, our way forward in mental health requires meaningful partnerships at the community, regional, and territorial levels. Continuing to build on these partnerships means good communication, the sharing of resources, and support. It is a priority that extends beyond the department.

For this reason, Mr. Speaker, we joined forces with the Department of Justice to establish the mental health symposium to look at ways we can enhance services to those in need.

Mr. Speaker, I was honoured to speak at the symposium along with our Premier and I know that combined efforts like this are vital for promoting change. I thank all those who participated in the symposium and to those who worked so hard to make it happen. Thank you.

>> *Applause*

**Speaker** (interpretation): Thank you, Minister. Item 2. Ministers' Statements. Minister of Energy and Education, Minister Picco.

### **Minister's Statement 222 – 2(4): Nunavut Youth Leadership Outward Bound**

**Hon. Ed. Picco:** Thank you, Mr. Speaker, and good afternoon.

Mr. Speaker, I would like to inform the House about the recent Nunavut Youth Leadership Outward Bound and Career Orientation expedition. Mr. Speaker, this is an innovative type of adventure-based education aimed at providing students with an opportunity to learn and grow.

The Department of Education was honoured, Mr. Speaker, to help sponsor this meaningful and valuable project. Ten students aged 16 to 19, from all over the territory, participated in a two-week canoe trip on the Horton River in the Northwest Territories. This was followed by tours of NorTerra Incorporated offices, along with tours of colleges in Edmonton and Hay River. Mr. Speaker, this component gave students the opportunity to meet and speak with employees and professionals about their futures and possible career options.

Mr. Speaker, this experience provided these students with fundamental and necessary skills, including the ability to overcome challenges, to work well with others, to communicate effectively as well as to overcome obstacles to work towards long-term goals.

Mr. Speaker, it was an inspiring experience and I am confident our students will use their newfound skills to enrich their every day lives and plan for their futures. (interpretation) Thank you, Mr. Speaker.

>> *Applause*

**Speaker** (interpretation): Thank you, Minister. Ministers' Statements. Minister responsible for the Nunavut Housing Corporation and Economic Development and Transportation, Minister Netser.



**Minister's Statement 223 – 2(4): Iqaluit International Airport Master Plan**

**Hon. Patterk Netser** (interpretation): Thank you, Mr. Speaker. (interpretation ends)  
Later on today I will table the Iqaluit International Airport Master Plan in the Legislative Assembly.

(interpretation) This document, Mr. Speaker, was prepared originally in 1999, following division of Nunavut from the Northwest Territories. I am bringing the master plan to the attention of House today, because it remains as relevant to our circumstances now as it was when it was first prepared.

(interpretation ends) Mr. Speaker, the master plan outlines the important role the Iqaluit International Airport plays in the economy, sovereignty, and security of Nunavut, Canada, and the circumpolar world.

In 1999, the authors of the master plan predicted significant growth at the airport. Their predictions then are our reality today. Indeed, in many cases, the growth they forecast has been exceeded.

Mr. Speaker, I don't have to tell members or anyone else who flies in and out of Iqaluit regularly that the airport facility is currently operating with far more traffic than it was designed to handle.

In this past year alone, Mr. Speaker, aircraft movements are up nearly 20 per cent and average more than 80 a day.

This activity is to be welcomed, Mr. Speaker, because it indicates increasing economic activity in Iqaluit, and throughout the territory. But growth like this also raises concerns about safety and security.

Passengers and vehicles are mixing with too many aircraft in a small area in front of the terminal.

In response to these concerns, the government will make changes to the operation of the Iqaluit International Airport.

Beginning this fall, many aircraft will begin operating from the large north apron that was paved in the summer of 2007. We will be fuelling aircraft at that location and some passengers will be bussed to their aircraft there from the air terminal building.

These changes will increase the safety of all operations, but with minimum impact on the travelling public.

This is only the first of many changes recommended in the master plan. Others will have to follow because we see no end to the growth of demand on the Iqaluit airport.  
(interpretation) Thank you, Mr. Speaker.

>>Applause

**Speaker** (interpretation): Thank you, Minister. Ministers' Statements. Minister of Human Resources, Minister Barnabas.

**Minister's Statement 224 – 2(4): Government of Nunavut Inuit Employment Plan Final Report 2004-2008**

**Hon. Levi Barnabas** (interpretation): Thank you, Mr. Speaker and good afternoon. Mr. Speaker, I am pleased to announce the release of the Final Report for the 2004-2008 Government of Nunavut Inuit Employment Plan. This report demonstrates commitment to building an effective, functional and skilled public service.

Mr. Speaker, over the past four years, my department has been working in cooperation with all GN departments and agencies to implement the 2004-2008 Inuit Employment Plan, thereby increasing Inuit employment in the public service.

Mr. Speaker, since its inception, the Government of Nunavut has increased Inuit employment from 44 percent in 1999 to 51 percent as of March 31, 2008. The Government of Nunavut is committed to achieving its ultimate target of 85 percent Inuit employment by 2020.

Mr. Speaker, we need to build on the skills gained from within our own workforce if we are to succeed. By preparing our own employees for the future, we will retain employees through strong training and development initiatives.

Mr. Speaker, the vision of our territory, created by our elders, will be fulfilled through a commitment to our youth. We will build on hope for the future by providing formal education to our ever increasing young population.

Mr. Speaker, this report demonstrates our commitment to the development of Nunavut's public service through excellence in human resource management. Thank you, Mr. Speaker.

>>Applause

**Speaker** (interpretation): Thank you, Minister. Item 2. Ministers' Statements. Minister of Culture, Language, Elders and Youth and Finance, Minister Tapardjuk.

**Minister's Statement 225 – 2(4): Public-Private Partnerships Policy**

**Hon. Louis Tapardjuk** (interpretation): Thank you, Mr. Speaker. First of all, I would like to send my condolences to my relatives in Igloolik as we lost a relative last night and my relatives are in my thoughts, especially my mother and Yvonne, who were out and

about, along with my sister-in-law and all of her children. You are in my thoughts today and we have heard the news.

Mr. Speaker, I would like to speak today about the GN's recently approved Public-Private Partnership, or P3, Policy.

The policy was a joint initiative between the Departments of Finance and Community and Government Services with important input from the Departments of Justice and Economic Development and Transportation.

The policy is a document that will be used to ensure consistency when the GN enters into partnerships by:

- Setting out clear principles that will be used to evaluate public-private partnerships;
- Applying to all departments and public agencies;
- Setting out the roles and responsibilities of Cabinet, ministers, and deputy ministers with respect to P3s; and
- Creating a P3 Opportunities Committee that will review Requests for Proposals valued at over \$1 million.

The policy also confirms our commitment to maximize benefits for Nunavummiut while emphasizing due diligence and the importance of written contracts. Transparency is emphasized with a requirement for every public-private partnership to include a communications plan that will keep Nunavummiut informed with respect to the project.

Mr. Speaker, in drafting this policy, we recognized that every project undertaken by the GN carries with it a certain amount of risk. The key feature of any public-private partnership is the assessment and assignment of risks to each partner.

I will be pleased to table the policy at the appropriate time. Thank you, Mr. Speaker.

>>Applause

**Speaker** (interpretation): Thank you, Minister. Item 2. Ministers' Statements. If there are none, Item 3. Members' Statements. Member for Rankin Inlet South and Whale Cove, Minister Brown.

### **Item 3: Members' Statements**

#### **Member's Statement 543 – 2(4): Whale Cove Celebrated 50 Years on August 4**

**Hon. Levinia Brown** (interpretation): Thank you, Mr. Speaker. I send my regards to the residents of Rankin Inlet, Whale Cove, and my husband.

This is for information purposes only. My daughter gave birth to a 7-pound, 2-ounce baby and his name is Sidney Joannie Qiliqti Henderson on August 30, 2008. That is his name, and I am ecstatic that this birth didn't have any complications. As you all know, young pregnant women undergo tremendous challenges during their pregnancy, and it lasts for nine months, and when they finally give birth, it is always a pleasure.

>>Applause

Mr. Speaker, I rise to announce that this summer, on August 4, Whale Cove celebrated 50 years of community status. They celebrated for four days and had a banquet. I would also like to thank the RMCP who sponsored the picnic that was held for all the people of Whale Cove. They had dances, games, and there was recognition of many elders in the community. I am grateful for the fact that they moved to Whale Cove.

They also made mention of the Singaittuq family, including all of their descendents who are originally from that area. And I believe that John Towtoongie was the first resident who worked for the government and Nutarakuluk, Dominique Nutarakuluk, there were quite a number of other people, but I don't have their names handy. I place great emphasis on the recognition of Singaittuq; he had a role in several films by the National Film Board in the 1950s. The name of the film is *Anguti*. You will probably see it some time. We also recognized Ikualaaq, who was originally from Whale Cove, and the Qallujjariit and the Uluqsigiit families.

It was a pleasure to be present at their celebration and I wanted to inform this House about it and the recognition of Voisey and others. Thank you, Mr. Speaker, for giving me the opportunity.

>>Applause

**Speaker** (interpretation): Thank you, Ms. Brown. Members' Statements. Member for Cambridge Bay, Mr. Peterson.

#### **Member's Statement 544 – 2(4): Legal Aid Services in Nunavut**

**Mr. Peterson:** Thank you, Mr. Speaker. I rise today to inform the House about an issue that I see is a major concern in the Kitikmeot.

Mr. Speaker, earlier this week, I asked the Minister of Justice important questions concerning the urgent need for additional funding and other resources for the legal aid system in Nunavut.

In my former role as Chairman of the Kitikmeot Law Centre, I observed firsthand the challenges facing our legal aid services. Legal aid services were under-funded then and they remain dangerously under-funded today.

Mr. Speaker, our legal system is complicated and convoluted. It is difficult for anyone who is unequipped with legal training to fully understand what their rights are when they are charged with a crime, how to deal with child custody cases, or how to protect their few assets if they need to declare personal bankruptcy.

Mr. Speaker, most people in the Kitikmeot would turn to the legal aid lawyers for help. In speaking to many of my constituents who encounter legal problems, they tell me that the legal aid lawyers with whom they work are very supportive and helpful.

Mr. Speaker, that being said, I am aware that our legal aid lawyers are stretched thin and cannot possibly deal on a timely basis with the myriad of cases that are assigned to them weekly. I have seen the Territorial Circuit Court docket reports and am amazed by the number of cases that legal aid lawyers must deal with to help their clients.

Mr. Speaker, an important function of the legal aid system is dealing with child custody cases. Currently in Nunavut, I estimate that there are between 300 to 500 pending child custody cases that could take two to three years to be heard. This is very difficult for children and their families.

Mr. Speaker, when I was chairman, our board understood that legal aid was a poor cousin compared to the Government of Nunavut and the federal government, both of which have far more resources available to fulfill their mandates and responsibilities.

This was confusing to us because the legal aid lawyers are in the communities working with the people who need legal help and often have to defend themselves against the Government of Nunavut and federal Crown prosecutors.

Mr. Speaker, legal aid lawyers themselves face difficult work and living conditions. In addition to their huge workloads, their annual salaries are considerably lower than their territorial and federal counterparts, and most do not have housing provided to them. The combination of these factors leads to a high burnout rate which ultimately affects their clients.

**Speaker** (interpretation): Mr. Peterson.

**Mr. Peterson:** Mr. Speaker, I seek unanimous consent to continue my statement.

>>*Laughter*

**Speaker** (interpretation): Thank you, Mr. Peterson. The member is seeking unanimous consent to conclude his statement. Are there any nays? There are no nays. Please proceed, Mr. Peterson.

**Mr. Peterson:** Thank you, Mr. Speaker. I thank my colleagues. The light went off while I was talking there.

>> *Laughter*

Mr. Speaker, I support our government in its ongoing efforts to work with other provinces and territories to impress upon Ottawa the urgent need for new resources to be provided to our legal aid system.

Mr. Speaker, government makes the laws for its citizens to follow and live by. It is incumbent upon governments to provide sufficient funding to ensure that the public receives timely justice. Thank you, Mr. Speaker.

>> *Applause*

**Speaker** (interpretation): Thank you, Mr. Peterson. Members' Statements. Member for Tununig, Mr. Arvaluk.

### **Member's Statement 545 – 2(4): Lack of Jet Services in the High Arctic**

**Mr. Arvaluk** (interpretation): Thank you, Mr. Speaker. Last evening, we had dinner with several First Air officials. I would like to thank them first of all for the dinner. We were able to have a discussion with the executives of First Air where we sat with them and had the opportunity to raise our concerns with regards to ticketing and other concerns of the communities.

I prefer not to jog the collective memory of the government regarding an issue I have raised on numerous occasions whereby we can improve the services in the High Arctic, especially when the communities no longer receive jet services. All of them are without jet service. Again, 50 percent of the communities within the Baffin region are in the High Arctic and there are six communities in the High Arctic with approximately 50 percent of the communities separated by long distances.

**An Hon. Member:** Hear, Hear.

**Mr. Arvaluk** (interpretation): For example, Grise Fiord passengers travelling to Iqaluit take upwards of several hours on a small plane and this is especially arduous if you're an elder or are ill when you have to put up with a flight that long.

I think that I have to remind the government of the need for a jet-capable airstrip hub in the High Arctic. I have already provided the example that if there was a jet service hub in Pond Inlet, they could service a total of six communities in their immediate vicinity.

The government ought to commission a complete review of the High Arctic to see how we can provide faster and cheaper air services to the High Arctic communities, especially medical patients travelling to Iqaluit for medical treatment. It is as if the High Arctic residents are treated like non-Nunavummiut, as strangers based on the quality of service provided by the airline companies.

For those of us who have travelled to Grise Fiord, we know that it is quite demanding to try and coordinate travel to the community, so imagine the difficulties faced by medical patients travelling to or from Iqaluit. They undergo tedious travel times due to these long distances and we would like the government to look into the situation when they have a chance to do so because it's becoming a major concern to High Arctic residents. Thank you, Mr. Speaker.

>>Applause

**Speaker** (interpretation): Thank you, Mr. Arvaluk. Members' Statements. Member for Rankin Inlet North, Mr. Curley.

**Member's Statement 546 – 2(4): Rankin Inlet Residents Walk Against Cancer**

**Mr. Curley** (interpretation): Thank you, Mr. Speaker. I rise today for the need for every one of us to join in the fight against cancer.

Mr. Speaker, I would like to recognize three residents of Rankin Inlet. I am pleased to inform the House that Veronica Tattuinee, Lizzie Tattuinee, and Leonie Berry will be involved in the fight against cancer by travelling to Winnipeg later this month to join the Challenge for Life walk. This 18-mile or 20-kilometre walk will benefit the CancerCare Manitoba Foundation.

Mr. Speaker, the community of Rankin Inlet has been very supportive of their efforts. All of our families have been touched by tragedy at one time or another and it is gratifying to see the community support Veronica, Lizzie, and Leonie in their efforts. They are young ladies.

Mr. Speaker, I ask all Members of the House to join me in congratulating these three Nunavummiut for their courage and dedication to a worthy cause and for supporting the fund-raising event which is aimed at including Nunavut. (interpretation ends) Thank you.

>>Applause

**Speaker** (interpretation): Thank you, Mr. Curley. Members' Statements. Member for Hudson Bay, Mr. Kattuk.

**Member's Statement 547 – 2(4): Relocation of Inuit to Communities**

**Mr. Kattuk** (interpretation): Thank you, Mr. Speaker. I rise today to speak on an issue that I have raised on more than one occasion in regard to the government causing hardship when bringing the Inuit to settlements.

I am grateful for the apology from the Prime Minister, but I also remember my parents, uncles, and relatives who went through hardships when they were relocated from their camps to the settlements. At that time, we went through very hard times. A lot of

relatives were brought to one location. The reasoning behind it was that it was going to be too expensive to govern the people if they were scattered out in the camps.

Mr. Speaker, family members had to move to the community. They weren't given any transportation. I remember my father, who didn't have a boat or a canoe and only had a *Qajaq*. There were a lot of us children and my grandmother was still alive at that time. So there were a lot of us and there were also a lot of dogs that had to be transported to the community. No type of transportation was provided when the Inuit were forced to relocate to the settlements.

I especially remember the announcement that 15 houses would be built by local men with the necessary skills, so all the men available went to the community to build the houses.

Mr. Speaker, I would like unanimous consent to conclude my statement.

**Speaker** (interpretation): Thank you, Mr. Kattuk. The member is seeking unanimous consent to conclude his statement. Are there any nays? There are no nays. Please proceed, Mr. Kattuk.

**Mr. Kattuk** (interpretation): Thank you, Mr. Speaker and colleagues.

At that time, there was no form of transportation other than *Qajait* and the men went to the community to build the houses. At that time, they also left all their belongings at their camps, believing that they would return on completion of the construction of the houses.

I remember my uncle who had two sets of dog teams. He would use one set for day hunting and the other for long distant hunting. At the time of the relocation, all the dogs were tied at the top of the nearby cliff. So when they were moving to the community, he shot all the dogs and they would fall over the cliff. My father also did that. It was very hard at that time and I can say that what I'm saying is the truth because I still see the bones of the dogs to this day.

I still find it hard to accept what has happened to this day. The government had said that everything would be provided for free. Yet, we use to pay rent of \$32 a month. I believe that the Prime Minister should apologize to the people that were forcibly relocated to the settlements.

I and my relatives were moved. A school was provided, a power plant, government staff houses, and everything was provided. Some people even left their tents and those tents were set on fire. I don't know who did it or how it happened, but all the tents were set on fire so that we wouldn't come back. Thank you, Mr. Speaker.

>>Applause



**Speaker** (interpretation): Thank you, Mr. Kattuk. I have no other names on my list for Members' Statements. If there are no more, Item 4. Returns to Oral Questions. Item 5. Recognition of Visitors in the Gallery. Member for Iqaluit West, Mr. Premier.

### **Item 5: Recognition of Visitors in the Gallery**

**Hon. Paul Okalik** (interpretation): Thank you, Mr. Speaker. One of my constituents is here and I would like to recognize this individual who is the husband of one of my relatives. I would like to welcome Sammie Peter. Thank you for coming to the Gallery. Thank you, Mr. Speaker.

>>*Applause*

**Speaker** (interpretation): Thank you, Mr. Premier. Welcome to the Gallery. Item 5. Recognition of Visitors in the Gallery. I would like to welcome all the visitors to the Gallery. Item 6. Oral Questions. If there are none, Item 7. Written Questions. Mr. Peterson.

**Mr. Peterson:** Thank you, Mr. Speaker. I wanted to ask a question, Mr. Speaker. Thank you.

>>*Laughter*

**Speaker:** Thank you, Mr. Peterson. That was under Item 6 which we just passed, but if you wish to do so, I will allow you the opportunity of seeking consent to return to Item 6. Mr. Peterson.

**Mr. Peterson:** Thank you, Mr. Speaker. I was writing something and you went pretty fast there. My question is for the Minister responsible for Qullit Status of Women.

Mr. Speaker, at our last sitting in May...

**Speaker:** Mr. Peterson, I will ask again that if you wish to return to Item 6 to ask questions that you seek the consent of the Assembly to return to Item 6. Mr. Peterson.

**Mr. Peterson:** Thank you, Mr. Speaker. I request unanimous consent to return to Item 6. Thank you, Mr. Speaker.

**Speaker** (interpretation): Thank you, Mr. Peterson. The member is seeking unanimous consent to return to Item 6. Are there any nays? There are no nays. Please proceed, Mr. Peterson.

>>*Laughter*

### **Revert to Item 6: Oral Questions**

**Question 675 – 2(4): Qullit Status of Women Council - President Resignation**

**Mr. Peterson:** Thank you, Mr. Speaker. This is certainly the first time for us in this Assembly where we had to request unanimous consent to go back to Item 6. I appreciate my colleagues' support.

Mr. Speaker, my question is for the Minister responsible for the Qullit Status of Women.

Mr. Speaker, at our last sitting in May and June, I posed some questions to the former Minister responsible for the Qullit Status of Women and I had asked the minister at that time why the former Qullit Status of Women Council President was singled out for attention by the Government of Nunavut for possible comments she would have made that would cause embarrassment to the government, and in fact, she didn't ask any questions.

The former minister said, "I will have to get the information as to the reasons behind" why the president was singled out "... and respond." Of course, the former minister is no longer with us and there was a Cabinet shuffle.

So my question for the minister: could the minister update the House and tell us if she followed up on the former minister's commitment to get the information why the Qullit Status of Women President was singled out for attention by the Government of Nunavut? Thank you, Mr. Speaker.

**Speaker:** Thank you, Mr. Peterson. Minister responsible for the Status of Women, Minister Brown.

**Hon. Levinia Brown** (interpretation): Thank you, Mr. Speaker. I also thank my colleague for his question. Yes, I did look into the matter and as far as I know, that person resigned voluntarily. Thank you, Mr. Speaker.

**Speaker** (interpretation): Thank you, Minister. Your first supplementary, Mr. Peterson.

**Mr. Peterson:** Thank you, Mr. Speaker. I thank the minister for that response. I realize, Mr. Speaker, that the former president resigned voluntarily. However, Mr. Speaker, she felt that she was being pressured by the Government of Nunavut as the President of the Qullit Status of Women Council and consequently, she resigned.

I asked some questions to the former Minister of Qullit Status of Women if there's a policy in place that the government imposes on Government of Nunavut employees on the Qullit Status of Women Council that prevents them from speaking out on government policies and issues.

And the minister at the time said, "I will commit to look into that," and I wonder if the minister today can tell the House if she has looked into that issue and if she would update us on what her findings are. Thank you, Mr. Speaker.

**Speaker** (interpretation): Thank you, Mr. Peterson. Minister responsible for the Nunavut Status of Women Council, Minister Brown.

**Hon. Levinia Brown** (interpretation): Thank you, Mr. Speaker. Yes, I did my own follow-up on the matter. I was informed that with respect to the Nunavut Status of Women Council, if they wish to speak on behalf of women, they can speak freely and they are allowed to express their opinions. Thank you, Mr. Speaker.

**Speaker** (interpretation): Thank you, Minister. Your second supplementary, Mr. Peterson.

**Mr. Peterson:** Thank you, Mr. Speaker. I thank the minister for that statement. I'm not 100 percent sure and confident in what she said. I know in the upcoming general election, the Qullit Status of Women Council members will probably be asking some of the candidates from the communities of their positions on women's issues and I think we should encourage the members to speak to the candidates.

Can the minister today assure them and the House that these members of the Qullit Status of Women Council can freely voice their opinions without fear of retribution from the Government of Nunavut? Thank you, Mr. Speaker.

**Speaker** (interpretation): Thank you, Mr. Peterson. (interpretation ends) Minister responsible for the Qullit Status of Women Council, Minister Brown.

**Hon. Levinia Brown** (interpretation): Thank you, Mr. Speaker. I would like to thank the member for asking the question. As I stated earlier, the Qullit Status of Women Council members are representing all women in Nunavut. They have to be able to speak freely and they should be welcomed into any forum without fear of retribution.

Women cannot be singled out or pressured. We support their work towards equality and their right to free speech, especially in this case. We would like them to be able to speak freely and as a government, we support their cause and I encourage everyone to allow them to speak freely. Thank you, Mr. Speaker.

**An Hon. Member:** Hear, hear.

**Speaker** (interpretation): Thank you, Minister. Your final supplementary, Mr. Peterson.

**Mr. Peterson:** Thank you, Mr. Speaker. I'm sure the women across Nunavut are encouraged to hear the minister's support for them to speak freely in the upcoming elections.

Mr. Speaker, I would like to ask the minister to inform the House if she has given consideration and fought to establish an independent Qullit Status of Women Council,

independent from the Government of Nunavut, similar to the Nunavut Association of Municipalities, who can represent women in Nunavut. Thank you, Mr. Speaker.

**Speaker** (interpretation): Thank you, Mr. Peterson. (interpretation ends) Minister responsible for the Qullit Status of Women Council, Minister Brown.

**Hon. Levinia Brown** (interpretation): Thank you, Mr. Speaker. I'm very proud of the Qullit Status of Women Council and the Government of Nunavut is very proud of them, and all the women of Nunavut are proud of them. They try to represent to the best of their ability in Nunavut and I believe that they are running very smoothly right now.

Perhaps the new government will be able to deal with the Qullit Status of Women Council, but I would like to thank the Status of Women Council and the Legislative Assembly is also in support of the Status of Women. And yes, men are now recognizing the status of women and also the needs of women and their representation. Thank you, Mr. Speaker.

**Speaker** (interpretation): Thank you, Minister. Oral Questions. Member for Hudson Bay, Mr. Kattuk.

#### **Question 676 – 2(4): Food Allowance Rates in Sanikiluaq**

**Mr. Kattuk:** Thank you, Mr. Speaker. I would like to direct my question to the Minister responsible for Income Support.

Mr. Speaker, over my terms in this Assembly, I have spoken a number of times about the high cost of living in Sanikiluaq. For people who are on income support, the high cost of food makes it difficult to have enough food to feed the family. Food Allowance rates were last increased in 2005 and this was very welcomed. I have noted, however, that the food allowance rate for Sanikiluaq is still lower than for other communities in Nunavut, even the three regional centres.

In June of 2007, I asked the minister if he would commit to reviewing the issue of bringing Sanikiluaq up to the same level as other communities in Nunavut and he gave me that commitment. Can the minister update this House and the residents of Sanikiluaq on the results of his review? Thank you, Mr. Speaker.

**Speaker** (interpretation): Thank you, Mr. Kattuk. Minister responsible for Income Support, Minister Picco.

**Hon. Ed. Picco:** Thank you, Mr. Speaker. As we said in the House at that time when the member asked me the question, income support has been increased and indeed it has been increased by 15 percent over the last four years and we have made improvements to the program.

The amount of money that is available by community and by family are based on the cost of living, the price of a food basket, and some of the other factors, including power bills, in any given community, so we have them rated by zones.

After the question in the House by the member, we had an opportunity to look at the zone requirements and found that the zone requirement for Sanikiluaq was complete. So that's the answer to his question. Thank you, Mr. Speaker.

**Speaker** (interpretation): Thank you, Minister. Your first supplementary, Mr. Kattuk.

**Mr. Kattuk:** Thank you, Mr. Speaker and Mr. Minister. I would like to bring some good news home to the community of Sanikiluaq at the end of this session. Can the minister tell me when the community of Sanikiluaq can expect to see an increase in the food allowance rates for income support clients? Thank you, Mr. Speaker.

**Speaker** (interpretation): Thank you, Mr. Kattuk. Minister responsible for Income Support, Minister Picco.

**Hon. Ed. Picco:** Thank you, Mr. Speaker. Sanikiluaq and all of our communities in Nunavut were included in the 15 percent increase that we negotiated; it was ten and then five percent.

We have also made other changes to the Income Support Program so people in Sanikiluaq and other communities can keep more of their money. A good example of that is the change we did with Co-op dividends. For example, when money used to be received from members who are part of the Co-op, then that went into their earned income amounts and we used to take that off their income support. So that's no longer the case and that gives more money to income support clients across the territory.

Specifically on the member's question and the good news for Sanikiluaq upcoming, again, on a regular basis, we are reviewing the food allowance amount. At this time, in the government, we're not able to increase those amounts but that's something that would be reviewed on a case-by-case and by community basis. When we see the amounts increase, for example, for electrical and so on, those amounts are also included in increases for the member's constituents so that those would already be factored in. Thank you, Mr. Speaker.

**Speaker** (interpretation): Thank you, Minister. Your second supplementary, Mr. Kattuk.

**Mr. Kattuk:** Thank you, Mr. Speaker. I really liked the answer from the minister. I recognize that social assistance benefits have been increased by 15 percent over the term of this Assembly. However, the last increase was over three years ago. Can the minister clarify what plans are in place to review all social assistance regulations across Nunavut? Thank you, Mr. Speaker.

**Speaker** (interpretation): Thank you, Mr. Kattuk. Minister responsible for Income Support, Minister Picco.

**Hon. Ed. Picco:** Thank you, Mr. Speaker. I appreciate the member trying to get on the record program reviews for the department's Income Support Program. Indeed, there's probably no more important program in the territory, and at any given time, we can see between 50 and 60 percent of Nunavummiut having an uptake on that program. We're constantly reviewing the amounts as well as the ability of the Income Support Program to be able to help out our clientele and indeed our citizens.

Again, income support, Mr. Speaker, is a program of last resort. It's a program, when there are no employment opportunities, no other type of income, for example, no UIC or EI income available. So we're quite pleased and excited about the program itself and the good work that's done by Sandy and some of the other people within the department, and indeed, our income support workers on the ground.

So over the next few months, we will be looking at the program in the context of necessary increases and those recommendations would come to the new government after the election. Thank you, Mr. Speaker.

**Speaker** (interpretation): Thank you, Minister. Oral Questions. Member for Rankin Inlet North, Mr. Curley.

**Question 677 – 2 (4): Government of Nunavut Position on Foreign-Flagged Vessels**

**Mr. Curley** (interpretation): Thank you, Mr. Speaker. My questions are for the Minister of Community and Government Services.

Last week, I asked the minister a question concerning the GN's policy with respect to foreign-flagged ships providing sealift services under contract to the GN. The ships that come from the north say that they can't compete. She took my question as notice. I have now had the opportunity to review the minister's return to my question, which she tabled yesterday.

Nunavut Eastern Arctic Shipping, which is an Inuit-owned firm, has publicly called on the federal government to respect the *Coasting Trade Act* and stop unfair competition from foreign vessels and foreign crews in our Arctic waters. Will the minister commit to supporting NEAS in its efforts? Thank you.

**Speaker** (interpretation): Thank you, Mr. Curley. Minister of Community and Government Services, Minister Brown.

**Hon. Levinia Brown** (interpretation): Thank you, Mr. Speaker. I would like to thank the member for his question concerning this issue. The Department of Community and Government Services deals with the contract issues for shipping and they contract out to various entities like NTCL NSSI, and NEAS, and those companies work on their own.

With regards to the question, perhaps the Minister of Transportation is in a better position to respond. Thank you, Mr. Speaker.

**Speaker** (interpretation): Thank you, Minister. Your first supplementary, Mr. Curley.

**Mr. Curley** (interpretation): Thank you, Mr. Speaker, it's understandable that any company, and they would like to use foreign vessels, and they're contracted out by the GN. That's exactly what happened with NSSI and they had to use another ship. They were able to get support from the other shipping companies that were contracted out, but they had to go out of Canada and get a foreign vessel to assist them.

In regard to the *Coastal Trade Act* that I had mentioned, they could apply to it through applications through the federal government. If any company cannot do their work on its own, it's up to the Nunavut government if they approve it or not and they have not received any response from the GN. Are you in support of NEAS when they're fighting against foreign vessels coming up here? Thank you.

**Speaker** (interpretation): Thank you, Mr. Curley. Minister of Community and Government Services, Minister Brown.

**Hon. Levinia Brown**: Thank you, Mr. Speaker. Thank you, Member, for asking that question. The contracts do not disallow the use of foreign-flagged vessels. Yes, I would support NEAS if that's their wish. However, we must be very careful because in Nunavut, our season is very short and they have to do what they can.

If there's no Canadian ship available, then I think they try and find another way of getting contracts or subcontracting from outside of Canada. Apparently, that is the case. They can do that under the Coastal Trading License that is administered by the federal government, so that's out of our jurisdiction, Mr. Speaker. Thank you, Mr. Speaker.

**Speaker** (interpretation): Thank you, Minister. Your second supplementary, Mr. Curley.

**Mr. Curley** (interpretation): Thank you, Mr. Speaker. Yes, I understand that clearly. It's the responsibility of the federal government and they provide permits to come in, but as the minister responsible, you have the authority to say yes or no if you're asked. There was a question posed last summer but there was no response when the shipping company applied for it.

Since we have a very short shipping season and we have to keep the money in Nunavut, and that the employees have to be paid for, and that the ships have to transfer goods, and also they need to make money, will you commit to working with the shipping companies up here and ensure that they do their job? Can you commit to make sure that you try and consult with them as they are contracted out? Thank you.

**Speaker** (interpretation): Thank you, Mr. Curley. Minister of Community and Government Services, Minister Brown.

**Hon. Levinia Brown** (interpretation): Thank you, Mr. Speaker. I also would like to thank my colleague for his question. We will be tabling a report because we do an annual report. We table our annual report and once we get that, we will be able to get the detailed information.

I'm very pleased that I will be able to consult with the shipping companies. I will ask my senior officials to consult with them and ask them to deal with this issue. I'm sure that there will be some correspondence and I will commit to addressing your question. Thank you, Mr. Speaker.

**Speaker** (interpretation): Thank you, Minister. Oral Questions. Member for Iqaluit Centre, Mr. Tootoo.

**Question 678 – 2(4): Conflict of Interest Guidelines for Members of the Executive Council**

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

Mr. Speaker, over the last couple of days, having an opportunity to catch up on my *Hansard* reading, I would like to revisit an issue that the Premier himself raised last week on September 9 in response to my question concerning conflict of interest guidelines for his ministers.

Mr. Speaker, in his response, he indicated that he insists that “there be no potential or perceived conflict, and if they have spouses working in various departments, that there be clear standards in place for another minister to assume those responsibilities in the event of any potential conflict.”

Mr. Speaker, I'm still not clear whether or not a spouse or a dependent child of a minister is or is not allowed to be an employee of the minister's department. Can the Premier indicate if he's aware if there is any provision in his additional requirements for ministers that indicate that the minister shall ensure that their spouse or dependent children do not hold their entry into a contract, including a contract of employment, in any department of the Government of Nunavut in which the minister is responsible? Thank you, Mr. Speaker.

**Speaker** (interpretation): Thank you, Mr. Tootoo. Minister of Executive and Intergovernmental Affairs, Premier Okalik.

**Hon. Paul Okalik** (interpretation): Thank you, Mr. Speaker. (interpretation ends) Whenever a portfolio changes or a new minister is assigned, we look at potential conflicts with the Integrity Commissioner and in the event of potential conflicts, there are clear guidelines put in place that if the individual's spouse is working at a particular



department, in a particular section, that minister is not to deal with those matters and that minister assigns those duties to another minister so there is no conflict. So that is how we manage any potential conflicts and we do that beforehand.

So if my colleague has a complaint, it can be filed with the Integrity Commissioner. (interpretation) Thank you, Mr. Speaker.

**Speaker** (interpretation): Thank you, Premier. Your first supplementary, Mr. Tootoo.

**Mr. Tootoo:** Thank you, Mr. Speaker. Again, I just wanted to refresh the Premier's memory is that under his additional guidelines, it's only he himself that could request the review by the Integrity Commissioner, not anyone else.

He did not answer my question, Mr. Speaker, and that's what I was asking is: is there a provision in his additional guidelines that states that a minister shall ensure that their spouse or dependent children do not hold or enter into a contract, including a contract of employment, with any department of the Government of Nunavut in which the minister is responsible for?

That's what I was asking, if that provision is in his additional conflict of interest requirements to his ministers. Thank you, Mr. Speaker.

**Speaker** (interpretation): Thank you, Mr. Tootoo. Minister of Executive and Intergovernmental Affairs, Premier Okalik.

**Hon. Paul Okalik:** There must be an election coming. These questions are coming to play when elections are coming pretty close, so it's unfortunate. But I must say that we have been in government for four years, there has been no conflict...

**Speaker:** I'm sorry, Mr. Premier. A Point of Order has been called. (interpretation) Member for Iqaluit Centre, Mr. Tootoo.

### **Point of Order**

**Mr. Tootoo:** Thank you, Mr. Speaker. My Point of Order is that the Premier is implying that I have ulterior motives for asking my questions for doing my job because there's an election coming. I think that that's inappropriate, you're not allowed to infer that there are ulterior motives for members doing their jobs here in the House, and I would like a ruling on that and I ask that he withdraw those comments. Thank you, Mr. Speaker.

**Speaker** (interpretation): Thank you. I would like to ask the Premier if he has any comments on the Point of Order. Mr. Premier.

**Hon. Paul Okalik** (interpretation): Thank you, Mr. Speaker. (interpretation ends) As I said, we have been in the House for four years and there's been no issue on this matter. In

the last few days of our Assembly, all of the sudden these questions start popping up, so I must say that this is quite kind of odd.

So all I'm trying to explain is that I have made sure that there are rules in place, additional rules, to prevent any potential conflict for those ministerial colleagues that may be perceived to be in conflict. So those rules have been in place for four years and have not changed and there has been no conflict that I have seen so far.

So those are additional conditions that we have put in on ministers when there's potential for conflict. I find it odd that in the last couple of days of our Assembly, these questions start popping up. That's all I was stating clearly for the people and the public and for our constituents. (interpretation) Thank you, Mr. Speaker.

**Speaker** (interpretation): Thank you, Mr. Premier. Members, I will make a ruling on the Point of Order before the day is over.

Your second supplementary, Member for Iqaluit Centre, Mr. Tootoo.

**Mr. Tootoo:** Thank you, Mr. Speaker. Again, if I could ask the Premier if he could indicate if that specific provision that I mentioned is in his additional guidelines. I would like to get a response to that. Thank you, Mr. Speaker.

**Speaker** (interpretation): Thank you, Mr. Tootoo. Minister of Executive and Intergovernmental Affairs, Premier Okalik.

**Hon. Paul Okalik** (interpretation): Thank you, Mr. Speaker. (interpretation ends) As I said, we set those out clearly when the new ministers are being assigned portfolios, and those are in writing and they're directed to the deputies responsible. Yes, those are additional conventions that we put in place to safeguard the public and to maintain confidence of the public that each minister is not benefiting privately through their administrative duties of their department. (interpretation) Thank you, Mr. Speaker.

**Speaker** (interpretation): Thank you, Mr. Premier. Your final supplementary, Mr. Tootoo.

**Mr. Tootoo:** Thank you, Mr. Speaker. I think the Premier inferred that, in fact, that particular guideline is in place and again, Mr. Speaker, I'm not saying that there aren't other things that could be done to ensure that conflict of interest doesn't happen, as the Premier indicated.

However, Mr. Speaker, last week, when I asked the Premier about that, he said that if that is, in fact, as he had indicated it is, I believe, a guideline that he has issued if there is, in fact, a case where that is happening, whether they're a minister's spouse... for example, our former Health Minister had a spouse working for that department. I know there are other ways of getting around that as he has indicated, but when I questioned him last

week, he said that there had been no exceptions or exemptions made to his additional guidelines.

If that is, in fact, one of his guidelines, then there has been an exception or an exemption through whatever process that was placed but that, in fact, that guideline that I mentioned is there and he had indicated that there wasn't any exceptions or exemptions from any of those guidelines. I would just like to ask him if he could clarify that. Thank you, Mr. Speaker.

**Speaker** (interpretation): Thank you, Mr. Tootoo. Minister of Executive and Intergovernmental Affairs, Premier Okalik.

**Hon. Paul Okalik** (interpretation): Thank you, Mr. Speaker. (interpretation ends) I'll make it as simple as I can. When I assign the Minister of Education or the Minister of Health, if they have a spouse in a particular division of that department, they are directed not to deal with those matters, that a different minister will make decisions on those matters.

So if a matter or a correspondence goes through their office dealing with that particular section of that department, then the minister responsible, who may have a conflict, does not see that correspondence and it goes directly to an alternate minister. That is how we deal with those situations where there's potential for conflict. That has been the practice and it continues to be the practice today. (interpretation) Thank you, Mr. Speaker.

**Speaker** (interpretation): Thank you, Premier. Item 6. Oral Questions. Member for Baker Lake, Mr. Simailak.

#### **Question 679 – 2(4): Fuel Supplies in Baker Lake**

**Mr. Simailak** (interpretation): Thank you, Mr. Speaker. I send my regards to Baker Lake residents and my young son who is not feeling too well.

Mr. Speaker, my questions are for the Minister of Community and Government Services.

Mr. Speaker, I asked questions to the minister in February and May of this year concerning the issue of fuel supplies for Baker Lake. I raised concerns that fuel supplies for the community were not adequate to meet the needs of the community, which is experiencing unprecedented economic growth.

Can the minister update me today on the status of this year's annual fuel resupply to Baker Lake and indicate what quantities of fuel have been delivered? Thank you, Mr. Speaker.

**Speaker** (interpretation): Thank you, Mr. Simailak. Minister of Community and Government Services, Minister Brown.

**Hon. Levinia Brown** (interpretation): Thank you, Mr. Speaker. I can speak to that question. At this time, the supply of fuel to the communities is not yet complete and I can't give you the totals of the amounts at this time. Thank you, Mr. Speaker.

**Speaker** (interpretation): Thank you, Minister. Your first supplementary, Mr. Simailak.

**Mr. Simailak** (interpretation): Thank you, Mr. Speaker. Thank you, Minister. In May of this year, the minister indicated to me that the existing fuel storage facilities in Baker Lake are inadequate to meet the growing demand for fuel in the community. Can the minister update me today on what steps are being taken to address this issue? Are you going to be providing additional fuel storage facilities? Thank you, Mr. Speaker.

**Speaker** (interpretation): Thank you, Mr. Simailak. Minister of Community and Government Services, Minister Brown.

**Hon. Levinia Brown** (interpretation): Thank you, Mr. Speaker. The fuel storage facilities in the communities are filled to capacity sometimes so that they will store the fuel for the winter supply and some of the storage facilities are not filled to capacity because they have to test last year's fuel. I'm sure that some fuel storage facilities were not filled to capacity because they still had last year's fuel stored in them.

We found out that the facility in Baker Lake was inadequate to meet the needs of the community. I spoke to my deputy minister and also the assistant deputy minister, and they stated that this winter, in 2008-09, they will order more fuel than the previous year because they know that last year's fuel order was inadequate. The facilities in Baker Lake were not filled to capacity and there was still a bit more room at that time.

It is evident now that they need to make plans for communities that need bigger fuel storage facilities. Thank you, Mr. Speaker.

**Speaker** (interpretation): Thank you, Minister. Your second supplementary, Mr. Simailak.

**Mr. Simailak** (interpretation): Thank you, Mr. Speaker. I thank the minister for that clarification. As we all know, the cost of chartering Hercules aircraft to transport fuel during times of shortage is very expensive. Can the minister indicate to me whether any airlifts are anticipated to be required during the coming year or spring? Thank you, Mr. Speaker.

**Speaker** (interpretation): Thank you, Mr. Simailak. Minister of Community and Government Services, Minister Brown.

**Hon. Levinia Brown** (interpretation): Thank you, Mr. Speaker. I can't say how it's going to be and I can't tell you whether there will be more fuel needed, but I know that we're making good plans for Baker Lake so that we won't see this incident occur again.

When we transport fuel by aircraft, the member is correct, it is very expensive. PPD and CGS try to order an adequate amount of fuel for the communities so that they are supplied until the next shipment arrives. I spoke with officials at PPD and CGS and they said that the fuel might be adequate.

Last year was a unique experience in Baker Lake because the mining companies were developing over there and one of the fuel ships didn't arrive to Baker Lake because it had to go back to Rankin Inlet. I think that's one of the reasons why there was a shortage of fuel. However, we will look into it properly because PPD and CGS do good studies and reviews. Thank you, Mr. Speaker.

**Speaker** (interpretation): Thank you, Minister. Your final supplementary, Mr. Simailak.

**Mr. Simailak** (interpretation): Thank you, Mr. Speaker. (interpretation ends) Thank you, Minister. (interpretation) Can the minister update me on how her department is working with the community and local mining companies to manage the issue of fuel requirements? Thank you, Mr. Speaker.

**Speaker** (interpretation): Thank you, Mr. Simailak. Minister of Community and Government Services, Minister Brown.

**Hon. Levinia Brown** (interpretation): Thank you, Mr. Speaker. We try to provide adequate support and we consult with the community, hamlet, and local mining companies. As my understanding goes, they will prioritize the residential fuel needs and also their second priority will be the mining companies and also essential needs. That's how the policy is and I'm sure they will follow it. Thank you, Mr. Speaker.

**Speaker** (interpretation): Thank you, Minister. Item 6. Oral Questions. Member for Tununiq, Mr. Arvaluk.

#### **Question 680 – 2(4): Problems with Medical Travel Office in Pangnirtung**

**Mr. Arvaluk** (interpretation): Thank you, Mr. Speaker. My question is for the Minister of Health and Social Services.

Mr. Speaker, I was informed that the communication systems, including telephone systems, are down in the Departments of Transportation and Health and Social Services. I was also informed that they have relocated their office to another location and the building that they moved to is inadequate.

I would like to ask the minister what kinds of airline services they are currently providing to medical travel patients. Thank you, Mr. Speaker.

**Speaker** (interpretation): Thank you, Mr. Arvaluk. Minister of Health and Social Services, Minister Akesuk.

**Hon. Olayuk Akesuk** (interpretation): Thank you, Mr. Speaker. I apologize, I don't have that information with me, but I would like to assure the member that I will get the information today because it's very important. We have to make sure that transportation services are made available to the medical patients. I'll have my staff do all they can to make sure that the information and the services are provided. Thank you.

**Speaker** (interpretation): Thank you, Minister. Your first supplementary, Mr. Arvaluk.

**Mr. Arvaluk** (interpretation): Thank you, Mr. Speaker. I wonder why the minister will have to seek information because everybody out there knows what's happening right now, even I, though not a minister, is aware of the situation.

Some of the people weren't able to go home because they don't have the tickets. They weren't able to call the office and they couldn't even send faxes to the transportation office. I was assuming that the services would be fixed up and I was thinking that the minister responsible or even the Premier would make an announcement this morning. What kind of alternate plan do you have in place to make sure that these services are provided?

The people that live in Iqaluit are asked to call the boarding home to get the information they need regarding their transportation, ticketing, and so on, which is not the case. Do the people out there know the number and who do they contact if they want to get the information? Thank you.

**Speaker** (interpretation): Thank you, Mr. Arvaluk. Minister of Health and Social Services, Minister Akesuk.

**Hon. Olayuk Akesuk** (interpretation): Thank you, Mr. Speaker. I indicated earlier that my staff is doing all they can to restore the services and I'm sure the people who are here in Iqaluit or people who require airline tickets are given the best services that we can provide. We have to make sure that we provide those services.

We're not sure what's going to be happening in the future, but there has to be a plan B so that if another situation such as this one surfaces, we will have a plan B to fall back on. I'm sure that they are giving out the telephone number for people who want the information. Thank you.

**Speaker** (interpretation): Thank you, Minister. Your second supplementary, Mr. Arvaluk.

**Mr. Arvaluk** (interpretation): Thank you, Mr. Speaker. Your staff, as you mentioned, are working as hard as they can, but the people out there don't know who the contact person is because they don't have that information. The people out there are listening to you right now, you can say who the contact person is and here is the telephone number, and so on.

Can the minister indicate to me if they will have a plan B to fall back on should another situation like this arise? Can he indicate who the contact person is and what their contact number is? Thank you.

**Speaker** (interpretation): Thank you, Mr. Arvaluk. Minister of Health and Social Services, Minister Akesuk.

**Hon. Olayuk Akesuk** (interpretation): Thank you. I will urge my employees to make sure that all your suggestions are included and ensure that we have an alternate plan. We will work as hard as we can to restore the services. I'm sure that our employees are listening to the comments that are being made at this time. Thank you.

**Speaker** (interpretation): Thank you, Minister. Item 6. Oral Questions. Member for Cambridge Bay, Mr. Peterson.

### **Question 681 – 2(4): Continuing Support for Nunavut's Deaf and Hearing Impaired**

**Mr. Peterson:** Thank you, Mr. Speaker. My question is for the Minister of Culture, Language, Elders and Youth.

Mr. Speaker, yesterday, I was encouraged to hear the Minister's Statement on the Inuit Sign Language project and I commend Dr. McDougall and his team for their success in developing that material and the demonstration in the Great Hall during the break. For those who cannot hear what the minister said, the sign language interpretation was very welcomed. I heard from some relatives and some constituents in my riding who are deaf.

My question for the minister: following yesterday's announcement, would the minister update the House on what continuing activities will be provided to bring awareness of this project and other initiatives to the deaf and hearing impaired residents across all of Nunavut's communities? Thank you, Mr. Speaker.

**Speaker** (interpretation): Thank you, Mr. Peterson. Minister of Culture, Language, Elders and Youth, Minister Tapardjuk.

**Hon. Louis Tapardjuk** (interpretation): Thank you, Mr. Speaker. I made the announcement about that yesterday and the individuals are here all week. They are putting together a CD-ROM that will be made available. The Department of Culture, Language, Elders and Youth is working hard to make sure that the Inuit Sign Language project provides those services to the people who are deaf or hearing impaired. We would like the people to be educated about that, Mr. Speaker.

**Speaker** (interpretation): Thank you, Minister. Your first supplementary, Mr. Peterson.

**Mr. Peterson:** Thank you, Mr. Speaker. I thank the minister for that response and I certainly look forward to hearing more about the project as it goes forward.

Mr. Speaker, in Cambridge Bay, there are several people who are deaf. Most of them are very proficient in American Sign Language as well as in their home sign language. My question for the minister: could the minister clarify for the House what steps have been taken by his department to address the need for community-based public services, such as health care or employment and career counselling, to be delivered in a manner that is easily accessible to those who are deaf or have hearing impairments? Thank you, Mr. Speaker.

**Speaker** (interpretation): Thank you, Mr. Peterson. Minister of Culture, Language, Elders and Youth, Minister Tapardjuk.

**Hon. Louis Tapardjuk** (interpretation): In July 2006, we wanted find out what types of services were being made available to the deaf or hearing impaired and the government compiled the information. It is ongoing. The government is still considering what could be made available to the deaf or the hearing impaired because they have to be informed of government activities, what types of services are available, and so on.

The Department of Culture, Language, Elders and Youth has committed to make sure that there's money available, Mr. Speaker, that can be accessed by proposals should they want to provide services using the Inuit Sign Language project. There is money available to the people who would like to access it, Mr. Speaker.

**Speaker** (interpretation): Thank you, Minister. Your second supplementary, Mr. Peterson.

**Mr. Peterson:** Thank you, Mr. Speaker. I thank the minister for that information. I'm sure the deaf and hearing impaired will be encouraged to learn that there is money available.

Mr. Speaker, for just a little experiment last night, I turned my TV on and turned the volume down. I was listening and trying to figure out what the federal leadership candidates were saying. It was very difficult, so I can only imagine if you're deaf or hearing impaired how difficult it is to function in life when everything around you depends on hearing things.

Mr. Speaker, being deaf or hearing impaired may pose some additional challenges in life, however, many people with hearing disabilities are equally capable of working and providing for themselves as anyone else if given the chance. In my community, that's precisely the case.

My question for the minister: can the minister clarify how his department works with other departments to develop awareness and programs that will allow people with disabilities to take part in Government of Nunavut supported training and employment opportunities? Thank you, Mr. Speaker.



**Speaker** (interpretation): Thank you, Mr. Peterson. Minister of Culture, Language, Elders and Youth, Minister Tapardjuk.

**Hon. Louis Tapardjuk** (interpretation): Thank you, Mr. Speaker. We work with the other departments and as I said earlier, there are individuals who are here in Iqaluit this week to make sure that there are projects for the deaf and hearing impaired. They're putting together a CD. They are taking sign language and we will find out exactly what the next steps are that the government will take to make sure that there are services and information made available to the people with disabilities.

I will make an announcement after they conclude this week to make sure there's information available, and we will take your concern under consideration, Mr. Speaker.

**Speaker** (interpretation): Thank you, Minister. Your final supplementary, Mr. Peterson.

**Mr. Peterson:** Thank you, Mr. Speaker. I appreciate the minister's answer. Again, I commend him for taking the initiative to help the deaf and hearing impaired.

Mr. Speaker, I heard from a relative of a deaf individual in Cambridge Bay who is training for a certain job. He is one of the top students in the training and subsequent to the training, he has applied for a job in the career he trained for, but he doesn't seem to have much success getting that job and it's very discouraging for him. He wonders if there's something wrong just because he can't hear and if they're possibly discriminating against him.

My question for the minister: can the minister tell the House what options are available to the deaf or hearing impaired if they feel that they're discriminated against when they apply for and are unsuccessful in Government of Nunavut or private sector jobs? Thank you, Mr. Speaker.

**Speaker** (interpretation): Thank you, Mr. Peterson. Minister of Culture, Language, Elders and Youth, Minister Tapardjuk.

**Hon. Louis Tapardjuk** (interpretation): Thank you, Mr. Speaker. I believe that the member's question should be directed to Minister of Human Resources as it deals with their portfolio, Mr. Speaker.

**Speaker** (interpretation): Thank you, Minister. Item 6. Oral Questions. Member for Hudson Bay, Mr. Kattuk.

#### **Question 682 – 2(4): Decision on Rent Scale**

**Mr. Kattuk** (interpretation): Thank you, Mr. Speaker. I would like to direct my question to Minister responsible for the Housing Corporation and if I direct it to the wrong minister, I'll change it.

The chairman of the local housing organizations held a meeting in Rankin Inlet which included a discussion on the rental scale, or if there should be an adjustment to rental scale, or whether there should be an increase. Could the minister inform this House if there have been any changes or if there has been a review of the rental scale for public housing? Thank you, Mr. Speaker.

**Speaker** (interpretation): Thank you, Mr. Kattuk. Minister responsible for the Nunavut Housing Corporation, Minister Netser.

**Hon. Patterk Netser** (interpretation): Thank you, Mr. Speaker. I'm not sure if the member is talking about elders. Elders who are renting public houses don't pay rent if their income is under \$90,000. Thank you.

**Speaker** (interpretation): Thank you, Minister. Your first supplementary, Mr. Kattuk.

**Mr. Kattuk** (interpretation): Thank you, Mr. Speaker. Maybe I wasn't being clear but I was talking about everyone renting a public housing unit. Thank you, Mr. Speaker.

**Speaker** (interpretation): Thank you, Mr. Kattuk. Minister responsible for the Nunavut Housing Corporation, Minister Netser.

**Hon. Patterk Netser** (interpretation): Thank you, Mr. Speaker. I apologize for the misunderstanding. In April 2000, there was a meeting in Rankin Inlet of the local housing organizations. As a result of that meeting, the recommendations have been given to my colleagues in Cabinet. Thank you.

**Speaker** (interpretation): Thank you, Minister. Your second supplementary, Mr. Kattuk.

**Mr. Kattuk** (interpretation): Thank you, Mr. Speaker. The minister just indicated that he has given the recommendations to his colleagues. What are we to expect - (interpretation ends) good news or bad news? (interpretation) Is the minister in a position to respond to that question? Thank you, Mr. Speaker.

**Speaker** (interpretation): Thank you, Mr. Kattuk. Minister responsible for the Nunavut Housing Corporation, Minister Netser.

**Hon. Patterk Netser** (interpretation): Thank you, Mr. Speaker. The recommendations have been given to Cabinet and after being reviewed or discussed, we will be able to respond to the recommendations made at the April 2007 meeting in Rankin Inlet. Thank you.

**Speaker** (interpretation): Thank you, Minister. Your final supplementary, Mr. Kattuk.

**Mr. Kattuk** (interpretation): Thank you, Mr. Speaker. I would also like to thank the minister responsible. The price of fuel is very high today and the individuals who are renting the public units either have to pay for their home heating or buy food. They don't

have an option. I would like to ask the minister if we're going to see the recommendations at the Third Assembly. Thank you, Mr. Speaker

**Speaker** (interpretation): Thank you, Mr. Kattuk. Minister responsible for the Nunavut Housing Corporation, Minister Netser.

**Hon. Patterk Netser** (interpretation): Thank you, Mr. Speaker. Yes, we are definitely concerned about the high cost of home heating fuel. The tenants of our houses do not pay for home heating fuel. We will definitely have to consider the homeowners who are paying the high cost of home heating fuel. Thank you, Mr. Speaker.

**Speaker** (interpretation): Thank you, Minister. Oral Questions. Member for Iqaluit Centre, Mr. Tootoo.

### **Question 683 – 2(4): Review of Foster Parents Rates**

**Mr. Tootoo:** Thank you, Mr. Speaker. I would like to direct my question to the Minister responsible for Health and Social Services. Mr. Speaker, in the past, I have raised questions in relation to foster parents and foster care and I know my colleague from Cambridge Bay has raised it as well here in the House.

Mr. Speaker, we know, in June of 2005, the government indicated that they had put a \$1 million increase in funding to the Health and Social Services' budget. Part of that was to have new rate guides to ensure that foster parents receive adequate and equitable per diems, and also they indicated that the rate increase is one way that the Government of Nunavut is supporting the healthy development of children and youth.

Mr. Speaker, I believe those last increases were in 2005. With the way that the price of everything has increased since then, I'm just wondering if the minister could indicate, as his predecessor did, that they were looking at reviewing those rates again. Again, I acknowledge that he just took on this portfolio, but I'm just wondering if he could indicate if his department has done any review on those rates since then. Thank you, Mr. Speaker.

**Speaker** (interpretation): Thank you, Mr. Tootoo. Minister of Health and Social Services, Minister Akesuk.

**Hon. Olayuk Akesuk** (interpretation): Thank you. I'm sure that there's a review being made on how they can improve the system. The last time that we were given an update in regard to foster parents and foster care was on June 27, 2005. I'm sure that there's a review being done at the moment, but we want to make sure that we do it properly and see how we can improve the system. With the rates, there has been no change to date. Thank you.

**Speaker** (interpretation): Thank you, Minister. Your first supplementary, Mr. Tootoo.

**Mr. Tootoo:** Thank you, Mr. Speaker. I appreciate the minister indicating that there is a review going on right now. I think, as my colleague, Mr. Kattuk, pointed out, it's the same thing with the Income Support Program, with the way that the prices of everything, the cost of living, has gone up in the last couple of years, that some of these numbers are just no longer adequate.

Could the minister indicate if he's aware of when that review will be done and if, in fact, the review of the rates to determine if they're appropriate or not in today's numbers is being done? Thank you, Mr. Speaker.

**Speaker** (interpretation): Thank you, Mr. Tootoo. Minister of Health and Social Services, Minister Akesuk.

**Hon. Olayuk Akesuk:** Thank you, Mr. Speaker. I don't have the actual or the estimated date of when the review will be done. Once I do get that information, I'll provide it to my colleagues here in the legislature. Hopefully, by tomorrow, we will have a better idea of which and how far they are on the reviews. Thank you.

**Speaker** (interpretation): Thank you, Minister. Your second supplementary, Mr. Tootoo.

**Mr. Tootoo:** Thank you, Mr. Speaker. As I said earlier, I appreciate that this is a portfolio that the minister has just taken on. Mr. Speaker, while he's looking into it, can he assure the Members in this House and all the foster parents out there, as they said in their press release in June 2005, that new rate guides are there to ensure that foster parents receive adequate and equitable per diems regardless of which region they live in?

If those rates are not being reviewed, can he commit to ensuring that they are? Thank you, Mr. Speaker.

**Speaker** (interpretation): Thank you, Mr. Tootoo. Minister of Health and Social Services, Minister Akesuk.

**Hon. Olayuk Akesuk:** Thank you, Mr. Speaker. I'll do that. Thanks.

**Speaker** (interpretation): Thank you. Members, Question Period is now over. Before we proceed, we will take a 20-minute break.

Sergeant-at-Arms.

>>*House recessed at 15:16 and resumed at 15:38*

**Speaker** (interpretation): Thank you, Members, for coming back. Item 7. Written Questions. If there are none, Item 8. Returns to Written Questions. Item 9. Replies to Opening Address. Member for Iqaluit East, Minister Picco.

### **Item 9: Replies to Opening Address**

**Reply to Opening Address 002 – 2(4): Mr. Edward Picco**

**Hon. Ed. Picco:** Thank you, Mr. Speaker. As all members know, I like to sing and indeed, Mr. Speaker, I have been known to joke around a little bit, but today, I would like to take a little bit of a speech in a serious vein.

I think that I would like to begin by saying I think all the staff and members, and Mr. Okalik in particular, know that I am hard working and take my job very seriously, although I may be a bit of a ditherer at times, as he likes to say. It's just one of those things that happen to individuals.

Mr. Speaker, this is only the second time in 13 years that I actually did a reply to an opening address and Mr. Speaker, I would like to put on the record some things that I think are important for Nunavummiut and Members of the House to remember.

Mr. Speaker, in 1995, Nunavut was still an idea, it was a dream. We had no Nunavut flag, there was no logo, there was no Assembly, and there wasn't even an official identity. The challenge of setting up a government, putting infrastructure in place, debating and selecting the location of a capital, the financing and operation model of our government, the number of MLAs we would have, the implementation of staffing, recruitment, and training for Nunavut had not even begun.

In that murky world, Mr. Speaker, commitment for an adequate financial base for Nunavut was in jeopardy because of a huge federal deficit. I think it's important for the record to say this, and some of us even in this House don't remember this or probably didn't take it into account because they weren't involved in politics, but there was a huge federal deficit and there was a cut in territorial funding.

For the first time, Mr. Speaker, and I say this with all seriousness, in the history of the North, the government actually laid off people. They cut VTAs, we rolled back wages, we sold off staff houses, and we cut the capital budget in half to balance the Government of the Northwest Territories' budget.

Now, it was in was in this difficult, and I think it's important again for the record, unsure financial situation that Nunavut was to be born. There was much work to be done. We had to choose a capital, we had to implement legislation to prepare for transition, and Mr. Speaker, I could go on, but let me say, here in Iqaluit, many long-term employees lost their jobs and they did.

The elimination of the VTA and the rollback of wages, and the sell off of staff houses were unprecedented and it was difficult. And as the only MLA in Iqaluit and the only MLA for the second largest community in the Northwest Territories, let me say it was a very difficult time for our family.

None of the Members in this House have had the situation where you go into a room with 200 people and people have lost their jobs, and people are yelling and screaming at you because they have no VTA and they have had their wages rolled back, and they haven't dealt with it. You deal with it and I prayed to God, Mr. Speaker, that none of the Members in the House would have to go through that.

And yet, when you wake up in the morning, there are eggs on your vehicle and there's F-U written on your car, and Mr. Barnabas will remember because he was there when I and Mr. Barnabas went to my car and the window was broken. Do you remember, Mr. Barnabas, after a meeting? The members didn't go through that and some of them can smile. Let them go through that and they will find out how difficult it was. Mr. Speaker, it was difficult for me and I can tell you right now, it was more difficult for my family.

Many of our constituents were not happy at that time and indeed, Mr. Speaker, people across the North were not happy. Mr. Speaker, many people didn't think that Nunavut would happen. Mr. Speaker, Nunavut did happen, but it was not adequately funded from day one. Mr. Speaker, no one actually did a study to see how much it would cost to run two territories.

Mr. Speaker, I chaired the Finance Committee and in fact, the federal minister of the day and Mr. Barnabas was in the room with me when that happened, and he's the only member actually who was there at the time who is sitting here today, Mr. Speaker, in fact, the federal minister of the day said that two territories wouldn't cost more than one and basically the budget of the Northwest Territories was split in half.

Here in Nunavut, we were allocated extra funds for incremental infrastructure and training. Mr. Speaker, that was less than \$180 million, and Mr. Speaker, you know and Mr. Quirke knows because he was a deputy minister at the time, there was no money allocated for a Legislative Assembly and the building you're in today was supposed to be a government office building and we actually had to renovate it for an Assembly.

Mr. Speaker, less than \$180 million was put in place from 1995 to 1999 and that was to help finance Nunavut and pay for the entire infrastructure, it wasn't enough. For the record, I think it's important to understand the fiscal challenges that were in place before Nunavut started.

Mr. Speaker, when I was elected first, Pakkak was a newborn. He was two months old, and Wally and Dora were seven and five years old each. Wally will be 20 in December in and Dora is 18.

Mr. Speaker, in that period between 1995 and 1999, because of the legislation that had to be put in place and because of the fiscal situation, the capital debate and the gender parity debate vote, among other issues, this meant that myself and my colleagues in the 13th Assembly were on the road quite a bit and we were in Yellowknife. Mr. Speaker, Mr. Barnabas and I, in one year, counted 137 days away from home and I know members sometimes here get upset when they're away for two or three weeks. We were away for

137 days. Mr. Barnabas, I know, in one year, was absent for eight months, eight out of 12 months, it's a fact.

Mr. Speaker, the reason why I say this is I wanted to point out something. With a newborn at home, Pakkak was only a few weeks old, and with two small children to look after, Oopah had her hands full. I don't know, Mr. Speaker, how she did it because as I explained earlier, there were a lot of issues when people get laid off and you come home and you have locks and windows are broken, people were upset and I understand that.

Mr. Speaker, in public life, you are a target and it can be very rough. Thirteen years as an MLA and a minister have been difficult for my family and me, and Mr. Speaker, as the Members of this House know, there is stress in being in public life.

Mr. Speaker, after four very difficult years with the Government of the Northwest Territories' fiscal situation, the situation regarding Donny Morin and the Morin Affair, the set up and passage of legislation for Nunavut, the capital debate, we geared up for Nunavut.

Mr. Speaker, we had no Legislative Assembly here in Nunavut, the Assembly sat at the cadet hall and high school, we had no ministers' or members' offices, and we worked out of Nobel House. We had to officially set up all of our government departments, hire and train staff, assume all the processes of GNWT system, adopt the flag and logo, and put all of this in place.

Mr. Speaker, many new people here in Nunavut or people who have been here for the past seven or eight years were mainly teenagers and young adults, people who are 18 and 20. Even my 20-year-old son and 18-year-old daughter can only remember Iqaluit as being the capital and Mr. Speaker, that our flag is actually new because they don't remember a time before that. That was a lot of work that was put in place by some of the Members in this House and indeed many of our dedicated government and public employees.

Mr. Speaker, only five Members in this House served with us in Yellowknife - me, Mr. Arreak, Mr. Curley, Mr. Barnabas, and Mr. Arvaluk - and Mr. Speaker, all of us could look back and compare the changes and the similarities, as well as some of the positives and negatives of that government and this government.

Today, Mr. Speaker, Nunavut is a reality. We have graduated our first Inuit nurses and lawyers, we have completed our hospital facilities, we have introduced and passed some of the strongest anti-tobacco legislation in the country, we have set up our first mental health care facility in the territory, we're in the process of building our first trade school, our new student accommodations, and planning the cultural school.

Mr. Speaker, we're seeing an increase in student graduates, and an example of that Mr. Speaker, we had over 41 graduates at the high school this year here in Iqaluit. Twenty years ago and that's not very long ago, in all of Nunavut, in 1987-88, we only had 20

high school graduates in the whole territory. In one school this year, we graduated 41. That's some successes.

Mr. Speaker, we do have social problems, we have alcohol and drug problems, we have violence issues, we have domestic violence problems, and we also have overcrowding in our communities. Mr. Speaker, some of the members have heard me say, when you have \$800,000 worth of crack cocaine seized in your community like Iqaluit in the last three months, you have problems. When you see children who are going homeless, you have problems. When you have families on the beach in tents, you have problems. Mr. Speaker, we're trying to deal with it.

And I am happy to say today that the family that was on the beach that everyone here read about in the *Nunatsiaq News*, before it ever got to the paper, my friends, they had a house. They're not on the beach anymore and they actually have a unit. Sometimes we should be reporting some of the good news stories.

Mr. Speaker, we do have issues. But Mr. Speaker, the control of our own home communities, our government is now decided here in Iqaluit, decided here in Nunavut and not in Yellowknife. Our economy, our mining potential, oil and gas reserves, all demonstrate and show that in the next ten years, Nunavut will become economically a viable place to live and indeed, Mr. Speaker, I believe we will boom economically. Now, this will bring opportunities but it's also going to bring challenges.

Mr. Speaker, this morning, Mr. Barnabas asked me, "What do you think of your most successful accomplishments as an MLA?" And I said to Mr. Barnabas that it was tough, but probably passing the tobacco legislation, being involved in starting the Nursing Program, having a new Joamie School and Aqsarniit School built, hopefully getting a new *Education Act* in place, looking at funds to build a long-term care facility in Rankin Inlet, in Cambridge Bay, in Arviat, and indeed in Chesterfield Inlet, which was scheduled to be closed down, Mr. Arvaluk at the time was the MLA, and we were able to put funds in place and open that up.

Mr. Speaker, as a politician, when a constituent calls or needs help, they want to speak to you, they don't want to speak to staff, they don't want to speak to your EA, and they don't want to speak to your CA.

Brian Pearson, who was a very successful politician and who is over 70 years old right now, a former MLA and one of the first MLAs in the Northwest Territories and/or Nunavut, he gave me some good advice a few years ago when I first was going to run. Mr. Pearson said, "Ed, if Paul Martin is on line one and if Jean Chrétien is on line two, and if a constituent from Happy Valley is on line three, you talk to the Happy Valley constituent first because those are the guys who put you where you are today. Don't forget it." Mr. Speaker, I never did forget it and I think that was very good advice.

Mr. Speaker, I have argued and I have had debates with every Member in this House, members in the last Assembly, and indeed, 24 Members in the Northwest Territories'



Assembly. Mr. Speaker, I have disagreed with members, with ministers, with Premiers, but Mr. Speaker, in all cases, I think I could say to almost anyone here in this room, I could probably walk into their office and have a debate with them because at the end of the day, there's one thing I learned in politics and that is it has to be like water off a duck's back.

You can't take it personally and you need to be able to do a job for your constituents. Yes, sometimes your debates get heated and yes, people say things they probably shouldn't say, but at the end of the day, why are you sitting in the chair that you're sitting in? You're there to represent people. You're not there to represent yourself or your interests. Mr. Speaker, political life is hard. It's frustrating and many times, it's thankless, but on those rare occasions, Mr. Speaker, when people say "thank you" or when a good turn is returned, it makes it all worth it.

Mr. Speaker, I have tried, over the past 13 years, to be an elected representative that Iqaluit, Nunavut, and most importantly, Mr. Speaker, my family could be proud of. I have worked hard for all of Iqaluit. I'm in the office everyday and I would hope, Mr. Speaker, that at the end of the day, my children see that their dad does get out of bed and show up from nine-to-five everyday, and if he's not in his Legislative Assembly office, he's at his constituency office. Mr. Speaker, I think that's a lesson that my children and other children indeed could learn in Iqaluit and across Nunavut that there's nothing better than a good work ethic.

Mr. Speaker, as the elected representative for Iqaluit, I would like to say that I take this opportunity to say that I have worked hard for all of Iqaluit and Nunavut, and I think sometimes, Mr. Speaker, that respect as a member or a minister from staff, from colleagues, from constituents is a two-way street.

These past few weeks, Mr. Speaker, and I want to say here in the House today, I have received phone calls, emails, visits to our house from our friends, from colleagues, from constituents from all across Nunavut, even in the south. And I had a chance to talk to Prime Minister Martin in the last two days, the former Prime Minister, the Right Honourable Paul Martin, and had a discussion about politics and what I should do in the next few days. I thank Mr. Martin publicly in this House today for giving me a call. I know Mr. Curley is impressed with that, being a great Liberal supporter.

Mr. Speaker, a lot of constituents who have called and even Members in the House have asked me to run again in the next territorial election. Mr. Speaker, I have been involved in every federal campaign since 1984 when we ran Robert Kuptana as a Liberal candidate and some people will remember that.

Mr. Speaker, I have been involved in every territorial election as a candidate or a manager of a campaign since 1991 when I helped Enoki Irgittuq when he ran against Titus Allooloo. Some of you might remember that.

Mr. Speaker, I was the Member for the Iqaluit for capital campaign and indeed some of the Members here in the House will remember how, in 1995, we actually went into Arviat and campaigned for Iqaluit, and we went into Rankin Inlet and campaigned for Iqaluit.

Mr. Speaker, I have been the member and was part of the gender parity vote that some of you will remember. I have also participated in union elections, was elected as president of the union, and served on a negotiating team.

Mr. Speaker, I have been involved in board elections and more elections than I would care to imagine. Sometimes some of our members and some of our friends don't remember any of these things, maybe they should be reminded.

Mr. Speaker, I believe everyone should run for public office at least once in their life. It can be rewarding and it can be exciting. It can be frustrating and many times, public life is too public. A U.S. news commentator just recently said, "When you are elected, so are your family." And when you're in office, if your children, or your brother, or your sister, or your wife has a problem, the first thing that happens is someone's going to come up and say, "the former Minister of Education's son or the former Minister of Education's wife," or what have you, even if it's 20 years later. So we have to remember that in a small jurisdiction, politics certainly brings more stress.

Mr. Speaker, I would like to say something to my loyal and dedicated staff over the years that have put up with me and Members of the House who have put up with my idiosyncrasies, my weaknesses, and my overbearing personality. I want to say "thank you" to all of my colleagues, many of them I have known for a long time like Mr. Arreak and Mr. Arvaluk. The first time I met James Arvaluk and he would remember, 25 years ago in Hall Beach, I won't tell you what we were doing but we were having fun.

Mr. Speaker, I would like to thank in my constituency office, Oonga Henderson, Sarah Papatsie, and Lagaya Barlow, who have been running my constituency office for the past 13 years. My leg. staff, Aseena Allurut, Susie Baines, Martha Nowdlak, Annie Akoak, my EAs, Marianne Demmer and Laurie Anne White, they are hard-working, Mr. Speaker, and they are loyal. I would like to thank them for their hard work and loyalty, and Mr. Speaker, say that they are honest and provided good advice and excellent debate on many of the issues of today.

Mr. Speaker, I have had an opportunity to serve in Yellowknife and when I say sir, I mean that sincerely. Whoever is running in the next election in the next six weeks, your job is to serve the people, it's not to serve you and it's not to get caught up in your own issues. You have to be there for the constituents and they have issues. When you have people come to your house and knock on your door, you should be available.

Everyone in Iqaluit knows where I live. You know something, Mr. Speaker, talking to someone from NorthwesTel the other day, they said one of the most requested phone

numbers in Iqaluit is Ed. Picco's because it's unlisted. I don't know why because everyone knows it, they certainly can phone me and find me at home.

Mr. Speaker, I want to quickly conclude and just talk about some of the people that I have served with. Mr. Speaker, if you bear with me, there are several colleagues of mine and yours and the Members of this House who aren't with us anymore, they have passed on.

Mr. Speaker, I would like to mention Mr. Goo Arlooktoo. Goo Arlooktoo and I served in the 13th Assembly with Mr. Barnabas, and we had arguments and debates, and so on. I had nothing but respect for Mr. Arlooktoo. He worked very hard for his constituents, he really did. I never always agreed with him but I can honestly say that Goo and I were friends and I would like to say that I do remember him.

Mr. Vince Steen, who Mr. Curley and Mr. Arvaluk know very well, served with me and Mr. Barnabas and he is no longer with us. He was a fantastic individual and a person who was dedicated and loyal.

I would like to pass on my condolences and sincere wishes to Mr. Mark Evaluardjuk's family from Igloodik. Mark was a chair of our caucus, we were on committees and I served with Mark for a long time. He provided great leadership and you can learn a lot from someone like Mr. Evaluardjuk.

Of course, Mr. Speaker, Mr. Jobie Nutaraq who served with us since 1999 in that chair and I think all of us remember Jobie very well and we remember him to his families.

>> *Applause*

These are the types of people, Mr. Speaker, sometimes we forget and sometimes we should remember them.

Mr. Speaker, I would like to say with all sincerity and honesty that I appreciate the support and confidence shown in me by the constituents of Apex, Iqaluit, and Iqaluit East.

I also want to thank publicly, Opah, Wally, Dora, and Pakkak for their support and faith in their dad and also to my mother-in-law and family in Clyde River. (interpretation) Thank you very much to my Arnakak in-laws, I thank you both very much.

(interpretation ends) Mr. Speaker, I was not born in Nunavut but Nunavut is my home. I am proud of Nunavut and over the past nine years, we, in this House, and other members, have made some mistakes. Mr. Speaker, a good example of that was the time zone debate and I don't want to get into that right now, we have no time for that.

Mr. Speaker, unlike many of the negative, cynical people who stated and indeed some of the southern media who stated that Nunavut in 1999, Mr. Okalik and I remember this

very well because we had a couple arguments with some of these people, within three years, Nunavut would collapse. We didn't have the infrastructure, we didn't have the money, and we didn't have the capacity.

Mr. Speaker, the year is 2008 and Nunavut has been in place since 1999. Mr. Speaker, we haven't collapse. The feds didn't come in and take us over. And yes, the lights came on in Nunavut. Our economy is stronger, we're culturally stronger, and indeed, Mr. Speaker, we're almost in the process of now passing two landmark pieces of legislation - Bill 7 and Bill 21 - which enshrines our Inuktitut language in Nunavut and for the first time ever, our own school system with our own *Education Act*.

**An Hon. Member:** Hear, hear.

**Hon. Ed. Picco:** Mr. Speaker, Nunavut is a beautiful place. We should be proud of some of the things that we have done here, and Mr. Speaker, most of our constituents are proud of that and understand that. To my colleagues, Mr. Quirke and his staff, our translators and interpreters, and I give them hard time, I do speak a little bit fast sometimes, and I appreciate that they have bared with me for nine, ten, or eleven years, and I'm sure they had some good conversations about Ed after hours.

Mr. Speaker, to our dedicated government staff, Kathy Okpik, the Department of Education, the Department of Health people that I've had an opportunity to work with, no one realizes how much time your staff puts in. In hours, how much time do these people put in, Mr. Speaker?

I know we all think we work a lot, but when I call Kathy Okpik at 11:30 in the evening because I remembered something or I send her an email on the Blackberry, she responds because she's in the office. When you see Peter Ma with the Department of Finance, who phones you on a Sunday evening at 10:30 because he's in the office working, they don't get the recognition and support that they deserve. It's easy for us to sit in this House and out in the public and say, "How come this is not happening? How come that's not happening?"

People like Mr. Quirke; do you realize how much work goes in just to get to the point of having everyone here today and doing your debates? Me, as someone who has had a little bit of experience in government, I didn't realize how much work goes into being a House Leader, how much legislation, arranging the CCL meetings. Someone would probably find out a little more about that in the next couple of months, but I can say to Mr. Quirke and the Legislative Assembly staff, it takes a lot of effort and time to get the Assembly up and running, but also to get government up and running. We had to be patient.

>> *Applause*

Mr. Speaker, I would like to say, and most of all to the people of Nunavut, Iqaluit, Iqaluit East, Apex/Niaqunnguq that I really appreciate their support over the last several years and I would like to thank them for their criticisms, I would like to thank them for their

thank-yous, Mr. Jerry Ell, Mr. David Ell, Ben Kovic, people who have supported me for a long time, Andrew Tagak, David Serkoak, and there are so many, Mr. Speaker, who are out there who give me advice on a regular basis and I appreciate it.

Mr. Speaker, I will be announcing on September the 22, I will make an announcement on September 22. Mr. Speaker, on September 22, I will be making an announcement.

>>*Laughter*

I will be making an announcement, Mr. Speaker, about my intentions in the upcoming elections and Mr. Speaker, Annie Ford is from CBC and she's known all over Nunavut. Annie Ford, Leonard Cohen, known all over the world, internationally and nationally, the famous singer, Leonard Cohen, Annie Ford, and myself, Edward Picco, a well-known singer...

>>*Laughter*

... will be celebrating a birthday on September 21 and the next day on September 22, a day after my birthday, Annie Ford's birthday, and Leonard Cohen's birthday, Mr. Speaker, I will be making an announcement at that time about my intentions for the territorial election.

Thank you, Mr. Speaker. Thank you, colleagues. Thank you to the people of Nunavut, Iqaluit, and Iqaluit East. I appreciate your support and indeed, Mr. Speaker, I appreciate being able to serve you in the last 13 years. (interpretation) Thank you, Mr. Speaker.

>>*Applause*

**Speaker** (interpretation): Thank you, Mr. Picco. Going to the Orders of the Day. Item 9. Replies to Opening Address. If there are no more, Item 10. Petitions. Item 11. Reports of Standing and Special Committees. Item 12. Reports of Committees on the Review of Bills. Member for Iqaluit Centre, Mr. Tootoo.

### **Item 12: Reports of Committees on the Review of Bills**

#### **Committee Report on Bills 022 – 2(4): Bill 43, Write-Off of Assets and Debts Act, 2008-2009**

**Mr. Tootoo:** Thank you, Mr. Speaker. I wish to report that Bill 43, *Write-Off of Assets and Debts Act, 2008-2009*, has been reviewed by the Standing Committee on Government Operations and Accountability, and that the bill is ready for consideration in Committee of the Whole.

Mr. Speaker, I seek unanimous consent to waive Rule 68(6) and have Bill 43, as amended, immediately moved into Committee of the Whole. Thank you, Mr. Speaker.

**Speaker** (interpretation): Thank you, Mr. Tootoo. The member is asking for unanimous consent to waive Rule 68(6) and have Bill 43 moved into Committee of the Whole. Are there any nays? There are no nays. Bill 43 will be referred to the Committee of the Whole.

Item 12. Reports of Committees on the Review of Bills. If there are no more, Item 13. Tabling of Documents. Minister of Finance and Culture, Language, Elders and Youth, Minister Tapardjuk.

### **Item 13: Tabling of Documents**

#### **Tabled Document 288 – 2(4): Public-Private Partnership Policy – Government of Nunavut**

#### **Tabled Document 289 – 2(4): Letters of Expectation to Nunavut Crown Agencies for the Fiscal Year 2008-2009 Nunavut Development Corporation and Nunavut Business Credit Corporation**

**Hon. Louis Tapardjuk** (interpretation): Thank you, Mr. Speaker. I have two documents to table. The first one that I would like to table in this House is the (interpretation ends) Public-Private Partnership Policy.

(interpretation) Mr. Speaker, I would also like to table the Letters of Expectation 2008-2009 for (interpretation ends) Nunavut Development Corporation and the Nunavut Business Credit Corporation. (interpretation) Thank you, Mr. Speaker.

**Speaker** (interpretation): Thank you, Minister. Can we have those documents brought forward to the table, please.

Item 13. Tabling of Documents. Minister of Executive and Intergovernmental Affairs, Premier Okalik.

#### **Tabled Document 290 – 2(4): Nunavut Human Rights Tribunal Annual Report March 31, 2008**

**Hon. Paul Okalik** (interpretation): Thank you, Mr. Speaker. I am pleased to table the following document: (interpretation ends)

- Nunavut Human Rights Tribunal (interpretation) Annual Report from April 1, 2007 to March 31, 2008.

Thank you, Mr. Speaker.

**Speaker** (interpretation): Thank you, Premier. (interpretation ends) Can we have that document brought forward to the table, please.

(interpretation) Item 13. Tabling of Documents. Minister responsible for the Nunavut Housing Corporation and Economic Development and Transportation, Minister Netser.

**Tabled Document 291 – 2(4): Iqaluit International Airport Master Plan: Executive Summary and Final Report**

**Tabled Document 292 – 2(4): NNI Contracting Appeals Board Annual Report 2004-2005**

**Tabled Document 293 – 2(4): NNI Contracting Appeals Board Annual Report 2005-2006**

**Tabled Document 294 – 2(4): NNI Contracting Appeals Board Annual Report 2006-2007**

**Tabled Document 295 – 2(4): NNI Contracting Appeals Board Annual Report 2007-2008**

**Tabled Document 296 – 2(4): Evaluation of the Business Development Centres in the Kitikmeot, Kivalliq and Qikiqtaaluk Regions**

**Tabled Document 297 – 2(4): Ministerial Meeting Report – F/P/T Northern Development Ministers Forum, August 27-28, 2008 from Dept. of Economic Development and Transportation**

**Hon. Patterk Netser** (interpretation): Thank you, Mr. Speaker. I have a number of documents to table. One is referring to the Iqaluit Airport Master Plan; and (interpretation ends) the NNI Contracting Appeals Board Annual Report for 2004-05, 2005-06, 2006-07, and 2007-08; (interpretation) and an evaluation of the Business Development Centres in the Kitikmeot, Kivalliq, and Qikiqtaaluk regions; and the last document is the Northern Development Ministers' Forum in Yellowknife, Northwest Territories, August 27 to 28, 2008. Thank you, Mr. Speaker.

**Speaker** (interpretation): Thank you, Minister. (interpretation ends) Can we have those documents brought forward to the table, please.

(interpretation) Item 13. Tabling of Documents. Minister of Community and Government Services, Minister Brown.

**Tabled Document 298 – 2(4): Ministerial Meeting Report – National Aboriginal Women's Summit, July 2008 from Dept. of Executive and Intergovernmental Affairs**

**Tabled Document 299 – 2(4): Qullit Status of Women Council Annual Report 2007-2008**

**Hon. Levinia Brown** (interpretation): Thank you, Mr. Speaker. I have two documents to table. I am pleased to table the following document: the National Aboriginal Women's Summit II, Yellowknife, Northwest Territories, July 2008. I am very pleased to table the Nunavut Qullit Status of Women Council Annual Report for 2007-2008. Thank you, Mr. Speaker.

**Speaker** (interpretation): Thank you, Minister. (interpretation ends) Can we have those documents brought forward to the table, please.

(interpretation) Item 13. Tabling of Documents. If there are no more, Item 14. Notices of Motions. Member for Rankin Inlet North, Mr. Curley.

#### **Item 14: Notices of Motions**

##### **Motion 046 – 2(4): Comprehensive Audit of the Government of Nunavut's Evaluation and Award Process in Relation to RFP 2007-52: *Standing Offer Agreement for Medical Travel on Scheduled Airlines* – Notice**

**Mr. Curley** (interpretation): Thank you, Mr. Speaker. (interpretation ends) I give notice that on Friday, September 19, 2008, I will move the following motion:

NOW THEREFORE I MOVE, seconded by the Honourable Member for Baker Lake, that the Legislative Assembly recommends that the Executive Council of Nunavut, pursuant to section 47 of the *Nunavut Act*, advise the Commissioner of Nunavut to request the Auditor General of Canada to undertake a comprehensive audit of the Government of Nunavut's Evaluation and Award Process in relation to RFP 2007-52: *Standing Offer Agreement for Medical Travel on Scheduled Airlines*, and report thereon to the Legislative Assembly as soon as practicable. Thank you, Mr. Speaker.

**Speaker** (interpretation): Thank you, Mr. Curley. Item 14. Notices of Motions. If there are no more, Item 15. Notices of Motions for First Reading of Bills. If there are none, Item 16. Motions. Member for Iqaluit Centre, Mr. Tootoo.

#### **Item 16: Motions**

##### **Motion 045 – 2(4): Acceptance of the Report of the Acting Integrity Commissioner to the Legislative Assembly Regarding Mr. David Simailak, MLA**

**Mr. Tootoo**: Thank you, Mr. Speaker.

WHEREAS the Speaker of the Legislative Assembly has tabled the Report of the Acting Integrity Commissioner of Nunavut regarding Mr. David Simailak, Member of the Legislative Assembly for Baker Lake;



AND WHEREAS the *Integrity Act* requires that the Legislative Assembly shall consider a report laid before the House within 10 sitting days after its tabling, and shall respond to the report before the end of the session in which the report is laid before it;

AND WHEREAS the Acting Integrity Commissioner has made certain recommendations in his report dated September 8, 2008;

AND WHEREAS the Legislative Assembly may either accept or reject all of the Integrity Commissioner's recommendations;

NOW THEREFORE I MOVE, seconded by the Honourable Member for Cambridge Bay, that the sanctions and recommendations contained in the Report of the Acting Integrity Commissioner be accepted. Thank you, Mr. Speaker.

**Speaker** (interpretation): Thank you. (interpretation ends) The motion is in order. Members, before we proceed with consideration of this motion, I wish to advise members that the relevant provisions of the *Integrity Act* concerning the Legislative Assembly's consideration of a report of this nature have been placed in your motion binders for reference.

I would also remind members that section 48 of the Act allows the Legislative Assembly to either accept or reject all of the recommendations contained in the report. Accordingly, the motion before the House cannot be amended to accept or reject only certain sections of the report. The motion must be voted on as it is.

A reminder about our procedures:

1. Every member has the right to speak once to the motion for a total of 20 minutes
2. The mover of the motion speaks first and the seconder speaks second
3. The mover of the motion has the right to the last reply which closes the debate.

To the motion. (interpretation) Member for Iqaluit Centre, Mr. Tootoo.

**Mr. Tootoo:** Thank you, Mr. Speaker. As the mover of this motion, I wish to offer some comments for the public record today and I would first off like to begin by thanking my colleague from Cambridge Bay for seconding the motion. The matter in question is one that must be dealt with by the Legislative Assembly as a whole and it is my hope that today's vote on the motion will be unanimous.

Mr. Speaker, as you will recall, on February 28 of this year, the House considered a motion to accept the recommendations contained in the report of our former Integrity Commissioner. At that time, I offered a number of comments and observations that I believe are relevant to the matter before us today.

When the Members of the First Legislative Assembly of Nunavut passed the *Integrity Act* in 2001 under the midnight sun in Cambridge Bay, we had high expectations that our

statutes would be among the strongest of its kind in the nation. Seven years later, I continue to believe that we have a sound piece of legislation.

When we developed and passed the *Integrity Act*, one of our concerns was to achieve the goal of ensuring that elected officials do not use their positions for personal gain, while not creating unnecessary disincentives to running for office with respect to people, who are active in the business community, who wish to bring their ideas and entrepreneurial energy to the floor of this House. The *Integrity Act* establishes the parameters within which MLAs and ministers are expected to execute the powers and responsibilities that have been entrusted to them. It is the responsibility of all of us in this House to adhere to these provisions.

The two key provisions of the legislation in this regard are sections 8 and 10. Section 8 provides that and I'll quote it, "A member shall not make a decision or participate in making a decision in the performance of his or her duties of office or otherwise exercise an official power or perform an official duty in the exercise of his or her office if the member knows or reasonably should know that in doing so there is an opportunity to further the member's private interest or improperly to further another person's private interest." Section 10 provides that "A member shall not use his or her office to seek to influence a decision made or to be made by another person so as to further the member's private interest or improperly to further another person's private interest."

Mr. Speaker, on July of this year, I exercised my right under section 36 of the *Integrity Act* to formally request the Acting Integrity Commissioner to review whether or not the law had been contravened. As the Act required, I swore an affidavit attesting to my belief that the Act had, in fact, been contravened. My affidavit set out the grounds for my belief. I did so with the full support of the Standing Committee of Government Operations and Accountability.

My basis for making a request under section 36 of the Act were the contents of the documents that were subpoenaed in 2007 and 2008 in relation to the Standing Committee of Government Operations and Accountability's hearings on the Report of the Auditor General to the Legislative Assembly on the Nunavut Business Credit Corporation.

Mr. Speaker, I did not make this request lightly. However, each and every one of us in this House has a job to do and I have always worked to fulfill my responsibilities regardless of how difficult or unpleasant a situation might be on a personal level. As the House is aware, this is the first time that a report of this nature has been made to the Legislative Assembly. The actions and reputations of individuals have come under scrutiny. However, I believe that it was incumbent for me to act.

I want to take this opportunity to note my appreciation for the thorough, professional, and comprehensive manner in which Mr. Pickell undertook this review and prepared his report. His report speaks for itself and confirms my belief that the Standing Committee *Ajauqtiit*, under the leadership of their Chairman, Mr. Mapsalak, made an excellent

decision recommending Mr. Pickell for this important office. The unanimous vote in this House last week on his appointment further confirms the merits of this decision.

Mr. Speaker, I have reviewed the report with care and would like to take this opportunity to share with the House today some observations on its contents.

Mr. Speaker, with respect to the findings in the report concerning the former minister's relationship with companies in which he had an interest, the Acting Integrity Commissioner report states that and I'll quote it, "Mr. Simailak told me that he never thought anyone would find out about the emails that were exchanged between himself and people like Mr. Wilkinson. I believe him. But Mr. Simailak has been caught receiving information about his business interests that he never should have received." I found this comment to be troubling.

I also found the following passages of the report to be disturbing, which contains and concerns the issue of advice that had been provided by the former Integrity Commissioner to Mr. Simailak's Executive Assistant, Mr. Lalande, an individual who also served in that capacity to the former Finance Minister, Kelvin Ng, who held that office between 1999 and 2004, and I'll quote this provision section in the report. It says, "In his written response to Mr. Tootoo's Affidavit containing the allegations, Mr. Simailak says:

'I was informed some time after I resigned as Minister [in December of 2007] by [Mr. Lalande] ... that he had had a telephone conversation with the former Integrity Commissioner regarding unsolicited emails requesting arranging meeting, etc. The former Integrity Commissioner directed him to forward those emails to appropriate departments. [Mr. Lalande] had apparently had the same conversation with the former Integrity Commissioner during the previous Nunavut Government [and] was given the same direction.'"

This advice concerns the issue of appropriate boundaries between the minister's office and private companies.

Mr. Speaker, it is difficult for me to avoid reaching the conclusion that the kind of activities that are detailed in the report also took place in the tenure of the First Legislative Assembly and the first government. To me, it calls into question the integrity of a number of decisions that were made during that time, including the awarding of certain major contracts and leases.

Once again, Mr. Speaker, I will state that the government could clear the air on such matters by ensuring that disclosures and withdrawals that take place under the Act are properly disclosed. This may be an area that would benefit from further consideration in legislative amendments during the next Legislative Assembly.

Mr. Speaker, the report also determined that section 10 of our legislation, which prohibits MLAs from using our offices to improperly further another person's private interest, was

violated through the former minister's attempt to influence his most senior departmental official into giving contract work to Mr. John Todd, the former Minister of Finance in the Government of the Northwest Territories and former Cabinet colleague of Mr. Ng, who I mentioned a few moments ago.

Mr. Speaker, I do not know what work was actually produced by Mr. Todd but I do know that it is a responsibility of this government to reveal to the House how much he has been paid.

Mr. Speaker, the report also contains a number of valuable forward-looking recommendations that will help the Members of the Third Assembly to arrange their affairs appropriately.

It is recommended in the report that all trust agreements approved by the Integrity Commissioner include provisions that ensure that MLAs and I'll quote it, "shall not knowingly and wilfully, or negligently, solicit or receive any information that may not be properly disclosed to the elected member pursuant to the provisions of the *Integrity Act*."

The report also recommends that trust agreements ensure that an elected MLA "shall not take any action to obtain, and shall take appropriate action to avoid receiving, any information with respect to his or her business."

It is also recommended in the report that "all senior public servants and Ministerial political staff be briefed by the Integrity Commissioner on the provisions" of the legislation.

I also continue to believe that we need a system to formally register and regulate the activities of paid lobbyists.

**An Hon. Member:** Hear, hear.

**Mr. Tootoo:** This is an issue that has been commented on in past reports to the Legislative Assembly from the Integrity Commissioner's office, as is the issue of developing conflict of interest guidelines for senior officials and strengthening protection for whistle-blowers.

Mr. Speaker, I believe that the recommendations and sanctions contained in the report are clear, firm, and appropriate as they relate to this matter, which is why I moved the motion that is before the House today.

Mr. Speaker, I do recognize that this has been a difficult time for my colleague from Baker Lake. Although it has been a tough lesson, I am confident that Mr. Simailak will follow the recommendations contained in the report. I would like to say that I personally believe that he is, in a sense, also a victim in this situation whose trust in others has been betrayed. I believe that he placed his trust in other individuals who have since walked away.

With that, Mr. Speaker, I'll conclude my comments by stating that I will be calling for a recorded vote on the motion at the appropriate time. Thank you, Mr. Speaker.

**Chairman** (interpretation): Thank you, Mr. Tootoo. (interpretation ends) To the motion. (interpretation) Minister of Executive and Intergovernmental Affairs, Premier Okalik.

**Hon. Paul Okalik** (interpretation): Thank you, Mr. Speaker. (interpretation ends) I wasn't really planning on talking but I must say that I was humbled by Mr. Simailak's response when I requested that I had lost confidence after seeing the emails, that I could no longer support him as minister. He was very cooperative and very helpful in making sure that he did not harm our government's reputation.

So I must say, in his defence, that he acted with honour when I asked that he step down from his portfolio and that I was very impressed with his conduct in that way. But I must say that it was disappointing to see those emails and I advised Mr. Simailak that I did not feel that was appropriate and that he had to step down, unfortunately, and he did the honourable thing.

I must say, in my discussions with the Integrity Commissioner, that I have second thoughts on these issues of blind trust, that future ministers should avoid them. My colleague from Cambridge Bay pointed out clearly that we live in a very small territory and everybody knows everybody, and the issue of blind trust doesn't necessarily work for our territory. So to be open and up front about your business and personal interests is the best way to go and to avoid any potential for conflict.

We have discussed this in Cabinet and that we will be voting in favour of the motion to maintain the integrity of our government, and that we do hope that we never have to go through this for future governments. It's a very difficult situation to put us in and unfortunately these things happen, and we have to act quickly and decisively.

But I must say that there are other priorities that were mentioned by my colleague and that we have to be careful in our House. We're dealing with Mr. Simailak and past issues that may have taken place is out of our hands in some cases and we can't act on them, but we have to be careful in our proceedings that we deal with these matters as they come before us. (interpretation) Thank you, Mr. Speaker.

**Speaker** (interpretation): Thank you, Premier Okalik. (interpretation ends) To the motion. (interpretation) Member for Hudson Bay, Mr. Kattuk.

**Mr. Kattuk** (interpretation): Thank you, Mr. Speaker. I will not be supporting the motion for the reason I should say first. When we first created Nunavut, Inuit values was to be considered in this government, but in this House, I want to say and you probably all know that Inuit customs or traditions, and *Inuit Qaujimajatuqangit* should be incorporated into the government. You know very well that I have been an advocate of it.

In regard to the motion and the report, it doesn't conform to *Inuit Qaujimajatuqangit*. We have to integrate *Inuit Qaujimajatuqangit* and that is the reason why I will be voting against it. Anyone in the Inuit custom is not to go against another individual. *Inuit Qaujimajatuqangit* must be used by this government.

Right now, we're pointing a finger at an individual and that's against Inuit customs and traditions that were practiced by our forefathers and by our parents. You can't belittle somebody else nor should you feel bigger than another individual. Everybody has to be treated equally and because of that, I will be voting against the motion. I'm not saying that the Cabinet and the MLAs are just going to be doing whatever they please. That's not what I'm saying, but it is an Inuit custom not to do that to another individual.

Looking at the report, I think it also breaches the Canadian Constitution in some ways. Every individual has the right and the freedom to practice.

Mr. Simailak and his constituents in Baker Lake, it will be up to the people in Baker Lake to decide for themselves who they want to vote. I would also like to say that the penalty amount is too large.

For those reasons, I will not be supporting the motion. Thank you, Mr. Speaker.

**Speaker** (interpretation): Thank you, Mr. Kattuk. (interpretation ends) To the motion. (interpretation) Member for Rankin Inlet North, Mr. Curley.

**Mr. Curley** (interpretation): Thank you, Mr. Speaker. I also would like to rise in regard to the motion. First of all, I would like to clarify that we were talking about information. We knew that it was going to be hard to deal with the conduct of our colleague. First of all, I would like to say that we have to adhere to the rules that apply to the Members of the Legislative Assembly.

One thing that I'm concerned about is when it comes to businesses, there's always the concern of making a profit or making money for your company, but on this issue and looking at the Integrity Commissioner's Report, I think that we need the support of our government and our Government House Leader.

I can say that our colleague didn't do this by himself. The government is also to blame. I know that the Executive Council and the ministers can get together and make a policy that would apply or even make it a regulation. It should outline what the ministers cannot do. There has to be regulation or a policy on this issue if you want to stay on as Premier.

With the next government, there will have to be a guideline that clearly specifies what a Cabinet Minister can or cannot do. We have discussed this for a long time and we also ask questions about having lobbyists registered. If that was the case, this wouldn't have happened.

Mr. Speaker, I also worked hard on this issue and I know my colleague and I can say that he is a very good individual who had a proper upbringing. When we're overtaken by business and profit, it can also happen to us.

The recommendations contained in the Report of the Integrity Commissioner should not be the only thing we have to focus on. We can't fail our people. There has to be a policy or a regulation. We shouldn't just tell the deputy ministers that this is what we will be doing. It has to be something in writing.

Even though this is hard for us to deal with, Mr. Speaker, I will have to support the recommendations in the motion. Thank you.

**Speaker** (interpretation): Thank you. (interpretation ends) To the motion. (interpretation) Member for Arviat, Mr. Alagalak.

**Mr. Alagalak** (interpretation): Thank you, Mr. Speaker. We feel compassion for the individual and I feel the same way as the individual that we're dealing with, but I believe he has been, if I could say it in English, (interpretation ends) volunteering for this event.

(interpretation) I know that the younger people will be getting into politics and we have to start teaching our younger people how to follow the legislation. This incident shows the people the commitment that he volunteers himself. I know he will not push away what is being dealt with. We feel compassion, but as Inuit, we never did that traditionally. We would resolve situations or issues by negotiating and talking with each other. Today, we cannot just live like that anymore.

With the government, legislation and Acts seem to be simple enough, but now, the legislation and the Acts are going to change constantly and increase. Even though we didn't know anything about legislation, within less than 20 years, we are now dealing with those issues and due to ignorance, there are many people who have gone through courts and suicides have occurred by young people because they don't know the Acts and legislation.

For that reason, I will not be in support of this. From my heart, especially when we're dealing with our friends and family, and I know his parents and I know him personally, but this has to come to pass.

One thing that I feel thankful for is this will show the young people in Nunavut how we need to adhere to laws and legislation, and it shows how we should be treating one another. It will show great things to the public and I'm very pleased about that part because I know that we will be experiencing these unfortunate incidents. There is a lot of legislation where we will be running into a wall. As I stated before, this will come to pass and there will still be opportunities in upcoming years.

In spite of that, I would like to state my appreciation to our young people who are in school and who are readying for careers. They will take over the politics here and we

would like to see the Government of Nunavut go further and we would like to see our government be proud of our Inuit, our values and traditions, and also the language, the wildlife, the environment, and how the world we live in is. We still have to run into laws that will be in the way.

I wanted to speak to this issue and thank you for giving me an opportunity. Thank you, Mr. Speaker.

**Speaker** (interpretation): Thank you, Mr. Alagalak. (interpretation ends) To the motion. (interpretation) If there's no more, does the mover of the motion, Mr. Tootoo, have any last reply? Mr. Tootoo.

**Mr. Tootoo:** Thank you, Mr. Speaker. Like I said in my opening comments, as elected officials, our constituents elect us to do a job and as Mr. Picco pointed out in his comments, it's not always fun. If it was always fun, it would be a lot easier, but it's not always fun. There are things you have to do and have a responsibility to do. I believe we have to do it whether we like it or not.

I appreciate the comments that my colleagues have made and respect them. Like Ed said, we don't always agree on everything, but we have to respect everyone's right to be able to say and do what they want here in this Assembly.

Mr. Speaker, I want to echo the Premier's comments in regard to Mr. Simailak's conduct since this unfortunate event came about and in the fact that as he has joined the good side, the Regular Members of the House, Mr. Simailak has done his job very well. He has represented his constituents, he has been involved in and a contributing member on the committees that he is involved in.

I've had this discussion with him and I point out that this is not something that is between me personally and Mr. Simailak. I was elected to do a job and my constituents expect me to do my job and I am doing my job. That's the one thing I want to echo and it's not about thinking you're bigger or better than anyone else, it's just that we all have a responsibility to do our jobs.

As I stated earlier in my opening comments about when our *Integrity Act* was developed, it was leading edge legislation in that area and one of the things in there that a lot of thought went into was how to incorporate IQ into the process. And there are a number of unique things in our legislation to allow and have to have IQ incorporated.

But at the end of the day, like I said, it's the legislation that's there and that's what guides us, as with all laws, and I again ask members to support this motion. Thank you, Mr. Speaker.

**Speaker** (interpretation): Thank you, Mr. Tootoo. The debate is now closed and a recorded vote has been requested. (interpretation ends) So the process that this will go



under, all those in favour will stand and sit when I call your name, and all those opposed, at the appropriate time, will also stand and sit when I have called your name.

All those in favour, please stand and sit when I call your name.

Mr. Tootoo.

Mr. Curley.

Mr. Arvaluk.

Mr. Barnabas.

Mr. Picco.

Mr. Tapardjuk.

Mr. Premier.

Madam Brown.

Mr. Netser.

Mr. Akesuk.

Mr. Arreak.

Mr. Mapsalak.

Mr. Alagalak.

Mr. Peterson.

And all those opposed, please stand and sit when I call your name.

Mr. Kattuk.

All those abstained, please stand and sit when I call your name.

There being none.

The results of the vote are as follows: for the motion, 14; against, 1; abstentions, none.  
The motion is carried.

(interpretation) Thank you. Going back to the Orders of the Day. Item 16. I'm sorry, Member for Baker Lake, Mr. Simailak.

**Mr. Simailak** (interpretation): Thank you, Mr. Speaker. I would like to ask, Mr. Speaker, if we can go back to Item 3. Thank you, Mr. Speaker.

**Speaker** (interpretation): Thank you, Mr. Simailak. The member is seeking unanimous consent to go back to Item 3. Are there any nays? There are no nays. Please proceed, Mr. Simailak.

### **Revert to Item 3: Members' Statements**

#### **Member's Statement 548 – 2(4): Formal Apology Following the Report of the Acting Integrity Commissioner**

**Mr. Simailak** (interpretation): Thank you, Mr. Speaker and my colleagues. Mr. Speaker, I rise today to speak directly to you, my colleagues, my constituents and all Nunavummiut on the matter of the Report of the Acting Integrity Commissioner of Nunavut to the Legislative Assembly, which was formally tabled in the House last week.

Mr. Speaker, I listened carefully to the comments that were offered earlier in this House during consideration of the motion to accept the sanctions and recommendations contained in the report.

I wish to acknowledge with appreciation the respectful way in which the House has addressed this matter.

(interpretation ends) Mr. Speaker, the Report of the Acting Integrity Commissioner contained a number of recommendations. I want to assure you, Mr. Speaker, the Members of this House and all Nunavummiut that I have reviewed the report with care.

Mr. Speaker, it is appropriate that I take this opportunity to acknowledge my wrongful conduct and formally apologize to you, my colleagues, the people of Baker Lake and indeed all Nunavummiut.

I also wish to take this opportunity, Mr. Speaker, to reflect on the lessons learned in this experience and give you my solemn promise that I will faithfully fulfill my commitments under the *Integrity Act* in the future, in addition to undertaking the necessary actions that have been recommended in the report.

Mr. Speaker, I want to close by expressing my deep gratitude to my family and the people of Baker Lake for their support to me in recent months. Their strength is my foundation. (interpretation) Thank you, Mr. Speaker.

>> *Applause*

**Speaker** (interpretation): Thank you, Mr. Simailak. I accept your apology. I understand your apology clearly and accept it. Thank you.

Going to the Orders of the Day. Item 17. First Reading of Bills. Item 18. Second of Bills. Item 19. Consideration in Committee of the Whole of Bills and Other Matters. Bills 7, 20, 21, 40, 41, and 43 with Mr. Arreak in the Chair.

Also, in accordance with the authority provided to me by Motion 4 – 2(4), the Committee of the Whole will stay in session until it reports itself out. I would like to ask members to remain in their seats and proceed directly into Committee of the Whole.

Sergeant-at-Arms.

>>*House recessed at 16:50 and Committee resumed at 16:53*

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

**Chairman** (Mr. Arreak)(interpretation): We are back once again. I would like to ask the minister if he would like bring his officials to the witness table. Minister Tapardjuk.

**Hon. Louis Tapardjuk** (interpretation): Yes, I would very much like to have my officials with me at the witness table, Mr. Chairman.

**Chairman** (interpretation): Thank you. Does the committee agree that the minister bring his officials to the witness table?

**Some Members:** Agreed.

**Chairman** (interpretation): Sergeant-at-Arms, please escort the witnesses in.

Thank you and welcome. Minister, for the record, please introduce your witnesses. Minister Tapardjuk.

**Hon. Louis Tapardjuk** (interpretation): Thank you, Mr. Chairman. On my left is Stéphane Cloutier from the Department of Culture, Language, Elders and Youth, Director of Official Languages and Services, and he has been working on the Language Bills, and on my right is Susan Hardy from the Department of Justice. She has been supporting and helping us on the drafting of this bill. So that's who we are, Mr. Chairman.

**Chairman** (interpretation): Thank you, Minister. Before we begin, I would like to welcome members of the *Inuit Qaujimagatuqangit* Committee sitting in the Gallery. They have come to watch our proceedings.

**Bill 07 – Inuit Language Protection Act – Consideration in Committee**

If you can take a look at Bill 7 in your legislation binders, Reprint, *Inuit Language Protection Act*, that's what we will be dealing with. At this time, we will go directly to clause 24. Mr. Tootoo.

**Mr. Tootoo:** Thank you, Mr. Chairman. Welcome back, everybody. Mr. Chairman, my question in here is under the Inuit Language Promotion, it says under that clause that “the Minister shall develop policies or programs intended to promote... at the community level,” and it goes on with “initiatives for the use, teaching, development, promotion... and increased community capacity.”

I’m just wondering if any of that work has started yet or when do they anticipate having that. Maybe some specific ideas of what exactly that means and when they anticipate that information rolling out. Thank you, Mr. Chairman.

**Chairman** (interpretation): Thank you. Minister Tapardjuk.

**Hon. Louis Tapardjuk** (interpretation): Thank you, Mr. Chairman. Stéphane Cloutier will respond to the question. Thank you, Mr. Chairman.

**Chairman** (interpretation): Thank you. Mr. Cloutier.

**Mr. Cloutier** (interpretation): Thank you, Minister. Thank you, Mr. Chairman. I will try to respond but first of all, I would like to say that the Inuit language is very important. I will respond in English at this time.

(interpretation ends) Just to answer your question, Mr. Tootoo, if work is underway regarding this, there is a short-term plan over the next year. There is the need, within a year, to develop a comprehensive implementation plan for the legislation on how the legislation would be implemented and that will involve consultations to consult with the communities and Nunavut stakeholders to set the priorities for the long-term implementation.

So we are at the planning stage and within the next year, we will consult further with Nunavummiut to identify their priorities for the implementation of this legislation.  
(interpretation) Thank you.

**Chairman** (interpretation): Thank you, Mr. Cloutier. Mr. Tootoo.

**Mr. Tootoo:** Thank you, Mr. Chairman. I know in that specific area, it was “policies or programs intended to promote” things “at the community level.” I’m just wondering if they have any idea of what types of things that they’re looking at there that the communities can expect to get from the government. Thank you, Mr. Chairman.

**Chairman** (interpretation): Thank you, Mr. Tootoo. Minister Tapardjuk.

**Hon. Louis Tapardjuk** (interpretation): Thank you, Mr. Chairman. With respect to these issues, we are just starting to work on the publicizing of these Inuit language consultation, and we are using the local radio stations, including the television media.

We will be looking at ways to incorporate Inuktitut into the government operations, whether we can stop the derogation of the Inuit language, and to look at ways to utilize Inuktitut whenever possible by using the local community radios and other media venues, such as radio and television. We will use that media, but we will also develop those.

Although we are already using the Inuit language and teaching the Inuit language, I think it was two times in a year that we have tabled Inuktitut flash cards. They have pictures on them and the term is already in that flash card in Inuktitut. We have been providing those flash cards to the schools to strengthen the Inuit language. That's also in the plan and we have already started the initiation. Like for example, the flash cards and all the terms in Inuktitut are there. So that's what we're working on, Mr. Chairman.

**Chairman** (interpretation): Thank you, Minister. Mr. Tootoo.

**Mr. Tootoo:** Thank you, Mr. Chairman. I thank the minister for that response. He said that the community is an idea of what kind of things to expect down the road and what's out there already.

The other question that I have is in regard to clause 24. If we go to (h), it says, "the Minister shall develop policies or programs intended to promote public understanding of this Act and the regulations."

I know the minister and his officials have indicated that they're doing a consultation process over the next year with stakeholders to develop an implementation plan for the legislation. What else are they looking at doing? I have been involved in this and I'm sure that everyone can appreciate the complexities involved in this type of legislation to make sure that the public truly understands what it's getting out of this piece of legislation.

Can I get an idea if they have an outline? Are they still working on it as to when to expect that information to get out there so that all Nunavummiut will know what to expect and what their rights are under this legislation? Thank you, Mr. Chairman.

**Chairman** (interpretation): Thank you. Minister Tapardjuk.

**Hon. Louis Tapardjuk** (interpretation): Thank you, Mr. Chairman. Once this bill is implemented and if it's approved in the House, hopefully by tomorrow, we will have to get a Minister of Languages. It's clearly identified in clause 24 and that minister will have the responsibility to make sure that Nunavummiut have an understanding and what kinds of rights they have.

I believe that we know that once this Act is enacted, Nunavummiut will see drastic change in regard to Inuktitut language be recognized. For that reason, the Minister of Languages will have the responsibility of making sure that the public understands what kind of Act it is and how it will be applied.

We have also plans, perhaps in the year 2009, that we will hold a conference in Iqaluit with Nunavut entities and stakeholders that work hard on languages that do hold the conference on how the Act applies to the people who will be attending. So that's one of the ways that we will be informing the public out there, Mr. Chairman.

**Chairman** (interpretation): Thank you, Minister. Mr. Tootoo.

**Mr. Tootoo:** Thank you, Mr. Chairman. I thank the minister for that response. I really encourage the minister and the government to really try to do a very good job of ensuring all Nunavummiut, especially the unilingual Inuktitut-speaking or Inuit language-speaking residents, what this legislation actually means to them.

I know in the past, in other legislation that's out there, and even with this one, like I said in my opening comments, the concept and the principle behind it, no one is arguing that point. I think it's a great idea and it's overdue, but when you really look into it, there are things there that people should know so they know what their rights are. I think that it's very important that that be done very thoroughly and clearly, and as much plain language as possible just to ensure that everybody understands what it means.

The second part of that question in that is just dealing with regulations and I doubt any regulations have been drafted yet, but I'm just wondering when you anticipate the regulations being drafted. Thank you, Mr. Chairman.

**Chairman** (interpretation): Thank you. Minister Tapardjuk.

**Hon. Louis Tapardjuk** (interpretation): Thank you. I believe this bill will be enacted, once it is enacted in Nunavut, the communities and the stakeholders, we will have to do further review during the implementation of this Act and also the regulations that have not been completed will also be considered. I believe that the regulations will be drafted. I believe that this year, they will start planning on their regulations and policies and once after the enactment of this bill, Mr. Chairman.

**Chairman** (interpretation): Thank you, Minister. Mr. Tootoo.

**Mr. Tootoo:** Thank you, Mr. Chairman. I thank the minister for that response. I just want to again get a question out there for the record. This legislation has impacts on everybody across Nunavut, whether it's the private sector, the hamlets and municipalities across Nunavut, and the federal government as far as their boards, or agencies, or departments that are here in Nunavut.

When the Minister of Languages is developing the regulations, is there a mechanism to allow for feedback and input in the development of those regulations by all those bodies? Thank you, Mr. Chairman.

**Chairman** (interpretation): Thank you, Mr. Tootoo. Minister Tapardjuk.

**Hon. Louis Tapardjuk** (interpretation): Thank you to the member for asking those questions. I can say in section 44, it states that once the regulations or policies are drafted, we will consult with the public out there. In section 44, that's how we will consult with the public out there to make sure that regulations can be utilized once they're being drafted, Mr. Chairman.

**Chairman** (interpretation): Thank you, Minister. Mr. Tootoo.

**Mr. Tootoo:** Thank you, Mr. Chairman. I thank the minister for putting that on the record. I think this is all important information for people to hear.

Another question I have in that clause, it's a word that's used a number of times, it talks about all kinds of media, including print, film, television, radio, digital, video interactive or other media. I guess my question and I don't know if it's specifically related to that but it seems to tie in good here, I know that the film industry is growing here in Nunavut and the minister's own home community is a good example of that.

I'm wondering if there have been any discussions with the only territorial broadcaster that we have in Nunavut, that's the CBC, to look at them and encourage them to open up some type of TV production facility here in Nunavut, rather than having those services come out of the Northwest Territories, out of Yellowknife that they currently do. Thank you, Mr. Chairman.

**Chairman** (interpretation): Thank you. Minister Tapardjuk.

**Hon. Louis Tapardjuk** (interpretation): Thank you. Yes, it's very true. It's something that's very good to consider and I think that your suggestion would be very good. Not only CBC would be the avenue, we would also look at the Inuit Broadcasting Corporation, we could somehow use them to give us assistance, and also other means of communication.

The Minister of Languages will be able to do all that to make sure that there are communication systems that we can utilize. We could do that, Mr. Chairman.

**Chairman** (interpretation): Thank you, Minister. Clause 24. Do you agree?

**Some Members:** Agreed.

**Chairman** (interpretation): Clause 25. Do you agree?

**Some Members:** Agreed.

**Chairman** (interpretation): Clause 26. Do you agree?

**Some Members:** Agreed.

**Chairman** (interpretation): Clause 27. Do you agree?

**Some Members:** Agreed.

**Chairman** (interpretation): Clause 27.1. Do you agree?

**Some Members:** Agreed.

**Chairman** (interpretation): Clause 28. Do you agree? Mr. Tootoo.

**Mr. Tootoo:** Thank you, Mr. Chairman. This is a under Duty of Languages Commissioner. I know I raised this issue in standing committee and I also forewarned everyone in my opening comments that this was something that I would bring up.

And I know where it outlines the duties of the Languages Commissioner here, it says, "... shall take all actions and measures within the authority of the Languages Commissioner to ensure that the rights, status and privileges established by this Act with respect to the Inuit Language are recognized and performed."

Mr. Chairman, I know it's further along in the bill, in clause 31, where it talks about an application for investigation. It indicates that someone could apply for an investigation to the Languages Commissioner if the spirit and intent of the Act is not being fulfilled.

If that wording is in there, I'm just wondering why that similar type of wording doesn't fall under the duties of the Languages Commissioner to ensure that legislation is being recognized and followed on the spirit and intent that it's intended to be. Thank you, Mr. Chairman.

**Chairman** (interpretation): Thank you. Minister Tapardjuk.

**Hon. Louis Tapardjuk** (interpretation): Thank you. I will have Susan Hardy respond to that question. She is from the Department of Justice, Mr. Chairman.

**Chairman** (interpretation): Thank you. Ms. Hardy.

**Ms. Hardy:** Thank you, Mr. Chairman and Mr. Minister. The first thing I would have to say is that all of the provisions of the Act apply together, so the spirit and intent is part of the Languages Commissioner's duty.

This is a broad statement of what the Languages Commissioner has to do in a very general sense without getting into whether we're at assistance stage, non-investigative dispute resolution stage, a form of alternative dispute resolution that does involve some investigation or a full-on investigation that starts having adversarial qualities to it. There's a variety of things provided for here.



In this particular section, we're not getting into those details, we're making a general statement that mirrors the wording in Bill 6, and I don't know if that was noticed. And when we're talking about all actions and measures within the authority of the Languages Commissioner, what more particular sections go on to do is to go on to explain what is within her authority.

So one of the things within her authority is to receive a complaint, for example, there was technical compliance but other difficulties that a person wants the commissioner's assistance with and this broad statement can encompass that or other kinds of complaints that we then specify later.

**Chairman:** Thank you. Mr. Tootoo.

**Mr. Tootoo:** Thank you, Mr. Chairman. I thank Ms. Hardy for that. You said that the concept of the first line of clause 28 was to ensure that the rights, status, and privileges established by the Act are fulfilled. Wouldn't one think that the wording just makes sure that the spirit and the intent of this Act are being fulfilled? Would that not be considered a pretty broad statement and not a specific thing?

I guess my concern is if the spirit and intent, under an application for investigation, is the only place that it appears, and I know in committee, I wondered if it would be a more appropriate place to put it under the duties of the Languages Commissioner to make sure that the spirit and the intent of the Act is happening and being done because it doesn't really give them the authority under the duties of the Language Commissioner to say that you've got to make sure that the spirit and the intent of the Act are being complied with or followed. Maybe if I could just get a response to that. Thank you, Mr. Chairman.

**Chairman (interpretation):** Thank you. Minister Tapardjuk.

**Hon. Louis Tapardjuk (interpretation):** Susan Hardy will respond to that as well, Mr. Chairman.

**Chairman (interpretation):** Thank you. Ms. Hardy.

**Ms. Hardy:** Thank you, Mr. Chairman and Mr. Minister. What I can say in response is that the rights and privileges in this Act include the enforcement not only of the letter but its spirit and intent. Its intent is to achieve a state of more substantive equality or equity between the different language groups in Nunavut and that part of the intent of this Act is that it is a privilege that we are establishing that that will be enforced. So it's not an omission necessarily.

There's a very broad statement here that's meant to encompass everything that comes after. And in terms of the application or assistance requesting process, that's a very small issue in a much wider process. The spirit and intent may sound like a broad statement but in terms of what people are concerned about, it's quite often going to be the letter, if you follow me.

So this statement speaks to the rights and privileges. One of those rights and privileges is to be able to have assistance when you feel there has been a wrong or a failure to comply that the Languages Commissioner should consider.

**Chairman** (interpretation): Thank you, Ms. Hardy. Mr. Curley.

**Mr. Curley:** Thank you. (interpretation) I also have another question on clause 28 regarding the duties of the Languages Commissioner. Ms. Hardy responded to the question about rights, status, and privileges established by this Act. I don't think it only applies to Inuit but individuals who speak any language have a right to complain to the Languages Commissioner. Is that what it means?

These rights, status, and privileges are not only for Inuit, it also applies to entities and if they have a concern, they can send their complaints to the Languages Commissioner. It also respects the Inuit language is recognized and performed. It doesn't only apply to the government; it also applies to the commercial entities, private businesses, and the citizens of Nunavut. Irrespective of whether they are Inuit, *Qallunaaq*, or French, all of their language rights have to be respected and treated equitably in all respects.

For example, a unilingual English speaker has the right to complain to the Languages Commissioner if they're provided services just in Inuktitut and his rights to be served in English has to be respected as well. Based on what I understood, is this the case? (interpretation ends) Thank you.

**Chairman** (interpretation): Thank you. Minister Tapardjuk.

**Hon. Louis Tapardjuk** (interpretation): Thank you. The purpose of Bill 7 is to protect the Inuit language within the territory and/or its usage, and the entire contents of this bill speak to the Inuktitut language only. Inuit have to be provided services in their language, using either Inuktitut or Inuinnaqtun. They have to be provided those services in aboriginal languages.

Under clause 28, we are talking about the duties of the Languages Commissioner and under Bill 7, it outlines the type of duties he/she has. So if an individual feels that they are not being provided services in their language or the person knows that those providing services are supposed to serve them in Inuktitut, whether it's a commercial outlet or another entity, then that person has a right to make a complaint about that outlet or organization to the Languages Commissioner so that an investigation could be conducted.

With respect to your question, this concern has already been addressed in Bill 6, which I believe that we agreed to it in June, about the three official languages. This bill recognizes English, French, and Inuit language, and under this legislation, the languages are all treated equally.

Some service provision rights are protected for the English and the French languages, but please remember that the focus of Bill 7 applies to the protection of the Inuktitut language and to provide legal backing for Inuktitut so that it is one of the languages that service providers have to offer to the general public, Mr. Chairman.

**Chairman** (interpretation): Thank you, Minister. Mr. Curley.

**Mr. Curley** (interpretation): Yes, I understand that particular section but the Languages Commissioner is referred to as having particular authority and to be able to make a ruling on a language issue, especially in relation to the proper usage of the language and cultural practices.

However, when we discuss the Languages Commissioner, unfortunately I was unable to finish reading the sections pertaining to the Languages Commissioner, but the duties of the Languages Commissioner does not only deal with the Inuktitut language but they would deal with all issues related the three official languages.

I would like this clarified from your officials as to whether this is the case or does my smattering of comprehension have a basis in fact? When we refer to the Languages Commissioner, that position isn't only dealing with the Inuktitut language is it? What are the roles and duties of the Languages Commissioner? I would like to get this clarification from you. Thank you.

**Chairman** (interpretation): Thank you. Minister Tapardjuk.

**Hon. Louis Tapardjuk** (interpretation): Thank you, Mr. Chairman. The draft Bill 6, which we agreed to in June, applies to the three official languages of Nunavut, their legal recognition and the equality, under the law, of all these languages.

Again, under that same bill, the Languages Commissioner deals with all official languages. The member was indeed correct in that regard. They have to work with the issues stemming from all three languages, for example, the provision of French language services. If any of our francophone residents feel that there's a deficiency in the services that are available in the French language, they can request assistance from the Language commissioner.

Alternatively, if there was a breach of this Act or if someone is reluctant to offer services in the other official languages, then it would be the Languages Commissioner to deal with this issue under Bill 6. Now, with respect to Bill 7, we have outlined the duties and the authority of the Languages Commissioner more specifically in relation to Inuktitut.

So we're talking about the one position of the Languages Commissioner contained within these two bills, although the duties and responsibilities are the same under both bills, Mr. Chairman.

**Chairman** (interpretation): Thank you. Clause 28. Do you agree?

**Some Members:** Agreed.

**Chairman** (interpretation): Clause 29. Do you agree?

**Some Members:** Agreed.

**Chairman** (interpretation): Clause 30. Do you agree?

**Some Members:** Agreed.

**Chairman** (interpretation): Clause 31. Do you agree? Mr. Tootoo.

**Mr. Tootoo:** Thank you, Mr. Chairman. This is the clause they referred to earlier with the wording “spirit and intent.” It indicates here that any person may apply to the Languages Commissioner for an investigation and the subclause (b) there says if you feel that an organization has not complied with the spirit and intent of the Act or are not being fulfilled.

My question is: could someone theoretically just walk into the Languages Commissioner’s office and say, for example, “I would like you to do an investigation on the post office because I don’t believe that they’re fulfilling the spirit and intent of the Act,” and that’s it? Is that all that an individual would have to do with the way this is worded here? Thank you, Mr. Chairman.

**Chairman** (interpretation): Thank you. Minister Tapardjuk.

**Hon. Louis Tapardjuk** (interpretation): To clarify, Bill 7 is for the protection of the Inuit language and we can say that this is the spirit and intent. Bill 7 is used to protect and recognize the Inuit language and to provide services using the Inuit language. That’s the spirit and intent of this bill and this is what we’re looking for. As such, Bill 7 is going to be quite strong and it could also be the foundation for quasi-constitutional for anyone who would like to make this complaint to the Languages Commissioner for the lack of provision of Inuit language services. The Languages Commissioner could conduct an investigation.

Any Inuk who doesn’t like a certain company cannot make a complaint to the commissioner just because they don’t like the company. If there was a valid complaint, the Languages Commissioner could conduct a study and if it’s trivial, the Languages Commissioner could also put a stop to the investigation. She/he can decide whether the investigation will continue or not, depending on its weight. I wanted to make that clear, Mr. Chairman.

**Chairman** (interpretation): Thank you, Minister. Mr. Tootoo.

**Mr. Tootoo:** Thank you, Mr. Chairman. I agree with the minister and everything that he said. My question was: with the way this is worded here in the Act, can an individual, regardless of whether they like an organization or not, be able to walk into the Languages Commissioner's office and ask the commissioner to initiate an investigation on an organization because they believe that they're not complying with the spirit and intent of the Act and leave it at that?

It would then be up to the commissioner to determine where to go from there, but there would not be any other requirement other than an individual saying, "I don't believe they're meeting the spirit and intent," to trigger an investigation? Thank you, Mr. Chairman.

**Chairman** (interpretation): Thank you. Minister Tapardjuk.

**Hon. Louis Tapardjuk** (interpretation): Thank you, Mr. Chairman. I will have Susan Hardy elaborate on that further, Mr. Chairman.

**Chairman** (interpretation): Thank you. Ms. Hardy.

**Ms. Hardy:** Thank you, Mr. Chairman. The Act sets out in another provision that the Languages Commissioner is required to assess the concerns that are relayed to her and see if there are reasonable grounds. A person cannot walk into the office and say such and such company has violated the spirit and intent of this Act, that's for the commissioner to decide. What the person says is what happened and that is a series of facts that they think are of concern that the commissioner will decide what to do with.

As I mentioned in a previous answer, there's a range of responses and this language of spirit and intent relates to two qualities of the Languages Commissioner's role. One is she is an ombudsperson, which means she is not counsel for or the advocate of only the person who came through the door with concerns. She has a duty to try to find a reasonable solution using the most appropriate means. Sometimes that's simply some education.

An ombudsperson generally has a very wide scope of intake of concerns. They are meant to solve grievances that aren't finding an easy solution in a court context. The record of success that they reach is often more satisfactory to people who find that they are having a concern than what they are able to achieve through a much longer drawn out court process.

Now, we have the court options in here for cases that are hard to resolve. The language of spirit and intent does relate to kind of a dual quality she or he will have in his function. That is being responsible to take every measure within that range that's necessary to achieve compliance but also to approach the manner in a balanced way, and to take those facts and try to achieve a resolution without going into the court.

I would like to also mention that there's case law relating to this phrase "spirit and intent." It mostly arises under the Federal *Official Languages Act*. There's a particular

case by the name of Lavigne v. Canada where they talk about the language, spirit and intent and they say it gives the commissioner the powers of the true language ombudsman and establishes an administrative process for securing relief.

This is an important aspect of the commissioner's function under our legislation and it's an aspect that was widely supported in the community because it gives more non-adversarial community oriented solutions and even assistance to the party who may, in another context, be treated as someone who did wrong, but in our context, they're treated as someone who may need help to do right.

So part of the objective in having a wide enabling provision there when the concerns are being brought to the commissioner is to bring those concerns to her, but one of the first assessments she or he will have to make is: is there a reasonable basis for me now to proceed in these facts that the person is saying?

So just to conclude with a short answer to your question, walking in and saying, "I'm offended. The spirit and intent of this Act is not being performed, is not enough." The person has to have had an experience that they can relay in which the commissioner finds reasonable grounds under this Act to take action.

**Chairman** (interpretation): Thank you. Mr. Tootoo.

**Mr. Tootoo:** Thank you, Mr. Chairman. I appreciate the explanation and again as Ms. Hardy pointed out, the dual role that they play and I think that's part of my point I mentioned earlier, that's part of the duties and responsibilities of the commissioner. You want to do it before it gets to a negative point and yet, the only place that's mentioned is in an application for an investigation.

I'm not arguing the point that she is making, but I'm just saying: is that the most appropriate place to put it? The only place it appears is in applications for investigations. We've had this discussion and I want to raise it now. That may be something to keep an eye on and watch because I believe that the way it's worded, I would have to disagree.

I'm sorry if I don't agree with the fact that someone could walk into the office because of how it's worded here and ask for an investigation just because they believe that an organization hasn't complied with the spirit and intent of the Act, and then the onus would be on the Languages Commissioner to figure out where they start from. To go to that organization and say that they have received a complaint, there's no obligation on the individual to provide those facts, I think, with the way it's worded like this.

I just wanted to raise that as a cautionary note as you move forward, to keep an eye on that because I think the way it's worded that someone could actually do that. Someone could walk in and say that and not have to provide any rationale as to why, and the onus would be on the Languages Commissioner to go and try to figure out why. I could foresee how cumbersome of a process that has the potential of being and that's what we want to try and avoid. So it's just a cautionary note.

The other question and I mentioned it earlier here, it says “organization” and I used post office on purpose for an example. The post office is under federal jurisdiction and probably the only place in Nunavut that you’re going to run into a situation where you may just be able to receive services in English or French would be here in Iqaluit.

I think every other community across Nunavut has Inuit working in the post office. It may or may not be the case all the time, but the chances are larger that you’re going to run into a situation with the post office here. I was actually there about a week and a half ago and there was a unilingual elder that had to call a young person over to interpret for them in filling out a form for an Express Post envelope and what they wanted.

If that happened after this legislation comes into place, then that individual could go to the Languages Commissioner and say, “I went to the post office and they didn’t have anyone that could explain things to me in Inuktitut. Therefore, I believe they are violating the Act and there should be an investigation.” Could that be the case? Thank you, Mr. Chairman.

**Chairman** (interpretation): Thank you. Minister Tapardjuk.

**Hon. Louis Tapardjuk** (interpretation): Thank you. This is true. Service providers, like the post office, for example, if there are no employees who can speak Inuktitut, the Languages Commissioner would be informed.

It will be coming up in clause 32, which is just one clause behind from where we’re at. The Languages Commissioner would have to conduct an investigation to find out if there was a valid cause for complaint. The commissioner “may use mediation or other means consistent with *Inuit Qaujimajatugangit* to resolve concerns identified in an application or investigation.” It is not trying to bring out something negative; it tries to make sure that the service providers are providing services in the official languages and how a particular situation can be resolved. That’s why we have it outlined here in clause 32.

In answer to your question, yes, it’s very true that the Languages Commissioner can conduct an investigation, Mr. Chairman.

**Chairman** (interpretation): Thank you, Minister. Mr. Tootoo.

**Mr. Tootoo**: Thank you, Mr. Chairman. Another question I want to use and I know I raised it with you in committee as well, I believe when you had your phone-in show on Bill 7, it was inferred that income tax forms would have to be in Inuktitut or an Inuit language.

If a unilingual Inuktitut-speaking individual receive forms from Revenue Canada, you could get them in English and French, but if they weren’t in the Inuit language after this legislation comes into force, would that be considered a violation of the Act? Thank you, Mr. Chairman.

**Chairman** (interpretation): Thank you. Minister Tapardjuk.

**Hon. Louis Tapardjuk** (interpretation): Thank you, Mr. Chairman. Bill 7 states that if you want to work in Nunavut or you want to establish an office, you would have to adhere to the Act. In regard to income taxes and other benefits provided by the federal government, and if this bill is enacted, the Languages Commissioner will be given further authority on how those services will be provided.

During the phone-in show on APTN, I responded by saying that the federal and territorial governments, through negotiations and collaborating, could provide such services. For example, the Canadian Constitution applies to all Canadians. The *Human Rights Act*, if we're going to apply those Acts, the federal and the territorial governments should be able to negotiate in order to provide the services in the language of their choice.

If you don't mind, I would like Ms. Hardy to supplement my answer, Mr. Chairman.

**Chairman** (interpretation): Thank you, Minister. Ms. Hardy.

**Ms. Hardy**: Yes, the short answer is I certainly agree with the minister that Canada Post, or that type of complaint, income tax, access to benefits that are federal, this Act covers them. This Act is drafted to be universal. It will be a benefit to Inuit to be able to go somewhere if they're unable to access that service. Our sense, as I understood things, reported from the consultation, is that there could be many similar complaints.

One of the things you will notice in this legislation is that the commissioner has the ability to group applications that she receives and works on pursuing them together. When you're working with a large organization, like a bank or the federal government, it could take several complaints to get their attention. This ability to group complaints and say, "Look, there is a systemic problem here. There is a lack of access to this important services that elders need or that people in a particular town needs." That alone is a benefit that will increase the ability of the commissioner and the government to advocate with the federal government.

People should expect to be accommodated when they're receiving a federal service and if that's not happening, they will have a venue to make their concerns known under this Act.

**Chairman** (interpretation): Thank you. Mr. Tootoo.

**Mr. Tootoo**: Thank you, Mr. Chairman. Thank you, Minister and Ms. Hardy, for that response. I guess I'm a little confused and I don't know if you had said that it gives us the ability to negotiate with those bodies to provide those services.

Bill 7, it says that you have to. No negotiating, you have to. The other term that was used was to advocate to the federal government to be able to provide those services. We



shouldn't have to advocate. When not if, I say when this bill gets passed, it will be law and they will have to comply.

So having said that and having heard some of the comments, has the department or the government received any indication from the federal government of whether or not they plan on obeying our law, or the fact that our law does apply to them? Thank you, Mr. Chairman.

**Chairman** (interpretation): Thank you. Minister Tapardjuk.

**Hon. Louis Tapardjuk** (interpretation): We have received a response from the federal government, but I can't really remember when they responded. The last time we received a response from them was in May and ever since, we started working on this bill and we have been consulting with the federal government.

Although the federal government is not very receptive, I can tell you that in the *Nunavut Act* where Nunavut government is formed and that in *Nunavut Act*, it states that we can make legislation or language legislations in Nunavut. That's what we have used and we have been given an authority by the federal government to make legislations such as this bill in the *Nunavut Act*.

For that reason, Bill 7, we are reviewing now, is authoritative and the federal government will have to abide by this bill once it's enacted. If they were reluctant, then I'm sure they can take us to court and the courts could make the best decisions on whether we're wrong or not. The courts can make a decision.

Once this bill is passed, we have been given authority, through the *Nunavut Act*, to make our own legislation and we expect that the federal government will utilize our *Nunavut Act*, Mr. Chairman.

**Chairman** (interpretation): Thank you, Minister. Mr. Tootoo.

**Mr. Tootoo**: Thank you, Mr. Chairman. I thank the minister for that response. It was in May and I have seen that letter, and if I recall correctly, it kind of said that it came from I think it was DIAND and Heritage Canada. It was signed off by both departments indicating that it was their view that Bill 7 oversteps our authority, under the *Nunavut Act*, to bind the federal government to it and that any compliance that they did do to the Act would be strictly on a voluntary basis.

So I guess that would imply that, as far as the federal government is concerned, from their point of view, and I understand where your view is coming from, it should apply to them but from that, they're saying that it doesn't apply to them. They will only go along with it where they want to. If they decide that they don't want to go along with it, they're saying that they won't. I think that in all of the discussions that we've had, it had to have been out there in the public and that. The comment is that it does apply to the federal government and I think it should, too.

I'm not disagreeing with you, but I think the simple fact that they have told us that they feel it doesn't could lead to a challenge down the road. I would like to say that it would have to take someone from here in Nunavut, it doesn't matter what language they speak, going into a federal government board or agency office and not getting that service to lay a complaint to force the issue.

That will be a challenge that people across Nunavut should know about, that we believe it does, however, the federal government doesn't and we could have some challenges to face in order to be able to ensure that those services are provided in an Inuit language by the federal government here in Nunavut. Maybe I would just ask why that hasn't been mentioned because, especially now with the federal election race going on, I think it would be a good time to put some pressure on all of the candidates that are running out there to say, "You guys don't respect our laws. What are you going to do?"

On one hand, they're saying that they're doing a good thing for Nunavut, allowing us the authority to make our own laws and on the other hand, they're saying, "Well, you can make them but that one, we don't have to listen to it." It's the perfect time to get it out there.

So I'm just wondering why that concern that's out there hasn't been mentioned to the public. Even though, yes, we feel that does apply to the federal government, the federal government has said and they believe that it doesn't apply to them. We face some challenges in that area to ensure that those services are provided to Nunavummiut by those affected bodies or agencies in the Inuit language when there are chances that they won't. Thank you, Mr. Chairman.

**Chairman** (interpretation): Thank you. Minister Tapardjuk.

**Hon. Louis Tapardjuk** (interpretation): Thank you. With respect to the federal government, we have no consternation that they would block the legislation once Bill 7 is enacted. We have two reasons for this lack of anxiety.

Section 35 of the *Constitution Act, 1982*, states that "The existing aboriginal and treaty rights of the aboriginal peoples of Canada are hereby recognized and affirmed." The *Nunavut Act* states that once the Nunavut territory and government have been created, the government will have the authority to make their own legislation pertaining to official languages.

Further, we are the only jurisdiction created out of a land claims agreement and unlike our other aboriginal land claims in Canada, Nunavut is also the first and only area under a land claims agreement that gives this legislative authority. We can utilize these two legal courses, if required.

Further, under the *Human Rights Act*, "... all individuals should have an opportunity equal with other individuals to make for themselves the lives that they are able and wish

to have and to have their needs accommodated..." All Canadians have the right to equal service and they have to be treated equally under this law.

If the Canadian government is unwilling to provide equal services, especially here in Nunavut, in the Inuit homeland, where Inuktitut is the language of the majority, then we have the right to take them to court to determine who is in the right, Nunavummiut or Canada. That would be a decision for the courts to mull over and their decision would be binding.

However, we have been provided with a legal opinion that if the federal government wishes to challenge this in a court of law, where they do not wish to utilize Inuktitut within Nunavut due to its implications, the legal counsel opined that this would be a good challenge to debate in the courts.

For that reasoning, we're not too overly concerned about any attempts by the federal government to try and keep Royal Assent from occurring for these bills. The Minister of Languages will have to inform the public about any issues or problems that surface and in conjunction with the Languages Commissioner, they would investigate and resolve any issues or problems within their legislated mandates, Mr. Chairman.

**Chairman** (interpretation): Thank you, Minister. Mr. Curley.

**Mr. Curley** (interpretation): Thank you. I wanted to make this statement in regard to the issue. We don't want anyone to be overly concerned with respect to this bill, either any of our colleagues here in the House or the public, that this will complicate the protection of the Inuit language. We don't want them to ask how we can change the legislation once it's in place and we have heard these self-same concerns expressed elsewhere.

What I can state here as well with respect to the federal government and legislation that is produced by Parliament is that the language is almost incomprehensible for us Inuit and I imagine it would be for most people. Even if you are functionally bilingual, the legislation is so convoluted that it becomes impossible to see the purpose behind the legislation, at least for us northerners.

With regards to the *Income Tax Act*, if this piece of legislation were to be translated into Inuktitut, I'm sure the public would be very pleased. This is the reason why I don't want anyone to vote or complain against this bill, whether they are a Member of the Legislative Assembly or an Inuk.

It would be a pleasure to see the federal government have to work with Inuktitut and it is quite obvious that the federal government will be reluctant to fully adhere to the legislation. I already know that the federal government will not readily adhere to the legislation and they will not go about immediately implementing the requirements under the legislation.

Through our fight to implement the Nunavut Land Claims Agreement, we have learned many things about the federal government. The federal government always drag their feet, literally kicking and screaming when forced to implement certain sections and sometimes, it takes a court case to force their hand to implement an agreement which the federal government signed and agreed to.

Bill 7 provides that the commissioner “may” initiate, but it does not state “shall.” If, in the commissioner’s opinion, she/he believes that there was a contravention of the legislation, there are certain action items to undertake and they are not mandatory. This raises a question in my mind.

Due to this reason, I would like to ask the minister this: if the commissioner were to conduct an investigation as per section 31, am I correct in my understanding that the commissioner will have to deliberate on the matter if a complaint is submitted, requesting an investigation into a case where Inuktitut is not being provided or that sections have been contravened, whether it be an organization or a person? Personally, I don’t foresee the Languages Commissioner initiating an investigation if there is only one letter submitted or even if there were many complaints.

Under section 31, I understand that and please correct me if I’m wrong, the commissioner would conduct a preliminary investigation to make sure that the complaint is valid. Would the commissioner only initiate an investigation if their original findings lead to validation of these complaints and not to initiate an investigation upon a receipt of one complaint? Do I understand that correctly? (interpretation ends) Thank you.

**Chairman** (interpretation): Thank you. Minister Tapardjuk.

**Hon. Louis Tapardjuk** (interpretation): Thank you, Mr. Chairman. The Languages Commissioner can receive submissions by way of writing or just via a telephone call, and we have allowed for that under this bill where someone can just submit a verbal complaint.

The people we had in mind for this verbal submission section were our elders or the older Inuit who are not so well versed in literature but who grew up with a largely oral society and they prefer to talk to a person as opposed to reading or writing a letter. That’s why the Languages Commissioner can be asked to conduct an investigation on a verbal request and I’m sure that many people prefer a verbal complaint.

This can be a complaint about a service provider that is supposed to be able to provide the service in Inuktitut that has knowingly not provided their service in Inuktitut, or perhaps a more tangible example would be if a person goes to a restaurant and requests a menu in Inuktitut and there’s no one who is able to translate the menu into Inuktitut, then they can submit a complaint to the Languages Commissioner regarding the lack of a menu or service in Inuktitut.

The Languages Commissioner can investigate after receiving the complaint, whether the complaint has basis in fact or if it's frivolous. After the investigation, the commissioner can work with the person making the complaint.

Clause 31 outlines the process that the public can follow to submit their complaints to the Languages Commissioner and enable the Languages Commissioner to conduct an investigation.

**Chairman** (interpretation): Thank you, Minister. Mr. Curley.

**Mr. Curley:** Thank you. (interpretation) I understand because Inuktitut is easier to work with. Though I understand that, I would like to ask the person to my right, through you, Mr. Chairman, section 31 states... perhaps I should say this in English. (interpretation ends) Section 31 states that the Languages Commissioner, if presented with the request for an investigation, will look into a problem of that nature.

Because those that are complaining may not use the word "investigation," "... that the Languages Commissioner considers to be satisfactory," can I get some explanation on what satisfactory means? In other legislation, it normally also includes other wordings that if there were grounds for investigation.

It appears to give the Languages Commissioner some discretion to look at all of the requests for investigation or applications for investigation, so I need a bit more information on whether or not the Languages Commissioner needs to act upon receiving one or more requests. Is there a bit of a discretion that he or she would also have to, as Languages Commissioner, review all of the evidence presented or submitted? Thank you.

**Chairman** (interpretation): Thank you. Minister Tapardjuk.

**Hon. Louis Tapardjuk** (interpretation): Thank you, Mr. Chairman. Although I can respond to that, I believe Susan Hardy will respond to that.

**Chairman** (interpretation): Thank you. Ms. Hardy.

**Ms. Hardy:** Thank you, Mr. Chairman and Mr. Minister. This discretion is as to the form of the concern. So for example, if the Languages Commissioner has found it useful in dealing with oral complaints to ask the person if they were willing for the discussion about the person's concerns to be recorded, then the complaint might take a recorded form, a digital recording or a tape recording, or it could take another form that satisfies the commissioner. For example, if the person was more comfortable with writing, they might use a kind of a survey form or a question and answer type form.

What this does though is try to open up the scope so that the Languages Commissioner has the discretion to use a form that is appropriate to the circumstances and that satisfies the needs of the Languages Commissioner to get those facts we were talking about before. There needs to be a clear understanding on what exactly happened here and later

on when we get into clause 33 and onward, the commissioner then has to make an assessment: do these facts show reasonable grounds for me to proceed?

So at this stage, the commissioner is finding a form that works for “this person that I have in my office or on the phone, and it will give me a good basis to proceed with this complaint and make the determinations I have to make.” One of which is: can I take this anywhere or is it something that I should refer to a different venue?” It might actually be a labour standards concern or something like that.

So what this clause says is when it comes to the form of the complaint, it can be spoken or it can be written but that form must be satisfactory to the Languages Commissioner. If I simply write down such and such company is not complying with the spirit and intent, as we were given this example, it certainly would not be satisfactory to the Languages Commissioner. The form has to comply with the commissioner’s needs as an ombudsman and possibly down the road, an investigator.

**Chairman** (interpretation): Thank you. Mr. Curley.

**Mr. Curley** (interpretation): Thank you. Mr. Chairman, I have another question. If there was a request for investigation or a complaint and the commissioner understands it to be satisfactory, there might be a contravention but it doesn’t state in this section as to how long the investigation should take place. Is there a time limit set out here as to when the report should be completed? Is there a provision in there or is that up to the discretion of the commissioner? That’s what I would like to get clarification on. Thank you.

**Chairman** (interpretation): Thank you. Minister Tapardjuk.

**Hon. Louis Tapardjuk** (interpretation): Thank you, Mr. Chairman. Yes, there’s a provision in there for the time frame to respond, but I’m sure Susan Hardy can provide some clarification as to what number the provision that is on, Mr. Chairman.

**Chairman** (interpretation): Thank you, Minister. Ms. Hardy.

**Ms. Hardy**: Thank you, Mr. Chairman and Mr. Minister. In section 39(1)(c), there’s a provision that allows a person to go directly to court if a year has passed since they made an application and nothing further has happened.

So if the commissioner doesn’t produce a result or something that satisfies the person that’s made the application within one year, they can use this provision to go to court and get their satisfaction there. That would be an unfortunate outcome for the Languages Commissioner and it would make everything go into the kind of adversarial proceeding that we’re trying to supplement with the Languages Commissioner’s role.

**Chairman**: Thank you. Mr. Curley.

**Mr. Curley:** Thank you. (interpretation) I would like to thank the minister and Susan Hardy for their response and clarification.

I also would like to get clarification on something which I'm sure we will get to soon. If there was a complaint made that this company or entity didn't use the Inuit language, is there any provision for the people who make their complaints? What kind of rights do they have? Is there a provision for that? I'm sure there's a concern out there that if there was a company who did not want to provide Inuktitut services, what would the commissioner do? I would be very pleased to hear the clarification on that, Mr. Chairman.

**Chairman** (interpretation): Thank you. Minister Tapardjuk.

**Hon. Louis Tapardjuk** (interpretation): Yes, of course they will have rights. For example, if an individual owns a small store and only has two employees, they wouldn't be able to get an employee who can speak Inuktitut only because their company is too small.

So therefore, a store owner can apply to the Languages Commissioner and say that they're unable to hire an Inuktitut-speaking person for various reasons and ask to be excluded from the Act due to undue hardship. The Minister of Languages and the Government of Nunavut would then work with the company or a small store that is unable to comply with the Act because it would cause undue hardship.

So they can make an application to the Languages Commissioner if it's going to create undue hardship to their businesses and then the commissioner can do his or her investigation. In the Act, there is a provision in there whereby they can collaborate and work together, Mr. Chairman.

**Chairman** (interpretation): Thank you, Minister. Clause 31. Do you agree?

**Some Members:** Agreed.

**Chairman** (interpretation): Clause 32. Do you agree?

**Some Members:** Agreed.

**Chairman** (interpretation): Clause 33. Do you agree?

**Some Members:** Agreed.

**Chairman** (interpretation): Clause 34. Do you agree?

**Some Members:** Agreed.

**Chairman** (interpretation): Clause 35. Do you agree?

**Some Members:** Agreed.

**Chairman** (interpretation): Clause 36. Do you agree?

**Some Members:** Agreed.

**Chairman** (interpretation): Clause 37. Do you agree?

**Some Members:** Agreed.

**Chairman** (interpretation): Clause 37.1. Do you agree?

**Some Members:** Agreed.

**Chairman** (interpretation): Clause 38. Do you agree?

**Some Members:** Agreed.

**Chairman** (interpretation): Clause 38.1. Do you agree?

**Some Members:** Agreed.

**Chairman** (interpretation): Clause 39. Do you agree?

**Some Members:** Agreed.

**Chairman** (interpretation): Clause 40. Do you agree?

**Some Members:** Agreed.

**Chairman** (interpretation): Clause 41. Do you agree?

**Some Members:** Agreed.

**Chairman** (interpretation): Clause 42. Do you agree?

**Some Members:** Agreed.

**Chairman** (interpretation): Clause 43. Do you agree?

**Some Members:** Agreed.

**Chairman** (interpretation): There is a motion in your blue motion binder. Clause 44.  
Minister Tapardjuk.



**Committee Motion 020 – 2(4): Bill 7, Clause 44 Amended by Clause 44(1)(c.1)**

**Hon. Louis Tapardjuk** (interpretation): I would like to make a motion to amend the *Inuit Language Protection Act*.

**Clause 44 is amended by deleting clause 44(1)(c.1) and adding the following after clause 44(1)(a.1):**

- (a.2) under subsection 3(1) as it applies to private sector bodies, in respect of a specified place, class, condition or circumstance,
  - (i) detail an obligation set out in section 3,
  - (ii) vary an obligation set out in section 3 and substitute a less onerous or different requirement for communication or services in the Inuit Language, or
  - (iii) waive an obligation set out in section 3;

**Chairman** (interpretation): Thank you, Minister. The motion is in order. Before we proceed, I would like to remind members of the following: every member has a right to speak but not exceeding 20 minutes and the mover of the motion has the right to speak first, followed by the seconder. Are there any general comments? Thank you. Question has been called. To the motion. All those in favour, please raise your hand. Opposed. Abstained. The motion is carried.

Clause 44 as amended. Do you agree? Mr. Arvaluk.

**Mr. Arvaluk** (interpretation): Thank you, Mr. Chairman. I would like to ask a very brief question. Clause 28, by using that clause 28, it states that the Commissioner of Languages, if the commissioner believes or is satisfied and also these regulations.

One danger or concern that I have is what if the Languages Commissioner was not a very nice person, just a hypothetical example as it seems that the commissioner can make any judgement within clause 28. Even if there are regulations that police this process, will the commissioner have policies that they also must follow stemming from our government? Thank you, Mr. Chairman.

**Chairman** (interpretation): Thank you. Minister Tapardjuk.

**Hon. Louis Tapardjuk** (interpretation): Thank you, Mr. Chairman. They identify that the Cabinet can make regulations but the commissioner will have to do his or her investigation. As I stated before, during the drafting of the regulations, they will consult with the impacted entities or people and they would find out more from the impacted people.

It states here that other services, whether it's the government or the municipality and others, will need to provide services in the Inuit language. So the regulations and also the

policies will have to be drafted and we will have to consult with the impacted people once we start drafting the regulations, Mr. Chairman.

**Chairman** (interpretation): Thank you, Minister. Clause 44 as amended. Do you agree?

**Some Members:** Agreed.

**Chairman** (interpretation): Clause 44.1. Do you agree?

**Some Members:** Agreed.

**Chairman** (interpretation): Clause 45. Do you agree?

**Some Members:** Agreed.

**Chairman** (interpretation): Clause 46. Do you agree?

**Some Members:** Agreed.

**Chairman** (interpretation): Clause 47. Do you agree?

**Some Members:** Agreed.

**Chairman** (interpretation): Clause 48. Do you agree?

**Some Members:** Agreed.

**Chairman** (interpretation): Clause 48.1. Do you agree? Mr. Tootoo.

**Mr. Tootoo:** Thank you, Mr. Chairman. I just have a couple of quick questions on this one. It says that if Bill 21 is passed and gets ascent. What happens if it doesn't? Thank you, Mr. Chairman.

**Chairman** (interpretation): Thank you. Minister Tapardjuk.

**Hon. Louis Tapardjuk** (interpretation): Thank you. Susan Hardy will respond to the question, Mr. Chairman.

**Chairman** (interpretation): Thank you, Minister. Ms. Hardy.

**Ms. Hardy:** Thank you, Mr. Chairman and Mr. Minister. This clause had to be drafted carefully because Bill 21 is not in force at this time. Once it's in force, it creates an error back in the definition section of this Act, so it's a conditional clause.

If Bill 21 comes into force, this Act will be automatically amended, if you will, to align with that. If there were another outcome, then the existing definition is in the front of this

Act and it links us to the current *Education Act*. So what we simply don't want to do is leave this bill adrift, referring to something that doesn't exist anymore. That's what this is for.

**Chairman** (interpretation): Thank you. Mr. Tootoo.

**Mr. Tootoo:** Thank you, Mr. Chairman. I just want to get a clarification way back on clause 8 and clause 9. They talk about the Inuit language instruction and early childhood education. Would those two clauses require any amendments to the *Education Act*? Thank you, Mr. Chairman.

**Chairman** (interpretation): Thank you. Minister Tapardjuk.

**Hon. Louis Tapardjuk** (interpretation): Susan Hardy will respond to that question.

**Chairman** (interpretation): Thank you. Ms. Hardy.

**Ms. Hardy:** Thank you, Mr. Chairman and Mr. Minister. Clause 8 has a kind of operation which will always have an impact on the *Education Act*. The Education Bill that's before the House, my understanding is there was an attempt to comply with Bill 7; both were in development at the same time. That will continue.

If the outcomes are not achieving what's required under Bill 7, the *Education Act* is required to evolve in a way that continues the process of advancing the kind of goals that this Act is setting out. So clause 8 says that parents have the right to have their children receive instruction in the Inuktitut language and then it sets out the standard that needs to be achieved, and the bill before you here sets kind of the North Star goal, the highest goal. The *Education Act* may use different means, from time to time, of getting there and that's how the two bills relate.

So your answer kind of has a yes and a no. There's no amendment to this Act or to the *Education Act* required, but over time, the *Education Act* will change as different means are used to get us closer and closer to the goals that this Act sets out.

**Chairman** (interpretation): Thank you. Mr. Tootoo.

**Mr. Tootoo:** Thank you, Mr. Chairman. The reason I guess is I thought these two sections might. My next question, I will ask you to make it clear why, with the right that every parent has in the education program in Nunavut and also within clause 9 with the early childhood education, do those two clauses apply to the Ecole des Trois-Soliels and the Garderie les Petits Nanooks, that any parent whose child is enrolled in either of those programs would have the right to have their child receive instruction in the Inuit language? Thank you, Mr. Chairman.

**Chairman** (interpretation): Thank you. Minister Tapardjuk.

**Hon. Louis Tapardjuk** (interpretation): Susan Hardy will respond to that as well.

**Chairman** (interpretation): Thank you. Ms. Hardy.

**Ms. Hardy**: Thank you, Mr. Chairman and Mr. Minister. What the Act says is that every parent has the right for their child to receive that instruction and that is the requirement of the Act.

**Chairman**: Thank you. Mr. Tootoo.

**Mr. Tootoo**: Thank you, Mr. Chairman. It says, “Every parent whose child is enrolled in an education program in Nunavut,” and they could be enrolled in a program that Ecole des Trois-Soliels or into the Garderie les Petits Nanooks, at both of the French schools. I know when we were looking at the *Education Act*, it was very clear that, for constitutional reasons, the Commission Scolaire is in full control of their schools and everything.

So that’s why I’m wondering: do these provisions apply to students that are enrolled in the education program at that school or in the child care program up there as well? I just want to know: do they have to comply with this if someone decides to exercise that right under this Act? Thank you, Mr. Chairman.

**Chairman** (interpretation): Thank you. Minister Tapardjuk.

**Hon. Louis Tapardjuk** (interpretation): Thank you, Mr. Chairman. Bill 7, the *Inuit Language Protection Act*, that’s what we’re dealing with. Some of it will have an impact on education and language of instruction for sure. Perhaps Stephane can elaborate on that.

**Chairman** (interpretation): Thank you. Mr. Cloutier.

**Mr. Cloutier** (interpretation): Thank you, Mr. Chairman. Thank you, Minister. (interpretation ends) The legislation, the *Inuit Language Protection Act*, there is a provision that says that we must respect the constitutional rights of francophones and anglophones and it’s already in the legislation. We know that the Ecole des Trois-Soliels or the Garderie les Petits Nanooks are protected under the *Canadian Charter of Rights and Freedoms* and also under the Constitution. They have control over their education system; they have control over their schools, and so on.

The standard we are setting, the goal that we are setting with the *Inuit Language Protection Act* is that every parent that has a child enrolled in our education program should have the right to have his or her child also receive Inuit language instruction.

**An Hon. Member**: Hear, hear.

**Mr. Cloutier:** But for the French school or the day care, they will decide on the means on how they will implement this. The legislation and the Constitution are pretty clear that we need to respect that basic right that the francophones have to control their education. But the standard is there for everyone, for all Nunavummiut, for every parent to ensure that we all reach that goal. (interpretation) Thank you, Mr. Chairman.

**Chairman** (interpretation): Thank you. Mr. Tootoo.

**Mr. Tootoo:** Thank you, Mr. Chairman. I want to thank Mr. Cloutier for that response. He knows our kids both go to that school. As an Inuk parent, if I go to the school and say I want my child to receive Inuktitut language instruction, that request would have to be complied with? Thank you, Mr. Chairman.

**Chairman** (interpretation): Thank you. Minister Tapardjuk.

**Hon. Louis Tapardjuk** (interpretation): Mr. Cloutier will respond to that question as well.

**Chairman** (interpretation): Thank you. Mr. Cloutier.

**Mr. Cloutier** (interpretation): Thank you, Mr. Chairman. Yes, that is true. (interpretation ends) You know, what we see right now, even francophones here in Nunavut, they are protected under the Constitution, they have constitutional rights. But when it comes to the Inuit language and for parents that want their children to receive Inuit language instruction, there are basically no rights for parents that want to ensure their children receive instruction in the Inuit language.

What the legislation would ensure is that, yes, francophones will continue to enjoy their constitutional rights, but what we're trying to do here is to fill a vacuum that exists for the Inuit language and those that use it or want to use it. (interpretation) That's all.

**Chairman** (interpretation): Thank you. Mr. Tootoo.

**Mr. Tootoo:** Thank you, Mr. Chairman. This whole discussion of constitutional rights is something that we've had under the *Education Act* and I think everyone understands that, but I don't think my question has been answered.

If I want my children that attend that school to receive Inuit language instruction so they won't lose their language like I did, would the school be required, under the legislation, to provide that to them? Thank you, Mr. Chairman.

**Chairman** (interpretation): Thank you. Minister Tapardjuk.

**Hon. Louis Tapardjuk** (interpretation): Thank you, Mr. Chairman. I will have Susan Hardy respond to that question, Mr. Chairman.

**Chairman** (interpretation): Thank you. Ms. Hardy.

**Ms. Hardy:** Thank you, Mr. Chairman and Mr. Minister. Yes, you can make that request. Depending on the degree to which you want, as a parent, to have your children educated, it may end up being something that's very appropriate in their school program and in fact, that they have endorsed as a level of instruction in Inuktitut that is important to the identity and the healthy development of the children in their school, or your child may need a different program to achieve the level of instruction in Inuktitut that you want for your child.

We can't really get into the *Education Act* here. What we can tell you is that the Constitution sets out the rights for the francophones. One of the rights they have is to control the educational environment in which their children are. We are not entrenching on that at all, but there are children who have an Inuit heritage in this jurisdiction and in that particular school, and they're entitled to accommodation as well. You pointed out a context where the balancing is much more careful.

**Chairman** (interpretation): Thank you. You have gone beyond your time allotted for question. Mr. Tootoo.

**Mr. Tootoo:** Thank you, Mr. Chairman. As I said, I can't seem to get a yes or a no. Would they be obligated under Bill 7 to provide that service to my children, yes or no? That's all I want to know. Thank you, Mr. Chairman.

**Chairman** (interpretation): Thank you. Minister Tapardjuk.

**Hon. Louis Tapardjuk** (interpretation): I have been looking for an explanation in the *Education Act*, Bill 21. Perhaps Susan can respond. Are we responsible for that? Thank you, Mr. Chairman.

**Chairman** (interpretation): Thank you. Ms. Hardy.

**Ms. Hardy:** Thank you, Mr. Chairman and Mr. Minister. My understanding is that the *Education Act* has been drafted to comply with this requirement, with the knowledge of this requirement. My understanding is that the balancing that is precise is quite complex and it is set out there.

We're not here to debate the *Education Act* and we're not going to give you a yes or no answer because it's not that simple. What we're doing here is setting out the standard and the right is the right of the parents. The right in the case of the francophone education is the right of the parents. A parent will decide how they want their child to be educated and they will take that request to the school. The *Education Act* and this Act both apply to that request.

**Chairman** (interpretation): Thank you. Ms. Hardy. We will deal with the *Education Act* once we get to the Department of Education. Right now, we are dealing with the *Inuit Language Protection Act*, Bill 7. Mr. Tootoo.

**Mr. Tootoo**: Thank you, Mr. Chairman. I just want to clarify, that's what I'm talking about, the *Inuit Language Protection Act*. Clause 8 and clause 9 is in Bill 7, the *Inuit Language Protection Act*. I'm not asking about the *Education Act*, I made that really clear.

I'm just saying that as a parent to his children who go to Ecole des Trois-Soleils, do I have a right under this Act, under Bill 7, not Bill 21, to ask and have my children receive Inuit language instruction? That's it. I'm not talking about the *Education Act* at all. Does Bill 7 guarantee that right for my children? Thank you, Mr. Chairman.

**Chairman** (interpretation): Thank you. Minister Tapardjuk.

**Hon. Louis Tapardjuk** (interpretation): If there was a request made by a parent, they will have to abide by that and my answer is yes.

**Chairman** (interpretation): Thank you. Clause 48.1. Do you agree?

**Some Members**: Agreed.

**Chairman** (interpretation): Clause 49. Do you agree? Mr. Tootoo.

**Mr. Tootoo**: Thank you, Mr. Chairman. This is the commencement and coming into force clause and it's quite lengthy, so maybe just for the listening public out there and for the benefit of the members that weren't in the committee if the minister or his officials could indicated, I know it says sections 1, 2, 14, 15, what comes into force now in terms that people will understand, and so on and so forth, as it goes through?

If I could just get an English explanation, instead of a legal, like this clause that clause, if I could just get an explanation as to what the section that says comes into force when? Thank you, Mr. Chairman.

**Chairman**: Thank you. Minister Tapardjuk.

**Hon. Louis Tapardjuk** (interpretation): I will have Stéphane Cloutier respond to that question, Mr. Chairman.

**Chairman**: Thank you. Mr. Cloutier.

**Mr. Cloutier** (interpretation): I apologize, Mr. Chairman and thank you, Mr. Chairman. (interpretation ends) I'll try to put it in plain language what these coming into force provisions mean and we have many numbers here.

First of all, these provisions will ensure that for Inuit language services to the public, the coming into force is deferred sometimes to allow governments, like it will not come into force immediately, but it will allow governments, municipalities, businesses, community organizations, and others in the public and private sectors the time they need to ensure they have the required language capabilities in place to comply with their requirements under Bill 7. It would come into force on the date fixed by the commissioner.

For municipal services in the Inuit language, it will come into force four years after the passage of the legislation. So if the legislation is passed in 2008, then that brings us to 2012.

For Inuit language instruction, what we have here is that the provisions of section 8, it will come into force for kindergarten to grade 3 on July 1, 2009, that's next year, and gradually for all other grades until July 1, 2019. This will allow time for the standard setting, teacher training, and material preparation required to comply with section 8.

The provisions for language of work in the public service, it will come into force three years after the passage of the legislation. So that will most likely bring us to 2011 and this will allow the territorial government time to prepare staff for the change and until training programs are in place to comply with the new requirements.

The *Inuit Uqausinginnik Taiguusiliuqtiit* will have been established. It will be responsible to exercise its powers and perform its duties by about a year from now. But meanwhile, implementation requirements, including like a request for nominations, like a call for nominations to the public, if they want to become board members of *Taiguusiliuqtiit* and the establishment of committees or selection committees required to consider those nominations will begin immediately.

For the Minister of Languages, you asked the question what comes into force immediately, the powers of the Minister of Languages, the ministerial duties to promote the Inuit language and to coordinate consultation, and implementation activities come into force once the legislation is passed.

For the Languages Commissioner, that will come on July 1, 2009. On day one, Inuit languages rights and duties will be actively enforced and the Languages Commissioner's role and duties under Bill 7 will also come into force. In the meantime, the commissioner's existing mandate under the *Official Languages Act* will continue.

So that will allow time for the Languages Commissioner to get ready and there are now obligations and requirements to develop rules, that sort of thing, and also provide assistance to the private sector. So that will allow time for the Languages Commissioner to get ready for that. (interpretation) Thank you, Mr. Chairman.

**Chairman** (interpretation): Thank you. Mr. Curley.



**Mr. Curley:** Mr. Chairman, my question to the minister is whether he would be prepared to table that information. I know it will be in the *Hansard* but not many of us always enjoy carrying blue copies. I think it would be useful, even tomorrow, to table that so we can take it home. Thank you.

**Chairman** (interpretation): Thank you. Minister Tapardjuk.

**Hon. Louis Tapardjuk** (interpretation): Yes, we will make sure that we have the documents ready for you.

**Chairman** (interpretation): Thank you. Clause 49. Do you agree? Minister Tapardjuk.

**Committee Motion 021 – 2(4): Bill 7 – Amendment Addition after Clause 49**

**Hon. Louis Tapardjuk** (interpretation): Thank you, Mr. Chairman. At this time, I wish to move a motion to amend Bill 7 by adding a new clause. The purpose of this amendment is to ensure that Bill 7 can stand on its own with all of the legislative tools and powers that we need to protect the Inuit language without delay.

We developed Bill 6 and Bill 7 together, and they were designed to work together for all Nunavummiut. Unfortunately, section 38 of the *Nunavut Act* reserves for the Government of Canada a right of final approval for certain aspects of the *Official Languages Act*. This means that Bill 6 can only be brought into force after Parliament provides its concurrence. Some period of delay is inevitable now that a federal election has been announced.

Mr. Chairman, I am so happy and proud to report to you today that Bill 7 is different. The *Nunavut Act* gives us complete authority over the preservation, use and promotion of the Inuit language. We control the contents and timing of Bill 7.

Therefore, I have prepared a detailed motion to make it possible for Bill 7 to be enacted and implemented, even if we do need to wait for federal action before Bill 6 can come into force.

I will be seeking your support for that amendment so that our work to protect and promote the Inuit language can proceed according to our own chosen timing, which I have discussed with the standing committee.

Mr. Chairman, our purpose in proposing this motion is quite straightforward. Without this motion, a delay of Bill 6 would also cause delay of Bill 7. The protection of the Inuit language cannot and will not wait.

Mr. Chairman, if my colleagues support this motion, we do not have to wait.

Mr. Chairman, as members will note, the motion itself is very lengthy. I would ask for the indulgence of the Committee of the Whole to deem the motion as having been read as

presented, and to have the motion entered into the record in its entirety. Thank you, Mr. Chairman.

**Chairman** (interpretation): Thank you, Minister. The motion that the minister has referred to is in your blue motion binder. Do members have their copy?

Do members agree that due to the length of the motion that the motion be deemed to have been read and that it be entered into the record in its entirety in the *Hansard*?

**Some Members:** Agreed.

**Chairman** (interpretation): There is agreement.

**That the following be added after clause 49:**

#### AMENDMENT

##### Amendment

**50. (1) This Act is amended as set out in this section if, on the day on which this Act receives assent, the *Official Languages Act*, S.Nu. 2008, c. 10, has not received the concurrence of Parliament required by section 38 of the *Nunavut Act* (Canada).**

**(2) The definition "Languages Commissioner" in subsection 1(1) is amended by striking out "subsection 16(1) " and substituting" subsection 18(1)".**

**(3) The following definition is added to subsection 1(1) in alphabetical order:**

"Management and Services Board" means the Management and Services Board established by the *Legislative Assembly and Executive Council Act*; (*Bureau de régie et des services*)

**(4) The definition "public agency" in subsection 1(1) is repealed and the following substituted:**

"public agency" means, unless otherwise provided by regulation, a body that is

- (a) established by the laws of Nunavut,
- (b) subject to the direction of a Minister or the Executive Council, and
- (c) identified as a public agency under subsection 1(1) of the *Financial Administration Act*; (*organisme public*)

**(5) The definition "special Languages Commissioner" in subsection 1(1) is repealed.**

**(6) The definition "territorial institution" in subsection 1(1) is repealed and the following substituted:**

"territorial institution" means

- (a) the Government of Nunavut,
- (b) a judicial or quasi-judicial body,
- (c) the Legislative Assembly, and
- (d) a public agency; (*institution territoriale*)

**(7) Paragraph 24(2)(i) is repealed.**

**(8) Section 25 is repealed and the following substituted:**

Implementation duties

25. (1) The Minister shall

- (a) promote the efficient and effective implementation of and compliance with this Act by territorial institutions and municipalities;
- (b) coordinate the implementation, monitoring, management and evaluation of language obligations, policies, programs and services by departments of the Government of Nunavut and public agencies; and
- (c) undertake other implementation duties and functions as required by the Commissioner in Executive Council.

Implementation plan

(2) The Minister shall, in consultation with territorial institutions and municipalities,

- (a) develop and maintain a comprehensive plan for the implementation of language obligations, policies, programs and services by departments of the Government of Nunavut and public agencies;
- (b) address, in separate sections of the plan, all the activities and government resources needed to implement this Act and the *Official Languages Act*;
- (c) include in the section of the plan about this Act, a strategy designed to
  - (i) identify and coordinate activities and measures to be taken for the purpose of Inuit Language revitalization and promotion, particularly targeting communities and age groups for which there are special concerns about language loss or assimilation, and
  - (ii) clarify the roles and responsibilities to be discharged to implement the strategy, including those of government, or any private sector bodies, communities or members of the public;
- (d) include measures in the plan
  - (i) to evaluate and ensure that members of the public service who make or issue communications or deliver services to

- the public in an Official Language have an acceptable level of oral and written proficiency and skill,
- (ii) to designate a sufficient number of staff positions in the public service for the discharge of the obligations and duties set out in this Act,
  - (iii) to monitor and evaluate the performance of departments of the Government of Nunavut and of public agencies under this Act and the *Official Languages Act*, including the periodic review or audit of their compliance and effectiveness,
  - (iv) to review the laws of Nunavut and the policies of the Government of Nunavut to ensure their consistency, compliance and effectiveness in implementing and promoting the objectives of this Act and the *Official Languages Act*, and
  - (v) to develop over time, using an approach with reasonable medium and long term goals, the terminology, skills and human resources required for the wider use of the Inuit Language and fuller performance of duties in relation to the Inuit Language in contexts relating to the laws and administration of justice in Nunavut;
- (e) involve Inuit in the setting of priorities, development and maintenance of the plan, and the monitoring and evaluation of results from the plan, in a manner consistent with Article 32 of the Nunavut Land Claims Agreement; and
  - (f) involve the English and French language communities and persons or agencies likely to be impacted by the plan during the setting of priorities, development and maintenance of the plan, and the monitoring and evaluation of results from the plan, as it relates to their specific interests.

Minister may direct

(3) The Minister may direct the administrative head of a department of the Government of Nunavut, a public agency or a municipality to

- (a) submit an annual or longer-term implementation plan to the Minister; and
- (b) provide the information that the Minister considers necessary to exercise the powers or perform the duties under this section.

Same

(4) The Minister may direct that a department of the Government of Nunavut or a public agency shall do all or any of the following:

- (a) provide information, submissions or program-specific expertise to the Inuit Uqausinginnik Taiguusiliuqtiit that the Inuit Uqausinginnik Taiguusiliuqtiit has requested or recommended or that the Minister considers to be appropriate to the exercise of the

- powers and the performance of the duties of the Inuit Uqausinginnik Taiguusiliuqtiit;
- (b) collaborate with the Inuit Uqausinginnik Taiguusiliuqtiit for the development of competency assessments tailored for
    - (i) all or any part of the public service, or
    - (ii) all or any class or sub-division of teachers or students under the *Education Act*, *Child Day Care Act*, *Public Colleges Act* or other legislation applicable to teachers or students in Nunavut;
  - (c) use or require participation in a competency assessment, test or survey developed, recommended or administered by the Inuit Uqausinginnik Taiguusiliuqtiit.

#### Executive Council oversight

(5) The Executive Council shall

- (a) approve, reject, vary or refer back to the Minister with directions, the plan developed under subsection (2) or any proposed amendment to the plan; and
- (b) receive or require periodic reports from the Minister, or from the administrative head of a department of the Government of Nunavut or a public agency, regarding the performance and implementation of the plan.

#### Independence affirmed

(6) In exercising the powers and performing the duties under this section, the Minister shall conform to

- (a) the rights, immunities, privileges and powers of the Legislative Assembly and its members; and
- (b) the independence, privileges and powers of the Nunavut Court of Justice and the Court of Appeal.

#### Official Languages Promotion Fund

25.1. (1) The Official Languages Promotion Fund is established as a special account in the Consolidated Revenue Fund.

#### Purposes

- (2) The assets in the fund must be used only to promote the following purposes:
- (a) recognizing and advancing the equal status, rights and privileges of the Official Languages;
  - (b) empowering linguistic and cultural expression in the Official Languages, using all kinds of media;
  - (c) improving Inuit Language literacy and proficiency and reversing language loss and assimilation;
  - (d) developing or revitalizing the Inuit Language and supporting its ongoing use as a language of education, work and daily life in Nunavut;

- (e) enhancing public, national and international awareness and understanding of this Act, the *Official Languages Act* and the linguistic and cultural contributions, heritage and aspirations of Nunavummiut;
- (f) strengthening the vitality of the Francophone and Inuit language communities and creating a positive environment for their cultural expression and collective life in Nunavut.

#### Credits

- (3) The following must be credited to the fund:
- (a) money required by court order to be paid into the fund;
  - (b) fines collected under the *Summary Conviction Procedures Act* in relation to any offence under section 33 of this Act;
  - (c) donations, bequests and all other payments directed to the fund;
  - (d) a working capital advance to the fund, payable by the Minister from moneys appropriated by the legislature for the purpose.

#### Conditional donations

- (4) The Minister may
- (a) accept donations, bequests or payments that are subject to conditions if the conditions are, in the opinion of the Minister, appropriate to the purposes of the fund; or
  - (b) refuse to accept a conditional donation, bequest or payment.

#### Compliance with conditions

(5) Where the Minister accepts a donation, bequest or payment that is subject to conditions, the Minister is bound to comply with those conditions.

#### Assignment of authority

(6) The Minister may assign the persons necessary to assist the Minister in the administration of the fund.

#### Investments

(7) Except as authorized under subsection (9), the Minister shall invest money standing to the credit of the fund in accordance with section 57 of the *Financial Administration Act*.

#### Interest and income

(8) Interest or income earned by the fund accrues to and becomes part of the fund.

#### Disbursement

(9) The fund must be disbursed in the manner prescribed.

#### No deficit

(10) The fund must not incur a deficit balance.

#### Fiscal year

(11) The fiscal year of the fund is same as for the Government of Nunavut.

#### Accounts

(12) The Minister shall ensure that the following records are maintained separately for the accounts of the fund for each fiscal year:

- (a) complete and accurate financial records of its operations that include the prescribed information;
- (b) any other prescribed records or information.

#### **(9) Section 27 is repealed and the following substituted:**

#### Minister's annual report

27. (1) The Minister shall, within 12 months after the end of each fiscal year, prepare and submit to the Speaker of the Legislative Assembly and the Languages Commissioner a report that describes

- (a) all the activities, results achieved and use of government resources during the preceding fiscal year in relation to the discharge of obligations under this Act;
- (b) the establishment, operation or performance of policies, programs and services in this regard;
- (c) the number and nature of the reports and recommendations provided by the Inuit Uqausinginnik Taiguusiliuqtiit pursuant to subsection 17(1), the government response in each case and, if a report or recommendation has not been accepted or implemented, an explanation for the government response; and
- (d) the other information that the Minister considers appropriate.

#### Report to address implementation plan

(2) The comprehensive plan for implementation referred to in paragraph 25(2)(a) must be submitted with the Minister's first annual report, and subsequent annual reports must report and explain subsequent amendments or revisions to and the progress achieved under the implementation plan.

#### Report to address Official Languages Promotion Fund

(3) The Minister's annual report shall set out an income statement, balance statement and statement of operations of the Official Languages Promotion Fund established by section 25.1.

#### Tabling report

(4) The Speaker shall cause the annual report to be laid before the Legislative Assembly as soon as is reasonably practicable.

**(10) The following is added after subsection 28:**

## Special Languages Commissioner

28.1. (1) The Commissioner, on the recommendation of the Management and Services Board, may appoint a special Languages Commissioner to act in the place of the Languages Commissioner in respect of a matter or application under this Act if

- (a) the Languages Commissioner advises the Management and Services Board that he or she should not act in respect of that particular matter due to a conflict of interest or other reasonable cause; or
- (b) the Legislative Assembly directs or prescribes, or the Nunavut Court of Justice orders that a special Languages Commissioner should be appointed.

## Term

(2) A special Languages Commissioner holds office during good behaviour until the conclusion of the matter or application in respect of which he or she has been appointed.

## Application to special Languages Commissioner

28.2. Sections 28 and 28.3 to 40 of this Act apply in the same manner and to the same extent to a special Languages Commissioner exercising the powers and performing the duties of his or her office under this Act, as to the Languages Commissioner.

## Immunity from proceedings

28.3. (1) No legal action or proceeding may be brought against the Languages Commissioner, or against a person acting on behalf or under the direction of the Languages Commissioner for anything, in good faith, done, omitted, caused, reported or said in the course of the exercise or purported exercise of a power or the performance or purported performance of a duty of the Languages Commissioner.

## Protection respecting libel or slander

(2) For the purposes of an Act or law respecting libel or slander,

- (a) anything said, all information supplied and all documents and things produced in the course of an investigation, mediation or other proceeding before the Languages Commissioner are privileged to the same extent as if it were a proceeding in court; and
- (b) a report made by the Languages Commissioner and a fair and accurate account of the report in news media, a periodical publication or broadcast are privileged to the same extent as if the report of the Languages Commissioner were the order of a court.

## Languages Commissioner's annual report

28.4. (1) The Languages Commissioner shall, within 12 months after the end of each fiscal year, prepare and submit to the Speaker of the Legislative Assembly an annual



report of the conduct of the office and the discharge of the duties of the Languages Commissioner under this Act during the preceding year, including

- (a) the appointment and activities of an acting or special Languages Commissioner during the preceding fiscal year;
- (b) a description of the number and type of applications and requests made under this Act, the status or resolution of the applications or requests that were active during the preceding fiscal year and information about any instances where recommendations made by the Languages Commissioner after an investigation were not followed; and
- (c) an assessment of the effectiveness of the enforcement powers exercised and duties performed by the Languages Commissioner, with any recommended changes that the Languages Commissioner considers necessary or desirable to improve compliance with this Act.

Tabling annual report

(2) The Speaker shall cause the annual report to be laid before the Legislative Assembly as soon as is reasonably practicable.

**(11) Subsections 31(4) and (5) are repealed.**

**(12) The following is added after section 33:**

Investigation - Territorial Institution

Application concerning territorial institution

33.1. (1) On receipt of an application or request made regarding the administration of a territorial institution, the Languages Commissioner shall investigate in accordance with this section, sections 33.2 to 33.7 and 38 to 42.

Combining investigations

(2) The Languages Commissioner may conduct a single investigation of two or more applications or requests, if he or she is satisfied that it is fair and reasonable in the circumstances to do so.

Notice

(3) On commencing an investigation, the Languages Commissioner shall provide a notice of the investigation to the territorial institution whose communications with or services to the public or other conduct are of concern.

Refuse or discontinue investigation

33.2. (1) The Languages Commissioner may refuse to investigate or may discontinue an investigation if, in the opinion of the Languages Commissioner, any of the following situations exist:

- (a) the concerns identified primarily affect an individual or individuals other than the applicant or party requesting an investigation, and the directly affected individual or individuals do not wish to proceed;
- (b) all or part of the concerns identified in the application or request may be dealt with and remedied, adequately and appropriately, under another Act or using another available procedure;
- (c) the application or request is frivolous, vexatious, not made in good faith or concerns a trivial matter;
- (d) the applicant or party requesting an investigation has withdrawn or abandoned the application or request;
- (e) the concerns identified in the application or request have been resolved.

#### Considerations

(2) Before making a determination under subsection (1), the Languages Commissioner shall consider all relevant circumstances, including the possibility that a directly affected individual, an applicant or a party who requested the investigation may be reluctant to proceed or that an application or request may have been withdrawn, abandoned or represented as having been resolved because of an abuse or imbalance of power.

#### Inform affected persons

(3) If the Languages Commissioner refuses to investigate or discontinues an investigation under subsection (1), the Languages Commissioner shall

- (a) inform the applicant or party who requested the investigation and such other affected persons as the Languages Commissioner considers appropriate of that decision at a time and in a manner that the Languages Commissioner considers appropriate; and
- (b) provide a written confirmation to the applicant or party who requested the investigation and such other affected persons as the Languages Commissioner considers appropriate
  - (i) that the Languages Commissioner has refused to investigate or has discontinued an investigation under subsection (1), and
  - (ii) the date when the information required by paragraph (a) was provided.

#### Notice and consultation

33.3. (1) If the Languages Commissioner decides to investigate, the Languages Commissioner shall,

- (a) before commencing the investigation,
  - (i) notify the Minister, the administrative head of the territorial institution affected and any other person the Languages Commissioner considers appropriate to notify in the circumstances, and

- (ii) consult with the administrative head of the territorial institution affected and with any other person the Languages Commissioner considers appropriate, to attempt to resolve the concerns raised or for any other purpose; and
- (b) before making a report or recommendation that may adversely affect a person or territorial institution, consult with that person or territorial institution.

#### No hearing as of right

(2) The Languages Commissioner is not required to hold a hearing and no person is entitled to be heard by the Languages Commissioner except as provided in this Act.

#### Investigation powers and procedure

33.4. (1) Except as provided in this section, the Languages Commissioner may, during an investigation, request and obtain information from the persons and in the manner the Languages Commissioner considers appropriate, and may take one or more of the following actions without being bound by the rules of evidence or proceedings in civil cases:

- (a) enter and inspect premises occupied by a territorial institution at any reasonable time;
- (b) make the inquiries while in those premises that Languages Commissioner considers appropriate, including talking in private with any individual on a voluntary basis;
- (c) request and examine information, records and objects, make or require copies or take photographs that the Languages Commissioner considers relevant to the concerns under investigation;
- (d) accept or exclude any information or evidence as the Languages Commissioner considers appropriate, whether or not it would be admissible or excluded in a civil case.

#### Summons and disclosure

(2) Subject to giving reasonable notice, the Languages Commissioner may in the course of an investigation

- (a) summon and enforce the appearance of a person as a witness;
- (b) administer oaths and affirmations;
- (c) compel a person to give evidence on oath or affirmation, including by way of an affidavit, at a time and place the Languages Commissioner specifies; and
- (d) compel a person to produce documents and things in the person's possession or control that the Languages Commissioner considers relevant to the concerns under investigation, at a time and place the Languages Commissioner specifies.

#### Other powers

(3) In exercising the powers under subsections (1) and (2), the Languages Commissioner has the same powers and duties as are vested in a court of law in civil cases.

#### Limitation

(4) The exercise of the Languages Commissioner's powers under this section is limited by and shall conform to

- (a) the rights, immunities, privileges and powers of the Legislative Assembly and its members; and
- (b) the independence, duties, privileges and powers of the Nunavut Court of Justice and the Court of Appeal.

#### Protocol

(5) The Languages Commissioner shall establish and adhere to a protocol with the Speaker of the Legislative Assembly on behalf of the Legislative Assembly and its members, and with the Nunavut Court of Justice and the Court of Appeal, regarding the Languages Commissioner's exercise of powers and performance of duties under this section.

#### Procedure after investigation

33.5. (1) If, after carrying out an investigation, the Languages Commissioner is of the opinion that a matter should be referred to a territorial institution for consideration or action, the Languages Commissioner shall prepare and submit a report of that opinion and the reasons for it to the Minister and to the administrative head of the territorial institution in question.

#### Copy to Premier and Minister

(2) If the territorial institution referred to in subsection (1) is a department of the Government of Nunavut or a public agency, the Languages Commissioner shall submit a copy of his or her report and reasons to the Premier and to the Minister responsible for the department or public agency.

#### Report and reply

(3) In a report under subsection (1), the Languages Commissioner may make the recommendations that he or she considers appropriate, and may request that the administrative head of the territorial institution in question reply to the recommendations of the Languages Commissioner within a specified time indicating

- (a) the action that has been or is proposed to be taken to give effect to the recommendations; and
- (b) if no action has been or is proposed to be taken, the reasons for not following that recommendation.

#### Investigation report to Legislative Assembly

33.6. (1) If no action is taken that the Languages Commissioner considers adequate or appropriate within a reasonable time after a report is submitted under subsection 33.5 (1)

or (2), the Languages Commissioner may prepare and submit an investigation report to the Speaker of the Legislative Assembly.

#### Tabling investigation report

(2) The Speaker shall cause the investigation report to be laid before the Legislative Assembly as soon as is reasonably practicable.

#### Inform affected persons

33.7. The Languages Commissioner shall in every case

- (a) at a time and in a manner that the Languages Commissioner considers appropriate and consistent with section 38, inform the applicant or party who requested the investigation, and such other affected persons as the Languages Commissioner considers appropriate, of the result of the investigation, the recommendations made and the actions taken or proposed; and
- (b) confirm in writing to the applicant or party who requested the investigation and such other affected persons as the Languages Commissioner considers appropriate
  - (i) that the Languages Commissioner has concluded the investigation, and
  - (ii) the date when the information required by paragraph (a) was provided.

**(13) Subsection 34(1) and the heading preceding it are repealed and the following substituted:**

#### Investigation - Other Organization

##### Application concerning other organization

34. (1) On receipt of an application or request made regarding the administration of an organization that is not a territorial institution, the Languages Commissioner shall evaluate the concerns and proceed in accordance with this section and sections 35 to 42.

##### Reasonable grounds to investigate

(1.1) If, after initial review of the application, the Languages Commissioner is satisfied that there are reasonable grounds to investigate, the Languages Commissioner shall investigate.

**(14) The part of subsection 37(1) preceding (a) and the headings preceding it are repealed and the following substituted:**

##### Powers of the Languages Commissioner if concern substantiated

37. (1) If, after carrying out an investigation regarding the administration of an organization that is not a territorial institution, the Languages Commissioner considers that a concern under investigation is substantiated, the Languages Commissioner may

**(15) Section 43 is repealed and the following substituted:**

Review after five years

43. (1) After every five years of operation, commencing with a first review in the sixth year after assent to this Act, or such earlier time as the Legislative Assembly may direct, the Legislative Assembly or a committee of the Legislative Assembly shall review the provisions and operation of this Act, and such other legislation, policies, guidelines, plans or directives as the Legislative Assembly or committee of the Legislative Assembly may direct.

Scope of review

(2) The review shall include an examination of the administration and implementation of this Act, the effectiveness of its provisions and the achievement of its objectives and may include recommendations for changes to this Act.

Inuit Uqausinginnik Taiguusiliuqtiit

(3) A review under subsection (1) shall include a review of the status of the Inuit Uqausinginnik Taiguusiliuqtiit, and whether or not administrative independence is necessary for its work.

**(16) Paragraphs 44(1)(a) to (a.2) are repealed and the following substituted:**

- (a) designating the administrative head of a public agency referred to in the definition "administrative head" in subsection 1(1);
- (a.1) under subsection 1(1), identifying by class, condition or circumstance the situations in which a private sector body to which this Act would otherwise apply is or may be exempted;
- (a.2) excluding a public agency under subsection 1(1), where the public agency is established for purposes relating primarily to the heritage, cultural expression, strengthening or promotion of a single language or language community;
- (a.3) under paragraph 1(2)(c), respecting the circumstances or instances in which both Inuinnaqtun and Inuktitut must be used under this or any other Act;
- (a.4) under subsection 3(1) as it applies to private sector bodies, in respect of a specified place, class, condition or circumstance,
  - (i) detail an obligation set out in section 3,
  - (ii) vary an obligation set out in section 3 and substitute a less onerous or different requirement for communication or services in the Inuit Language, or
  - (iii) waive an obligation set out in section 3;

**(17) The following is added after paragraph 44(1)(f):**

- (g.1) respecting any matter the Commissioner in Executive Council

considers necessary to implement or effect compliance with this Act under section 25, including additional matters to be addressed in the comprehensive plan for implementation referred to in subsection 25(2) or the implementation plans and information referred to in subsection 25(3);

- (g.2) respecting the disbursement of and the records and information to be separately maintained in respect of the Official Languages Promotion Fund established by section 25.1;

**(18) The following is added after clause 44.1:**

Consultation register

44.2. (1) The Minister shall establish and maintain, in accordance with the regulations, a register of persons or organizations to be consulted in relation to

- (a) section 44; or  
(b) other consultation or collaborative work required by this Act on the part of the Minister or Government of Nunavut.

Use of register

(2) The Minister shall consult with every person or organization duly entered in the register.

Public access

(3) A person may inspect the register by attending at the prescribed office during regular government business hours and requesting that the register be produced for inspection.

**Chairman** (interpretation): To the motion. Mr. Tootoo.

**Mr. Tootoo:** Thank you, Mr. Chairman. I just have a question on the motion itself. I understand the minister's comments that it's because Bill 6 hasn't received assent yet. I think it was last spring when we passed Bill 6, we were told by the federal government that if we hurried up and passed it, that they would give it assent right away.

So is it like that report we don't have here, another broken promise from the federal government? Thank you, Mr. Chairman.

**Chairman** (interpretation): Thank you. Minister Tapardjuk.

**Hon. Louis Tapardjuk** (interpretation): Yes, there was an agreement between our government and the federal government. At the next fall sitting in September, I thought that this was going to be dealt with. However, the Prime Minister called the election even before the sitting of this House, so that's part of the delay. I felt that they would be having a meeting in the fall but there was a call for an election sooner than expected, Mr. Chairman.

**Chairman** (interpretation): Thank you. To the motion. Mr. Tootoo.

**Mr. Tootoo:** Thank you, Mr. Chairman. I just have another quick housekeeping question. These are all sections that are in Bill 6, we put them in here, what happens after Bill 6 gets assent? Do they just become obsolete in there or do they automatically come out? I'm just curious to hear exactly what happens to them after Bill 6 gets assent in Ottawa. Thank you, Mr. Chairman.

**Chairman** (interpretation): Thank you. Minister Tapardjuk.

**Hon. Louis Tapardjuk** (interpretation): Susan Hardy will respond to that question.

**Chairman:** Ms. Hardy.

**Ms. Hardy:** Thank you, Mr. Chairman and Mr. Minister. The question had two parts, so the answer will have two parts as well. Yes, most of what you see here comes from Bill 6. Sometimes it had to be blended a bit with material that was already in Bill 7 for it to work.

The future of Bill 6 might rest now with a different government entirely than what we have been talking to, so we can't predict in advance what should happen afterward. All we can say is that we would expect that the federal government will one day approve Bill 6 and that this whole thing that we're doing right now would be reversed at that time.

The rule for legislation is that you speak to a process or an issue once. So the ones right now is going to be in Bill 7. If Bill 6 is eventually given the concurrence of Parliament, we would want to revert back to the intended plan, which was to have the bills stand together as a set.

**Chairman** (interpretation): Thank you. Are there any more comments to the motion? Question has been called. All those in favour of the motion, please raise your hand. Opposed. Abstentions. The motion is carried.

Do members agree to Bill 7 as amended?

**Some Members:** Agreed.

**Chairman** (interpretation): Do members agree that pursuant to Rule 62(2) that Bill 7 can immediately be placed on the Orders of the Day for third reading?

**Some Members:** Agreed.

>>Applause

**Chairman** (interpretation): Thank you. The bill is now ready for third reading.



Thank you, Minister, Ms. Hardy, and Mr. Cloutier. Minister, if you have any closing comments.

**Hon. Louis Tapardjuk** (interpretation): Thank you, Mr. Chairman. I think today is a historic day. It is something that will not be immediately forgotten by the people of Nunavut. What's the date today?

>> *Laughter*

September 17 I think will be remembered for a long time, Mr. Chairman, and we have been dealing with this bill for a long time and the Inuit language will have to be protected and promoted.

We, as Inuit, when we were discussing the creation of Nunavut for many years, we are now starting to realize the dream we had. This is something that was part of our dream, Mr. Chairman, and I think that the Inuit language can now be further protected and not to be ashamed of it. It can be utilized in the workforce, in the schools, and also in the celebration of our language.

We can now do so as people of Nunavut and with your decision, this is going to have a positive impact on all the people of Nunavut, especially unilingual Inuit, for there will be services provided and there will be equality. Right now, they're being treated as second class citizens, but we will now see equality through this Act.

There are young people out there who want to learn the Inuit language. With this Act, it will have to be the foundation of our lives and Inuit will also have to work to promote and use the Inuit language. Through this bill, if you are from Nunavut, if you're a unilingual Inuk or not, or you don't speak English or French, it will now be protected. It will give us a boost.

Mr. Chairman, Bill 7 is something that we only dreamed about. We talked about a time that we would have our own government and use our Inuit language. During one my colleague's comments, he was talking about the beginning of creating our own government. Even after many years and though we have lost quite a lot of individuals, I think today, we can celebrate with those people who worked so hard to create our Nunavut for their endurance, for their perseverance, to realize this dream.

Bill 7, this proposed *Language Protection Act*, once it's agreed to, I believe will stop the deterioration of the use of the Inuit language. Mr. Chairman, all those people who worked hard can be recognized. Our Inuit language is unique. It has its own foundation, especially our unique culture.

Mr. Chairman, my colleagues, our elders, our visitors in the Gallery, we can now begin something that we only dreamed about. I thank everyone. There's now going to be a change in our society today. Thank you, my colleagues.

>> *Applause*

**Chairman** (interpretation): Thank you very much, Minister. Thank you, my colleagues.

We were given the authority, vested in the Speaker, to deal with Bills 7, 20, 21, 40, 41, and 43. At this time, I would like to ask the Minister of Justice, Minister Okalik, to make his opening comments. We will now be dealing with Bill 40. Minister Okalik.

**Hon. Paul Okalik** (interpretation): This is coming from the Department of Finance, so I think we will have to have Minister Tapardjuk make the opening comments. Thank you, Mr. Chairman.

>> *Laughter*

**Chairman** (interpretation): Thank you. Mr. Mapsalak.

**Mr. Mapsalak** (interpretation): We were invited by elders to attend a function at seven o'clock, so I would like to move to report progress this evening, Mr. Chairman. Thank you.

**Chairman** (interpretation): Thank you. There is a motion on the floor to report progress and the motion is not debatable. All those in favour of the motion, please raise your hand. Opposed. The motion is carried. I will now rise to report progress to the Speaker.

**Speaker** (interpretation): Thank you. Going to the Orders of the Day. Item 20. Report of Committee of the Whole. Chairman, Member for Uqurmiut, Mr. Arreak.

### **Item 20: Report of the Committee of the Whole**

**Mr. Arreak**: Thank you, Mr. Speaker. Your committee has been considering Bill 7 and would like to report that Bill 7 is immediately ready for third reading as amended, and that two committee motions were adopted. And, Mr. Speaker, I move that the Report of the Committee of the Whole be agreed to. Thank you, Mr. Speaker.

**Speaker** (interpretation): Thank you, Mr. Arreak. There is a motion on the floor. Is there a seconder? Thank you, Mr. Okalik. The motion is in order. All those in favour. Opposed. The motion is carried.

Item 21. Third Reading of Bills. If there are none, thank you, Members. At this time, I would like to make a ruling.

### **Speaker's Ruling**

I am now prepared to deliver my ruling on the Point of Order raised earlier today by the Member for Iqaluit Centre.

(interpretation ends) The issue in question is whether or not the Member for Iqaluit West imputed a false or hidden motive to another member. In response to a question, the member noted that this is an election year and remarked that questions of the type raised by the Member for Iqaluit Centre “come to play when elections are coming pretty close.”

It is not unparliamentary for members to suggest that issues are being raised for political purposes. This is, after all, a political institution.

Accordingly, I rule that there is no Point of Order and that the matter is closed. I would, however, urge all members to exercise restraint and temperance at all times with respect to the tone and contents of their remarks in this House. Thank you.

>> *Applause*

(interpretation) Item 22. Orders of the Day. Mr. Clerk.

### **Item 22: Orders of the Day**

**Clerk** (Mr. Quirke): Thank you, Mr. Speaker. A reminder of the meeting of the Management and Services Board tomorrow morning at ten o'clock in the Tuktuk Boardroom.

Orders of the Day for September 18:

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. Petitions
10. Reports of Standing and Special Committees
11. Reports of Committees on the Review of Bills
12. Tabling of Documents
13. Notices of Motions
14. Notices of Motions for First Reading of Bills
15. Motions

16. First Reading of Bills

17. Second Reading of Bills

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

- Bill 20
- Bill 21
- Bill 40
- Bill 41
- Bill 43

19. Report of the Committee of the Whole

20. Third Reading of Bills

- Bill 7
- Bill 42

21. Orders of the Day

Thank you.

**Speaker** (interpretation): Thank you, Mr. Clerk. This House stands adjourned until tomorrow, Thursday, September 18, at 1:30 p.m.

Sergeant-at-Arms.

>>*House adjourned at 19:03*

