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**Iqaluit**

**Speaker: The Honourable Hunter Tootoo, M.L.A.**

## Legislative Assembly of Nunavut

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(Iqaluit Centre)

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(Iqaluit East)

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Minister responsible for Immigration;  
Minister responsible for the Status of  
Women*

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Minister of Languages; Minister  
responsible for the Utility Rates Review  
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Minister responsible for  
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(Kugluktuk)

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Transportation; Minister of Energy*

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(Nattilik)

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**Iqaluit, Nunavut**  
**Monday, March 5, 2012**

**Members Present:**

Honourable Eva Aariak, Mr. Moses Aupaluktuq, Mr. Tagak Curley, Ms. Monica Ell, Mr. Ron Elliott, Mr. Joe Enook, Honourable Lorne Kusugak, Mr. John Ningark, Mr. Johnny Ningeongan, Mr. Hezakah Oshutapik, Honourable Keith Peterson, Mr. Allan Rumbolt, Honourable Fred Schell, Honourable Daniel Shewchuk, Mr. Louis Tapardjuk, Honourable Peter Taptuna, Honourable Hunter Tootoo, Ms. Jeannie Ugyuk.

>>*House commenced at 13:30*

**Item 1: Opening Prayer**

**Speaker** (Hon. Hunter Tootoo): *Qujannamiik*, Sergeant-at-Arms. Before we get started, I would like to ask Mr. Elliott if he could lead us off with a prayer, please.

>>*Prayer*

**Speaker** (interpretation): Thank you, Mr. Elliott. (interpretation ends) Moving on in our orders of the day. Item 2. Ministers' Statements. Government House Leader, Minister Kusugak.

**Item 2: Ministers' Statements****Minister's Statement 134 – 3(3):  
Minister Absent from the House**

**Hon. Lorne Kusugak** (interpretation): Good day, Mr. Speaker and my colleagues. I am very pleased to be back. Mr. Speaker, I wish to advise members that the Hon. James Arreak will be absent from the House today. He is attending the opening of the Arctic Winter Games. Thank you, Mr. Speaker.

**Speaker:** Thank you, Minister Kusugak. We're happy you're back too. Item 2. Ministers' Statements. Minister of Economic Development and Transportation, Minister Taptuna.

**Minister's Statement 135 – 3(3):  
Facilitate Mine Training in  
Nunavut**

**Hon. Peter Taptuna:** Thank you, Mr. Speaker. Good afternoon, colleagues and Nunavummiut. Mr. Speaker, I would like to take this opportunity to update the House on our work to coordinate efforts to prepare Nunavummiut for opportunities in the minerals sector.

In 2009, my department helped facilitate the creation of the Kivalliq Mine Training Society. With funding from the federal government's Aboriginal Skills Development Program and our Strategic Investments Program, and by partnering with Agnico-Eagle, the society has provided training for over 400 Nunavut residents. Much of this training was delivered by Nunavut Arctic College.

As we work with industry to expand opportunities across the territory, we are also working with the regional Inuit associations, Arctic College, the Department of Education, and industry to develop a Nunavut mine training society that can collaborate with the mine training societies in the other two territories. Together, we are developing a pan-northern strategy and proposal to provide long-term funding for mine training across the north.

This is another example of our commitment to linking opportunities in the minerals sector with individuals and businesses. This work is providing

substantive and sustainable benefits for Nunavummiut while, at the same time, helping industry remain cost competitive. Thank you, Mr. Speaker.

>>Applause

**Speaker:** Thank you, Minister Taptuna. Item 2. Ministers' Statements. Minister of Economic Development and Transportation, Minister Taptuna.

**Minister's Statement 136 – 3(3):  
Status of Nunavut's Mining and  
Mineral Exploration Industry**

**Hon. Peter Taptuna:** Thank you, Mr. Speaker, for this time to provide an update on the leading economic sector in our territory: mining and mineral exploration.

Mr. Speaker, broadly speaking, the exploration sector remains strong, with a number of early-stage and advanced projects making significant progress. Both Sabina at its Back River project and North Country at Three Bluffs have been adding significant gold resources. Cameco Corp. has had excellent early drilling results at the Aberdeen and Turqavik properties. Peregrine Diamonds continues to advance, preparing to take Chidliak to full bulk sampling of the largest and most prospective kimberlites. Out west, MMG Resources has been advancing their large zinc deposits, Izok and High Lake, is approaching feasibility, and initiating the EIS process with the Nunavut Impact Review Board. At Meliadine, Agnico-Eagle has been successfully converting gold resources to reserve category as they prepare for their second gold mine in the Kivalliq.

Mr. Speaker, as you are aware, over the past couple of months, we have learned of some setbacks within the mining sector. Baffinland has deferred the production decision for Mary River until at least after their environmental impact statement has been completed. Most recently, Newmont has put the Hope Bay gold project on care and maintenance, suspending all further construction and surface exploration activities.

In the case of Mary River, the parent company, ArcelorMittal, foresees reduced demand and is restricting plans to more straightforward projects like the expansion of existing mines in Quebec. At Hope Bay, Newmont has cited difficulties in adequately defining reserves and defining an operating plan with a clear path to profitability. Hope Bay is a vast project, involving the development of four or more widely spaced deposits. Both of these examples underscore a similar situation.

We know Nunavut has some exceptionally large undeveloped deposits, but we also know this is a challenging and costly business environment. Our mining sector helps put Nunavut on the world stage, but we are also in constant competition with the rest of the world for investment.

Most recently, Agnico-Eagle has revealed that operations at Meadowbank have been more costly than anticipated, necessitating a recalculation of mineable ore and a reduction in projected mine life. The mine will remain fully operational until at least 2017. Fortunately, the prospects for the economics for the nearby planned



Meliadine mine are, at the same time, improving

As we make the transition from the speculative business of exploration to the mining company decisions on the development of mines, we must recognize that international business make decisions that are beyond our control and sometimes the outcome is disappointing. Mr. Speaker, I am, however, optimistic that mines will be built in all three regions, creating employment and business opportunities for Nunavummiut. Thank you, Mr. Speaker.

>>Applause

**Speaker:** Thank you, Minister Taptuna. Item 2. Ministers' Statements. Minister of Education, Madam Minister Aariak.

**Minister's Statement 137 – 3(3):  
Mature High School Graduation**

**Hon. Eva Aariak** (interpretation): Thank you, Mr. Speaker. I say "good afternoon" to all of you. Mr. Speaker, I would like to provide my colleagues with an update on an important program we are developing. Following the recommendations outlined in the Nunavut Adult Learning Strategy, a new position in the Department of Education's Career Development Services Division will focus on the Mature High School Graduation Diploma project.

To move forward with the creation of a new program to assist Nunavut adult learners to work towards and achieve a Nunavut Secondary School Diploma, we have established an advisory committee with members from the Department of

Education, Nunavut Arctic College, and Nunavut Tunngavik Incorporated. The advisory committee will consider a wide range of issues as it works to determine the best options for implementation, administration, and delivery of the Mature High School Graduation Diploma project.

Mr. Speaker, literacy, adult basic education, GED, high school completion, and upgrading will all be integrated in this project to provide the support needed for continuing learning. Giving Nunavummiut every opportunity to earn their high school diploma is very important. The High School Diploma is accepted across Canada, whereas programs such as the GED are not accepted for entry into some college and university programs. If an individual who has not completed high school needs to earn their diploma to pursue a chosen career path, we need to give them the opportunity to study in an adult learning environment.

Mr. Speaker, the federal government recently announced new funding for adult basic education. Nunavut Arctic College's plans for adult basic education delivery and the Department of Education's mature graduation project will go hand in hand to provide very exciting new opportunities for adult learners. Thank you, Mr. Speaker.

>>Applause

**Speaker:** Thank you, Madam Minister. Item 2. Ministers' Statements. Item 3. Members' Statements. Member for Arviat, Mr. Shewchuk.

### Item 3: Members' Statements

#### Member's Statement 204 – 3(3):

##### Arviat Participants at the Arctic Winter Games

**Hon. Daniel Shewchuk:** Thank you, Mr. Speaker. I would like to say “good afternoon” to all the wonderful people of Arviat. Mr. Speaker, as with the rest of my colleagues in the House, I rise today to recognize the athletes who are taking part from my community of Arviat in the Arctic Winter Games in Whitehorse. They are, Mr. Speaker:

With arctic sports:  
Brian Suwaksiork

With basketball:  
Gary Kuksuk Jr.

With hockey:  
Shane Kuksuk  
Joe Curley  
Charlotte Karetak  
Rhea Gavin

And coaching these young people is  
Cody Prusky.

Mr. Speaker, I wish them and all of our Nunavut athletes the best of luck in Whitehorse this week and wish them the best of luck to bring home some medals. Thank you, Mr. Speaker.

>>Applause

**Speaker:** Thank you, Mr. Shewchuk. We, too, wish them all the best in Whitehorse. Item 3. Members' Statements. Member for Amittuq, Mr. Tapardjuk.

#### Member's Statement 205 – 3(3): Happy Birthday to Wife, Lucie

**Mr. Tapardjuk** (interpretation): Thank you, Mr. Speaker. Good afternoon, my constituents of Igloolik and Hall Beach. I believe Hall Beach is now able to access the proceedings on the television channel and we appreciate that.

Mr. Speaker, I rise today to speak to an issue as today is March 5, as this matter is close to my personal life. On February 17, my wife and I celebrated our 42nd wedding anniversary and on this day, March 5, my wife is celebrating her birthday, who I term my *Nuliamaaq*, Lucie Ittuutaaluk Tapardjuk.

She didn't want to attend as a visitor to the Gallery, although I invited her to visit. However, I believe that she is watching the televised proceedings, so along with my colleagues here, I would like to wish her a wonderful day today. I will remember her birthday today.

Since we now have numerous grandchildren in Igloolik, on their behalf, I wish her a wonderful and happy birthday, although I had already called them about this event. Thank you, Mr. Speaker.

>>Applause

**Speaker:** Thank you, Mr. Tapardjuk. Item 3. Members' Statements. Member for Iqaluit West, Ms. Ell.

#### Member's Statement 206 – 3(3): Bell Mobility Billing Problems

**Ms. Ell:** Thank you, *Uqaqtitsijii*. (interpretation) I say “good afternoon” to my constituents in Iqaluit West. I rise

today to express my concern about an issue that many of my constituents and other residents of Iqaluit have brought to my attention, especially youth.

Mr. Speaker, although cellular phone service was only introduced in Iqaluit a few years ago, it has become an extremely popular means of communication.

Mr. Speaker, earlier this year, a number of residents publicly expressed concerns about problems with their monthly bills from Bell Mobility. In a number of cases, customers were being significantly overcharged as a result of their local calls within Iqaluit being charged at the long-distance rate.

Mr. Speaker, although these problems came to light earlier this year, it is my understanding that they have not yet been resolved and that residents continue to be billed incorrectly.

Mr. Speaker, at the appropriate time, I will be tabling information concerning the Commissioner for Complaints for Telecommunications Services, which is not known by many people.

(interpretation ends) Mr. Speaker, I seek unanimous consent to conclude my Member's Statement. Thank you, Mr. Speaker.

**Speaker:** Thank you, Ms. Ell. The member is seeking unanimous consent to conclude her statement. Are there any nays? There being none. Please proceed, Ms. Ell.

**Ms. Ell:** Thank you, Mr. Speaker and my colleagues.

This is a private, not-for-profit entity incorporated under federal legislation. Its role is to resolve consumer and small business complaints about retail communications services, including wireless, local, and long-distance telephone and Internet access service.

Mr. Speaker, this is a resource that residents of Iqaluit who have been experiencing these problems may wish to consider and, at the appropriate time, I will be tabling it. Thank you, Mr. Speaker.

**Speaker:** Thank you, Ms. Ell. I look forward to that being tabled and I'll probably be one of the first ones to send them a complaint. Item 3. Members' Statements. Member for Rankin Inlet South and Whale Cove, Mr. Kusugak.

**Member's Statement 207 – 3(3):  
Rankin Inlet Hockey Teams  
Participate in Tournaments**

**Hon. Lorne Kusugak** (interpretation): Thank you, Mr. Speaker. I say "good day" to the people of Rankin Inlet and Whale Cove. Mr. Speaker, as the days are getting longer and the sun is staying on the horizon, we will start seeing more hockey tournaments being undertaken.

I would like to make a statement about our pride in the peewee team in Rankin Inlet. They travelled outside of Winnipeg to Bouillé Saint George, I believe, where they apparently won the hockey tournament. I am very proud of our peewee hockey team, so I would like to share in my celebration.

The Rankin Inlet hockey players also attended another senior men's tournament in Coral Harbour and they

were also successful in winning that tournament. So I am very proud of the Rankin Inlet senior men's hockey team and I am very grateful to the residents of Coral Harbour for making that tournament a success. Thank you, Mr. Speaker.

>> *Applause*

**Speaker:** Thank you, Mr. Kusugak. We congratulate them. They fared better than another team on the weekend. Item 3. Members' Statements. Member for Nattilik, Ms. Ugyuk.

**Member's Statement 208 – 3(3):  
Dealing with Family Violence**

**Ms. Ugyuk** (interpretation): Thank you, Mr. Speaker. I say "good morning" to the residents of Nattilik, both Taloyoak and Gjoa Haven. Mr. Speaker, I rise today to address an issue which affects many communities in Nunavut: the issue of family violence.

Mr. Speaker, over the years, I have worked with the effects of family violence. I have hoped to have the resources to help people find ways to break the pattern and work towards a safer and healthier future for themselves and their families.

Mr. Speaker, our current means for addressing family violence are inadequate. Even though we are quick to react to a situation, we have nothing to offer for prevention in the first place.

Mr. Speaker, our approach is totally one-sided. In far too many situations, women and children are rushed to safety and pressured to charge the man in the

household. Once men are charged, they get little support from within the system.

Mr. Speaker, I seek unanimous consent to conclude my statement. Thank you.

**Speaker:** Thank you, Ms. Ugyuk. The member is seeking unanimous consent to conclude her statement. Are there any nays? There being none. Please proceed, Ms. Ugyuk.

**Ms. Ugyuk** (interpretation): Thank you, Mr. Speaker.

As I was saying, once men are charged, they get little support from within the system. Once an individual is registered under the justice system, there is no means of referring them for help under the social services system. As a consequence, men feel rejected, let down, and mistrustful.

Mr. Speaker, individuals need help to work through their problems. Peer counselling is important. We need to be proactive and to offer services which are preventative in nature. In order to work towards a healthier future, we need to break the patterns of our past. Thank you, Mr. Speaker.

**Speaker:** Thank you, Ms. Ugyuk. Item 3. Members' Statements. Member for Quttiktuq, Mr. Elliott.

**Member's Statement 209 – 3(3):  
Implementation of the Suicide  
Prevention Action Plan**

**Mr. Elliott:** Thank you, Mr. Speaker. I rise to express concern about our government's ability to gather evidence on one of our society's most serious problems: suicidal behaviour.

During the proceedings of the Committee of the Whole on February 29, I asked the Minister of Health and Social Services if he could “clarify if information is collected on what kinds of services were accessed by individuals before or after their suicide attempt.” The minister’s response to me was that “We are working very hard on the action plan... all the partners... the RCMP are beginning to collect that data.”

Mr. Speaker, I checked the suicide prevention action plan which our government, the Premier, to be specific, committed to just last October.

The relevant action item is No. 5.4, “Collecting and releasing data on suicide attempts.” The anticipated result of this action item is, and I quote, “A clearer picture of the full range of suicidal behaviour in Nunavut today, and the ability to detect changes over time.” The action or task is to “Develop and implement protocols and mechanisms to record information on suicide attempts in Nunavut - not just on deaths by suicide; RCMP to implement scoring systems in responses RCMP members make to attempted suicides.” The co-leads are the government’s Department of Health and Social Services and the RCMP. The timeline is initiated September 2011.

Mr. Speaker, while the RCMP may be doing some valuable work on this subject, the fact is that the Department of Health and Social Services must play a lead role on this action item. Why? There are at least two reasons. First, only the department is aware of almost all suicide attempts in Nunavut. The RCMP only knows about some of them. Many people reveal their suicide attempt to a

nurse and this is not reported to the RCMP nor should it be. It is essential that we understand the factors behind all suicide attempts, not just those that come to the attention of the police. Second, as I noted in my questioning on February 29, we very much need to know what kinds of services are accessed by individuals before or after their suicide attempt. That information resides in administrative data held by the department and the RCMP does not have access to that data, except in exceptional cases.

Mr. Speaker, I would like to seek unanimous consent to continue with my Member’s Statement today. Thank you.

**Speaker:** Thank you, Mr. Elliott. The member is seeking unanimous consent to conclude his statement. Are there any nays? There being none. Please proceed, Mr. Elliott.

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

Only the Department of Health and Social Services can thoroughly review the files of Nunavummiut who have attempted suicide in recent years and perhaps conduct interviews with them afterwards to better understand the circumstances leading to their suicide attempt, the services they accessed, the adequacy of those services, enquire about why they didn’t access other services, and ask where they found the strength to carry on with their lives.

Mr. Speaker, throughout this week, I will be tabling examples of research on suicide attempts that have been conducted in three other jurisdictions, two in Canada and one in the United States, each of which has suicide and

suicide attempt rates far lower than ours. We need data of that quality in order to plan more effective interventions. For example:

- How many of our suicide attempters were under the influence of alcohol and drugs?
- How many had been sexually abused?
- How many had recently suffered from violence?
- How does the pattern differ between men and women, between young and old, in Iqaluit and in the communities?

These are things we need to know.

Mr. Speaker, I urge the Minister of Health and Social Services to meet our government's commitment under section 5.4 of the suicide prevention action plan by directing his officials to collect, analyze, and release data on suicide attempts. Thank you, Mr. Speaker.

>>Applause

**Speaker:** Thank you, Mr. Elliott. Item 3. Members' Statements. Member for Akulliq, Mr. Ningark.

**Member's Statement 210 – 3(3): The Effects of Global Warming to Homeowners and Aging Fuel Tanks**

**Mr. Ningark** (interpretation): Thank you, Mr. Speaker. I would like to wish my colleague's spouse a very good birthday. I would like to wish all athletes

representing Nunavut a very good week during the Arctic Winter Games.

Mr. Speaker, when we talk about Nunavummiut who are homeowners, they are part of our support system as a government as they sometimes offer shelter to those who do not have a home. In Nunavut, when people purchase their own private home, they are making a contribution to the Nunavut government.

Throughout the warming climate here in Nunavut, some communities are being impacted. For example, the water lake is overflowing with seawater and affects water quality for homeowners and public houses. It damages pipes because salt is very corrosive and can also cause mildew and other damage.

Furthermore, with climate warming in Nunavut, some of the foundations of private homes are affected by the ground shifting. This also applies to the oil tanks. As they become older and the ground is shifting, the insurance companies are loath to offer insurance because of the risk they are at.

At the appropriate time, I will be raising questions to the Minister responsible for the Nunavut Housing Corporation about what subsidies they could offer to homeowners here in Nunavut. Thank you, Mr. Speaker.

**Speaker:** Thank you, Mr. Ningark. Item 3. Members' Statements. Member for Baker Lake, Mr. Aupaluktuq.

**Member's Statement 211 – 3(3):  
Marine Infrastructure and  
Services**

**Mr. Aupaluktuq:** Thank you, Mr. Speaker. Earlier in our sitting, I spoke about the need for strategic infrastructure investments in Baker Lake and asked questions concerning Baker Lake's airport.

Today I rise to address the need for improvements to Baker Lake's marine infrastructure. Although Baker Lake is an inland community, we also depend on marine resupply. It is essential that our marine infrastructure is adequate to the community's needs, including the needs of the mining industry.

Mr. Speaker, I have heard of a number of concerns and suggestions from my constituents on this issue. These include the adequacy of current docking facilities and practices, the potential for constructing new port facilities, and the desire for an enhanced federal Coast Guard presence.

Mr. Speaker, I strongly support having modern marine infrastructure for the community and I will have questions for the appropriate minister on this issue. Thank you, Mr. Speaker.

**Speaker:** Thank you, Mr. Aupaluktuq. Item 3. Members' Statements. Member for Nanulik, Mr. Ningeongan.

**Member's Statement 212 – 3(3):  
Opening of Coral Harbour Arena**

**Mr. Ningeongan:** Thank you, Mr. Speaker. I rise today to express my appreciation to Premier Eva Aariak, Minister Lorne Kusugak, their officials,

and Nattilik MLA Jeannie Ugyuk for joining me last Friday for the grand opening of Coral Harbour's Unainuk Arena.

Mr. Speaker, although the temperature in Coral Harbour was minus 55 with the wind chill when we landed, Mayor Jerry Panniuq and numerous residents of my home community extended an extremely warm Kivalliq welcome to us.

Mr. Speaker, Friday's event was held to celebrate upgrades to the community's existing arena that will significantly extend the hockey and skating season. The technology to extend ice use includes a thermosiphon system and improved ventilation. The installation of a concrete slab will make it possible for a wider range of sports and activities to take place in the arena during the summer months.

Mr. Speaker, Friday's trip to Coral Harbour was extremely productive. I had the opportunity to lead Premier Aariak, who also serves as Minister of Education, and MLA Ugyuk on a tour of Sakku School and the community health centre. I am glad that my colleagues had the opportunity to visit these important facilities. During this time, Minister Kusugak and his officials sat down with my community's mayor, deputy mayor, and senior administrative officer at the community's municipal offices to discuss issues of concern to Coral Harbour.

Mr. Speaker, I would like to thank the principal and vice-principal of Sakku School, both of whom had the opportunity to speak about the accomplishments of the school and our students.

I would also like to thank our community's nurse-in-charge and the health centre's staff for the time that they spent with us and for sharing their insights and experience concerning the critical issue of health care delivery.

Mr. Speaker, I would be in trouble if I neglected to thank my better half, Elizabeth, for the wonderful supper that she cooked for the Premier and the rest of our delegation before we returned to Iqaluit.

>> *Applause*

At this time, Mr. Speaker, I seek unanimous consent to conclude my Member's Statement.

**Speaker:** Thank you, Mr. Ningeongan. The member is seeking unanimous consent to conclude his statement. Are there any nays? There are none. Please proceed, Mr. Ningeongan.

**Mr. Ningeongan:** Thank you, Members. Thank you, Mr. Speaker.

I am confident that these important upgrades to our arena will make a significant contribution to achieving our goals of providing opportunities for our youth to lead active, healthy, and happy lifestyles.

The entire community of Coral Harbour looks forward to the expanded range of recreational and cultural activities that are now possible. Thank you, Mr. Speaker.

>> *Applause*

**Speaker:** Thank you, Mr. Ningeongan. I think we're all pleased that you're not going to be in trouble.

>> *Laughter*

Item 3. Members' Statements. Moving on in our orders of the day. Item 4. Returns to Oral Questions. Item 5. Recognition of Visitors in the Gallery. Mr. Rumbolt.

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

**Mr. Rumbolt:** Thank you, Mr. Speaker. It gives me great pleasure to welcome two students from the Paatsaali High School in Sanikiluaq who are here this week to participate in the page program.

Mr. Speaker, I ask that all members please welcome Malia Kavik and Malisa Oqaituk to the Legislative Assembly. Thank you, Mr. Speaker.

>> *Applause*

**Speaker:** Thank you, Mr. Rumbolt. Welcome to Iqaluit and to the Legislative Assembly. Item 5. Recognition of Visitors in the Gallery. Item 6. Oral Questions. Member for Iqaluit West, Ms. Ell.

#### **Item 6: Oral Questions**

##### **Question 303 – 3(3): Services at Boarding Homes**

**Ms. Ell** (interpretation): Thank you, Mr. Speaker. I would like to direct my question to the Minister of Health and Social Services.



Mr. Speaker, when a person has to travel away from home and away from Nunavut to receive medical services or treatment, it can be a very lonely experience. I recognize that the staff at the Larga homes in Ottawa, Winnipeg, and Edmonton provide the required services, but sometimes it is also important to have someone just to talk to or socialize with.

Can the minister indicate whether or not efforts have been made to find local volunteer groups in these big cities to come and provide some social support to Nunavut patients who are in the south for medical reasons? Thank you, Mr. Speaker.

**Speaker:** Thank you, Ms. Ell. Minister responsible for the Department of Health and Social Services, Minister Peterson.

**Hon. Keith Peterson:** Thank you, Mr. Speaker. I thank Ms. Ell for the question. Mr. Speaker, I'm personally unaware of her request for volunteers or if volunteers are helping. I know there are groups in most of the large cities that do contact facilities in the cities to offer their services, but I'm personally unaware of whether they contact the Larga homes. It's something my staff will take note of. Thank you, Mr. Speaker.

**Speaker:** Thank you, Minister Peterson. Your first supplementary, Ms. Ell.

**Ms. Ell** (interpretation): Thank you, Mr. Speaker. I thank the minister for having his department look into this matter. Due to the funding restrictions we have, a lot of patients don't have escorts.

I am aware that there are a number of organizations in Ottawa which provide assistance to Inuit living there. For example, the Tungasuvvingat Inuit Centre provides support for Ottawa-based Inuit. I don't know if their mandate includes visiting patients. I'm just using that as an example.

Can the minister indicate whether there has been any communications with these organizations to help provide social support for Inuit patients, not just in Ottawa but in other larger centres that service our medical patients, such as Winnipeg and Edmonton? I know for a fact that they are not all organizations for Inuit, but there are probably aboriginal organizations that could provide some of these services. Thank you, Mr. Speaker.

**Speaker:** Thank you, Ms. Ell. Minister of Health and Social Services, Minister Peterson.

**Hon. Keith Peterson:** Thank you, Mr. Speaker. I thank Ms. Ell for the question. Mr. Speaker, again I'm not personally familiar with that level of detail. I'll have my officials look into it and I can provide that information. Thank you, Mr. Speaker.

**Speaker:** Thank you, Minister Peterson. Oral Questions. Member for Quttiktuq, Mr. Elliott.

### **Question 304 – 3(3): Bilingual Education Models**

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

Mr. Speaker, during the Second Assembly, the Minister of Education of the day tabled a document titled “Bilingual Education Strategy for Nunavut.” This document described three models of bilingual education for Nunavut’s communities to choose from for use in their schools. The three models included the “Early Immersion Model,” the “Qulliq” model, and the “Dual Language” model. Mr. Speaker, these models were introduced in 2004 and adopted by the communities.

Can the minister update the House on whether her department has ever reviewed and evaluated how these bilingual education models are working for each of Nunavut’s communities? Thank you, Mr. Speaker.

**Speaker:** Thank you, Mr. Elliott. Minister responsible for Education, Madam Minister Aariak.

**Hon. Eva Aariak:** Thank you, Mr. Speaker. That’s a very important question and I would like to provide a proper response to that, so I will take it as notice. Thank you, Mr. Speaker.

**Speaker:** Thank you, Madam Minister. The question has been taken as notice. We will move on. Oral Questions. Member for Rankin Inlet North, Mr. Curley.

**Question 305 – 3(3): Review of Government Contracting and Procurement**

**Mr. Curley:** Thank you, Mr. Speaker. I was paying attention to my notes here. I have a question to the Premier. My question today for the Premier is

concerning the Minister’s Statement that she made on Thursday of last week.

In her Minister’s Statement, she referred to, in my view, another joint review of the NNI Policy that the government will undertake with Nunavut Tunngavik Incorporated. What is the timeline for the completion of this review? Thank you.

**Speaker:** Thank you, Mr. Curley. Minister of Executive and Intergovernmental Affairs, Madam Premier.

**Hon. Eva Aariak:** Thank you, Mr. Speaker. As this is a newly announced initiative, I will get back to him as soon as I know the final date for that review. Thank you, Mr. Speaker.

**Speaker:** Thank you, Madam Premier. Your first supplementary, Mr. Curley.

**Mr. Curley:** Thank you, Mr. Speaker. It is important for Nunavutmiut to understand that there is a decent timeline developed if the review is taking place.

Mr. Speaker, the Premier stated that the government will also, and I quote, “conduct a comprehensive internal review of Government of Nunavut public procurement practices.” Can the Premier indicate if the Nunavut business community will be consulted during this review? Thank you, Mr. Speaker.

**Speaker:** Thank you, Mr. Curley. Minister of Executive and Intergovernmental Affairs, Madam Premier.

**Hon. Eva Aariak (interpretation):** Thank you, Mr. Speaker. The internal

review is being determined at this time and once that is completed, I will be able to inform my colleague. Thank you, Mr. Speaker.

**Speaker:** Thank you, Madam Premier. Your second supplementary, Mr. Curley.

**Mr. Curley:** Thank you. Mr. Speaker, it was very clear that the government announced they were conducting a review.

Mr. Speaker, I believe that it is essential that the government reform two specific areas of contracting: fuel distribution contracts and medical travel. Will the Premier commit to me that the two reviews will examine these specific areas, yes or no? Thank you, Mr. Speaker.

**Speaker:** Thank you, Mr. Curley. Minister of Executive and Intergovernmental Affairs, Madam Premier.

**Hon. Eva Aariak** (interpretation): Thank you, Mr. Speaker. This process is just getting started and we just announced it last week. We haven't even gotten into the details. Once we have been able to complete the details, I will provide more information. Thank you, Mr. Speaker.

**Speaker:** Thank you, Madam Premier. Your final supplementary, Mr. Curley.

**Mr. Curley:** Thank you, Mr. Speaker. I think Nunavutmiut will not be given just smokescreen information because these are known specific areas of concern to Nunavutmiut.

Finally, Mr. Speaker, I have already suggested that one immediate action that the government could undertake would be to agree to specific recommendations of the NNI Contracting Appeals Board. Will the Premier commit to using her authority as Premier to make this happen, yes or no? Thank you, Mr. Speaker.

**Speaker:** Thank you, Mr. Curley. Minister of Executive and Intergovernmental Affairs, Madam Premier.

**Hon. Eva Aariak:** Thank you, Mr. Speaker. This NNI procurement review and the public procurement review will be happening, and the committee will be struck to establish the terms of reference for the procurement portion of their review. So again, I will have to say that the contents of the terms of reference will determine what will be reviewed and so on, and I will get back to him once I have that information. Thank you, Mr. Speaker.

**Speaker:** Thank you, Madam Premier. Oral Questions. Member for Nattilik, Ms. Ugyuk.

### **Question 306 – 3(3): Implementing the Ilagiitsiarniq Family Violence Strategy**

**Ms. Ugyuk** (interpretation): Thank you, Mr. Speaker. I would like to direct my question to the Minister of Health and Social Services.

In my statement earlier today, I discussed the need to address the issue of family violence so that husbands and wives can become fully reconciled. Family violence is usually one-sided,

with one partner intimidating the other and the other acting as peacemaker.

(interpretation ends) Can the minister update this House on the implementation status of the Ilagiitsiarniq Strategy and whether any staff have been hired to deliver support for the strategy? Thank you, Mr. Speaker.

**Speaker:** Thank you, Ms. Ugyuk. Minister responsible for Health and Social Services, Minister Peterson.

**Hon. Keith Peterson:** Thank you, Mr. Speaker. When I first became the Minister of Health, I reviewed the strategy and action plan. I was not satisfied with the drafts and I have asked that the draft action plan be reviewed. Thank you, Mr. Speaker.

**Speaker:** Thank you, Minister Peterson. Your first supplementary, Ms. Ugyuk.

**Ms. Ugyuk** (interpretation): Thank you, Mr. Speaker. I also thank the minister for his adequate response. (interpretation ends) On October 28, 2011, I asked questions on whether funding for family violence programs would be directed towards shelters. The Minister of Health and Social Services answered that the government would have a plan for healthy families and indicated that churches and church bodies would be involved. Can the minister clarify whether or not churches and church bodies are involved in the Ilagiitsiarniq Family Violence Prevention Strategy? Thank you, Mr. Speaker.

**Speaker:** Thank you, Ms. Ugyuk. Minister of Health and Social Services, Minister Peterson.

**Hon. Keith Peterson:** Thank you, Mr. Speaker. As I indicated during the Committee of the Whole last week when Ms. Ugyuk was questioning me on that very issue, I indicated that if we received proposals from any group in the community with respect to safe homes or family violence shelters offering services, we will review them. Thank you, Mr. Speaker.

**Speaker:** Thank you, Minister Peterson. Your second supplementary, Ms. Ugyuk.

**Ms. Ugyuk** (interpretation): Thank you, Mr. Speaker. He responded to some of my question. (interpretation ends) If community groups are going to be involved in strategies and activities to work towards preventing family violence, it is important that they have the necessary resources to do so. Can the minister clarify whether or not communities will be given funding under the Ilagiitsiarniq Family Violence Prevention Strategy to work on family violence issues? Thank you, Mr. Speaker.

**Speaker:** Thank you, Ms. Ugyuk. Minister of Health and Social Services, Minister Peterson.

**Hon. Keith Peterson:** Thank you, Mr. Speaker. Once we develop the action plan and get it approved by cabinet and roll it out, we will determine whether additional funding is required to implement the action plan. Thank you, Mr. Speaker.

**Speaker:** Thank you, Minister Peterson. Your final supplementary, Ms. Ugyuk.

**Ms. Ugyuk** (interpretation): Thank you, Mr. Speaker. I would like to thank the

minister for responding to my question (interpretation ends) Will the minister commit to working with community wellness directors and health committees to implement the Ilagitsiarniq Family Violence Prevention Strategy? Thank you, Mr. Speaker.

**Speaker:** Thank you, Ms. Ugyuk. Minister of Health and Social Services, Minister Peterson.

**Hon. Keith Peterson:** Thank you, Mr. Speaker. I thank Ms. Ugyuk for her question. Mr. Speaker, everybody in the community should be involved in addressing family violence in their communities. As a government, we promote safe communities, safe families. So everybody should be involved in providing help to address family violence. I'm sure, at some point, that that will occur. Thank you, Mr. Speaker.

**Speaker:** Thank you, Minister Peterson. Oral Questions. Member for Baker Lake, Mr. Aupaluktuq.

### **Question 307 – 3(3): Marine Infrastructure and Services**

**Mr. Aupaluktuq:** Thank you, Mr. Speaker. My questions are for the Minister of Economic Development and Transportation, the Hon. Peter Taptuna.

In my Member's Statement, I spoke about the need for modern marine infrastructure in the community of Baker Lake.

Can the minister indicate to me how often his department works with municipalities and other partners to conduct inventories of the condition of

existing marine infrastructure in our communities? Thank you, Mr. Speaker.

**Speaker:** Thank you, Mr. Aupaluktuq. Minister of Economic Development and Transportation, Minister Taptuna.

**Hon. Peter Taptuna:** Thank you, Mr. Speaker. We're always trying to assist the communities in their needs of small craft harbours and floating docks, and Baker Lake is no exception. In the past several years, we have spent over \$2.5 million assisting at least 15 communities in procuring and assisting them in getting floating docks installed within their communities. Baker Lake is one that we assisted in the past with \$165,000 to assist them with installing their floating dock.

For other permanent infrastructure in Baker Lake, I'm not really aware of what infrastructure they have for marine facilities there. There may be one that is owned by the mine, but other than that, with the floating dock, we do assist any community that requires assistance. Thank you, Mr. Speaker.

**Speaker:** Thank you, Minister Taptuna. Your first supplementary, Mr. Aupaluktuq.

**Mr. Aupaluktuq:** Thank you, Mr. Speaker. I would like to thank the hon. member for that information. It's nice to know that Nunavut's small communities, 15 of them, had \$2.5 million in small floating docks and Baker Lake, in the past, received \$165,000 to assist in that.

Mr. Speaker, as I noted in my Member's Statement, concerns have been expressed to me by my constituents with respect to the adequacy of Baker Lake's

existing docking facilities. Can the minister indicate what discussions his department has had with the municipality regarding long-term plans for Baker Lake's marine infrastructure? Thank you, Mr. Speaker.

**Speaker:** Thank you, Mr. Aupaluktuq. Minister of Economic Development and Transportation, Minister Taptuna.

**Hon. Peter Taptuna:** Thank you, Mr. Speaker. I thank the member from Baker Lake for that question. Mr. Speaker, we try and assist the smaller communities in their marine infrastructure needs. We await some of these proposals that do come in from the smaller communities and we will try and assist in any way possible. We do have a small amount of available funds that will assist a community in cleaning up and fixing up some of their landing sites for resupply. Baker Lake is no exception. There is a small pot of money.

For discussions on major infrastructure needs on marine, we haven't heard anything from the community. We have no discussions with the community on that, but we're looking forward to any kinds of proposals or recommendations that do come in from the community. Again, Mr. Speaker, if we do receive those, we're willing to assist in any way possible. Thank you, Mr. Speaker.

**Speaker:** Thank you, Minister Taptuna. Your second supplementary, Mr. Aupaluktuq.

**Mr. Aupaluktuq:** Thank you, Mr. Speaker. I'm glad it's a reminder to all Nunavummiut as well as Baker Lake that communities must apply or formally request infrastructure needs. I look

forward to working with my community, hamlet, and municipality to ensure that these are formally requested based on the needs and concerns of the people of Baker Lake.

Mr. Speaker, as I noted in my Member's Statement, there is support for expanded port facilities in the community of Baker Lake. Can the minister update me and the House today on the status of his ongoing efforts to obtain additional federal support for marine infrastructure in Nunavut? Thank you, Mr. Speaker.

**Speaker:** Thank you, Mr. Aupaluktuq. Minister of Economic Development and Transportation, Minister Taptuna.

**Hon. Peter Taptuna:** Thank you, Mr. Speaker. Again thank you for that question. Mr. Speaker, we do have a small craft harbour report which was jointly prepared by my department, Economic Development and Transportation, and the Department of Fisheries and Oceans, which identified seven communities as priorities for fishing harbours. At this time, Baker Lake was not included as a priority.

We're constantly trying to lobby the federal government on how to best address some of these infrastructure needs. For a fact, Mr. Speaker, we do not have any marine infrastructure that the rest of the country has taken for granted. There are over 300 docking facilities on the Atlantic coast. Here in one of the biggest coast lines in Canada, we have only one. Of course, that is being completed in Pangnirtung. We constantly try and enforce that message that we do need marine infrastructure in Nunavut. Thank you, Mr. Speaker.

**Speaker:** Thank you, Minister Taptuna. Your final supplementary, Mr. Aupaluktuq.

**Mr. Aupaluktuq:** Thank you, Mr. Speaker. In further detail, I will pursue the matters with the government and federal government, as well as the Department of Fisheries and Oceans.

Mr. Speaker, this is in relation to my Member's Statement. I noted that the residents of Baker Lake have spoken to me about their desire to see an enhanced Coast Guard presence in the community. This is in regard to search and rescue as well as safety regarding all the traffic of shipping going for mining and exploration companies.

Mr. Speaker, my question is: can the minister indicate if he has held discussions with the federal government concerning the level of Coast Guard service that is provided in Nunavut? Thank you, Mr. Speaker.

**Speaker:** Thank you, Mr. Aupaluktuq. Minister of Economic Development and Transportation, Minister Taptuna.

**Hon. Peter Taptuna:** Thank you, Mr. Speaker. When it comes to the discussion of Coast Guard and Coast Guard auxiliary, I would rather defer that to the department responsible for that initiative. Thank you, Mr. Speaker.

**Speaker:** Thank you, Minister Taptuna. Oral Questions. Member for Tununiq, Mr. Enook.

### **Question 308 – 3(3): Physician Services in the High Arctic**

**Mr. Enook** (interpretation): Thank you, Mr. Speaker. I would like to direct my question to the Minister of Health and Social Services.

Mr. Speaker, up until a couple of years ago, the community of Pond Inlet was fortunate enough to have a doctor resident in the community. I am confident that you will agree that it is very reassuring for community residents as well as the nurses to have a doctor nearby who can be called on for difficult health situations.

The doctor left a couple of years ago and the position has not yet been filled. Can the Minister of Health and Social Services update this House on what steps have been taken to fill the doctor position which was based in Pond Inlet? Thank you, Mr. Speaker.

**Speaker:** Thank you, Mr. Enook. Minister responsible for Health and Social Services, Minister Peterson.

**Hon. Keith Peterson:** Thank you, Mr. Speaker. I thank Mr. Enook for the question. Mr. Speaker, as everybody in this House knows and most people across Canada know, physicians are in very short supply in Canada. It's very difficult to attract qualified physicians to Nunavut. We're making every effort to work with the University of Newfoundland, in fact, under the NunaFam project, to train physicians who we hope will remain here in Nunavut in time.

In the meantime, Mr. Speaker, I can't tell Mr. Enook what the plan is to

replace that physician position. I know that at the Qikiqtani hospital, physicians there do provide locum support to nurses in the communities in the Baffin region. Thank you, Mr. Speaker.

**Speaker:** Thank you, Minister Peterson. Your first supplementary, Mr. Enook.

**Mr. Enook** (interpretation): Thank you, Mr. Speaker. Since the position was based in the High Arctic, the doctor in Pond Inlet was able to travel around and provide services to other communities as well. Can the minister confirm that having a physician based in the High Arctic helped to achieve important cost savings for the department? Thank you, Mr. Speaker.

**Speaker:** Thank you, Mr. Enook. Minister of Health and Social Services, Minister Peterson.

**Hon. Keith Peterson:** Thank you, Mr. Speaker. Every community would like to have a physician, I'm sure. There are 24 communities outside of Iqaluit and they would all like to have physicians. I certainly know that in Cambridge Bay, with the locums, the doctors do provide excellent service to us. At this time, I can't confirm that positioning a physician in Pond Inlet and the High Arctic would result in savings. Thank you, Mr. Speaker.

**Speaker:** Thank you, Minister Peterson. Your second supplementary, Mr. Enook.

**Mr. Enook** (interpretation): Thank you, Mr. Speaker. Will the minister commit to filling the vacant doctor position in Pond Inlet as soon as possible? Thank you, Mr. Speaker.

**Speaker:** Thank you, Mr. Enook. Minister of Health and Social Services, Minister Peterson.

**Hon. Keith Peterson:** Thank you, Mr. Speaker. I thank Mr. Enook for his question. Mr. Speaker, I will ask my officials to look into why the position is vacant and whether it is a position that is required to be re-staffed with a physician. Thank you, Mr. Speaker.

**Speaker:** Thank you, Minister Peterson. Oral Questions. Member for Akulliq, Mr. Ningark.

### **Question 309 – 3(3): Global Warming and its Effect on Homeowners**

**Mr. Ningark** (interpretation): Thank you, Mr. Speaker. During my Member's Statement, I spoke about private homeowners in Nunavut.

According to my belief, they are being impacted by global warming, specifically with the permafrost that is melting underneath homes. Also, this fall in Kugaaruk, our water lake was overrun by salt water and it has now impacted a lot of the houses' piping and water.

If we were to look at the two communities of Kugaaruk and Repulse Bay, they have been seriously affected. In Canada, there are scientists studying the planet, the environment, plants, and salt. There are our homeowners who need assistance.

I would like to ask the minister through you, Mr. Speaker: does the housing corporation have a plan in place to try to deal with the impact climate change will



have and whether this is being studied?  
Thank you, Mr. Speaker.

**Speaker:** Thank you, Mr. Ningark. I believe you were directing your question to the Minister responsible for the Nunavut Housing Corporation. Is that correct, Mr. Ningark? Mr. Ningark.

**Mr. Ningark:** Thank you, Mr. Speaker. My question is for the Minister of Housing. I didn't want to use my supplementary, so I'm not asking a question at this time. Thank you.

>> *Laughter*

**Speaker:** No, that wasn't a supplementary, but thank you for clearly indicating who your question was directed to, Mr. Ningark. Minister responsible for the Nunavut Housing Corporation, Minister Schell.

**Hon. Fred Schell:** Thank you, Mr. Speaker. I thank the hon. member for that question. We're always looking at different ways of dealing with homeownership programs and unfortunately, we're limited to the funds that we have. We have different programs, such as the oil tank replacement, we have an emergency repair fund there, and we are looking at it. Of course, we all know that global warming is creating a problem for everybody here and it's something we're looking at. Thank you, Mr. Speaker.

**Speaker:** Thank you, Minister Schell. Your first supplementary, Mr. Ningark.

**Mr. Ningark** (interpretation): Thank you, Mr. Speaker, for understanding my question. I would like to direct this other question to the minister. As the Nunavut

Housing Corporation is aware, public units in Kugaaruk had to be repaired because of the impact of the salt water on the freshwater lake and it's evident that these repairs were paid for by the housing corporation. Can the minister indicate whether private homeowners' piping was impacted and if they will be assisted to make these repairs to their homes? Thank you, Mr. Speaker.

**Speaker:** Thank you, Mr. Ningark. Minister responsible for the Nunavut Housing Corporation, Minister Schell.

**Hon. Fred Schell:** Thank you, Mr. Speaker. Thank you for that question. If it was the cause of the salt water that you are explaining there, then we will definitely look at it. Like I said, there are programs available where homeowners can apply. Thank you, Mr. Speaker.

**Speaker:** Thank you, Minister Schell. Oral Questions. Member for Quttiktuq, Mr. Elliott.

### **Question 310 – 3(3): Donation of Food Legislation**

**Mr. Elliott:** Thank you, Mr. Speaker. My questions are for the Minister of Health and Social Services.

Mr. Speaker, the generosity of Nunavut's response to the recent tragedy in Iqaluit has been overwhelming. Donations of money and goods from across the territory have helped to meet the immediate needs of victims.

Mr. Speaker, as the minister is likely aware, legislation was recently passed in the Northwest Territories to protect donors of food and distributors of donated food from liability from their

actions. The title of the new law is the *Donation of Food Act*. Can the minister tell us if this issue is being considered as part of his department's development of a new *Public Health Act*? Thank you, Mr. Speaker.

**Speaker:** Thank you, Mr. Elliott. Minister of Health and Social Services, Minister Peterson.

**Hon. Keith Peterson:** Thank you, Mr. Speaker. I thank Mr. Elliott for the question. Mr. Speaker, I'm aware of the legislation that was passed in the Northwest Territories, but I'm unaware if that is being considered in Nunavut. Thank you, Mr. Speaker.

**Speaker:** Thank you, Minister Peterson. Your first supplementary, Mr. Elliott.

**Mr. Elliott:** Thank you, Mr. Speaker. The new legislation in the Northwest Territories is very short and straightforward. Would the minister commit to taking a look at it with a view to introducing a similar bill during either the spring sitting or the fall sitting? Thank you, Mr. Speaker.

**Speaker:** Thank you, Mr. Elliott. Minister of Health and Social Services, Minister Peterson.

**Hon. Keith Peterson:** Thank you, Mr. Speaker. I thank Mr. Elliott for the question. Mr. Speaker, I can't commit to anything other than I will take a look at it. I haven't even had a chance to read it. I have heard about it in the media. Without actually reading it, considering and thinking about how it could benefit Nunavut, I can't commit to anything. Thank you, Mr. Speaker.

**Speaker:** Thank you, Minister Peterson. Oral Questions. Member for Pangnirtung, Mr. Oshutapik.

### **Question 311 – 3(3): Assistance for Prospective Home Buyers**

**Mr. Oshutapik** (interpretation): Thank you, Mr. Speaker. I also thank you for allowing me to ask a question. My question will be directed to the Minister responsible for the Nunavut Housing Corporation.

Can the minister inform the House about homeownership assistance? This is about the program to encourage private homeownership that has been around for many years now. However, as people start utilizing this program, they run into a lot of obstacles, such as maintenance issues. There's a lot of red tape in accessing funds for constructing your own home. Can the minister identify why it is so difficult to try to apply for these funds as a private homeowner? Thank you, Mr. Speaker.

**Speaker:** Thank you, Mr. Oshutapik. Minister responsible for the Nunavut Housing Corporation, Minister Schell.

**Hon. Fred Schell:** Thank you, Mr. Speaker. I thank Mr. Oshutapik for that question. Number one, there are limited funds in that program and that's part of the reason. So there are a lot of applications for it and they're selected on certain criteria. I realize that it's kind of a problem. We are trying to get homeowners into their own home and we are seriously looking at changing that whole program. Thank you, Mr. Speaker.

**Speaker:** Thank you, Minister Schell. Your first supplementary, Mr. Oshutapik.

**Mr. Oshutapik** (interpretation): Thank you, Mr. Speaker. In his response, I had expected the minister to say that there is a lack of funding as that is usually the standard answer. Be that as it may, the funds are severely restricted and limited. I have done work for a private homeowner and have had to scrounge around for material. With the government having pushed this idea of homeownership, that's why I brought up all the difficulties in trying to access funding.

The second question I have is: I'm wondering if funding for private homeownership was revisited to determine if more funds can be made available by the minister in the near future. Thank you, Mr. Speaker.

**Speaker:** Thank you, Mr. Oshutapik. Minister responsible for the Nunavut Housing Corporation, Minister Schell.

**Hon. Fred Schell:** Thank you, Mr. Speaker. I thank the member for that question. Yes, we are seriously looking at it. As of last year, we only had 25 approved applications for homeownership, so that will give you an idea as to how limited it is.

We do realize the only way we are going to get more tenants into public housing is by getting some of these people who can afford to get out of public housing into their own homes. We have to give better incentives other than just a down payment on it. Thank you, Mr. Speaker.

**Speaker:** Thank you, Minister Schell. Your second supplementary, Mr. Oshutapik.

**Mr. Oshutapik** (interpretation): Thank you, Mr. Speaker. Yes, that is something I would like to see in the future. We have been told in the past that when more Inuit become private homeowners, it will make things a lot easier. However, it's actually the opposite. There are more barriers that we run into. A lot of these issues that are brought up were never spoken of in the past.

I will cite this example about the fuel tank replacement program. If a homeowner doesn't have insurance, they cannot be eligible for that program. Some of these people, especially the elders, are having a very hard time trying to make ends meet and pay their bills. It is no surprise that when they're barely able to keep up with bills, they're not able to pay their insurance. They maintain their homes without insurance with the hopes of being able to pay their insurance bills later.

So when insurance becomes a prerequisite for this program, it means they're unable to make repairs and become ineligible for the funding. I am wondering if this could be reviewed to see if this obstacle can be removed. Thank you, Mr. Speaker.

**Speaker:** Thank you, Mr. Oshutapik. Minister of the Nunavut Housing Corporation, Minister Schell.

**Hon. Fred Schell:** Thank you, Mr. Speaker. Thank you for that question. We do have the Oil Tank Replacement Program, which there is up to 100 applications each year up to \$5,000 each,

and that is going to continue until 2016. We also have renovations for homeowners first time, up to \$65,000, that they can apply to get their houses fixed.

I do realize that it's an issue with insurance and I know of one example where somebody didn't have insurance and the house burned down. They were in trouble; they lost everything. We're trying to figure out a way possibly of maybe rolling it into the mortgage to make sure that the homeowners do have insurance. Thank you, Mr. Speaker.

**Speaker:** Thank you, Minister Schell. Again just a gentle reminder to members, please indicate who you are asking questions to right off the bat so the minister knows who it is coming to. Also, your follow-up supplementary preambles are not meant to be very long.

Oral Questions. Member for Akulliq, Mr. Ningark.

### **Question 312 – 3(3): Government Contracts**

**Mr. Ningark** (interpretation): Thank you, Mr. Speaker. My question is for the Minister of Community and Government Services.

As the date of our return trip home is approaching, on the other hand, I am very happy as I can't wait to go home.

I had raised a question about the Repulse Bay contracts with regard to the local hotels and rental companies being utilized by the construction companies. I asked if the local hotels and truck rental companies have space and available vehicles, specifically with respect to

heavy equipment or even just regular trucks, so that the community can benefit as well from these contracts.

Can the minister provide an update today on the previous question that I brought up last week? Thank you, Mr. Speaker.

**Speaker:** Thank you, Mr. Ningark. Minister responsible for Community and Government Services, Minister Kusugak.

**Hon. Lorne Kusugak** (interpretation): Thank you, Mr. Speaker. I also thank Mr. Ningark for requesting more clarification. Yes, we did look into the contracts specific to Repulse Bay and this was in relation to the health centre construction. The Nunavut government does have a policy, especially where there are major construction projects where they will bring in a lot of outside workers, where they have to utilize the local hotels and businesses.

I have looked into this situation in Repulse Bay. There are 12 workers currently there. They do stay at the hotel, but they do have their own unit that they're renting. At this current time, only the superintendent or foreman is staying at that rental unit and all other workers are currently staying at the hotel and all of them go for meals at that hotel.

With respect to the truck rental issues, Mr. Speaker, we don't have any rules about having to use local businesses or truck rental companies in the communities. With respect to that particular issue, the contractors brought their own vehicle to the community because there was no local rental company available to lease these vehicles. As a matter of fact, we don't

have a policy asking construction companies to rent vehicles from communities.

That's what I can say to the member and I hope my response was adequate. Thank you, Mr. Speaker.

**Speaker:** Thank you, Minister Kusugak. Your first supplementary, Mr. Ningark.

**Mr. Ningark** (interpretation): Thank you for my first supplementary question, Mr. Speaker. As a government, I forget how they state it in English, but if you look at the contracting and procurement issues, I believe the minister is responsible for these contracting and procurement policies in the communities. Communities do request some assistance to ensure all monies stay in the communities. Does he support this idea? Thank you, Mr. Speaker.

**Speaker:** I think that was just a comment, Mr. Ningark. No? Minister of Community and Government Services, Minister Kusugak.

**Hon. Lorne Kusugak** (interpretation): Thank you, Mr. Speaker. With regard to contracting policies, it states that if you're going to submit a bid, there are certain policies that you have to abide by and it talks about the procedures that are written. I do support that and I believe in that process. Thank you, Mr. Speaker.

**Speaker:** Thank you, Minister Kusugak. Your second supplementary, Mr. Ningark.

**Mr. Ningark** (interpretation): I thank the minister for providing that response. Thank you, Mr. Speaker. Perhaps when we're dealing with this issue in

Committee of the Whole, I will raise this further.

I want to raise this question. Does the Government of Nunavut truly support local economies, especially when smaller communities experience job shortages more than anywhere else in Canada? When it comes to public funding in contracting, as it pertains to Article 24, is this something the government truly believes in? Thank you, Mr. Speaker.

**Speaker:** Thank you, Mr. Ningark. Minister of Community and Government Services, Minister Kusugak.

**Hon. Lorne Kusugak** (interpretation): Thank you, Mr. Speaker. I believe I had already responded to that, but yes, the Government of Nunavut has taken the position that any bidders for contracts have to abide by all policies. I'm not going to change my position. We want to help all Nunavummiut and businesses should especially be supported by the Government of Nunavut. Thank you, Mr. Speaker.

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

### **Question 313 – 3(3): Hotel Policy on Government Contractors**

**Mr. Curley:** Thank you, Mr. Speaker. (interpretation) I have a very short question that I will ask in Inuktitut and I will direct it to the Minister of Community and Government Services.

When my colleague was asking questions, what I understood of the minister's response was there this is a

policy that the labourers will have to stay in a hotel. Can the minister clarify that? I believe you also stated that there was a practice. Can you table which policy states that they have to utilize local hotels? Thank you, Mr. Speaker.

**Speaker:** Thank you, Mr. Curley. Minister of Community and Government Services, Minister Kusugak.

**Hon. Lorne Kusugak** (interpretation): I will have to look into that matter and return with more information. Thank you, Mr. Speaker.

**Speaker:** Thank you, Minister Kusugak. Your first supplementary, Mr. Curley.

**Mr. Curley** (interpretation): Thank you, Mr. Speaker. What you stated in Inuktitut is very understandable. You stated that there is a policy that has to be followed. Can you table the policy that is in question about contractors having to stay in local hotels? Thank you.

**Speaker:** Thank you, Mr. Curley. Minister of Community and Government Services, Minister Kusugak.

**Hon. Lorne Kusugak** (interpretation): As I stated, I will have to look into this matter further and get back to the member. Thank you, Mr. Speaker.

**Speaker:** Item 6. Oral Questions. Moving on in our orders of the day. Item 7. Written Questions. Mr. Rumbolt.

### Item 7: Written Questions

### Written Question 015 – 3(3): Southern Hudson Bay Polar Bear Population Management

**Mr. Rumbolt:** Thank you, Mr. Speaker. Currently, there is no formal agreement in place in Quebec concerning the harvesting of the southern Hudson Bay polar bear subpopulation. The Department of Environment is a member of the Nunavik Marine Region Wildlife Management Board. One of its mandates is to establish a total allowable take of the southern Hudson Bay polar bear subpopulation.

My written question relates to the harvesting of the southern Hudson Bay polar bear subpopulation and the Department of Environment's role as a member of the Nunavik Marine Region Wildlife Management Board. The questions are very detailed, so I ask that they be entered into the record as read.

#### Preamble:

Currently, there is no formal agreement in place concerning the harvesting of the southern Hudson Bay polar bear subpopulation. The Department of Environment is a member of the Nunavik Marine Region Wildlife Management Board. One of its mandates is to establish a total allowable take of the southern Hudson Bay polar bear subpopulation.

1. Broken down by province or territory, how many polar bears have been harvested in the southern Hudson Bay polar bear subpopulation for the 2009, 2010, 2011, and 2012 calendar years?
2. On March 1, 2012, the minister indicated in the Legislative

Assembly that Sandy Akavak of Kimmirut is the Department of Environment's representative on the Nunavik Marine Region Wildlife Management Board. How does the department choose its representative and what qualifications are required of the representative to sit on this board?

3. Have departmental officials prepared and submitted a written submission to the Nunavik Marine Region Wildlife Management Board on the establishment of a total allowable take of the southern Hudson Bay polar bear subpopulation? If so, what were its contents?
4. What role does the Sanikiluaq Hunters and Trappers Organization have with respect to the establishment of a total allowable take of the southern Hudson Bay subpopulation?

Thank you, Mr. Speaker.

**Speaker:** Thank you, Mr. Rumbolt. Do members agree that the written question be entered into the record as read?

**Some Members:** Agreed

**Speaker:** I hear lots of agreements there, so thank you and it shall be so entered into the record as read. Item 7. Written Questions. Item 8. Returns to Written Questions. Item 9. Replies to Opening Address. Item 10. Petitions. Item 11. Responses to Petitions. Item 12. Reports of Standing and Special Committees on Bills and Other Matters. Mr. Tapardjuk.

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

#### **Committee Report 014 – 3(3): Bill 28, Write-off of Assets Act, 2011-2012**

**Mr. Tapardjuk** (interpretation): Thank you, Mr. Speaker. I wish to report that Bill 28, *Write-off of Assets Act, 2011-2012*, has been reviewed by the Standing Committee on Legislation and that the bill is ready for consideration in Committee of the Whole. Thank you, Mr. Speaker.

**Speaker:** Thank you, Mr. Tapardjuk. Bill 28 will be placed on the order paper for Wednesday, March 7.

Item 12. Reports of Standing and Special Committees on Bills and Other Matters. Mr. Tapardjuk.

#### **Committee Report 015 – 3(3): Bill 29, Write-off of Assets Act, NO. 1, 2010-2011**

**Mr. Tapardjuk** (interpretation): Thank you, Mr. Speaker. I wish to report that Bill 29, *Write-off of Assets Act, No. 1, 2010-2011*, has been reviewed by the Standing Committee on Legislation and that the bill is ready for consideration in Committee of the Whole, Mr. Speaker. Thank you.

**Speaker:** Thank you, Mr. Tapardjuk. Bill 29 will be placed on the order paper for Wednesday, March 7.

Item 12. Reports of Standing and Special Committees on Bills and Other Matters. Mr. Elliott.

**Committee Report 016 – 3(3):  
Presentation of the Report of the  
Standing Committee on the  
Review of the 2010-2011 Annual  
Report of the Information and  
Privacy Commissioner of Nunavut**

**Mr. Elliott:** Thank you, Mr. Speaker. I rise today to present the report of the Standing Committee on Oversight of Government Operations and Public Accounts on its review of the 2010-2011 Annual Report of the Information and Privacy Commissioner of Nunavut to the Legislative Assembly.

Since her initial appointment in 1999, the Information and Privacy Commissioner has submitted a total of 12 annual reports to the Legislative Assembly of Nunavut. In each annual report, she has presented a number of recommendations.

Since 2005, the government has tabled an annual report on the administration of the *Access to Information and Protection of Privacy Act*. The government's most recent annual report on the administration of the Act was tabled in the Legislative Assembly on October 28, 2011.

The Standing Committee on Oversight of Government Operations and Public Accounts held hearings on the 2007-08 and 2008-09 annual reports of the Information and Privacy Commissioner on October 1, 2009. Its hearings on the 2009-2010 annual report of the Information and Privacy Commissioner were held on October 1, 2010.

Following its 2010 hearings, the standing committee presented its own report to the Legislative Assembly on

October 29, 2010. This report contained a number of formal recommendations. The government's response to the standing committee's report and recommendations was tabled in the Legislative Assembly on February 28, 2011. Both the standing committee's report and the government's response to it are available to the public on the Legislative Assembly's website.

The standing committee's hearings on the 2010-2011 Annual Report of the Information and Privacy Commissioner were held on November 24, 2011.

Senior officials from the Government of Nunavut's Department of Executive and Intergovernmental Affairs subsequently appeared before the standing committee on November 25, 2011. This appearance constituted the first time that departmental officials have appeared before a standing committee of the Legislative Assembly to publicly account for the government's actions in response to recommendations of the Information and Privacy Commissioner and the standing committee itself.

The 2011 appearances of the Information and Privacy Commissioner and departmental officials before the standing committee were held in the Chamber of the Legislative Assembly and were open to the public and news media to observe. Transcripts from the appearances have been posted on the Legislative Assembly's website.

While the government has made progress on some issues, the standing committee notes that further action is required in other areas, such as amending the legislation to provide the Information and Privacy Commissioner



with clear authority to investigate privacy breaches, moving towards establishing an access to information and protection of privacy regime for municipalities, and addressing the issue of health-specific privacy legislation.

The standing committee's report provides a number of observations concerning the issues and themes that have emerged during the committee's recent hearings on the Information and Privacy Commissioner's annual reports.

Mr. Speaker, the standing committee's report presents nine formal recommendations. A number of these follow up on issues that we have brought to the attention of the House in previous years. I would like to take a moment to highlight the thematic areas that the committee has addressed in its report:

- Disclosure of Crown agency contracting, procurement and leasing activities;
- Disclosure of information in relation to communicable diseases;
- Communication practices of community health centres;
- The application of access to information and protection of privacy legislation to municipalities;
- Amendments to the *Access to Information and Protection of Privacy Act* in relation to privacy reviews;
- Amendments to the *Access to Information and Protection of Privacy Act* in relation to the Information and Privacy Commissioner's discretion to extend the time for requesting a review;
- The development of health-specific privacy legislation;

- The provision of information to Members of the Legislative Assembly pursuant to subsection 48(v) of the *Access to Information and Protection of Privacy Act*; and
- The ability of parties to appeal a decision made by a head of a public body under section 36 of the *Access to Information and Protection of Privacy Act* to the Nunavut Court of Justice.

Mr. Speaker, I would note that the Premier made a Minister's Statement in the House on October 28, 2011 concerning the government's plans to amend the *Access to Information and Protection of Privacy Act* in 2012. The Premier indicated that "there are a few administrative changes to be considered. However, the major change to be considered is to make privacy oversight mandatory." The Minister's Statement also indicated that "the proposed amendments will bring the Government of Nunavut's *Access to Information and Protection of Privacy Act* up to national standards for the protection of personal privacy. ...the proposed amendments will allow individuals the ability to complain to the Information and Privacy Commissioner if they feel that the Government of Nunavut has inappropriately collected, used, or disclosed their personal information. It will also make it mandatory for departments to report privacy breaches within their departments to the Information and Privacy Commissioner." The standing committee looks forward to the introduction of these amendments.

Mr. Speaker, I would like to take this opportunity to thank my colleagues for their thoughtful interventions and

questions during the standing committee's deliberations. As the committee noted in its last report, the increasingly complex world in which we live requires governments to ensure that their practices in the areas of access to information and protection of privacy are up to date.

Mr. Speaker, I would also like to take this opportunity to pay tribute to the work that our Information and Privacy Commissioner, Ms. Elaine Keenan Bengts, has performed on behalf of Nunavummiut during the tenure of her appointment. The standing committee appreciated her candid replies to our questions and suggestions.

I would also like to thank the witnesses from the Government of Nunavut who appeared before the standing committee. Members appreciated their efforts to provide clear information to the committee and to respond to members' comments and suggestions in a positive manner.

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

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

**Speaker:** Thank you, Mr. Elliott. Do members agree that the report of the committee be received and entered into the record as read?

**Some Members:** Agreed.

**Speaker:** It has been agreed to, Mr. Elliott. Thank you. It has been received and it will be so entered into the record as read.\*

Item 12. Reports of Standing and Special Committees on Bills and Other Matters.  
Item 13. Tabling of Documents. Member for Iqaluit West, Ms. Ell.

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

#### **Tabled Document 163 – 3(3): Information Brochure - Commissioner for Complaints for Telecommunications Services**

**Ms. Ell:** Thank you, Mr. Speaker. As I indicated in my Member's Statement, I wish to table today an information brochure concerning the Office of the Commissioner for Complaints for Telecommunications Services. I encourage all members to review this document with care. Thank you, Mr. Speaker.

**Speaker:** Thank you, Ms. Ell. I look very much forward to reviewing that document. Item 13. Tabling of Documents. Mr. Rumbolt.

#### **Tabled Document 164 – 3(3): Articles Concerning People of a Feather Documentary**

**Mr. Rumbolt:** Thank you, Mr. Speaker. I wish to table today copies of news articles relating to the documentary by Joel Heath and the community of Sanikiluaq called "People of a Feather, a film about survival in a changing Canadian Arctic."

\*See Appendix for full text of Committee Report 16 – 3(3) filed with the Clerk.

I encourage all Nunavummiut to read these articles and to visit the website, "People of a Feather." Thank you, Mr. Speaker.

**Speaker:** Thank you, Mr. Rumbolt. Item 13. Tabling of Documents. Mr. Elliott.

**Tabled Document 165 – 3(3): Alaska Suicide Hospitalizations: 2011-2012**

**Tabled Document 166 – 3(3): GNWT - Donation of Food Act**

**Mr. Elliott:** Thank you, Mr. Speaker. I have two to table.

As I indicated in my Member's Statement, I will be tabling a number of items this week concerning the kind of work that needs to be done to effectively implement our territory's suicide prevention action plan.

The item that I am tabling today is a publication from the Alaska Injury Prevention Center concerning suicide hospitalizations. I urge all members to review this with care. Thank you, Mr. Speaker.

I also have here further to my oral question regarding the donation of food, I would like to table a copy of the NWT *Donation of Food Act* for all members to view, but in particular, the Minister of Health and Social Services. Mr. Speaker, the text of this bill itself actually fits on one page. I table it so that the minister can view it and possibly answer my questions that I posed earlier. Thank you, Mr. Speaker.

**Speaker:** Thank you, Mr. Elliott. Item 13. Tabling of Documents. Minister

responsible for the Nunavut Business Credit Corporation, Minister Taptuna.

**Tabled Document 167 – 3(3): 2010-2011 Annual Report for the Nunavut Business Credit Corporation**

**Hon. Peter Taptuna:** Thank you, Mr. Speaker. I am very pleased today to table the 2010-2011 Annual Report for the Nunavut Business Credit Corporation. Thank you, Mr. Speaker.

**Speaker:** Thank you, Minister Taptuna. Item 13. Tabling of Documents. Minister responsible for the Nunavut Arctic College, Minister Shewchuk.

**Tabled Document 168 – 3(3): 2010-2011 Annual Report for Nunavut Arctic College**

**Hon. Daniel Shewchuk:** Thank you, Mr. Speaker. I am pleased to table the 2010-2011 Annual Report for the Nunavut Arctic College. Thank you, Mr. Speaker.

**Speaker:** Thank you, Minister Shewchuk. Item 13. Tabling of Documents. Item 14. Notices of Motions. Item 15. Notices of Motions for First Reading of Bills. Item 16. Motions. Item 17. First Reading of Bills. Item 18. Second Reading of Bills. Item 19. Consideration in Committee of the Whole of Bills and Other Matters. Bills 21, 24, 25, 26, 27, and 34 with Mr. Enook in the Chair.

In accordance with the authority provided to me by Motion 22 – 3(3), the Committee of the Whole will stay in session until it reports itself out.

Before we proceed to the Committee of the Whole, we will take a 20-minute break.

Sergeant-at-Arms.

>>House adjourned at 15:13 and Committee resumed at 15:37

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

**Chairman** (Mr. Enook)(interpretation): Good afternoon. I would now like to call the committee meeting to order. In Committee of the Whole, we have the following items to deal with: Bills 21, 24, 25, 26, 27, and 34. What is the wish of the committee? Mr. Aupaluktuq.

**Mr. Aupaluktuq:** Thank you, Mr. Chairman. We wish to continue with the review of Bill 24 and commence with the review of the Department of Community and Government Services and, if time permits, followed by the Department of Economic Development and Transportation, followed by the Nunavut Housing Corporation, as well as the Department of Justice and the Department of Finance. Thank you, Mr. Chairman.

**Chairman** (interpretation): Thank you, Mr. Aupaluktuq. Are we agreed that we want to continue with our review of the department?

**Some Members:** Agreed.

**Bill 24 – Appropriation (Operations & Maintenance) Act, 2012-2013 – Community and Government Services – Consideration in Committee**

**Chairman** (interpretation): Thank you. We will proceed with the review immediately. Mr. Kusugak, do you have witnesses that you would like to bring to the table? Minister Kusugak.

**Hon. Lorne Kusugak** (interpretation): Yes, Mr. Chairman. Thank you.

**Chairman** (interpretation): Do you agree to bring in the minister's witnesses?

**Some Members:** Agreed.

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

Thank you. Minister Kusugak, for the record, please introduce your witnesses.

**Hon. Lorne Kusugak** (interpretation): Thank you, Mr. Chairman. To my left is Kathleen Lausman, Deputy Minister, and to my right is Alma Power, Director of Finance. Thank you, Mr. Chairman.

**Chairman** (interpretation): Thank you, Minister Kusugak. We will proceed with the department and at this time, we are on page J-5. Mr. Rumbolt.

**Mr. Rumbolt:** Thank you, Mr. Chairman. I have a couple of questions on J-5, if I could. First of all, in my opening comments, I mentioned that the *Northern Employee Benefits Service Pension Plan Protection Act* was passed in 2009 and I talked about the need to protect municipal employees and their pension plans.

Your department's 2011-14 business plan indicates that a legislative proposal has been drafted. When will the

Standing Committee on Legislation receive this legislative proposal and when is your plan to introduce the bill in the House? Thank you, Mr. Chairman.

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

**Hon. Lorne Kusugak:** Thank you, Mr. Chairman. We are still working on that very issue and we hope to be able to bring something forward by this fall. Thank you, Mr. Chairman.

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

**Mr. Rumbolt:** Thank you, Mr. Chairman. The only other question I have on J-5 is your department's draft 2012-15 business plan provides an update on one of its 2011-12 priorities, which is to "Review municipal funding and grants to ensure appropriate resources are allocated to communities." The status indicates that your department "has completed a municipal funding review. The report is being circulated to relevant stakeholders for their review and feedback." When do you expect this report to be tabled in the House? Thank you, Mr. Chairman.

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

**Hon. Lorne Kusugak:** Thank you, Mr. Chairman. My colleague is correct. We have finished the draft report. We are currently reviewing the report. We hope to be able to introduce something into the Legislative Assembly by the fall. Thank you, Mr. Chairman.

**Chairman** (interpretation): Thank you, Minister Kusugak. I have no more

names on my list. J-5. Branch Summary. Community and Government Services. Community Support. Total Operations and Maintenance, to be Voted. \$66,434,000. Do you agree?

**Some Members:** Agreed.

**Chairman** (interpretation): Thank you. Turn to page J-6. (interpretation ends) Community and Government Services. Branch Summary. Government Services. Total Operations and Maintenance, to be Voted. \$73,306,000. Mr. Ningark.

**Mr. Ningark** (interpretation): Thank you, Mr. Chairman. We are now dealing with the Department of Community and Government Services. I would like some clarification and to keep it brief, I would like further information on the Inuit firm status, which I believe was initiated by Nunavut Tunngavik Incorporated, and the other one is the Nunavut firm status, which I believe was initiated by the Government of Nunavut. Are they recognized at the same level or are they viewed differently by this government? I would like the minister's opinion on this. Thank you, Mr. Chairman.

**Chairman** (interpretation): Thank you, Mr. Ningark. Minister Kusugak, he would like clarification.

**Hon. Lorne Kusugak** (interpretation): Thank you, Mr. Chairman. With regard to Inuit firm status, Nunavut Tunngavik initiated that program and they identify which firms have Inuit firm status. The NNI Secretariat at ED&T is the one responsible for Nunavut firm status. Thank you, Mr. Chairman.

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

**Mr. Ningark** (interpretation): Thank you, Mr. Chairman. I would like to thank the minister. Nunavut beneficiaries are the responsibility of Nunavut Tunngavik Incorporated and I think they make up approximately 85 percent of the population. Sometimes businesses that fall under the Inuit firm status and the Nunavut firm status work together to procure contracts, for example, through a joint venture or partnership. I would like further information on that. Thank you, Mr. Chairman.

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

**Hon. Lorne Kusugak** (interpretation): Thank you, Mr. Chairman. Although I can't say this is exactly what we did, when various RFPs are put out, we do see proposals where a business with Inuit firm status partners up with a business that has Nunavut firm status. Thank you, Mr. Chairman.

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

**Mr. Ningark:** *Qujannamiik*, Mr. Chairman. This is where we are venturing into a little bit of dangerous field there. (interpretation) Inuit usually don't have a lot of money and I believe the companies with Inuit firm status usually get minor contracts. However, companies with Nunavut firm status tend to be awarded major contracts. If businesses with Inuit firm status partner up with them, they would increase their share of contracts.

I don't know of Inuit businesses that use territorial or federal government funding programs for architecture, engineering, and those types of contracts as we're still

trying to master those fields. The Nunavut firm status companies could use the Inuit firm status companies to acquire contracts or get a larger percentage. I'll just use charter airlines as an example. Are the Inuit getting the short end in acquiring these types of contracts from what he knows? I want to treat everybody equally, but I'm looking at my communities of Repulse Bay and Kugaaruk. They suffer a very high percentage of unemployment and don't have the resources to get the major contracts.

We, as politicians, are thought to not care about (interpretation ends) fair and open competition. Mr. Chairman, there is a general perception out there that politicians don't necessarily support fair and open competition when it comes to their communities and businesses. I would like to make a statement coming from my heart. Fair and open business means everything to me and everything to my communities that I represent. That's the only way that we can win some of those big contracts, just for the record.

(interpretation) I don't want the Inuit companies to lose out when they become partners of Nunavut business. You don't necessarily need to answer my question, but I would appreciate it. Thank you, Mr. Chairman.

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

**Hon. Lorne Kusugak:** Mr. Chairman, I would agree with Mr. Ningark. This government believes in the utmost fair and equitable way of making sure that the politicians don't get involved in decision-making on who gets contracts.

Politicians should not decide who gets a contract and who doesn't. It has to be dealt with in a very fair and equitable way, following all contracting rules and procedures. And that is done to date. It's important that that be understood.

This government also believes that as many Inuit as possible should venture into business and that's why they allow companies to partnership with people who specialize in other fields. We cannot decide who an Inuit company is. That is decided by NTI. They have their rules and procedures. From there, if we said that no partnership should go in, we would lose a lot of Inuit businesses that are able to bid on these contracts.

(interpretation) If Inuit firm status companies want to be partners with larger companies, we invite them to do so because we need to see many more Inuit businesses. They don't necessarily have to be professionals in design and architecture. Like the example Mr. Ningark used, they can partner up with design and architect firms.

The member stated that he believes Inuit businesses are not partnering. There are Inuit firms that are very capable. Some of them have partnership agreements with Nunavut companies and other Canadian companies, especially in regard to mining exploration.

We are in support and encourage Inuit firms so that they can have a good future. That's why we provide support, but we cannot say who can be an Inuit firm. When there are contracts that come up, the politicians and cabinet ministers cannot be involved in selecting or granting of these contracts.

When the RFP sealed envelopes are opened, the bids are reviewed and screened by the contracting specialists, who work on all contracts, and the bid that is the best and most appropriate is selected. In my perception, this process works rather well. Thank you, Mr. Chairman.

I certainly hope I have responded to the member's question.

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

**Mr. Ningark** (interpretation): Thank you, Mr. Chairman. I also thank the minister. I had a concern since I don't think there are too many Inuit who are contractors and I would prefer that Inuit firms not just be used as a cover with the profits slipping to the south.

I am in full support of viable Inuit firms and they are recognized as having status as Inuit companies under Article 24. We also have been informed that Articles 23 and 24 are still not being implemented properly by the federal government. I believe that these two articles are the subject of an arbitration case between the parties.

Another question I want to raise is about the local hamlets, the LHOs, Nunavut Arctic College, and Inuit organizations that don't have the Inuit firm status as per the requirements of the land claims. Sometimes these organizations hire more Inuit than other bodies as they are local bodies.

I do understand that as a municipal government, hamlets are not businesses. However, I wonder if the hamlets, LHOs, Nunavut Arctic College, and

Inuit organizations have been given Inuit firm status or at least recognized as Inuit bodies. Thank you, Mr. Chairman.

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

**Hon. Lorne Kusugak** (interpretation): Thank you, Mr. Chairman. As I stated earlier, we have no authority to determine the Inuit firm status of any organization or business. NTI has the responsibility and jurisdiction to make the determination of Inuit firm status, Mr. Chairman. Thank you.

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

**Mr. Ningark** (interpretation): Thank you, Mr. Chairman. I also thank the minister for his response. The Member for Rankin Inlet North, Mr. Curley, was going to applaud, so I want his support on this matter.

I have already gone through the issues I wanted clarification on, so I will conclude with that. My time will end prior to my completion as I also recognize my colleagues' right to speak to these issues. Thank you, Mr. Chairman.

**Chairman** (interpretation): Thank you, Mr. Ningark. Perhaps you can set aside the remaining time for your next time limit and request for consent to do so. Mr. Minister, did you want to respond although it is just a comment?

**Hon. Lorne Kusugak** (interpretation): No, I do not, Mr. Chairman. Thank you.

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

**Mr. Curley** (interpretation): Thank you. I wanted to provide some background on the matters that the minister commented on. I agree with what he stated and I don't have issues with what I heard.

However, what I wanted to speak to was with respect to contracts. At least in Nunavut, we have this requirement for Inuit firm status. It is different from the Inuvialuit and Makivik land claims set-up where they only have one firm that is recognized as an Inuit firm. The Inuvialuit firm is the Inuvialuit Corporation and they are the only ones that can bid on contracts in their region by the NWT government. In the Quebec region, only Makivik has that status. We have a different set-up here in Nunavut and that is why it is unique.

I personally asked for this change, as I was involved at that stage. The business community in Nunavut is progressing within the territory. With the recognition of this status, it allows them to benefit from future developments. That is why the minister talked about the companies that qualify for Inuit firm status.

However, the one thing I want to comment on is with respect to Article 24. Several ministers have responded to previous questions about Inuit firm status and that they don't have jurisdiction to make a decision on Inuit firms as they are registered with the NNI Policy. They can qualify for specific contracts, but it's outside of the purview of the government's ability to determine their status. There are two areas that tend to be confused and mixed up, at least from my perspective, and I want to comment in English to make it very clear.



(interpretation ends) First of all, I think we need to be very clear that there's nothing wrong and Article 24 is a free enterprise concept for Nunavut, which is, in my view, better than the socialist type of government that likes to just contract one organization or a sole source arrangement to whoever they think they are pleased with.

Article 24 is a competitive process to allow Nunavut's economic groups to play and have an opportunity. It doesn't guarantee them anything. Inuit credentials as an Inuit firm by NTI don't give any right of being an Inuit firm, the right to compete in a particular field and be accorded with the sector credentials. It's up to the contracting management as to who is able to perform a contract under that requirement.

They are sometimes too mixed up. An Inuit firm doesn't... Again, it's not guaranteed that they are able to compete in performing in a particular sector in the economy. That's up to the terms of reference of the RFP or whatnot that is designated. Sometimes there is confusion on that, I think, but I think we understand that.

There's also nothing wrong with the NNI Policy. There may be some glitches here and there, but actually nothing wrong. If the government is committed to implementing it, there has to be a fair system in honouring it and that it would be applied. So my question is: do all public tenders, other than the emergency type of stuff like the health professional stuff, normally have a notice that NNI provisions apply? One question.

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

**Hon. Lorne Kusugak:** Thank you, Mr. Chairman. Yes, there are provisions where they would not and that would be because cabinet has approval to override. Other than that, yes. Thank you, Mr. Chairman.

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

**Mr. Curley:** Thank you. Again, I think that's where it's quite evident right now. The minister replied that NNI provisions are normally included in the notice of the public tender. The minister indicated, and I think this is something that NTI should look into, that the cabinet can override that provision. I disagree with that because Article 24 can override territorial law and that's quite clear in Article 2.12.2. In the provision, the article says that if there is any inconsistency or conflict, the land claims agreement will prevail to the extent of the conflict.

So my question is a simple one: who decides if the case is required? Who recommends that NNI provisions should not apply? Thank you.

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

**Hon. Lorne Kusugak:** Thank you, Mr. Chairman. You have to realize that in saying that, the exception is when the cabinet would approve. That's rare. The only exception would be something like the fuel contract and something like that, where it would have an overriding issue with affecting the whole territory. It's not like the cabinet would go and say, "Well, let's have NNI exempt on the snow removal contracting," or things like that.

In the case of answering his question, that would be a recommendation by the client department. Thank you, Mr. Chairman.

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

**Mr. Curley** (interpretation): I will not take much longer. The only area where I have questions on is the principles. The member immediately across from me, Mr. John Ningark, stated that members support the review of the NNI provision and I know that NTI will have comments on their recommendations.

The contracting departments, I believe, have the ability to enhance the process, especially in relation to joint partnerships where the non-Inuit company owns 49 percent and the minimum Inuit portion is 51 percent. My own preference is for a company to be 90 percent Inuit owned company or even 100 percent, which is even better.

Since the government is the contracting authority, they should not just look at the Inuit content when they are evaluating the bids and this ought to not satisfy this requirement, at least in my opinion. I believe that there can be better evaluations of the status in our government to also look at the shareholders agreement that exists as proof of its status.

If I was to have a partner, (interpretation ends) I would not just have a 51 percent credential. I would want a legal document that says we have a shareholders agreement that says if we made \$1 million in building this project, Inuit would get 51 percent of the profit. Right now, that's not happening.

The greedy partners, normally non-Inuit, are normally taking off with almost 100 percent of the profit and the only Inuit ownership, they get to be employed, and that's not fair. So the shareholders agreement may or may not be a way of helping the government to better manage procurement. Would that be something that could be reviewed as well? Thank you.

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

**Hon. Lorne Kusugak**: Thank you, Mr. Chairman. Let me begin by saying that this government has always been in support of private enterprise, private business, and encouraging Inuit and Nunavummiut, regardless of being in the private business, and being able to bid on any tender they feel, not the government feels, but that the businesspeople feel they can provide that service to Nunavummiut.

They should have the right to bid, whether they're 51 percent Inuit or 20 percent Inuit owned. They should have the confidence to feel they can bid on that contract regardless and that the government is not here to say, "You only have 5 percent Inuit content. We're not going to look at your bid." It is a fair, open, and honest procurement practice, regardless of what business they are and what percentage they have.

Having said that, I think NTI, again, is the people who decide how many percent of Inuit content it has to be in order to be seen as an Inuit owned company. That's something that would be best answered by NTI. All we do is take their recommendation and their

Inuit list and work with that in our procurement.

We don't decide that Inuk's videoconferencing company has to be 51 percent Inuit and we need to see this or that. We don't do that. We're just doing procurement, Mr. Chairman, and we take and respect the recommendations and business list that is given to us by NTI.

I hope that answers his question. I thank him for those very good questions. Thank you, Mr. Chairman.

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

**Mr. Curley:** Thank you. I agree. I think there is always a bit of a disagreement with conflict provisions.

I think, to be very clear, I should read the wording that I read where it says general provisions of the Inuit land claims agreement. In Article 2, 2.12.2, Agreement to Prevail, "Where there is any inconsistency or conflict between any federal, territorial and local government laws, and the Agreement, the Agreement shall prevail to the extent of the inconsistency or conflict." So the cabinet, in my view, has no powers to override provisions of NNI if it's linked with Article 24. The question, to me, is always: is it linked to Article 24? It may not be.

Having said that, I have another question. There was always some misunderstanding or conflict, not with land claims agreements, with sole sourcing hamlets in Nunavut. There have been millions of dollars sole sourced directly to hamlets rather than tendering them out. Who makes those decisions

and why was it practiced without regard to the provision requiring the Minister of CG&S to sign the document first giving approval, where it was indicated in a court case respecting a situation in Cape Dorset? Thank you.

**Chairman:** Thank you, Mr. Curley. Minister Kusugak.

**Hon. Lorne Kusugak:** Thank you, Mr. Chairman. In terms of the Article 24 issue, there still is, at the end of the day, the procurement and contracting procedures/law. Those have to be adhered to all the time.

In terms of the municipalities doing some contract work, I understand there are some client departments that often have dealt directly with the municipalities on different projects. Short of not knowing exact details, I wouldn't be able to go any further than that. Thank you, Mr. Chairman.

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

**Mr. Curley:** Thank you. Municipal provisions where direct funding is to be provided to the municipality for a project, there is a provision in the Municipality Act that the minister first must sign and approve that provision.

There were some views of the private sector group that the only main reason that CG&S was bypassing public tender and giving the contract for the project directly to the hamlet was for this reason: so that they can circumvent provisions of Article 24 and NNI provisions. Who made that decision to circumvent NNI provisions? Thank you.

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

**Hon. Lorne Kusugak:** Thank you, Mr. Chairman. If I could have my deputy respond to that, maybe we can get some clarification. Thank you, Mr. Chairman.

**Chairman** (interpretation): Thank you, Mr. Kusugak. Ms. Lausman.

**Ms. Lausman:** Thank you, Mr. Chairman. Virtually all of the funding that goes to hamlets from CGS is through contribution agreements and it's for all kinds of general applications to manage a hamlet. That is through the hamlet funding formula.

We certainly don't provide to hamlets specific funds to do contracts. We do most of the contracts through CGS. Those contracts are bound by the NNI Policy. Hamlet contracts are not obligated to use the NNI Policy. Hamlets contract and do business usually with their own forces or with private business within the hamlet, if it exists, but certainly, we don't govern that. Those are all hamlet decisions. Thank you.

**Chairman** (interpretation): Thank you, Ms. Lausman. Before we proceed, let me remind the members and I have also been reminded to please ask questions on the appropriate page. If you have other questions or comments to make, you have that opportunity in the House. We are now on page J-6. I just wanted to remind you to stay on J-6. Are there any questions on page J-6? Ms. Ell.

**Ms. Ell:** Thank you, *Itsivautaaq*. (interpretation) I will try to keep my questions to page J-6. (interpretation ends) In June of last year, you tabled the

*Dry Cargo Resupply Program – Activity Summary Shipping Year 2010* in the Legislative Assembly and it indicated that a continuation of an RFP process gave the best combination of achieving price and service benefits for Nunavummiut while, at the same time, offering the opportunity for competitive tendering of service to each region.

It also indicated that an alternative dispute resolution approach to settling sealift claims by Nunavummiut against the carriers was implemented during the 2010 season. The ADR will replace litigation for small claims. Can you provide information on a number of claims that were under the alternative dispute resolution during the 2011 sealift season? Thank you, *Itsivautaaq*.

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

**Hon. Lorne Kusugak:** Thank you, Mr. Chairman. Thank you for the question, Ms. Ell. There were no claims on the time or issue she is asking to. Thank you, Mr. Chairman.

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

**Ms. Ell** (interpretation): I don't really have any further questions at this time. We're now moving on to the time when we need to order sealift during the summer in 2012. There were no dispute resolutions during 2011, which I am very pleased to hear. Sometimes the cargo is broken on its way up here. When they're trying to offload the cargo, sometimes they are damaged. I am very pleased to see that there were no claims. Maybe there were more claims in 2010. I was wondering why there were no

claims last year. Are there bigger claims that go through different procedures? Thank you, Mr. Chairman.

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

**Hon. Lorne Kusugak** (interpretation): Thank you. I was very happy to hear that there were no claims. If there was no agreement, there would have been a mediation process between the person ordering and the carrier. If the person who ordered had a concern once the shipment landed, they already had an agreement with the shipper and that's why the claims didn't go through. Some of the cargo that they received was slightly damaged. There is an agreement between the shipper and the person ordering. They resolve their issues on their own. That's why there were no claims. Thank you, Mr. Chairman.

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

**Mr. Ningeongan** (interpretation): Thank you, Mr. Chairman. I was just going to reiterate some comments I had made in my opening comments as the Chair for the Committee of the Whole.

Whenever members are asking questions outside of the matter under discussion, we tend to be slowed down by questions and requests for clarification that can be resolved via other avenues. That really slows down our review.

I do not have a question *per se*, but I wanted to comment on this issue and let us continue with this review of our Committee of the Whole of the 2012-13 CGS main estimates. Thank you.

**Chairman** (interpretation): Thank you, Mr. Ningeongan, for reminding us. Mr. Elliott.

**Mr. Elliott**: Thank you, Mr. Chairman. My question for J-6 in terms of government services, in the minister's department's business plan on page 169 at the top, it talks about Informatics Cooperative Training Program. There is \$240,000 that is allocated "To train beneficiaries, through a two year co-op program, for informatics positions in efforts to improve Inuit representation in the GN informatics workforce."

I'm just wondering if the minister could give us an update as of today, in terms of the two-year program, how many Inuit are being hired. Is this specifically in Iqaluit, where everything is sort of centralized, or is there training that goes on in the communities for individuals as well? Thank you, Mr. Chairman.

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

**Hon. Lorne Kusugak**: Thank you, Mr. Chairman. Good question, Mr. Elliott. We are working with Nunavut Arctic College on a two-year program to be able to deliver that program. Thank you, Mr. Chairman. I believe we already have hired staff to do that. Thank you.

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

**Mr. Elliott**: Thank you, Mr. Chairman. Also on page 169 of the department's business plan, under Property Services, in terms of managing GN office space, it reads on further about "administers leases and is responsible for disposal of real property assets."

Over the last couple of years, I know I have asked questions and some other members have raised a question about old abandoned GN buildings in our communities. Representing three communities, I get all hamlet councils telling me that it's an issue in their community.

I believe there was study that was being done at one point, in one of the answers I received from the minister, looking at all of the buildings and figuring out how much it would cost, and then disposing of the buildings properly. I'm wondering if the minister could give us an update on that so that I could report back to the hamlet. Thank you, Mr. Chairman.

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

**Hon. Lorne Kusugak:** Thank you, Mr. Chairman. We are still working on the issue of surplus buildings. As I had indicated earlier in previous sittings, there is a way that they are disposed of. They are given out for opportunity for other departments to access the buildings. Once the buildings are investigated to see if they're up to par, it goes to the municipalities, and so on and so forth. We're still working on finalizing the details of that.

With that, I mentioned during question period at one time about the RECAPP program. Once all that stuff is entered and stuff, we will have a lot clearer understanding of surplus buildings and what the statuses are on them, including those of his constituents. Thank you, Mr. Chairman.

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

**Mr. Elliott:** Thank you, Mr. Chairman. Again, that is an issue, I think. There are different stages of disrepair that buildings are in. I think one of the things we had mentioned and talked about in Arctic Bay was the idea of when the replacement health centre is built, using the old existing health centre for a community healing facility and whatnot. That was one issue and thank you for answering that.

I think specifically, though, for buildings that are abandoned... I think I was at one hamlet council meeting where one of the hamlet councillors was concerned because windows were broken on an old GN building, young children were playing inside, and they were afraid of someone being hurt and whatnot.

Maybe the minister could give us an update as to when decisions will be made on those buildings being torn down. Is there a procedure where the hamlet talks to someone within the community to get them boarded up again? Thank you, Mr. Chairman.

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

**Hon. Lorne Kusugak:** Thank you, Mr. Chairman. Very good question, Mr. Elliott. I know this a question and issue of concern in many municipalities. I know, when I was the mayor in Rankin Inlet, we tore down a few buildings that were causing the same thing, that there were too many kids playing in them and sometimes adults. So that is a very serious issue.

It takes a bit longer sometimes to deal with it because we need to find out whose building and who's responsible

for the building. There not always this government's infrastructure; sometimes they're the federal government's or private, and sometimes nobody knows who they belong to. We have to be careful in terms of determining whose building it is. If it is ours and we know that windows are being broken, then as soon as we find out, we will try to put up boards and what have you so that they don't cause a hazard to the community. Thank you, Mr. Chairman.

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

**Mr. Elliott:** Thank you, Mr. Chairman. Thank you for that answer. My next question is around property services and is based around the administration of the leases, specifically on the GN facilities that are leased to another company. I think a large number of them happen in 2017 or 2018. Will CGS be involved with the Assembly building when we approach the expiry date of this lease? Thank you, Mr. Chairman.

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

**Hon. Lorne Kusugak:** Thank you, Mr. Chairman. We will be, in some form or another, but we will not be the sole people responsible. I believe there would be Finance and probably the Legislative Assembly itself, CGS, and maybe others, but we would not be the only proponent in it. Thank you, Mr. Chairman.

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

**Mr. Elliott:** Thank you, Mr. Chairman. In terms of the information system and the backbone, I think, the WAN-MAN-

LAN that's being going on for a long while, I have been asking the Minister of Health specifically around electronic health records. With the report as chairperson of the committee on oversight of government operations and public accounts, I am quite concerned about privacy based around our electronic health records.

In the questions I asked the Minister of Health, I believe he said that it's actually CGS that handles the servers for our electronic health records. There are two servers here in Iqaluit and one in Ottawa. Specifically what I was wondering is: are GN employees maintaining and handling those servers or are they contracted out to a different company to provide that service for us? Thank you, Mr. Chairman.

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

**Hon. Lorne Kusugak:** He is correct, Mr. Chairman. Thank you for the question. There are two servers here and they are maintained by our staff. They're not contracted out, from what I understand. Thank you, Mr. Chairman.

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

**Mr. Elliott:** Thank you, Mr. Chairman. In terms of the actual ownership of the servers and whatnot, those are owned by the GN as well and not owned by a different agency or company. Thank you, Mr. Chairman.

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

**Hon. Lorne Kusugak:** Thank you, Mr. Chairman. He's correct. They are owned by the government. Thank you, Mr. Chairman.

**Chairman** (interpretation): Thank you, Mr. Kusugak. Mr. Elliott.

**Mr. Elliott:** Thank you, Mr. Chairman. Again, while we have you here, I was wondering if the minister could possibly expand on what type of protocols they have in place for privacy and, I think, just a bit of an explanation of how, possibly, he's working with Health and Social Services in developing the handling of the information.

I think we have come a long way from the day, I think it was a year or two ago, where we read either in the newspaper or heard on CBC about health records being faxed to the wrong office and things like that. It's a lot easier nowadays to pass information back and forth. When you're pressing a button to someone, you know whether it goes to the wrong person or is emailed to the wrong person.

Again, even within his own department, this was tabled in the Legislative Assembly the other day by Mr. Curley and it actually says "Highly confidential" on it. In terms of handling records and handling of documents, we're talking about people's personal health information and I want assurances to make sure that it is being protected. So maybe if the minister could explain what his department does in terms of the whole network of working together with Health and Social Services. Thank you, Mr. Chairman.

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

**Hon. Lorne Kusugak:** Thank you, Mr. Chairman. There is very limited access in terms of being able to access any of that information. There are very tight protocols. The department is working with Health and Social Services and others to make sure that the policies are in place and secure. There are secured staff, secured personnel, and we are constantly working with Health and Social Services to keep all the records confidential.

In terms of the issue of using his example of a tabled document, Mr. Chairman, I cannot get into that. I believe in confidentiality and if a previous minister or ministers take documents such as that and make it a public document, it is out of my hands, Mr. Chairman. Thank you.

**An Hon. Member:** A point of privilege.

**Chairman:** Mr. Curley.

### **Point of Privilege**

**Mr. Curley:** The point of privilege is that any document that I tabled as a member can be accessed through the Access to Information Act. It's not a cabinet document. I never had it in my possession as minister. It was delivered to me in a brown envelope at home, not even in my office. If the members want to debate that, I'm welcome to debate it. The members could put it into Committee of the Whole and I'll be glad to respond to it. I'm entitled to respond to it if they alluded to me or impugning what I did was not my privilege. Thank you, Mr. Speaker.



**Chairman** (interpretation): Thank you, Mr. Curley. (interpretation ends) I just need to clarify (interpretation) who you directed your point of privilege to. Mr. Curley.

**Mr. Curley:** Mr. Chairman, to the minister and also to the member from Quttiktuq, but I also have a second point that I wish to raise on the point of privilege. It was alluded earlier by the member from Nanulik... .

**Chairman:** Mr. Curley, for your information, if you are going on to something else, I have to deal with your first issue first. Thank you. To the point of privilege, do you have any comments? Mr. Elliott.

**Mr. Elliott:** Thank you, Mr. Chairman. I'm not sure how to respond. I was just pointing out that I'm concerned about our private information of Nunavummiut all across the territory in terms of how our information is handled and how it's not handled. Maybe this is a perfect example.

We are being told by the Minister of CGS that everything is fine and there are protocols in place. At the same time, this is an example of a document that has, as Mr. Curley pointed out, showed up on his doorstep in a brown envelope. How are we going to guarantee that our health records don't end up on someone's doorstep as well?

So I don't know what the concern is from Mr. Curley, but I did not mean or intend to infer that he was giving out cabinet secrets or giving out information he shouldn't. I was just trying to prove a point that I want to ensure that my residents in my constituency are

protected and have their health records secure. Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Elliott. Mr. Minister, do you have comments on the point of privilege? Minister Kusugak.

**Hon. Lorne Kusugak:** Thank you, Mr. Chairman. Thank you for the opportunity to respond. Mr. Chairman, the document, I understand, wasn't ATIPP'd. I'm sure it's ATIPP-able, but it wasn't ATIPP'd.

The discussions and details of the emails that went back and forth were from the Department of Health, of which he was minister of at the time. So if Mr. Curley didn't indicate that they were brought to him in a brown envelope, I just assumed that he was the Minister of Health at the time and that's how he got them. If I misunderstood him, I apologize. Thank you, Mr. Chairman.

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

**Mr. Curley:** Thank you. Mr. Chairman, that's why I think it's important that if the members wish to discuss that, they can request that it be tabled so that we can all respond to it. No, I would never do such a thing. I was no longer a minister when I was presented that. Thank you.

**Chairman:** Members, I'm sorry for the little bit of a delay here. I believe the Member for Rankin Inlet North has made a clarification on the document he has tabled. I also believe that all has been clarified and we will leave it at that.

Mr. Curley, your next point of privilege.

### Point of Privilege

**Mr. Curley:** My next point of privilege infringes on my right and entitlement to speak for 10 minutes on items related to public estimates, particularly Government Services on J-6. One of the amounts of services that Government Services provides is a procurement issue and Article 24 is really actually a procurement-related provision for Inuit firms.

The Member for Nanulik inferred, I believe, I was off the topic and creating a delay in the proceedings. I believe this debate is actually creating a sidetrack, not me, and I respectfully ask that my rights and privileges not be interfered with because the government services issues that I raised were all related to the procurement practices of the GN and required clarification from the minister.

I will continue to insist that my right as a member not be interfered with by any Member of the House. Thank you.

**Chairman** (interpretation): Thank you, Mr. Curley. (interpretation ends) Mr. Ningeongan, I will give you an opportunity to clarify.

**Mr. Ningeongan:** Thank you, Mr. Chairman. I was just simply trying to assist the Chair in reminding members that there are other avenues and other forums to deal with what was being put upon the Committee of the Whole. I just thought we went beyond the scope of what we were attempting to do here with the Department of CGS for the 2012-13 budget proposals.

I would also like to state for the record that at any time did I try to interfere with

any time that was allotted to Mr. Curley's time because it had already expired. So therefore, I was just trying to point out that the committee has a role to deal with the 2012-13 main estimates and that's what I wanted to continue on with given that we are quite behind.

I felt that if Mr. Curley misunderstood me, I apologize, but I also would like to state for the record that there are other avenues, like the Auditor General will be bringing up an issue on procurement next month. That would be an excellent opportunity to discuss those other issues that we have touched up on this evening. Basically that, Mr. Chairman. (interpretation) Thank you.

**Chairman** (interpretation): Thank you, Mr. Ningark. I'm sorry. Thank you, Mr. Ningeongan. Mr. Ningark, do you have comments on the point of privilege? Mr. Ningark.

**Mr. Ningark:** Thank you, Mr. Chairman. I came from the old school of thought and my opinions or statements may be outdated. So I agree with my colleague, Mr. Curley.

Under J-5, Branch Summary, Government Services, this is where safeguarding the government funds became very important. I don't mind adding a little bit of spice to this discussion, Mr. Chairman. In this House, when it comes to procurement of public funds, we have to safeguard the public funds. We have to look at different ways of efficiency and effectiveness and public confidence. So I believe that when Mr. Curley talks about this procurement, he wasn't getting off topic, he wasn't getting off the discussion on J-

5, and I believe the member is right.  
Thank you, Mr. Chairman.

**Chairman** (interpretation): Thank you, Mr. Ningark. (interpretation) I would like to confirm, Mr. Ningark, that you were talking about page J-6 and not page J-5, as you stated. Thank you, Mr. Ningark. Confirmed.

>> *Laughter*

(interpretation) Thank you. As the Chairman of the committee, I approve of the reference to Mr. Ningeongan's comment. They are in order. If Mr. Ningeongan was misunderstood, I agree with his apology. I believe that this has been resolved. Thank you.

I have Mr. Ningark on my list for this page. (interpretation ends) Mr. Elliott, I thought you were finished. My apologies. Mr. Elliott, continue, please.

**Mr. Elliott:** Thank you, Mr. Chairman. I thought I was finished too.

>> *Laughter*

With the discussion that just happened and the great debate that we just had, I think it's great that we have the opportunity to discuss these issues. I think I want to assure that I have trust in the Minister of Health and I have trust in the government. I also have trust in the officials here.

With that said, I know the minister had mentioned that they're working on the policies and working with Health and Social Services on it. That brings me hopefully to my final question, which would be: once the policies have been completed and gone through cabinet,

will the minister table them and allow us to have a copy to see what the policies actually are? Thank you, Mr. Chairman.

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

**Hon. Lorne Kusugak:** Thank you, Mr. Chairman. I, too, was hoping that was your last question, not this one but the one prior.

>> *Laughter*

Mr. Chairman, it's very important that the public documents that the government has, especially in terms of health and privacy issues, are that, that they are kept private and only to those who need to see them. We are working within the departments, all those responsible, to make sure that that is so. I thank you for your trust in me and my staff.

Once we have gone through and all the proper procedures are done in terms of the policies, they will be going through cabinet, and then they will be online. Thank you, Mr. Chairman. I hope that response [is enough].

**Chairman:** Thank you, Minister Kusugak. Continuing with my list is Mr. Curley.

**Mr. Curley:** Thank you. Mr. Chairman, it was made clear to one of my questions that there was a misunderstanding of my question when it related to sole sourcing municipalities with projects. I wasn't talking about statutory funding annual requirements.

There have been a number of projects. I made one example where projects,

during the construction season, have been funnelled through hamlets by direct transfer of funds. So thereby and the view of the business community is they're trying to bypass complying with Article 24. There were some discussions within the bureaucracy, that may be the case, but I'm just saying that as one that was alluded to me once.

If that is the practice, will the minister ensure that he relies on the public tender process for projects in order to allow that the best prices from the service industry are taken and the compliance requirements of the government are actually carried out? So that was the only thing I alluded to.

Your officials either misunderstood me or appear to indicate that the only thing that they transfer annually is the O&M funding through contribution agreements. I don't think that is just the case. I think there are many other funding programs that are channelled through the direct sole source. I call them sole source.

If you're going to transfer project funding, my understanding is the minister must have his signature on it, as the Municipalities Act allows you to. Thank you.

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

**Hon. Lorne Kusugak:** Thank you, Mr. Chairman. Whether Mr. Curley calls them sole source or not, sole source has to be sole source. CGS doesn't do sole source contracts with the municipalities. I hope it's clear that our government is not trying, in any way, to circumvent Article 24. We are constantly working

with Justice to try to determine the best way of doing business.

In terms of sole source contracts with the municipalities, CGS doesn't do that. We do have other departments within the government that does work with municipalities on different projects, but as for CGS and his question on that, everything is pretty much tendered out. We don't do sole source with hamlets. Thank you, Mr. Chairman.

**Chairman** (interpretation): Thank you, Minister Kusugak. I have no more names on my list for page J-6. (interpretation ends) Community and Government Services. Branch Summary. Government Services. Total Operations and Maintenance. \$73,306,000. (interpretation) Do you agree?

**Some Members:** Agreed

**Chairman** (interpretation): Thank you. Turn to page J-7. (interpretation ends) Branch Summary. Community and Government Services. Protection Services. Total Operations and Maintenance. \$5,606,000. Mr. Curley.

**Mr. Curley** (interpretation): Thank you, Mr. Chairman. I have several questions relating to this page. First off, I want to speak to the Emergency Measures Organization under this portfolio, Mr. Minister. I would like go back to my previous comments and in particular, our dedicated employee, whom we all know, Mr. Ed Zebedee, who seems to be working non-stop.

However, this matter that I believe should be reconsidered is the subject of my next question, especially with the people listening in throughout Nunavut.

I want to raise this policy currently used, specifically the three-day search requirement that applies to the SAR aircraft or the RCMP aircraft. Even when there is a helicopter available, the pilots don't want any involvement prior to the three-day air search that is required. In some situations, even that extra day can lead to very dangerous situations for the people who are lost.

A person with whom I've had the opportunity to call when there was a search underway in Rankin Inlet last spring and summer was unable to get involved due to this three-day policy. This was our emergency search and rescue coordinator. Perhaps the minister can speak to this issue and whether or not this matter can be revisited to include exceptions to the rule.

I believe that in certain situations, it would be better to have an exception as Inuit and the SAR teams have experience with dangerous situations, especially in inclement weather, whether it is the extreme cold of winter or the possibility of freezing rain in the fall. People wonder if the lost hunter has no supplies. In those cases, it can lead to dire straits. So I'm asking if this matter of exceptional cases can be looked into. Can the minister report on this issue when the issues have been resolved with respect to this policy?

Furthermore, the SAR teams are canvassed for their opinion when they are given training to improve their skills. We are very appreciative of that and I am always very happy to see this training being undertaken.

So if you could ensure that this policy is renegotiated, more people would be

pleased to have this resolved. It should be negotiated so that an exception can be made in certain situations. Thank you.

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

**Hon. Lorne Kusugak** (interpretation): Thank you for your question. I also thank you for acknowledging the search and rescue teams. Also, I know Ed Zebedee, who is always busy and never seems to stop working, and his team work very hard without sleep when there's an emergency to make sure that people are safe.

In regard to the comment you made, emergency varies and some are serious. You are more aware than I am of the fact that some hunters are in more danger than others when they need responses, especially if it's a serious emergency or they have gotten ill. There were people floating off on an ice pan yesterday or the day before. Without waiting, they went to do their search and rescue by helicopter.

Mr. Curley, we work on emergencies right away. We try not to wait according to how urgent it is. Thank you, Mr. Chairman.

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

**Mr. Curley** (interpretation): Thank you. I am very pleased to hear that. When the people hear you speak to that issue, they will be very pleased.

The reason why I made that comment is I was in Rankin Inlet in the summer when there was an emergency issue. The government and the RCMP couldn't do

their search and rescue, but the mining company had a helicopter. When I called the Meadowbank mine, the helicopter from the Meliadine mine arrived in less than half an hour. We really appreciate that and they found that individual. I was also in the helicopter at that time coordinating. (interpretation ends) So we need improvements coordinated.

(interpretation) Also, Mr. Chairman, for CG&S, I would like to see more search and rescue training and development of training guidelines for the communities to use. When we go out hunting, we don't use lifejackets and people rarely ever follow the procedures. Also, for winter emergencies, we now have fast snowmobiles and hunters don't even think about their safety and what the weather is going to be like. I would like to ask if you could coordinate more training to enhance it since there is some funding available.

I appreciate the fact that you discuss these issues with HTOs, but I believe that we need to do more because many people get lost while they are out hunting, especially young people. Thank you.

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

**Hon. Lorne Kusugak** (interpretation): Thank you. We are always sorry to see people getting lost on the land or sea. Even I have lost family members to the sea. In the past, we didn't have search and rescue teams in Nunavut. Search and rescue teams are quite new and the emergency measures are quite new. Some communities don't even have an emergency committee and we will continue to strive to work hard on that.

Also, the people who work under emergency measures work very hard because their priority is to find the individual who is lost. Our search and rescue teams are very dedicated and these teams in the community are volunteers, who are not paid to conduct SAR missions. Some of the teams conduct their searches in near zero visibility and we are extremely grateful for their dedication. With respect to their training needs, we will continue to look for more programs and I am being truthful with that remark. Last year, the SAR training program was delivered in ten different communities, with the teams being trained in various skills. I would like to see more.

As in the past, when snowmobiles were less fuel efficient, they were not able to go as far and the search area would be much smaller. In those days, when they estimated the range of the snowmobile, they would make a grid. Based on the range of the machine being used, that was their search area. Nowadays, the modern machines are capable of driving long distances on a single tank of gas. Many people have machines that can go from Rankin Inlet to Arviat on a single tank. That automatically increases the search area as the ranges have dramatically increased and makes it a lot more challenging. It is beneficial to have more efficient machines, but the result is that the search area is correspondingly increased.

In particular, we are setting up a training program that focuses on preparation, especially in asking people to be much more prepared in case they get lost or suffer equipment breakdown, to have the sufficient provisions to survive while the search is being conducted. That will be

the focus in our training. We want to request our hunters to be better prepared as there are now various search methods that can be utilized. This would be on top of the actual search mission. Thank you, Mr. Chairman.

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

**Mr. Curley**: Thank you. (interpretation) That is good to hear. As per my previous statement, I am aware of the progression of the search and rescue program, including the committees.

However, one thing I want to reiterate is that the communities should be provided more training, particularly the younger generation. Perhaps for our youth, that training ought to be offered in the high schools so that we can teach them earlier. For the older generations, perhaps we are not as open-minded. Even though technology exists that we can take advantage of, older people generally don't utilize the technology. Some younger people could benefit if the training was offered in the high school, such as emergency survival skills.

In cases where people get lost on the land, most people don't take shelter or go into sheltered areas. I know from personal experience that shelters can be built in most places. On the tundra, snow is all over the land. The snow may be softer in this area, so it is not the same. However, in our region, snow is readily available for conversion into a shelter. When people get lost in a blizzard, the tendency is to keep going whereas they ought to be building a shelter to await better conditions.

Due to that reason, I want the department to consider this idea of coordination for this training led by CGS. I wonder if the minister has considered this. Thank you.

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

**Hon. Lorne Kusugak** (interpretation): I imagine that would be a good initiative, especially if CGS is the lead department. However, it is a shared responsibility that should be taught by the parents as well as various Inuit organizations, such as NTI, who negotiated the land claims agreement to further the interest of Inuit in general and to protect Inuit culture, language, and customs. Perhaps that is something that could be a shared program, to have NTI work with the hunters under their programs to teach survival skills as that is part of the Inuit skill set.

We also have regional Inuit organizations that represent Inuit in their regions. I am not scolding them with these remarks. Perhaps this can be a joint initiative shared between our government and the Inuit organizations. I believe it has to be led by our Inuit organizations as this government doesn't have the resources to unilaterally take these actions under their wing, particularly matters related to emergency measures. We would be spread too thin if we tried to encompass everything within this area.

I concur with your idea, but we have to try to determine if this is a shared responsibility. As Inuit, we ought to be working with our parents, relatives, elders, NTI, and RIAs, and to cooperate

on this type of training to offer our youth. Thank you, Mr. Chairman.

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

**Mr. Curley** (interpretation): Thank you. I am quite glad to hear that response and the public is listening to that idea. Perhaps this is a good initiative to debate because we need to ensure that our youth are protected as we have a number of youth we could teach.

I know for a fact that if an individual learns to build an igloo, then they can be in a shelter in less than an hour. When you are lost, your first priority has to be shelter and you ought not to stay outside even if the blizzard is not that strong as you can dry your clothing while you wait for the weather to subside. For that reason, I agree with you that NTI should take part in doing prevention work because we're losing people who could have been prevented from being lost.

Another matter related to this is some people are getting lost due to their dependence on technology. However, the new technology can't smell the lost person. In some cases, the person who is lost will see the snowmobiles close to their location. If they use dog teams, the dogs would have smelled the person and turned towards them.

There are already GPS devices in vehicles that we use. I have seen people wondering if they're heading north. Why are we not using them with snowmobiles? Compasses can be installed. People who get lost out there don't even know which direction they're at, whether it's north, south, east, or west. Perhaps you should try that within

your office to have those GPS devices so that more lives can be saved and they're not too expensive. Thank you.

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

**Hon. Lorne Kusugak** (interpretation): Perhaps tie a dog to our snowmobile.

>> *Laughter*

Mr. Chairman, this is a very important issue. I know that many all-terrain vehicles now have GPS devices. GPS devices are already available. Perhaps the manufacturers of snowmobiles are listening, I'm sure that they would be interested in that. They're already in the ATVs. Thank you, Mr. Chairman.

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

**Mr. Curley** (interpretation): Thank you. Perhaps it would be astonishing if it's too expensive, but that one measure would not be too expensive. When we ask the hunters to use GPS and bring along SPOT devices, volunteers find it hard to do so. Perhaps you can write a letter to them and ask them what they think. I'm sure the manufacturers can help because not too many of this equipment is sold here. Thank you.

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

**Hon. Lorne Kusugak** (interpretation): Thank you, Mr. Chairman. We will be able to consider his request. Thank you for asking the question in regard to this issue.



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

**Mr. Rumbolt:** Thank you, Mr. Chairman. My questions are along the same lines as Mr. Curley's. As the minister stated a little while ago, as recently as this past weekend, three hunters were successfully rescued from drifting ice in Igloolik. According to the news article, one of the reasons that helped them get rescued successfully is because they had a satellite phone while they were hunting.

In his opening comments, he stated that there were 163 searches for 281 individuals. How many of the 163 searches were successful because the SPOT or satellite device was used by hunters? Thank you, Mr. Chairman.

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

**Hon. Lorne Kusugak:** Thank you, Mr. Chairman. Approximately 25 percent of the searches were because of SPOT activation, of that 163. Thank you, Mr. Chairman.

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

**Mr. Rumbolt:** Thank you, Mr. Chairman. How does your department monitor the use of the SPOT device for use in search and rescue? Thank you.

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

**Hon. Lorne Kusugak:** Thank you, Mr. Chairman. For those that are owned by the government that have been sent out to the municipalities, I believe there is an

activation that goes to our emergency services department, and then it's gone through that. In terms of the personal ones, we're contacted by the individuals who press that SPOT device or their families who call us and say that this went off. Thank you, Mr. Chairman.

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

**Mr. Rumbolt:** Thank you, Mr. Chairman. In the minister's opening comments, he stated, "We will continue our efforts to promote the use of SPOT devices and increase awareness of the value of being prepared when going out on the land or water." What is your department doing to increase the awareness of the importance of using the SPOT device in the communities? Thank you, Mr. Chairman.

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

**Hon. Lorne Kusugak:** Thank you, Mr. Chairman. As I said earlier, we are putting together some advertisements or plans to do an awareness campaign, so we will be working on that.

In the bigger picture, Mr. Chairman, we are at, I must say, a very preliminary stage of taking a look at possibly having the government look at taking care of the activation fees of SPOT devices. I'm not saying it's going to happen, but we're looking at that. There are people out there, Mr. Chairman, who can afford a SPOT device, but they don't have credit cards or means of paying the annual fees, nor do some people have telephones or cellphones or Internet or a place to get them activated.

So we're taking a look at the broad picture on this, Mr. Chairman, to see if there is a way that the government could get involved where you buy your own personal device and then if you need the help, the government would help out in terms of the activation, and so on and so forth, the bigger picture on that. Thank you, Mr. Chairman.

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

**Mr. Rumbolt:** Thank you, Mr. Chairman. I know that these devices come at a cost and like the minister said, some people can afford to buy their own but some people can't. I'm just wondering if his department has any contact with NTI about, under the Hunter Support Program, if they would be willing to provide SPOT devices to the HTOs so that hunters can buy them at a cheaper cost. Thank you, Mr. Chairman.

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

**Hon. Lorne Kusugak:** Thank you, Mr. Chairman. Not yet, but only because we're still at our preliminary planning stage. Once we start to put numbers down and start ironing out some of the issues that may arise, once we get past that, I think it would be a great opportunity for things such as the Hunter Support Program to help in terms of purchasing some of the equipment. Again, we're speaking very broadly and there could be opportunities for that. I hope something like that would come in the future.

In terms of our department, we're still at the preliminary stage in trying to figure

out what the costs would be and what kinds of details we would want. You wouldn't want one number because it would be busy all the time. So there are some things to work out and we're at that stage. I hope we could be able to proceed. His idea is one great one and we will take that into account. Thank you, Mr. Chairman.

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

**Mr. Elliott:** Thank you, Mr. Chairman. In the department's business plan on page 172, the priority for 2011-12 was developing territorial emergency plans. I know, in some of the questions that were asked in the House and some of the updates that the minister gave us, that all of the plans were created across the territory. It was just a matter of hamlet councils to approve them. I'm wondering if he could give us an update as to whether all hamlet councils have approved the plans across the territory. Thank you, Mr. Chairman.

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

**Hon. Lorne Kusugak:** Thank you, Mr. Chairman. We have approved 18 and hope to have the rest, if not most of the rest, by the end of the week. Thank you, Mr. Chairman.

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

**Mr. Elliott:** Thank you, Mr. Chairman. Thank you for that answer. Next, in terms of fire protection and employment in the fire marshal's office, my understanding is there are three positions across the territory. I was wondering if

the minister could correct me on whether there are three positions, if those positions are filled and, if they're not, how long they have been vacant. Thank you, Mr. Chairman.

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

**Hon. Lorne Kusugak:** If I could have Kathleen answer the details on that in terms of the positions and vacancies. Thank you, Mr. Chairman.

**Chairman:** Ms. Lausman.

**Ms. Lausman:** Thank you, Mr. Chairman. There are actually eight positions within the fire marshal's office and they are in varying communities throughout Nunavut. Four positions are filled right now and four are vacant. We've got a contractor, I think, fulfilling one of those position duties as well. Thank you.

**Chairman** (interpretation): Thank you, Ms. Lausman. (interpretation end) For the record, I did recognize you. Mr. Elliott.

**Mr. Elliott:** Thank you, Mr. Chairman. In this year's priorities for 2012-13 on page 173 of the business plan, it talks about the draft policy and standard operating procedures relating to emergency measures and the *Fire Prevention Act*. I'm just wondering: in terms of the standard operating procedures in dealing with fire prevention, is that how, if there is an emergency, the situation is taken care of or what does that entail? Thank you, Mr. Chairman.

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

**Hon. Lorne Kusugak:** Yes, Mr. Chairman. Thank you, Mr. Chairman.

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

**Mr. Elliott:** Thank you, Mr. Chairman. Is this a review of policies that were already there or are these new policies and we've never had standard operating procedures before? Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Elliott. Minister Kusugak.

**Hon. Lorne Kusugak:** Thank you. Could I have, through you Mr. Chairman, Ms. Lausman respond to the details? Thank you.

**Ms. Lausman:** Thank you, Mr. Chairman. We keep updating and revising standard operating procedures for many reasons. We've got changes going on within the territory. We've just simply drafted new emergency management plans and it's important that folks know how to practise and know how to respond in the case different types of emergencies. It's important that we have those standard operating procedures updated so that we've got people current, knowing who to contact, how, where, and what to do. Thank you very much, Mr. Chairman.

**Chairman** (interpretation): Thank you, Ms. Lausman. (interpretation ends) For the record, I wanted to recognize you, but there were technical difficulties. Mr. Elliott.

**Mr. Elliott:** Thank you, Mr. Chairman. In terms of search and rescue, I think we provide training to all of the... I guess we provide services to them as well. Some of the members had mentioned the SPOT devices and whatnot. I'm just wondering: in terms of what seems to be going on and the number of searches that seem to be increasing, is there going to be more education within the school system possibly? I think Mr. Curley was alluding to that.

Times are changing and the ice is changing. I'm wondering if being more proactive and making more awareness for people when they are going out on the land to prepare properly so that an accident or a search is not needed, whether that would be more cost effective than just doing the search once someone is actually out and lost. Thank you, Mr. Chairman.

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

**Hon. Lorne Kusugak:** Thank you, Mr. Chairman. Thank you for the question. We do have training out there for our search and rescue volunteers. I believe there's like \$250,000 that's admitted through the Municipal Training Organization.

In terms of training and more of a public awareness program, we are working on those things. We would like to be able to deliver them to as young as they can get, I guess. Prevention is key. We spend a lot of money on searching for people. If we can put a bit more money in terms of public awareness, then we would save lives that way too. Yes, we want to put a campaign out there to decrease the

number of searches that have to be conducted. Thank you, Mr. Chairman.

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

**Mr. Elliott:** Thank you, Mr. Chairman. Last year, a number of countries went together to work with Canada, the federal government, in terms of working on protocol for search and rescue. It was signed, in terms of jointly, how different countries would work together.

I'm wondering if we could get an update from the minister on what our role is as a territory in Nunavut. We have a lot of coastal waters and a constant debate or fight between internal and external waters. I'm wondering how your department is working with the federal government to work with that new protocol that has been put in place. Thank you, Mr. Chairman.

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

**Hon. Lorne Kusugak:** Thank you, Mr. Chairman. That's way above us. That's being dealt with by the federal government and through the Arctic Council. If anything, we have observer status on that, Mr. Chairman. Thank you.

**Chairman** (interpretation): Thank you, Minister Kusugak. (interpretation ends) Moving on. Mr. Oshutapik.

**Mr. Oshutapik** (interpretation): Thank you, Mr. Chairman. I would like to make a comment on this page. Having been involved myself, I have a particular feeling about what the local search and rescue needs are. There are different policies that we have to adhere to in

Nunavut, depending on our individual needs. We haven't been told to become searchers and rescuers, but we do so as volunteers.

Search and rescue operations in Nunavut, especially in Pangnirtung, usually supply their own snowmobiles in the winters. During the summer, they use their own boats. I believe this is the same everywhere else. I believe that because they're not provided with equipment, this limits their capabilities. Any equipment they provide themselves are never replaced either. There are usually not any monies provided for equipment for search and rescue organizations in Nunavut.

What equipment is provided to us is not intended for local use. The six- or eight-wheeled all-terrain vehicles are unused in our community. One would have thought that communities would be given those vehicles based on the characteristics of each community. We are told that we have to use this certain equipment, an all-terrain vehicle. Once we have completed the use of it, it's moved to another community. This thing weighs about 700 to 900 lbs. That was information I just wanted to pass on.

As a searcher, I have used the search and rescue devices as they came out and we have become accustomed to operating them. Of these, there are quite a number that are unusable just because many volunteers don't know the English language. They can be used only by those who know English. I have asked for training programs to be provided so that I can provide the training myself. I have written proposals on more than one occasion to access some funds to set up training programs for hunters or search

and rescue volunteers. I would like to see a training program by your department so that anyone who requires those devices will be able to use them.

SPOT devices are easy to master and it looks like that is what you would be distributing, which I am pleased about. GPS devices are also very good equipment to use as well as cellphones when there is a person lost out there. Sometimes we don't know the name of the place where the individual is located. So there has to be training programs to use GPS or other devices and also to learn the place names of areas near our communities. Is it possible for your department to look at those types of training programs some time in the future?

Around here, as a search and rescue organization, we are only provided equipment that can be used in the winter and summer, but in the fall or spring, when you can't use skidoos on the land or boats in the water, there is not much you can do when somebody gets lost out there. I was thinking about possibly having hovercraft that can be used even on thin ice. They would be far more useful than the six-wheeled all-terrain vehicles, at least in our community. I wanted to mention that because they can be used during those two seasons when the ice is too bad or when it's just forming.

I would like to see some type of pilot project where we can use hovercraft because the six-wheelers are simply useless here. They just sit around and break down just out of disuse. It's a question and you can respond to it, but then again, it's more of a statement. I would like the possibility of acquiring

such equipment as hovercraft that can be manned by two people to be placed as a priority of your department, if it is at all possible. Thank you, Mr. Chairman.

**Chairman** (interpretation): Thank you, Mr. Oshutapik. He talked for quite a while. Minister Kusugak, if you can remember all of his comments, you can respond if you wish to do so.

**Hon. Lorne Kusugak** (interpretation): Thank you. Training programs on devices like GPS will have to be provided by fully Inuktitut-speaking instructors. It goes without saying that this will be seriously considered.

With respect to your other comment, if we can't use the six- or eight-wheel all-terrain vehicle in your community, we will consider shipping it to another community where it can be used.

In terrain such as thin or thick ice, the use of hovercraft could very well be ideal. The craft you're talking about that can travel on top of water and propeller-driven are not cheap. The rubber sheathing that keeps the air in is vulnerable to ripping. The models we see in operation in the south are large models and they look extremely efficient and have been widely reported on in a positive light. However, the price for these machines is very high. We would have to research to see if hovercraft are feasible and, of course, we need to keep our options open that would allow us to operate in dangerous conditions

Personally I have never seen what the best solution is for what we need here in the north. If we need to, we can investigate this to see if it would be a good option. Thank you, Mr. Chairman.

I hope I have responded to the member's question.

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

**Mr. Oshutapik** (interpretation): Thank you, Mr. Chairman. Since there is no specific Inuktitut terminology for hovercraft, I had to describe the machine. I'm trying to talk about a machine that I believe is called a water plane, that has the hull of a boat and is equipped with a fan in the back, but they are not hovercraft. These are different types of machines and I believe they are called water planes. They average about \$15,000 to \$18,000 in price and they could be utilized during certain periods. I'm aware of the high prices that hovercraft command, but I was not specifically referring to them. That was not what I was referring to.

What I was speaking of are those swamp boats that are used in the warm climates, that we see on television on various shows, which are used in marshy, swampy areas where the water is too shallow. That is what I was trying to mention. I am unsure of the exact term, but I believe that the term may be a water plane. Based on your response about hovercraft, I was not referring to them but these swamp boats with fans in the back. Thank you, Mr. Chairman. (interpretation ends) This is just clarification.

**Chairman** (interpretation): Thank you, Mr. Oshutapik. Thank you for your clarification. Minister Kusugak, do you have any additional comments?

**Hon. Lorne Kusugak** (interpretation): Thank you. I thank him for that clarification. Thank you, Mr. Chairman.

**Chairman** (interpretation): Thank you. I understand now what you were talking about. Ms. Ugyuk.

**Ms. Ugyuk** (interpretation): Thank you, Mr. Chairman. I also have a question. If the minister cannot respond, perhaps the Minister of Health and Social Services can provide a response.

In the community health stations, they have to undertake emergency action for which they request air ambulance services, for example, if a person is suffering from a seizure or as a result of an accident. However, I believe there are policies that state that in these cases, they should not be sent out due to the fact that they are not protected if they had to attend to accidents or seizures. Can this be clarified? The reasoning is that some people feel that they are being abandoned if the nurses are unable to attend to these people who are in that situation within the community. Is this the case? Thank you.

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

**Hon. Lorne Kusugak** (interpretation): I thank Ms. Ugyuk for asking that question and for asking whether that's the responsibility of the Department of Health. Yes, perhaps if the Minister of Health and Social Services responded to that question, it would be more appropriate as this does not fall under our mandate. We do not deal with health matters or in delivering these cases to the health centres. Thank you, Mr. Chairman.

**Chairman** (interpretation): Thank you, Minister Kusugak. (interpretation ends) Minister Peterson, are you prepared to answer this? Mr. Kusugak.

**Hon. Lorne Kusugak** (interpretation): Thank you, Mr. Chairman. Maybe it would be better if she could ask that question during question period. I would like to conclude my department if at all possible. I would like to proceed with my department and conclude it if that's okay with you, Mr. Chairman. Thank you.

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

**Ms. Ugyuk** (interpretation): Thank you. Perhaps I should ask about the emergency preparedness plan in the communities. In my constituency, some people are concerned about the nurses not being able to pick up patients to the nursing station. Is it my understanding that it is policy that nurses cannot go and pick up patients? I believe this is part of the emergency preparedness plan and I want to ask if that is indeed the case. Thank you.

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

**Hon. Lorne Kusugak** (interpretation): Thank you. If there should be an emergency in the communities, preparedness issues cover a whole variety of emergencies. For example, if there should be an electrical outage, flooding, and other emergencies, they're situations that the government and hamlets would have to address. I'm sure not everyone is going to be pleased, but this is part of the policy.

Possibly the hamlet could have discussions with the nurses about this issue some time in the future and look at how they can resolve it. Thank you, Mr. Chairman.

**Chairman** (interpretation): Thank you, Minister Kusugak. Moving on. Mr. Ningark.

**Mr. Ningark** (interpretation): Thank you. I have a very brief question. Thank you, Mr. Chairman, for recognizing me. The search and rescue organizations are a foundation in our communities. They are the first responders when someone is lost or when there is an emergency.

In Repulse Bay, I was asked who was responsible for funding those types of organizations and my response was that it's the hamlets that seem to have the money. My question under grants and contributions is: can the monies be accessed by the hamlets to be used by the search and rescue operations or do they have to do fundraising to fund themselves? Thank you, Mr. Chairman.

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

**Hon. Lorne Kusugak** (interpretation): Thank you for that question. We provide money under the emergency program in Nunavut. Thank you, Mr. Chairman.

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

**Mr. Ningark** (interpretation): Thank you. How much money is allocated to smaller communities like Kugaaruk and Repulse Bay, or is there an agreement between the hamlet and CGS to provide

those monies to such organizations?  
Thank you, Mr. Chairman.

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

**Hon. Lorne Kusugak** (interpretation): Thank you. They're not given funding. Thank you, Mr. Chairman.

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

**Mr. Ningark** (interpretation): Thank you. I believe you told me they weren't provided money in the first place, but the communities find it hard to raise funds. For example, in Kugaaruk, there was an individual who was lost and was never found. People in the community got together to help out the search and rescue operation with assistance from other communities like Taloyoak and Repulse Bay. Are they actually not provided money by the government?  
Thank you, Mr. Chairman.

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

**Hon. Lorne Kusugak** (interpretation): Thank you, Mr. Chairman. I thank Mr. Ningark for that question. They have to be a non-profit organization and the money they get has to be used by their organization. They need a board, policies, and terms of reference, and do their bookkeeping. They can only access funds that way, but I can get back to the member and give him an update on the amount that they can receive if he wants more information. Thank you, Mr. Chairman.

**Chairman** (interpretation): Thank you, Minister Kusugak. Moving on. Ms. Ell.



**Ms. Ell** (interpretation): Thank you, Mr. Chairman. Some of the questions were asked, but I would like further clarification on search and rescue operations.

We always try to make sure that the organizations are available when one of our relatives is lost. They are volunteers and they use their own equipment like snowmobiles, qamutiks, and so on, in the winter and in the summer, they have to use their own boats and other equipment required.

At times, a volunteer will lose equipment. The minister seemed to indicate some type of a policy, but what happens if a volunteer loses equipment? Are there any funds or insurance programs set to be used by such organizations as search and rescue organizations? How does it work? Thank you, Mr. Chairman.

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

**Hon. Lorne Kusugak** (interpretation): Thank you, Mr. Chairman. We have gone through this on certain occasions. We look at it on a case-by-case basis in terms of the incident, what happened, and so on. There is a whole variety of things they can go by. We look at it on a case-by-case basis. Thank you, Mr. Chairman.

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

**Ms. Ell** (interpretation): Thank you, Mr. Chairman. I thank the minister. If they lost their equipment like a snowmobile, qamutik, or some other piece of equipment, would that lost item be

replaced or would it just be reviewed?  
Thank you, Mr. Chairman.

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

**Hon. Lorne Kusugak** (interpretation): Thank you, Mr. Chairman. As I stated earlier, there are different incidents that happen. We look at it on a case-by-case basis. If it's required, then we replace the equipment, but we look at each incident on a standalone basis. Thank you, Mr. Chairman.

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

**Ms. Ell** (interpretation): Thank you, Mr. Chairman. I don't have a lot of questions left. I was also asked a question about the fire marshal and what he does in Nunavut. A lot of us aren't exactly sure what the fire marshal does. Does he have to inspect buildings or houses to make sure they have proper exits, fire extinguishers, and so on? For our information, could the minister explain what the fire marshal does? Thank you, Mr. Chairman.

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

**Hon. Lorne Kusugak**: Thank you, Mr. Chairman. The Office of the Fire Marshal does not have the authority to inspect privately-owned apartment buildings without the consent of the owner or occupant or a warrant. As the Office of the Fire Marshal has no authority in this area, it has no knowledge of inspection frequency.

The landlord has an obligation to meet the code adopted by the city. The lessees

also have obligations within the terms of the lease. The Office of the Fire Marshal is not privy to these documents.

The City of Iqaluit has a by-law regarding building permits and inspections. They also have a building inspector who does the inspections. Thank you, Mr. Chairman.

**Chairman:** Thank you, Minister Kusugak. Ms. Ell.

**Ms. Ell** (interpretation): Thank you, Mr. Chairman. I also thank the minister. This will be my last question. There was an announcement saying that we were going to be getting new building codes. Is there something in there which states that houses should have more than one exit? Thank you, Mr. Chairman.

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

**Hon. Lorne Kusugak** (interpretation): Thank you, Mr. Chairman. I will review the building codes and get back to the member because I can't recall exactly what the details were. Thank you, Mr. Chairman.

**Chairman** (interpretation): Thank you, Minister Kusugak. We are on page J-7 at this time. Mr. Curley.

**Mr. Curley** (interpretation): Very briefly and just for further clarity regarding the fire marshal, I believe he was in Rankin Inlet and has since moved here. Perhaps you can describe that briefly.

In compliance with regulations under your duties, the vehicles are owned by the hamlets. If you're going to be

ordering a fire truck, is it under the fire marshal's budget or is it under the hamlet's budget? (interpretation ends) Thank you.

**Chairman:** Thank you, Mr. Curley. Minister Kusugak.

**Hon. Lorne Kusugak** (interpretation): Thank you. It doesn't go through the fire marshal's office; it goes through the capital plans and we deal with that during the budget session. Thank you, Mr. Chairman.

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

**Mr. Curley** (interpretation): Thank you. The reason why I asked that question is the fire marshal's duties and responsibilities are outlined under legislation and those laws are quite complicated. For example, if there should be an infringement and a fire reignites again causing loss of life, it goes under the fire marshal's liability coverage, even though local fire crews are already covered. Could you do a review and consolidate all of these and put them under the fire marshal's responsibilities?

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

**Hon. Lorne Kusugak** (interpretation): Thank you, Mr. Chairman. They are separate and there is a rationale for that. Local fire departments are independent from the fire marshal's office, which similarly has to be independent. It has never occurred to me to consolidate them into one unit out of concern that they have to be treated separately. That's

how I would respond to that question.  
Thank you, Mr. Chairman.

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

**Mr. Curley** (interpretation): I believe the fire marshal has flagged this. In accordance with case law, the fire marshal's office is liable if things were not dealt with properly. There have been court proceedings in the provinces where the fire marshals in Canada have to be aware that they're subject to liability if a fire crew didn't properly extinguish a fire. As an example, there could be a court case should an individual lose their personal property or house. I'm just using that as an example.

In the provinces, most of the fire departments and the fire marshals' office operations seem to be consolidated administratively. Could the minister look at this issue and look at consolidating the fire marshal's office and the fire department? If I should ask any fire-related question about who would be responsible for fire prevention, we know that the fire marshal's office doesn't have anything. Under the law, he is responsible. I don't think he does too much on fire prevention. Is that the case?

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

**Hon. Lorne Kusugak** (interpretation): Thank you, Mr. Chairman. You're talking about the fire marshal and the fire department. The fire department is standalone and so is the fire marshal's office. Hamlets have fire departments while we have the fire marshal's office, which is administered under the fire code. They are not the same.

(interpretation ends) The fire marshal is focused on prevention and the fire department is focused on firefighting.  
(interpretation) Thank you, Mr. Chairman.

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

**Mr. Curley** (interpretation): Thank you. What is guiding the fire department? Is it through legislation or through the Municipal Act? (interpretation ends)  
Thank you.

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

**Hon. Lorne Kusugak** (interpretation): Perhaps Kathleen can speak to the details. I'll have my deputy minister respond to that, Mr. Chairman.

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

**Ms. Lausman**: Thank you, Mr. Chairman. In Nunavut, most of the firefighting capability is actually volunteers and it's in communities. Our fire marshal focuses on a lot of training of all these volunteer firefighters in fire departments in each community.

The city is governed a little differently and they're structured a little differently. Certainly, the obligation for firefighting rests with the municipal jurisdictions. There is support provided by the fire marshal's office through training, through prevention, and equipment in this case too. Thank you, Mr. Chairman.

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

**Mr. Curley** (interpretation): Thank you. I believe that should be reviewed, along with operations so that there will be no confusion as a result of consolidation. It seems difficult to consolidate them. If there is a huge fire, who has the authority to try to put it out? Is it the local fire department or would the fire marshal take charge? Normally authority over a private home in case of a fire is transferred. (interpretation ends) Is it to the fire department or to the fire marshal? Thank you.

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

**Hon. Lorne Kusugak**: The fire department. Thank you, Mr. Chairman.

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

**Mr. Curley** (interpretation): The fire department would take over the authority, but I believe the fire marshal has the responsibility for the final reporting. I'm sure the fire marshal has to sign off on the final report. Is that the case? (interpretation ends) Thank you.

**Chairman**: Thank you, Mr. Curley. Minister Kusugak.

**Hon. Lorne Kusugak** (interpretation): Thank you, Mr. Chairman. Once the fire has been put out, the fire marshal starts working on the report. Thank you, Mr. Chairman.

**Chairman** (interpretation): Thank you, Minister Kusugak. I have no more names on my list. We are on page J-7. Branch Summary. Community and Government Services. Protection

Services. Total Operations and Maintenance. \$5,606,000. Do you agree?

**Some Members**: Agreed.

**Chairman** (interpretation): Thank you. Turn to page J-8. (interpretation ends) Community and Government Services. Branch Summary. Capital Planning and Technical Services. Mr. Aupaluktuq.

**Mr. Aupaluktuq**: Thank you, Mr. Chairman. In consistence with some of the questions I had asked in the House, I just want to ask this question as well while we are on this subject on J-8. The hon. minister's departmental business plan in 2011-12, bullet No. 3, indicates that there is an update and the status reads, "CGS, in consultation with AANDC and NAMA, continues to work with municipalities to establish procedures to assist municipalities in complying with their water licence requirements." That was on page 175, third bullet.

My question, Mr. Chairman, is: as of today, what is the status of the establishment of procedures that are intended to assist our municipalities, and are they complying with their water licences? Thank you, Mr. Chairman.

**Chairman** (Mr. Ningeongan) (interpretation): Thank you, Mr. Aupaluktuq. Minister Kusugak.

**Hon. Lorne Kusugak**: Thank you, Mr. Chairman. We are continuing to work on that bullet. Thank you, Mr. Chairman.

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

**Mr. Aupaluktuq:** Thank you, Mr. Chairman. As well, in the business plan on page 176, the fifth bullet and the priorities as well, and if I am out of line you may correct me, sir, priorities of 2012-13 indicate that there's a work plan under the Municipal Wastewater Effluent Strategy. That's also with the compliance of the mandate of the Canadian Council of the Ministers. I want to ask the department where this strategy currently stands and what the next steps the department will make. Thank you, Mr. Chairman.

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

**Hon. Lorne Kusugak** (interpretation): Thank you, Mr. Chairman. Dalhousie University is now reviewing the Municipal Wastewater Effluent Strategy in Nunavut. We believe that after four years, it will be reviewed and tests will be conducted to determine the best practices for communities to implement the Municipal Wastewater Effluent Strategy. Thank you, Mr. Chairman.

**Chairman** (interpretation): Thank you, Minister Kusugak. Thank you. I was given a reminder that we were going to sit into extended hours until eight o'clock tonight. Once Mr. Aupaluktuq completes his question, we will go back to Mr. Ningark and to Mr. Elliott if that's okay with the committee members.

Supper is ready. After the break, we will get back to Mr. Aupaluktuq. Are you finished? We will start off with Mr. Ningark when we come back from supper. Is that agreeable?

**Some Members:** Agreed.

**Chairman:** *Qujannamiik*, committee members.

*>>Committee recessed at 18:02 and resumed at 18:32*

**Chairman** (Mr. Enook)(interpretation): We can now resume. Thank you, Mr. Ningeongan, for taking over for a bit. We're on page J-8. I don't know why everybody seems to be bigger than earlier on. I don't know what we just did.

Mr. Ningark, if you would like to proceed.

**Mr. Ningark** (interpretation): Thank you, Mr. Chairman. I thank the minister and his officials. I just want to ask for some clarification on page G-8, Capital Planning and Technical Services, with regard to asset life cycle management. The minister is responsible for community governments and I want to ask him a question. If I'm out of line, please correct me. I don't know if it's under this page or not, but it's called the gas tax rebate in English. I wonder if it's under that page. I remember the government was going to visit the communities. If it's not under there, I apologize ahead of time. Thank you, Mr. Chairman.

**Chairman** (interpretation): Thank you, Mr. Ningark. Minister Kusugak, please clarify that to him.

**Hon. Lorne Kusugak** (interpretation): It's not under this page, Mr. Chairman. I'm sorry.

**Chairman** (interpretation): Thank you, Minister Kusugak. Moving on. Mr. Elliott.

**Mr. Elliott:** Thank you, Mr. Chairman. My first question is in regard to the RECAPP database and what his department has been doing over the past, I think, two years. I was wondering if we could get an update as to whether all the communities have been visited yet and whether the database has been completed. Thank you, Mr. Chairman.

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

**Hon. Lorne Kusugak:** Thank you, Mr. Chairman. We are just starting the condition assessments, Mr. Chairman. Thank you.

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

**Mr. Elliott:** Thank you, Mr. Chairman. So how many communities have been visited? Thank you, Mr. Chairman.

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

**Hon. Lorne Kusugak:** Mr. Chairman, to date, just Iqaluit. Thank you.

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

**Mr. Elliott:** Thank you, Mr. Chairman. Okay, I guess I'm confused. I thought the RECAPP program had been... . My understanding was that it's an ongoing process and information has been collected over the years, and now what's happening is every five years or something, you redo it and you're going around the communities to assess what's in the communities. Do I have a wrong understanding of what this is? Thank you, Mr. Chairman.

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

**Hon. Lorne Kusugak:** Thank you, Mr. Chairman. Maybe I could get Kathleen to elaborate a bit on that. Thank you, Mr. Chairman, if you would allow my deputy. Thank you.

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

**Ms. Lausman:** Thank you, Mr. Chairman. RECAPP is a fairly large database and there's a fair bit of preparation that's required to actually harmonize all the data in the same fashion it needs to go into it, all the faceplate data, basic location information, size, the type of building, and that kind of stuff. So all of that needs to be set up properly in the database, and then the condition assessments begin. It starts with different components of each building, it starts with the site, it starts in the foundation, building envelope, building systems, and so on, and each building is looked at for its condition and its age and serviceability. So it's a fairly intense bit of work.

The time it has taken thus far is just preparing the database properly so that once they start doing condition assessments, they capture the information in the same way for every building so it can be input into the database, and then be analyzed and tracked over time. So it's a lot of front-end work for preparing how the information needed to be gathered. Thank you, Mr. Chairman.

**Chairman:** *Qujannamiik*, Deputy Minister Lausman. Mr. Elliott.

**Mr. Elliott:** Thank you, Mr. Chairman. In terms of Iqaluit being finished, how long do you anticipate it taking to have all the communities covered? Thank you, Mr. Chairman.

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

**Hon. Lorne Kusugak:** Thank you, Mr. Chairman. We're anticipating completion by the end of next year. Thank you, Mr. Chairman.

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

**Mr. Elliott:** Thank you, Mr. Chairman. I had some questions around the Nunavut community integrated sustainability plans. I know, in questions that I have asked in the past and other members have asked, you had said that these documents are working documents, where hamlets will change them as priorities change and as hamlet councils change.

One of the things that I don't see with these plans is the mechanism... I realize the plans need to be done to help figure out where money needed to be spent and to get more organized in communities deciding what their priorities were, and then it was also a mechanism to help with gas tax as well, but I don't see how. If you have a hamlet changing the plan, what's in place to have the department know that there has been a change? Thank you, Mr. Chairman.

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

**Hon. Lorne Kusugak:** Excuse me, Mr. Chairman. We have a very good communication flow, I think, with the municipalities. If the priorities of the municipalities should change, they would communicate with us through their mayor, through their SAO, through NAM, through the Community Infrastructure Advisory Committee, to name a few. There is a lot of communication between our department and the municipalities. They would let us know if their priorities would change. Thank you, Mr. Chairman.

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

**Mr. Elliott:** Thank you, Mr. Chairman. So in terms of all hamlets have been instructed that when they do make the changes to their Nunavut community integrated sustainability plans, they know what that process is, whether they send it. Do they do a formal motion in hamlet council saying that it is?

Again, maybe it's because I'm not at the municipal level, but I don't see. Maybe he could expand on what that communication flow is. Again, in speaking to my mayors, I really think it needs to be emphasized a bit more, when they make changes, what they should do with that. I would be willing to help communicate that back to the mayors as well. Thank you, Mr. Chairman.

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

**Hon. Lorne Kusugak:** Thank you, Mr. Chairman. Maybe I should have added earlier that our department is in the process of hiring a sustainability coordinator to help the communities

implement and maintain their ICSPs. So that individual and individuals in that sector would be a great tool to ensure that... . What's key here is that the document is living and the coordinator or coordinators, at the end of the day, would ensure that communication is flowing where it needs to.

I hope that clarifies the question. Thank you, Mr. Chairman.

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

**Mr. Elliott:** Thank you, Mr. Chairman. Thank you for that answer. That does definitely clear that missing link. I did sort of not understand where the flow between the communities and his department was.

On page 175 of the business plan, one of the priorities for 2012-13 is, it says on the second bullet, "To continue to explore P3 opportunities for infrastructure." I was just wondering if the minister could expand on that. I know we've had meetings and allocated capital dollars for the P3 for the Iqaluit airport, but I wasn't aware of any other opportunities for P3 projects across the territory. Thank you, Mr. Chairman.

**Chairman:** Thank you, Mr. Elliott. Minister Kusugak.

**Hon. Lorne Kusugak:** Thank you, Mr. Chairman. He's correct. There are no other ones at this time, but it's important to keep options and availabilities open with our federal counterparts, Mr. Chairman. Thank you.

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

**Mr. Oshutapik** (interpretation): Thank you, Mr. Chairman. In regard to the main estimates, the building maintenance is decreasing from \$25.1 million in 2011-12 to \$24.9 million in 2012-13. I would like to know what accounts for this decrease. Thank you, Mr. Chairman.

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

**Hon. Lorne Kusugak:** Thank you, Mr. Chairman. (interpretation) We are talking about transferring small funds to other categories and that is the reason for this item. Thank you, Mr. Chairman.

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

**Mr. Oshutapik** (interpretation): Your department's draft 2012-15 business plan provides an update on one of its 2011-12 priorities, which is to "Implement new Capital Planning Process. The new Capital Planning Process was developed and will commence in fiscal year 2013-14." Can you indicate how the criteria for ranking capital projects will change and how this new capital planning process will benefit municipalities? Thank you, Mr. Chairman.

**Chairman** (interpretation): Thank you, Mr. Oshutapik. Perhaps you can identify which page it is on so that the minister can reply to your question.

**Mr. Oshutapik** (interpretation): I'll say it in English so that it's understandable.

(interpretation ends) Your department's draft 2012-15 business plan provides an update on one of its 2011-12 priorities,



which is to “Implement new Capital Planning Process.” The status indicates, “The new Capital Planning Process was developed and will commence in fiscal year 2013-14.” Can you indicate how the criteria for ranking capital projects will change and how will this new capital planning process benefit municipalities? (interpretation) Thank you, Mr. Chairman.

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

**Hon. Lorne Kusugak** (interpretation): Thank you, Mr. Chairman. Perhaps Kathleen can speak to the details.

**Chairman**: Ms. Lausman.

**Ms. Lausman**: Thank you, Mr. Chairman. I don’t actually have all the criteria here with me. There are three of them. One is health and safety. The other is economic development to the community. There are three of them and we can certainly provide those.

The idea behind the capital planning process is that we actually pull together technical information around what the problem is. If we have, for instance, a lagoon and we think we need a new lagoon, we want to know what size that lagoon has to be, we want to know the soil conditions, where it needs to be located, and we want all of that information in hand so that we can do a proper budget estimation for the project before it goes forward for consideration. Part of the problem we have right now is that we don’t have all of that technical detail.

We identify projects with class “X” budgets and they usually are not correct,

and then it takes time to get the information. So we have a budget that gets carried over year after year, it causes problems to the government, and then we may not, in fact, have an accurate cost estimate once we do all the studies. So this process is intended to improve accurate information about projects before they actually go through FMB for approval. Thank you, Mr. Chairman.

**Chairman**: *Qujannamiik*, Deputy Minister Lausman. (interpretation) I have no more names on my list for page J-8. Community and Government Services. Branch Summary. Capital Planning and Technical Services. Total Operations and Maintenance. \$33,838,000. Do you agree?

**Some Members**: Agreed

**Chairman** (interpretation): Thank you. Turn to page J-9. It is just an information item, but you may ask questions on this page. Mr. Curley.

**Mr. Curley** (interpretation): Thank you. This is on the sale of petroleum products which are increasing every year. The question I have, Mr. Chairman, is on the Petroleum Products Division’s contracts for the delivery of petroleum products in the communities across Nunavut. Did they actually have to go to tender in 2011? (interpretation ends) Thank you.

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

**Hon. Lorne Kusugak** (interpretation): Yes, Mr. Chairman, they had to be tendered.

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

**Mr. Curley** (interpretation): Thank you. I won't be asking questions regarding the tendering process.

I was not pleased when the manager who worked for 28 years at PPD was fired. I don't like to see this occur. Normally an evaluation has to be done when someone is going to be fired. I was quite concerned when that was done. His mother had passed away not too long after and the individual had no job to look forward to. I was quite concerned about that because it forced his family to go through hardship.

I was thinking that PPD is responsible for contracts out of Rankin Inlet. Was that job taken out because they had to transfer the responsibility for contracts to headquarters? Is that part of it?

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

**Hon. Lorne Kusugak** (interpretation): Thank you, Mr. Chairman. There is an agreement in regard to the question that the member is posing. I don't really want to talk about this issue, but I can say that the individual who was no longer working at PPD has nothing to do with this issue that you are questioning. It has nothing to do with that, Mr. Curley. I can tell you that we cannot speak to the issue because there is an agreement. Thank you, Mr. Chairman.

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

**Mr. Curley**: Thank you. (interpretation) To date, that position is still vacant and

the headquarters took over the contract. Who made that decision?

**Chairman**: Thank you, Mr. Curley. Minister Kusugak.

**Hon. Lorne Kusugak** (interpretation): Thank you, Mr. Chairman. PPD is responsible for delivering contract services. They just followed the procedures. Thank you, Mr. Chairman.

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

**Mr. Curley** (interpretation): The fact is that PPD in Rankin Inlet was no longer responsible for what I'm trying to describe. Turning to my next question, PPD provides fuel distribution and delivery services in 27 communities. Some of these services are provided by independent contractors on behalf of PPD. How many requests for proposals for fuel contract services did the GN issue in the year 2011?

**Chairman** (interpretation): Thank you, Mr. Curley. Before the minister responds, Mr. Curley, so you can help me and the officials here, please acknowledge us when you finish speaking. Minister Kusugak.

**Hon. Lorne Kusugak** (interpretation): Thank you, Mr. Chairman. If I understood the question, there were 25 RFPs for fuel distribution and delivery services in all the communities. Thank you.

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

**Mr. Curley** (interpretation): So there were 25 RFPs. Which communities were

the RFPs issued for? (interpretation ends) Which communities? Thank you.

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

**Hon. Lorne Kusugak** (interpretation): All the communities received an RFP. Thank you, Mr. Chairman.

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

**Mr. Curley** (interpretation): As of today, how many of the government's fuel distribution contracts are held by co-operatives? Thank you.

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

**Hon. Lorne Kusugak** (interpretation): Thank you, Mr. Chairman. I don't know how many contracts are held by co-ops or other businesses. I don't have the details in front of me, Mr. Chairman. Thank you.

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

**Mr. Curley** (interpretation): Are there more fuel delivery contracts being held by co-ops or are there fewer, or are there more held by other companies in Nunavut?

**Chairman** (interpretation): Thank you, Mr. Curley. I don't want to keep reminding you, Mr. Curley, but you should let us know when you are finished so that our technical staff will know what to do. Thank you. Minister Kusugak.

**Hon. Lorne Kusugak** (interpretation): Thank you, Mr. Chairman. I don't know whether the Co-ops are holding more contracts or if it's the others. Thank you, Mr. Chairman.

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

**Mr. Curley** (interpretation): Maybe your deputy minister knows how many contracts are being held by co-ops. Are you going to be able to table that information in the House when you have the numbers? Thank you, Mr. Chairman.

**Chairman**: Thank you, Mr. Curley. Minister Kusugak.

**Hon. Lorne Kusugak** (interpretation): Thank you, Mr. Chairman. My officials sitting next to me said that they didn't know either when I asked them. If they would have known, I would have told you. I'm not pulling your leg, Mr. Curley. Once I have the information, I will get back to your question. Thank you.

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

**Mr. Curley** (interpretation): The reason why I'm asking that is because it was handled by headquarters. How many members were on the evaluation committee with respect to the RFP? (interpretation ends) Thank you.

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

**Hon. Lorne Kusugak** (interpretation): The Department of CGS worked with Petroleum Products Division employees during the review of the contracts and

followed the criteria that were required. I don't know how many people were doing the review, but I will make sure to inform the member once I have that information. Thank you.

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

**Mr. Curley**: Thank you. (interpretation) For further clarity, I will read it in English. (interpretation ends) Prior to the closing date for requests for proposals, how does the department determine the need to issue an addendum to the RFP? (interpretation) Thank you.

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

**Hon. Lorne Kusugak**: Thank you, Mr. Chairman. (interpretation) We use the addendums when required. We follow all the criteria that are required in the procurement process. It is standard practice to meet the criteria in the tendering process. Thank you, Mr. Chairman.

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

**Mr. Curley**: Thank you. Are all the members of the evaluation committee employees of the Department of CGS or does it include representatives from other departments? (interpretation) Thank you.

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

**Hon. Lorne Kusugak**: My understanding is that they are employees of PPD and procurement, but I would have to reconfirm that, Mr. Chairman.

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

**Mr. Curley**: Thank you. If the training is required, and we believe it is, what training is provided to members of the evaluation committee with respect to the methodology for applying adjustments under the NNI Policy?

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

**Hon. Lorne Kusugak**: Yes, Mr. Chairman, thank you. The training would be done through procurement. Mr. Chairman, maybe Ms. Lausman can elaborate a bit on that. Thank you, Mr. Chairman.

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

**Ms. Lausman**: Thank you, Mr. Chairman. The training on the application of the NNI Policy is actually a requirement from the NNI Secretariat. The current process that's used for RFP documents has been in place for a while and has been used a lot by the procurement section. They're the ones most knowledgeable about how it's actually applied and on what points, and they also provide some assistance and training on that part of it. Thank you.

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

**Mr. Curley**: Was the compliance for the NNI Policy required for those RFPs? Thank you.

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

**Hon. Lorne Kusugak** (interpretation): Yes. (interpretation ends) Thank you, Mr. Chairman.

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

**Mr. Curley:** With respect to the formal contracts that are signed with contractors to provide fuel distribution services, who signs each contract on behalf of the government, the deputy minister of the department or other officials? Thank you.

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

**Hon. Lorne Kusugak:** Thank you. The deputy minister. Thank you, Mr. Chairman.

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

**Mr. Curley:** Thank you. Was the deputy minister involved in the evaluation process? Thank you.

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

**Hon. Lorne Kusugak:** Thank you, Mr. Chairman. No, Mr. Chairman. Thank you, Mr. Chairman.

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

**Mr. Curley:** Did the deputy minister ever discuss with you as to who should be awarded those contracts?

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

**Hon. Lorne Kusugak:** Thank you, Mr. Chairman. Never. Mr. Chairman, I don't decide who gets the contracts. The minister should not decide who gets the contracts. That's decided through the procurement process. Mr. Chairman, I would never have such conversations with Ms. Lausman. Thank you, Mr. Chairman.

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

**Mr. Curley:** On how many occasions during the past 12 months has the fuel distribution contract award been appealed through the government's NNI Contracting Appeals Board? Thank you.

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

**Hon. Lorne Kusugak:** Once, Mr. Chairman. Thank you, Mr. Chairman.

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

**Mr. Curley:** On how many occasions during the past 12 months has a contract award recommendation from the RFP evaluation committee been rejected?

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

**Hon. Lorne Kusugak:** None, Mr. Chairman.

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

**Mr. Curley:** Thank you. How does the department monitor and enforce a contractor's performance and compliance with the terms and

conditions of its fuel distribution contract, if any?

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

**Hon. Lorne Kusugak:** Thank you, Mr. Chairman. They are monitored through the contractor's manual, Mr. Chairman. Thank you.

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

**Mr. Curley:** Thank you. On how many occasions during the past five years has a fuel distribution contract been terminated by the government prior to the expiration date of the contract due to default of the terms and conditions of the contract?

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

**Hon. Lorne Kusugak:** Thank you, Mr. Chairman. I believe the department had to do that once. Thank you, Mr. Chairman.

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

**Mr. Curley:** Thank you. With respect to my first question, why was it necessary to issue an RFP? My belief was that it was essential. If it was essential, it would have been to seek the best price and performance. Are you achieving that right now? Thank you.

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

**Hon. Lorne Kusugak:** Thank you, Mr. Chairman. Contracts, such as these, need

to go to market. To get as good a market that we could get, they need to go out there. I believe we are getting the best value for service at this point, Mr. Chairman. Thank you.

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

**Mr. Curley:** Thank you. In one community, a number of planes have diverted routes due to the failure of the fuel delivery truck. Are you aware of that? Thank you, Mr. Chairman.

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

**Hon. Lorne Kusugak:** Thank you, Mr. Chairman. I don't want to assume which community my colleague is alluding to, but I could hazard a guess.

Mr. Chairman, it happens on occasion. Some communities' fuel delivery equipment may break on occasion or for one reason or another, they may not be able to dispense fuel. Unfortunately, Mr. Chairman, it does happen on occasion. Thank you, Mr. Chairman.

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

**Mr. Curley:** Thank you. I think it's really quite critical for the safety of the travelling public, including medevac airlines, that the fuel delivery be prompt and immediate when needed. The minister indicated earlier that he's provided with a compliance report, and so on, from those contractors. It doesn't appear to be the priority in ensuring that compliance report requirements be submitted to the department. Why is that so? Thank you.

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

**Hon. Lorne Kusugak:** Thank you, Mr. Chairman. I don't know where my colleague is coming from. We do try to ensure that all things are complied to. There is no underhanded work going on here, Mr. Chairman. It's quite the contrary. We put out a public tender and seek the best dollar for the service. I think some people are going to get the contract and, unfortunately, some are not.

It does happen. Our equipment sometimes does break down. When it does, we give as early a warning as we can to all the airlines. In this case, if we're talking about airline fuelling, as my colleague talked about, we do let the airline companies know. If it's the people who provide medevacs, who provide charter services and regular scheduled planes, we let them know as soon as we know that there is going to be fuelling issues. We try to rectify that problem as soon as possible. We do, on occasion, have fuel trucks that do freeze. They do break down. We try to avoid that at all times and we try to get those problems rectified as soon as possible, Mr. Chairman.

Our department does what it can to make sure that all the checks and balances are in place and are above board. I would like to assure my colleague that. Thank you, Mr. Chairman.

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

**Mr. Curley:** Thank you. I, too, would like to have the assurance and confidence of the department. It appears

to be that there is a perception that the government's preferred contractor being one organization, the Arctic Co-ops and co-ops, and that doesn't appear to give fairness to other contractors.

Having said that, Mr. Chairman, on one occasion, an airline had to pump fuel directly out of drums. The permission, presumably, was granted by CGS, as required by the agreement. Why did CG&S provide approval to deliver fuel directly from the pump without a proper filtering system?

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

**Hon. Lorne Kusugak:** Mr. Chairman, I don't know what he's talking about. He could make assumptions, he could make allegations, but I can't respond to allegations. We don't have that kind of detail. He should know that.

The best we could have done is what we did. The Co-op happened to take some of the contracts. They didn't win them all. There are non-co-ops out there that have the contract. Unfortunately, my colleague doesn't agree with it, but there was no collusion or there were absolutely no inner workings of any kind from CG&S procurement and PPD to keep individuals from getting contracts nor did they work in any way to make sure that any individuals got the contract. That was simply not done.

Those allegations are not real, Mr. Chairman. I assure you that. Thank you.

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

**Mr. Curley:** Thank you. I don't make false statements. I will never do that.

**An Hon. Member:** Neither will I.

**Mr. Curley:** It was reported and it was actually seen, and it was a driver who made that known.

Mr. Chairman, in one community, there were three service fuel delivery trucks. Right now, the two are seriously broken. They're down to one. Is the minister aware of that? Thank you.

**Chairman:** Thank you, Mr. Curley. Minister Kusugak.

**Hon. Lorne Kusugak:** Thank you, Mr. Chairman. I don't have that kind of detail on me, Mr. Chairman. Thank you. I just want to say that I, too, don't make false allegations. Thank you, Mr. Chairman.

**Chairman** (interpretation): Thank you, Minister Kusugak. We are page J-9. Are there any questions? Ms. Ugyuk.

**Ms. Ugyuk** (interpretation): Thank you, Mr. Chairman. While we are on this page, I wanted to say that the Co-op in Taloyoak was awarded the PPD contract last fall. I think there was a bit of discomfort on the awarding of that contract to the Co-op. Is it operating smoothly or how long is the probationary period when you first award a contract to a company? The hamlet has expressed a lot of dissatisfaction with the Co-op. Thank you.

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

**Hon. Lorne Kusugak** (interpretation): Thank you, Mr. Chairman. There is an orientation program for all companies that are awarded contracts. I'm sure that the same process took place in Taloyoak. Thank you, Mr. Chairman.

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

**Ms. Ugyuk** (interpretation): Thank you, Mr. Chairman. The Co-op doesn't have a garage for their mobile equipment and they've had problems with the fuel trucks freezing. Has that been fixed? Thank you.

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

**Hon. Lorne Kusugak** (interpretation): We don't have information on existing infrastructure in communities for contractors' use. I will look into that and get back to the member. Thank you, Mr. Chairman.

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

**Ms. Ugyuk** (interpretation): Petroleum contracts and other contracts have a fairly large impact in the communities. I believe the social impact of the contracts is not taken into consideration in favour of the benefits. In our community, this is causing a dispute between the supporters of the Co-op and private businesses. I wonder how long an assessment will be done to determine if the Co-op is operating the contract properly. We're not informed how long the probationary period will be to determine whether a contract will remain in effect. I would like to know if the contractor has problems. Thank you, Mr. Chairman.



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

**Hon. Lorne Kusugak** (interpretation): Thank you, Mr. Chairman. I thank the member for bringing up that issue. I concur with the member that not all bidders will be happy with the awarding of any contract that becomes available. The winning bidder is generally very happy and the losing bidder is unhappy. So whoever loses the bid is generally quite unhappy.

In some cases, long-time contractors have lost their contracts. The contracting process has to be open to all bidders and they should be able to bid on these contracts. We can't always keep on giving the contract to the previous contractor. That's just the way it is. After five years, a contract will be reopened for bidding and at that time, the bidders who may have lost the previous contract may apply. If the previous contractor loses, no doubt someone will be unhappy about it.

There has to be an open process whenever government funding is involved, Mr. Chairman. It's unfortunate that losing bidders are unhappy about not winning the contract. That's just the way it pans out. Contracts are reviewed and they also check the contract contents to ensure that all of the provisions are being followed. If they're not complied with, we would have to go through that process in order to find out what else we need to do. Thank you, Mr. Chairman.

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

**Ms. Ugyuk** (interpretation): I thank the minister for his responses. I would like

to raise this question based on my understanding. Arctic Co-ops has an agreement with the board of the local co-op as business partners. The board, with the urging of Arctic Co-ops, from what I understand, decided to make a bid for the contract. Although the community as a whole is not bidding, the Co-op board assumed that they had won the contract.

I am a resident of Taloyoak and the Co-op is owned by local people in the community. It's quite embarrassing to see that there is a feud going on in our community over this fuel contract. Although it applies to heating fuel, jet fuel, and gasoline, am I correct in understanding that Arctic Co-ops has an agreement with the Nunavut government? Have they now turned around and come up with an agreement with the local co-op? I would like to get clarification on that, please. Thank you, Mr. Chairman.

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

**Hon. Lorne Kusugak** (interpretation): I didn't quite get what she was saying. When the request for proposals was opened, the local co-op did apply. If you're referring to Taloyoak, the Taloyoak Co-op did bid. The Nunavut government didn't go to the Co-op and ask them to bid on the fuel contract. That did not happen. When the Co-op saw the request for proposals, they submitted a proposal on their own. In this case, the Taloyoak Co-op won the proposal after all bids had been reviewed. Thank you, Mr. Chairman.

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

**Ms. Ugyuk** (interpretation): Thank you, Mr. Chairman. As the people of Taloyoak, we have been told that Taloyoak is run by Arctic Co-ops. They seem to be denigrating the Co-op for having taken the proposal away from the existing contractor.

It seems that Arctic Co-operatives, which is based in Winnipeg, convinced us in the community to bid on this proposal. Although the NNI Policy speaks about Inuit majority ownership, it seems we're being run by outsiders who manage these operations from a southern location. That is why I want to understand a bit more about the fuel distribution contract that was awarded last fall. Thank you, Mr. Chairman.

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

**Hon. Lorne Kusugak** (interpretation): Thank you, Mr. Chairman. As I stated earlier, this is how the bid process was done. As to the particulars of the residents of Taloyoak, I have no say in that because we have no control over what people do. What I can tell you is that they made a bid in the tender process and that's all I can say. Thank you, Mr. Chairman.

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

**Mr. Curley**: Thank you. (interpretation) I just have a short question. I want the minister to be fully aware that I first raised a question about the reason why this tender was undertaken. You're always looking for the best bidder, especially when you have a number of contracts that are the same.

Perhaps they're following the criteria, but the minister doesn't seem to think that bidders are complying. The bids are not low enough. There are performance measures that may be diverted. For example, passengers had to wait two hours for the plane to be refuelled on its way to Iqaluit. It ended up causing a delay, even though one of the newest fuel delivery trucks was used. It had a breakdown and it's now in a very dangerous situation.

We're not trying to state that certain bidders are not complying with the contract, yet the minister still refuses to believe that these actual cases are true. How can we convince the minister? (interpretation ends) Thank you.

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

**Hon. Lorne Kusugak**: Thank you, Mr. Chairman. (interpretation) Mr. Curley is now accusing me of not believing his statement. Did I say that I don't believe his statement? Mr. Chairman, I never said that. If that person believes that we shouldn't have gone through the public tendering process, is he saying we should sole source the tender? What is the member trying to state? All of these contracts have to go through a public tender so that anyone in Nunavut who is eligible may bid on a contract.

If we were to follow Mr. Curley's recommendations, then the contractors who won the previous bid would continue to be the winning contractors. That is unacceptable. We are working with public funds, Mr. Chairman. I never stated that I didn't believe those comments. What I stated was that when the contract is not being adhered to, we

can terminate the contract. If a fuel truck breaks down and the jet plane isn't being refuelled, we can't just change our mind then and take away the contract.

Mr. Chairman, we're not just going through the motions with these contracts; we're following them to the letter of the law. This is not a frivolous matter, Mr. Chairman. A contract has to be open to everyone. It's very unfortunate that some bidders don't win, but we have to follow the tendering process. However, if a contractor is unable to fulfill their contract and they're not fulfilling the terms and conditions of the contract and if we have to remove them, then we will remove them. If we have to make changes, we will, Mr. Chairman. Thank you.

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

**Mr. Curley** (interpretation): Thank you. The minister stated his displeasure, saying these are false allegations. Am I the one making false allegations? No and it isn't just me. These are the facts that I mentioned. I asked if he receives the reports (interpretation ends) in my prepared questions. (interpretation) I asked if they receive compliance reports. He said that he didn't know. He stated that he wasn't aware of the details nor did the officials sitting next to him. Perhaps they're all not being briefed fully.

The service has become unreliable, even when in danger. Are you aware of that? That is our question. We're very serious and I'm not saying that it is being treated trivially. We're not cooking up falsehoods because there has to be compliance. The contractors, including

the ones in Taloyoak, (interpretation ends) must fill out the forms (interpretation) whenever there are problems and sent immediately to CG&S. It turns out that some contractors don't have to do that. Why? (interpretation ends) Thank you.

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

**Hon. Lorne Kusugak**: Thank you, Mr. Chairman. (interpretation) I can no longer understand what the member is trying to say. Following his questions, we tried to respond fully. We receive monthly reports on the contracts and compliance to them, and we review those. I don't want to bother answering his accusations. Thank you, Mr. Chairman.

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

**Mr. Curley** (interpretation): I'm not expecting a response since the minister is clearly not aware of the details. What we're trying to state is if safety becomes an issue and they're not complying with safety measures, then it can become a very dangerous situation. If the previous contractors had similarly acted, that would have been taken seriously. Apparently the situation now is deemed acceptable and that things are going smoothly. If we're mistaken, then that's something we regret, but it's not intentional. I wanted him to know that.

Again, I would like to refer to the NNI Contracting Appeals Board's dissatisfaction about the contract being awarded that way and you didn't accept its recommendations, despite their accuracy. So the reasons why he didn't

listen to the appeals board's recommendations are expected by many people. The NNI Contracting Appeals Board didn't take their role lightly, but you rejected their recommendations, which we tabled. So why didn't you listen to the NNI appeals board? You said it had gone through that board because of compliance requirements on RFP issues. Thank you.

**Chairman** (interpretation): Thank you, Mr. Curley. I'm not sure if you're asking about petroleum products, but I will allow Minister Kusugak to respond.

**Hon. Lorne Kusugak**: Thank you, Mr. Chairman. (interpretation) I totally disagree with Mr. Curley because I'm informed about whatever I need to know. I don't get into such details as the ones the member refers to because they're not always available immediately.

Mr. Chairman, virtually all vehicle owners have experienced mechanical breakdowns. Just because some equipment fails doesn't mean a contractor will have their contract terminated. Regulations on fuel are stringent and are constantly being updated as best as possible. I have heard of only two cases where there were submissions to the appeals board with regard to past fuel contracts.

I agree with the member on his statement about the NNI appeals board having a disagreement. We agreed with their first recommendation and will be moving ahead with it. We also agreed with the second recommendation and we want it to be complied with. However, we didn't agree with the third recommendation that the contract should

be terminated and re-tendered. As well, the NNI appeals board couldn't agree on that particular issue. We had an option of not agreeing with that recommendation and we chose not to. That is where it stands.

Perhaps I didn't provide enough response for Mr. Curley. Thank you, Mr. Chairman.

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

**Mr. Curley** (interpretation): Thank you. I know that he doesn't want to be asked about this particular issue any further, but he is a minister representing all of Nunavut and all Nunavummiut have the right to the information. We respect that and we are aware of it. There is no need to find anyone who is more capable; he's got a lot of assistants sitting next to him.

With respect to the appeals board, there is nothing written that the NNI Contracting Appeals Board has to have unanimity in making their decision. I'm saying the truth. Even the courts don't always agree unanimously. Majority rules in this process. In the NNI appeals process, it doesn't mention that the minister has to agree with their recommendations. There are various reasons for the board making recommendations.

The board had noted there were too many problems in their operations and thought it best to have the contract re-tendered. That's what we're questioning. The government should have reopened that contract and re-tendered it. When there are a lot of mistakes made in the contract, the government shouldn't just accept it. Thank you.

**Chairman** (interpretation): Thank you, Mr. Curley. I don't think I heard a question, but if you would like to make a comment. Minister Kusugak.

**Hon. Lorne Kusugak** (interpretation): Thank you. I'm trying to look for that information. I can state, however, that we felt that the appeals board had made a mistake regarding the recommendations. We have the right to think that way.

Mr. Chairman, I have no problem whatsoever in responding to being questioned. I will not tire of being asked questions, Mr. Chairman. I'm the minister holding this portfolio and I have to answer questions directed my way. I'm not tired of any questions. I can say that when we awarded the fuel distribution contracts, we followed the required procedures. We can't make everyone happy and we can't please everyone who puts in a bid.

I can tell you that the people who work in the contracting and procurement division work to the best of their ability. We will review all the contracts that have been awarded to make sure that they follow the procedures. If there is non-compliance, we will investigate and make changes where necessary in the Petroleum Products Division and others. Thank you, Mr. Chairman.

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

**Mr. Curley** (interpretation): Thank you. In regard to NNI appeals board and the petroleum products contracts, I believe the appeal report has been the most complete in detail, including an addendum. If some of the information

wasn't given to all parties, sometimes they changed the requirements. The appeals process made a good recommendation. It was understandable. There were too many inconsistencies and parts of NNI were improperly applied. That is why I asked if the NNI Policy is applied when they put in RFPs. Why did they not adhere to it? Thank you, Mr. Chairman.

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

**Hon. Lorne Kusugak** (interpretation): Thank you, Mr. Chairman. The addendums and all the information in the RFP was provided to all the bidders. Everyone was treated equally. No one was discriminated against. I don't want to just argue about this issue. The government didn't deny anyone. If we needed to make addendums, we did so and treated everyone who put in a bid equally and fairly, and that is clear. When it came to the application of the NNI Policy, we tried to adhere to it to the best of our ability. Thank you, Mr. Chairman.

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

**Mr. Curley**: Thank you. (interpretation) In trying to adhere to the policy, there was an appeal made on a medevac contract in the Kitikmeot. During the appeals board's review, the previous contractor, Adlair, went ahead because the government approved to do so. However, there was an appeals process initiated on the fuel delivery contract. The new contract that was awarded to a new company was started right away. How come there was inconsistency between the two?

In one case, we have the previous contractor continuing and only after the appeals board was finished, the contract was finally awarded. Why did the Petroleum Products Division make a decision like that? Thank you.

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

**Hon. Lorne Kusugak** (interpretation): Thank you, Mr. Chairman. The Department of Health and Social Services is responsible for that contract. We went ahead with this particular contract, even though there was an appeals process initiated. Thank you, Mr. Chairman.

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

**Mr. Curley**: Thank you. (interpretation) There was already a precedent. So why didn't the government use that precedent? The government claims it treats everyone equally. Why did the government then proceed with the contract awarding while ignoring the appeal that had been initiated? Why was it done that way? Thank you.

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

**Hon. Lorne Kusugak**: Thank you, Mr. Chairman. (interpretation) My deputy will respond to that. Thank you.

**Chairman** (interpretation): Thank you. (interpretation ends) Deputy Minister Lausman.

**Ms. Lausman**: Thank you, Mr. Chairman. We're talking about two different contracts here. We can speak

for the PPD one. The appeals board rulings are not binding on government and that's right within the policy. In this case, we had the appeals board decision reviewed by a procurement lawyer. We were advised by them that the appeals board had erred in their review of this and had made mistakes. On that point, we were advised not to change the award of the contract. Thank you, Mr. Chairman.

**Chairman**: *Qujannamiik*, Deputy Minister Lausman. Mr. Curley.

**Mr. Curley**: Thank you. I was expecting that to be pointed out. That non-binding provision doesn't mean that the minister should not comply with the recommendation. Would I be correct in saying that?

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

**Hon. Lorne Kusugak**: If I could have Ms. Lausman answer that. Thank you, Mr. Chairman.

**Chairman**: Ms. Lausman.

**Ms. Lausman**: Thank you, Mr. Chairman. The reason the appeals board process isn't binding is because these contracts must be fair, open, and transparent and they must be awarded according to proper procurement law. That was the desire of seeking a legal opinion to make sure that that was followed so that we did not err in awarding a contract inappropriately. Thank you, Mr. Chairman.

**Chairman**: *Qujannamiik*, Deputy Minister Lausman. Mr. Curley.

**Mr. Curley:** Thank you. I understand what Madam Lausman is saying, that they must comply with the procurement law. The procurement law, in this case, is the NNI Policy. It is really quite clear that the appeals board indicated that there were inconsistencies. It was implied even through the finance minister's statement that they're going to make it more consistent, assuming that it hasn't been applied consistently by the contract manager, which, in this case, is CG&S. Why not make it consistent so that the evaluation can have criteria that are transparent? Thank you.

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

**Hon. Lorne Kusugak:** Thank you, Mr. Chairman. I believe that when the finance minister was speaking to the concern of consistency and stuff that he was referring to, some people in the business community had issues with it and that it was not necessarily the issue of this government. Thank you, Mr. Chairman.

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

**Mr. Curley:** Thank you. I think I have constantly indicated that Article 24 is above territorial law. If there are any inconsistencies, and I read that provision, the agreement shall prevail.

I'm not even sure sometimes that government officials respect that provision. They believe that the contract and procurement laws, whatever they are, what I call civil law, the courts have arrived at are superior. Not in this case because Article 24 is sanctioned by the Constitution right in the preamble of

Article 2. It forms part of the *Constitution Act*. If there are any inconsistencies in applying Article 24, which I assume NNI is part of that, then the agreement shall prevail to the extent of this disagreement.

So I would like to be assured by the minister that we, the GN, the government, particularly CG&S, will continue to respect the provisions of Article 24 and the NNI Policy. Thank you.

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

**Hon. Lorne Kusugak:** Thank you, Mr. Chairman. I don't profess to be a procurement lawyer or a constitutional lawyer by any means. I will assure the member that we will look into those assumptions that Mr. Curley is making. There is procurement law and Article 24 refers to procurement law. I will ensure that our department will look into the terms and the issues that Mr. Curley is talking and ensure that our procurement department follows the procurement laws and those of Article 24 and NNI, and so on, Mr. Chairman. I will assure him of that. Thank you.

**Chairman** (interpretation): Thank you, Minister Kusugak. We're on page J-9. Mr. Ningark.

**Mr. Ningark:** Thank you, Mr. Chairman. I would like to join this spicy discussion.

>>*Laughter*

It seems that we're talking about ethics, laws, and abuses of the laws. When it comes to making a public bid, there is

always a winner and loser, and so on. My understanding, Mr. Chairman, is that any unsuccessful bidder believing they have a cause can bring action in the private law. That's my understanding. Usually it's under the law of contracts and tendering. So we have that option in this public government.

As to my colleague from Nattilik talking about her community, every co-op in every community is elected by the people in our community. It is their prerogative. It is their choice as to whether they want to joint Arctic Co-ops or not. If they don't like dealing with being a member of Arctic Co-ops, they also have the choice of removing their co-op from Arctic Co-ops. That's my understanding. Thank you, Mr. Chairman.

**Chairman** (interpretation): Thank you, Mr. Ningark. We're on page J-9. Turn to page J-10. (interpretation ends) Public Stores Revolving Fund. (interpretation) Are there any questions on page J-10? If there are no questions, we will go back to page J-3. J-3. (interpretation ends) Department Summary. Community and Government Services. Detail of Expenditures. Total Operations and Maintenance. \$188,127,000. (interpretation) Do you agree?

**Some Members:** Agreed.

**Chairman** (interpretation): Thank you. Does the committee agree that the Department of Community and Government Services is concluded?

**Some Members:** Agreed.

**Chairman** (interpretation): Thank you. Thank you, Minister Kusugak. Do you

have any closing remarks? Minister Kusugak.

**Hon. Lorne Kusugak** (interpretation): Thank you, Mr. Chairman. I thank my colleagues for reviewing this. I am very pleased that we are able to have this kind of debate in the House and that all members had the opportunity to ask their questions. We tried to respond to the questions we had answers for. I commit to try to answer some of the questions we couldn't answer.

Mr. Chairman, if I could add, I would like to thank the Nunavut emergency response team. They work very hard and never give up. I would like to thank them very much. Also, I thank the Petroleum Products Division and all the people who work very hard for CGS and work very hard.

I especially thank my colleagues for having a very healthy debate on that. Thank you. That concludes my closing comments. (interpretation ends) Thank you, Mr. Chairman.

**Chairman** (interpretation): Thank you, Minister Kusugak. Sergeant-at-Arms, please escort the witnesses out.

I would now like to ask the Minister of Economic Development and Transportation, (interpretation ends) Hon. Minister Taptuna, (interpretation) if he would like to start with his opening comments.



**Bill 24 – Appropriation (Operations & Maintenance) Act, 2012-2013 – Economic Development and Transportation – Consideration in Committee**

**Hon. Peter Taptuna:** Yes, Mr. Chairman.

**Chairman:** Mr. Taptuna, go ahead with your opening comments.

**Hon. Peter Taptuna:** Thank you, Mr. Chairman. It is my pleasure to appear before the Committee of the Whole to present the Department of Economic Development and Transportation's budget for 2012-13.

As I did when I appeared before the Standing Committee on Community and Economic Development in January, I will use this opportunity to describe the changes proposed in next year's main estimates and business plan and to outline some of the spending priorities proposed by the department.

Following my opening comments, I will be pleased to answer questions posed by the members of this committee about our proposed budget and program activities for 2012-13.

The budget we are reviewing today is for expenditures for salaries, grants and contributions, and operations by the Department of Economic Development and Transportation. The total budget I am proposing for the 2012-13 fiscal year is \$58,998,000, which represents an increase of \$643,000 from the current year's budget.

This increase is directed to three areas, namely:

- \$395,000 for the creation of the Community Tourism and Cultural Industries Program, which I announced last fall;
- \$337,000 for increases in the operations and maintenance budgets for both the Nunavut Airports Division and the Iqaluit International Airport Division to ensure that support for our essential air transportation system keeps pace with Nunavut's continuing economic and demographic growth; and
- \$276,000 to cover the increased cost of electricity resulting from the base rate increase.

Mr. Chairman, these increases are partially offset by a decrease of \$200,000 in the contract services budget for the Corporate Management Branch and a small and temporary reduction in the budget for the Country Food Distribution Program.

With the exception of these changes, the budget I am proposing for 2012-13 is very similar to the department's budget for the current fiscal year.

The department remains committed to the Government of Nunavut's *Tamapta* Action Plan. Our business plan for 2012-13 continues to focus on priority areas from the action plan, with a particular focus on three of its priorities, the first of which is to:

1. Reduce Poverty. On February 24, I tabled *The Makimaniq Plan: A Shared Approach to Poverty Reduction*. We will begin implementing this plan with our partners in the Nunavut Round Table

for Poverty Reduction. We will also continue delivering the Country Food Distribution Program, we will begin work towards legislation for the implementation of the long-term poverty reduction action plan, and we will convene a Nunavut food security coalition.

2. Our second *Tamapta* Action Plan priority is to increase support for culture and the arts. As I announced last fall, we have launched a three-year community tourism and cultural industries program, which targets the community-based arts and crafts sector and develops its link to the tourism sector. In addition, we continue to implement *Sanaugait: A Strategy for Growth in Nunavut's Arts and Crafts Sector* and we continue to support the activities of arts and cultural organizations, such as the Nunavut Arts and Crafts Association and the Nunavut Film Development Corporation.
3. Last but not least, our third *Tamapta* Action Plan priority is to support community-based sustainable economies. Our support for community-based sustainable economies is guided by our sector strategies, namely, *Parnautit: the Nunavut Mineral Exploration and Mineral Strategy* and *Ingirrasiliqta: the Nunavut Transportation Strategy*. Each of these strategies encompasses a wide range of important departmental operations. We are also on track to complete the comprehensive tourism strategy in 2012-13 with a costed implementation plan. We also support the development of community-based sustainable

economic activities through the delivery of our business development programs, the Strategic Investments Program and the Small Business Support Program.

Mr. Chairman, the department's proposed main estimates and business plan for the 2012-13 fiscal year reflect our ongoing mandate to develop Nunavut's economy and maintain and improve Nunavut's transportation system, with particular reference to the priorities spelled out in the *Tamapta* Action Plan.

Mr. Chairman, I would be happy to respond to any of the committee's questions on the 2012-13 main estimates and business plan for the Department of Economic Development and Transportation. (interpretation) Thank you, Mr. Chairman.

**Chairman** (interpretation): Thank you, Minister Taptuna. (interpretation ends) Does the Chair of the Standing Committee on Community and Economic Development have comments? Mr. Rumbolt.

**Mr. Rumbolt:** Yes, Mr. Chairman, I do.

**Chairman:** Please proceed, Mr. Rumbolt.

**Mr. Rumbolt:** Thank you, Mr. Chairman. I am pleased to provide opening comments on behalf of the Standing Committee on Community and Economic Development on its review of the 2012-13 main estimates and 2012-15 business plan of the Department of Economic Development and Transportation.

The standing committee notes that the department's proposed 2012-13 operations and maintenance budget of \$58,998,000 has increased by approximately 1 percent since the introduction of the department's 2011-12 main estimates. The number of positions in the department is 136. This is the same number of PYs as in its 2011-12 main estimates.

During the minister's recent appearance before the standing committee, members took the opportunity to raise a number of issues and concerns.

Mr. Chairman, the department's proposed 2012-15 business plan provides an update on one of its previous priorities. It indicates that "Regional Round Tables have been completed and the Poverty Summit was held in November 2011, where delegates agreed upon *The Makimaniq Plan: A Shared Approach to Poverty Reduction*". Planning for implementation of the plan is underway." The standing committee was pleased to note that on February 24, 2012, the minister tabled *The Makimaniq Plan: A Shared Approach to Poverty Reduction* in the Legislative Assembly. The standing committee looks forward to ongoing updates on the government's implementation of this initiative.

The department's proposed 2012-13 main estimates have allocated \$1,312,000 towards its Anti-Poverty Secretariat. The department's proposed 2012-15 business plan indicates that one of its future priorities is to "Introduce legislation for implementation of the long-term Poverty Reduction Action Plan and to mandate collaboration of government agencies with Inuit organizations, the private sector,

community action networks and other partner organizations." During the minister's appearance before the standing committee, members were informed that the government proposes to introduce this legislation next year in the Legislative Assembly. Members look forward to ongoing updates on this important initiative.

During the minister's recent appearance before the standing committee, members were informed that the 2010-11 annual report for the Nunavut Business Credit Corporation will be tabled during this sitting. The standing committee looks forward to reviewing it in detail. Mr. Chairman, I would like to note that I do believe the minister tabled that document earlier today. The standing committee notes that the 2010-11 Annual Report of the Nunavut Development Corporation was tabled in the Legislative Assembly on October 18, 2011. The standing committee looks forward to both corporations tabling their 2011-12 annual reports in the Legislative Assembly at the earliest opportunity.

Mr. Chairman, on October 27, 2011, the 2011-12 Ministerial Letters of Expectation to the GN's five major Crown corporations and agencies were tabled in the Legislative Assembly by the Minister of Finance. These letters instructed them to prepare annual reports on their contracting, procurement and leasing activities for tabling in the Legislative Assembly.

Mr. Chairman, the Government of Nunavut's most recent annual reports on departmental contracting, procurement and leasing activities were tabled in the Legislative Assembly on October 31,

2011. To date, these annual reports have not included information on the procurement, contracting and leasing activities of the government's major Crown corporations and agencies, including the Nunavut Development Corporation and the Nunavut Business Credit Corporation.

The standing committee was pleased to note that the Nunavut Business Credit Corporation's 2008-09 and 2009-2010 procurement activity reports were tabled in the Legislative Assembly on February 27, 2012. Although the standing committee was pleased to note their tabling, members strongly recommend that information concerning the Nunavut Development Corporation's activities be tabled in the Legislative Assembly on an annual basis.

The department's proposed 2012-15 business plan indicates that one of its 2012-13 priorities will be to "Initiate the preparation of a renewed Nunavut Economic Development Strategy, 2013-2023." Members look forward to receiving updates on the department's progress on this issue.

Mr. Chairman, the department's proposed 2012-15 business plan indicates that one of its future priorities will be to, "In consultation with Nunavut Tunngavik Inc., draft a revised NNI Policy, implementing the changes identified in the 2012-2013 review." The standing committee notes that the minister tabled the *NNI Review Committee's Summary of the 2008-2009 Comprehensive Review Report* on March 2, 2011 in the Legislative Assembly.

The standing committee also notes that the 2008-09 NNI Contracting Appeals

Board Annual Report was not tabled in the Legislative Assembly until March 22, 2010. The standing committee urges the minister to table the 2009-2010 and 2010-11 annual reports of the contracting appeals board in a timely manner.

Mr. Chairman, the standing committee notes that the Nunavut Development Corporation is required by law to "create employment and income for residents of Nunavut, primarily in small communities." The 2011-12 Ministerial Letter of Expectation indicates that "the corporation's business plan outlines priorities for 2011-2012 that includes the intention to diversify investments by placing equity investments in qualifying Nunavut businesses. I am pleased to see the Venture Investment Fund reactivated, but encourage you to take a prudent approach to ensure that both job creation and positive investment returns over the long term are optimized." The standing committee encourages the minister to place emphasis on increasing the economic opportunities for Nunavut's smaller communities and looks forward to ongoing updates on this issue.

The department's proposed 2012-13 main estimates include \$980,000 in funding for the country food distribution initiative. The department's 2012-15 business plan indicates that one of its 2012-13 priorities will be to "Expand the country food distribution program to include participation from partners, to help ensure the phased delivery of freezers occurs in those communities most in need." During the minister's recent appearance before the standing committee, members were disappointed to be informed that the department had

received only one application requesting funding under this program. Members strongly encourage the department to work with communities to ensure they are given the opportunity to apply for funding on this initiative and look forward to ongoing updates on this initiative.

Mr. Chairman, as a note, the standing committee notes that the member from Quttiktuq posed questions in the House last week concerning the Community Freezer Program. At that time, the minister indicated that the department had received nine application requests from communities on freezers.

Mr. Chairman, the department's proposed 2012-13 main estimates include \$1,050,000 in funding for Nunavut's three Business Development Centres. The department's 2010-13 business plan stated that "A working group, consisting of Business Development Centre and departmental staff has prepared an implementation plan and begun work on specific action items." During the minister's recent appearance before the standing committee, members were informed that the minister would provide a copy of the actions items to the committee. The standing committee looks forward to receiving this document and encourages the minister to carefully evaluate the results that are achieved by the government's investment in this area.

The department's proposed 2012-13 main estimates include \$2.1 million in grants and contributions funding for the Tourism Development Program and the Nunavut Arts and Crafts Association. The department's proposed 2012-15 business plan indicates that one of its

2012-13 priorities will be to "Complete the comprehensive Tourism Strategy with a costed implementation plan and commence implementation, including development of tourism policies and programs." The standing committee looks forward to the tabling of an updated Nunavut tourism strategy.

Mr. Chairman, the department's proposed 2012-15 business plan provides an update on two of its previous priorities, which were to "Continue discussions with Baffinland Mines (or successor) on the Mary River Project" and "Negotiate a Development Partnership Agreement for the Mary River and Doris projects." It indicates that "Preliminary negotiations are underway. Formal negotiations may commence once the projects receive Nunavut Impact Review Board Project Certificates." The standing committee looks forward to receiving ongoing updates on both of these issues.

The department's proposed 2012-15 business plan indicates that two of its 2012-13 priorities will be to "Facilitate and chair regional socio-economic monitoring committees with support from the Minerals and Petroleum Resources Division" and "Assist in the development and implementation of regional components of the Nunavut Poverty Reduction Action Plan." The standing committee looks forward to ongoing updates on these issues.

The standing committee was pleased by the minister's tabling of the Nunavut Transportation Strategy on June 5, 2009 in the Legislative Assembly. The department's proposed 2012-15 business plan indicates that one its 2012-13 priorities will be to "Implement the

*Ingirrasiliqta* Transportation Strategy, including specific initiatives to address the needs of High Arctic communities following direction from Cabinet.” The members note that there has been a delay on the implementation plan and look forward to progress on its implementation of the strategy.

Mr. Chairman, the department’s proposed 2012-15 business plan provides an update on one of its previous priorities, which was to “Conclude policy development for the new Traffic Safety legislation.” It indicates that a “Public engagement process is currently being organized and will be conducted in early 2012 after which the submission for legislative changes can be made.” The standing committee looks forward to ongoing updates on this issue.

Mr. Chairman, the department’s proposed 2012-15 business plan provides an update on one of its previous priorities, which was to “Bring Transport Canada and the Department of Fisheries and Oceans Canada into partnership to design harbour/dock facilities.” It indicates that “This priority will carry over into 2012-13.” The standing committee looks forward to ongoing updates from the minister on this important initiative.

The department’s proposed 2012-15 business plan provides an update on one of its previous priorities, which was to “Complete design of the Iqaluit Marine Facility if funding is made available.” It indicates that “No funding, or potential source of funding, has been identified for this project. No progress in 2011-2012. This priority will not be carried over.”

Mr. Chairman, the department’s proposed 2012-13 main estimates include \$15,076,000 in grants and contributions expenditures. In 2011-12, the department allocated \$14,681,000 for its grants and contributions funding. The standing committee recommends that the minister report annually to the House on how the department measures and evaluates the success of its grants and contributions expenditures.

Mr. Chairman, that concludes my opening comments on the 2012-13 main estimates and 2012-15 business plan of the Department of Economic Development and Transportation. Thank you, Mr. Chairman.

**Chairman** (interpretation): Thank you, Mr. Rumbolt. Mr. Ningeongan.

**Mr. Ningeongan:** Mr. Chairman, I would like to make a motion to report progress. Thank you, Mr. Chairman.

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

**Speaker:** Thank you, Sergeant-at-Arms. Moving on in our orders of the day. Item 20. Report of the Committee of the Whole. Mr. Enook.

#### **Item 20: Report of the Committee of the Whole**

**Mr. Enook:** Mr. Speaker, your committee has been considering Bill 24 and the main estimates, and would like to report progress. Also, Mr. Speaker, I move that the Report of the Committee

of the Whole be concurred with. Thank you, Mr. Speaker.

**Speaker:** Thank you, Mr. Enook. There is a motion on the floor. Is there a seconder? Thank you, Mr. Elliott. The motion is in order. All those in favour. Any opposed? The motion is carried.

Item 21. Third Reading of Bills. Item 22. *Orders of the Day*. Mr. Clerk.

### **Item 22: Orders of the Day**

**Clerk** (Mr. Quirke): Thank you, Mr. Speaker. Just a reminder that there's only one meeting for tomorrow morning; it is at 9:30 a.m. for the Management and Services Board in the Tuktu Room.

*Orders of the Day* for March 6:

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

14. Notices of Motions

15. Notices of Motions for First Reading of Bills

16. Motions

17. First Reading of Bills

18. Second Reading of Bills

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

- Bill 21
- Bill 24
- Bill 25
- Bill 26
- Bill 27
- Bill 34

20. Report of the Committee of the Whole

21. Third Reading of Bills

22. Orders of the Day

Thank you.

**Speaker:** Thank you, Mr. Clerk. This House stands adjourned until Tuesday, March 6, at half past one.

Sergeant-at-Arms.

>>*House adjourned at 20:18*

## **Appendix – March 5, 2012**





# **Standing Committee on Oversight of Government Operations and Public Accounts**

## ***Report on the Review of the 2010-2011 Annual Report of the Information and Privacy Commissioner of Nunavut***

**Third Session of the Third Legislative Assembly of Nunavut  
March 2012**

**Ron Elliott, Chair  
Louis Tapardjuk, Co-Chair  
Moses Aupaluktuq, MLA  
Tagak Curley, MLA  
Monica Eil, MLA  
Joe Enook, MLA  
John Ningark, MLA  
Johnny Ningeongan, MLA  
Hezakiah Oshutapik, MLA  
Allan Rumbolt, MLA  
Jeannie Ugyuk, MLA**

**[www.assembly.nu.ca](http://www.assembly.nu.ca)**

## Introduction

The Information and Privacy Commissioner of Nunavut is an independent officer of the Legislative Assembly who is required under section 68 of the *Access to Information and Protection of Privacy Act* to prepare and submit an annual report to the Legislative Assembly on her office's activities.

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

The appointment of Nunavut's first Information and Privacy Commissioner, Elaine Keenan Bengts, was recommended by way of motion in the Legislative Assembly on November 2, 1999. On November 25, 2004, her reappointment was recommended by way of motion to a second five-year term of office. The Information and Privacy Commissioner of Nunavut also serves as the Information and Privacy Commissioner of the Northwest Territories.

The Legislative Assembly of the Northwest Territories enacted the *Access to Information and Protection of Privacy Act* in 1996. As the Information and Privacy Commissioner has noted:

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

The *Access to Information and Protection of Privacy Act* and regulations were inherited from the NWT on April 1, 1999. While the Act has been amended on a number of occasions since the creation of the new territory, there have been no fundamental changes to it. The minor changes that have been made to the Act consist of amendments to address conflicts with other territorial Acts. The changes that have been made to the regulations have been housekeeping in nature.

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

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

Standing Committee hearings on the annual reports of the Information and Privacy Commissioner, the Languages Commissioner and the Auditor General provide an opportunity for the issues raised in each report to be discussed in a transparent manner.

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

Since her initial appointment in 1999, the Information and Privacy Commissioner has submitted a total of twelve annual reports to the Legislative Assembly of Nunavut. In each annual report, she has presented a number of recommendations. Her annual reports are accessible on her office's website.

Since 2005, the Government has tabled an annual report on the administration of the *Access to Information and Protection of Privacy Act*. The government's most recent annual report on the administration of the Act was tabled in the Legislative Assembly on October 28, 2011.

The Standing Committee on Oversight of Government Operations and Public Accounts held hearings on the 2007-2008 and 2008-2009 annual reports of the Information and Privacy Commissioner on October 1, 2009. Its hearings on the 2009-2010 annual report of the Information and Privacy Commissioner were held on October 1, 2010.

Following its 2010 hearings, the Standing Committee presented its own report to the Legislative Assembly on October 29, 2010. This report contained a number of formal recommendations. The government's response to the Standing Committee's report and recommendations was tabled in the Legislative Assembly on February 28, 2011. Both the Standing Committee's report and the government's response to it are available to the public on the Legislative Assembly's website.

The Standing Committee's hearings on the 2010-2011 annual report of the Information and Privacy Commissioner were held on November 24, 2011. Senior officials from the Government of Nunavut's Department of Executive and Intergovernmental Affairs subsequently appeared before the Standing Committee on November 25, 2011.

This appearance constituted the first time that departmental officials have appeared before a Standing Committee of the Legislative Assembly to publicly account for the government's actions in response to recommendations of the Information and Privacy Commissioner and the Standing Committee itself.

The 2011 appearances of the Information and Privacy Commissioner and departmental officials before the Standing Committee were held in the Chamber of the Legislative Assembly and were open to the public and news media to observe. Transcripts from the appearances have been posted on the Legislative Assembly's website.

## Observations and Recommendations

The Information and Privacy Commissioner's annual reports to the Legislative Assembly have provided a number of formal recommendations. The Standing Committee's November 24, 2011, hearing on the 2010-2011 annual report of the Information and Privacy Commissioner and subsequent appearance by senior Government of Nunavut officials provided an opportunity to review the progress made by the government over the past year in addressing the recommendations made by the Information and Privacy Commissioner and the Standing Committee.

**Issue: Disclosure of Crown Agency Contracting, Procurement and Leasing Activities**

In its October 29, 2010, report on the review of the 2009-2010 annual report of the Information and Privacy Commissioner, the Standing Committee reiterated its recommendation that the Government of Nunavut table annual reports in the Legislative Assembly on the contracting, procurement and leasing activities for all of its Crown corporations and agencies.

The government's response to the Standing Committee's recommendation stated that:

"The Government [of Nunavut] agrees. The Public Agencies Council will work closely with the Ministers responsible for our territorial corporations with respect to the reporting of their contracting activities to ensure the timelines of reporting, transparency and accountability to Nunavummiut."

Over the past year, there has been improvement in this area. Ministerial Letters of Expectation to the government's Crown agencies for the 2011-2012 fiscal year were tabled in the Legislative Assembly on October 27, 2011. Annual procurement reports have been tabled by the Nunavut Housing Corporation, the Nunavut Business Credit Corporation and the Qulliq Energy Corporation. However, the timeliness of these tablings could be improved.

### **Standing Committee Recommendation #1:**

The Standing Committee reiterates its recommendation that the Government of Nunavut table, in a timely manner, annual reports in the Legislative Assembly on the contracting, procurement and leasing activities for all of its Crown corporations and agencies, including the:

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

**Issue: Disclosure of Information in Relation to Communicable Diseases**

In its report on the review of the 2007-2008 and 2008-2009 annual reports of the Information and Privacy Commissioner, the Standing Committee recommended that the Government of Nunavut review its practices in the area of disclosure of information concerning the H1N1 virus.

The government's response to the Standing Committee's recommendation stated that:

“The Department of Health and Social Services, through the office of the Chief Medical Officer of Health, is currently reviewing its disclosure and reporting protocols concerning reportable communicable diseases, with a particular focus on disclosure of community names and community-specific numbers of cases. As part of this review, the department will be developing a protocol for real time reporting of communicable disease outbreaks.”

In its October 29, 2010, report on the review of the 2009-2010 annual report of the Information and Privacy Commissioner, the Standing Committee recommended that the Government of Nunavut table in the Legislative Assembly its disclosure and reporting protocols concerning reportable communicable diseases.

The government's response to the Standing Committee's recommendation stated that:

“The Department of Health and Social Services, through the office of the Chief Medical Officer of Health, will be developing its disclosure protocols, with a particular focus on disclosure of community names and community-specific numbers of cases. Potential protocols will take into account relevant legislation such as the Communicable Diseases Act and the *Access to Information and Protection of Privacy Act* as well as Nunavut's unique needs. Once approved by the Executive Council, the GN will table the protocols in the Legislative Assembly.”

However, this protocol has not been tabled in the Legislative Assembly.

***Standing Committee Recommendation #2:***

The Standing Committee reiterates its recommendation that the Government of Nunavut table in the Legislative Assembly its disclosure and reporting protocols concerning reportable communicable diseases.

**Issue:           Communication Practices of Community Health Centres**

During the Information and Privacy Commissioner's 2010 appearance before the Standing Committee, the issue of communication practices of community health centres was raised in relation to the broadcasting on local radio of the names of residents who are being requested to attend their local health centre. In her testimony to the Standing Committee, the Information and Privacy Commissioner stated that:

“In fact, the manager of ATIPP and I are currently talking about it in terms of discussion back and forth. I have been asked to provide my written opinion to her and I am in the process of doing that. It's not an issue... if you were to ask one of my counterparts in southern Canada whether that was a good practice, they would all cringe and they would say “no” hands down ... but I don't think it's as straightforward as that in a place like Nunavut where, sometimes, that may be the only way to get people who need medical health attention into the health centres. So we are talking about it, we are working on it, and hopefully we will be coming up with some sort of policy direction together so that we can protect the privacy of the individuals involved in Nunavut while, at the same time, making sure that these people have access to the medical health care that they need when they need it.”

In its October 29, 2010, report on the review of the 2009-2010 annual report of the Information and Privacy Commissioner, the Standing Committee recommended that the Government of Nunavut table in the Legislative Assembly its policy on communication practices to be followed by community health centres.

The government's response to the Standing Committee's recommendation on this issue stated that:

“The Department of Health and Social Services makes frequent use of community radio with regards to general public health announcements as this media reaches a wide section of the population. In regards to client-specific information, the Department of Health and Social Services, as part of its Human Resources Policy, recently implemented its Policy “Contacting Clients through Local Radio.” The policy states that “Staff shall not use the local radio as a means of communicating with individual clients. The announcement of individual client names on the radio is a breach of confidentiality.”

This issue was raised by Members on the occasion of the November 25, 2011, appearance of senior Government of Nunavut officials. Testimony by witnesses indicated that:

“The Department of Health and Social Services had said that they did create a policy on this and, ultimately, it was up to the Department of Health and Social Services to look into the Information and Privacy Commissioner's recommendations. It's something we're working on further. They have also

created a consent form, which was recommended by the Information and Privacy Commissioner, which allows them to get the consent of constituents to be able to contact them via the radio when necessary. So that's something that we will have to follow up with the Department of Health and Social Services on."

***Standing Committee Recommendation #3:***

The Standing Committee reiterates its recommendation that the Government of Nunavut table in the Legislative Assembly its policy on communication practices to be followed by community health centres.

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

The issue of the application of the *Access to Information and Protection of Privacy Act* to municipal governments has been an ongoing concern for Members of the Standing Committee.

During her November 24, 2011, testimony to the Standing Committee, the Information and Privacy Commissioner stated that:

“... the Northwest Territories, the Yukon, and Nunavut are the only remaining jurisdictions that don’t include municipalities under their access to information and protection of privacy legislation.”

In its response to the Standing Committee’s recommendation in its 2010 report to the Legislative Assembly concerning this issue, the government stated that:

“The Government of Nunavut agrees that municipalities should, in some way, be accountable under access to information and privacy protection legislation. Further consultation regarding their inclusion under the *Access to Information and Protection of Privacy Act* is required and the Government of Nunavut intends to include all stakeholders who may be affected by these changes, including the Nunavut Association of Municipalities. As including municipalities under the *Access to Information and Protection of Privacy Act* does raise many governance and administration issues, it is important that we do not rush into their inclusion before we are aware of and able to deal with the concerns of all parties. However, initial consultation will begin with municipalities to gain their suggestions on how best to eventually include their operations under *Access to Information and Protection of Privacy Act*.”

This issue was raised by a number of Members on the occasion of the November 25, 2011, appearance of senior Government of Nunavut officials. Testimony by witnesses indicated that:

“You have clearly communicated to us your commitment and your desire that all Nunavummiut, whether they’re dealing with the territorial government or their home community government, want to have the same rights to access to information and also the same protection of their privacy. There’s certainly nothing there for us to argue with. It’s a matter of timelines and resources.”

Testimony by witnesses also indicated that:

“Our department has begun a process of discussions with the City of Iqaluit. Ms. Bell has gone to their offices and visited and met with them. We have also sent out a letter of consultation to all of the hamlets and we’re awaiting their response. As we made an earlier commitment to you, we would be sharing with you copies



of those letters of consultation. We have also contacted the Nunavut Association of Municipalities, NAM, and we will be in further contact with them as well. We're basically laying the groundwork for their inclusion at an undetermined time in the future by first consulting with them and finding out what their needs are. We have accepted the suggestion, I believe, made by Mr. Ningark that we make provision to include hamlet employees in the training that we're going to make available. We are confident that having Government Liaison Officers eventually in all of our communities will help increase the access, particularly the awareness of the need for access."

***Standing Committee Recommendation #4:***

The Standing Committee reconfirms its support for ensuring that all levels of government have appropriate systems of access to information and protection of privacy in place. The Standing Committee recommends that the Government of Nunavut's next annual report on the administration of the *Access to Information and Protection of Privacy Act* account for its progress to date in working with the Nunavut Association of Municipalities and the Office of the Information and Privacy Commissioner to review the issue of access to information and protection of privacy at the municipal level. The Standing Committee further recommends that the annual report account for collaborative training initiatives involving municipal employees, Government Liaison Officers and other parties.

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

In 2009, the Standing Committee recommended that the Government of Nunavut, in cooperation with the Office of the Information and Privacy Commissioner, develop amendments to the *Access to Information and Protection of Privacy Act* to provide clear authority for the Information and Privacy Commissioner to conduct privacy reviews and investigate alleged breaches of the legislation.

The government's response to the Standing Committee's recommendation stated that:

"The GN agrees that our legislation is lacking in that it does not currently include a provision mandating privacy reviews by the Information and Privacy Commissioner. This problem has been identified and will be raised during the next review of the *Access to Information and Protection of Privacy Act*."

The 2010-2011 Annual Report of the Information and Privacy Commissioner notes that:

"The Information and Privacy Commissioner has no formal legislated authority to receive a complaint about a breach of privacy, or to do an investigation or make recommendations. Notwithstanding the lack of a formal mandate in this regard, this office routinely accepts complaints and undertakes investigations and provides reports and recommendations when a member of the public complains that their personal information has been improperly collected, used or disclosed by a public body. There is no requirement that a public body respond to such recommendations or even that they co-operate with the Information and Privacy Commissioner in her investigation of such complaints."

On October 28, 2011, the Premier made a Minister's Statement in the House concerning the GN's plans to amend the *Access to Information and Protection of Privacy Act* in 2012. The Premier indicated that "there are a few administrative changes to be considered; however, the major changes to be considered are to make privacy oversight mandatory."

The Minister's Statement also indicated that "the proposed amendments will bring the GN's *Access to Information and Protection of Privacy Act* up to national standards for the protection of personal privacy. The proposed amendments will allow individuals the ability to complain to the Information and Privacy Commissioner if they feel that the GN has inappropriately collected, used, or disclosed their personal information. It will also make it mandatory for departments to report privacy breaches within their departments to the Information and Privacy Commissioner."

***Standing Committee Recommendation #5:***

The Standing Committee recommends that the Government of Nunavut bring forward amendments to the *Access to Information and Protection of Privacy Act* to address the issue of privacy oversight during the spring 2012 sitting of the House.

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

The 2009-2010 Annual Report of the Information and Privacy Commissioner noted that:

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

In its October 29, 2010, report on the review of the 2009-2010 annual report of the Information and Privacy Commissioner, the Standing Committee recommended that the Government of Nunavut’s next annual report on the administration of the *Access to Information and Protection of Privacy Act* account for its progress to date in working with the Office of the Information and Privacy Commissioner to develop amendments to the *Access to Information and Protection of Privacy Act* to provide the Information and Privacy Commissioner with the discretion to extend the time for requesting a review in appropriate circumstances.

Testimony by Government of Nunavut witnesses on the occasion of their November 25, 2011, appearance before the Standing Committee indicated that:

“The [Information and Privacy] Commissioner, as well as this Standing Committee, has recommended on a number of occasions that the GN make legislative changes to allow for the Commissioner to use her discretion to extend the time for an applicant to request a review from her office. The commissioner has stated that delays in the mail service in Nunavut may prevent an applicant from the right of a review. A legal review of this provision has been done and it has been determined that this issue can be handled administratively without amending the ATIPP Act. We would like to work with the Commissioner to develop an administrative approach to dealing with this issue that satisfies both the ATIPP Act and the Commissioner.”

***Standing Committee Recommendation #6:***

The Standing Committee recommends that the Government of Nunavut’s next annual report on the administration of the *Access to Information and Protection of Privacy Act* account for its progress to date in working with the Office of the Information and Privacy Commissioner to resolve this issue.

**Issue: Development of Health-Specific Privacy Legislation and Electronic Health Records**

The 2009-2010 Annual Report of the Information and Privacy Commissioner noted that:

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

In its October 29, 2010, report on the review of the 2009-2010 annual report of the Information and Privacy Commissioner, the Standing Committee recommended that the Government of Nunavut’s next annual report on the administration of the *Access to Information and Protection of Privacy Act* account for its progress to date in developing health-specific privacy legislation.

The government’s response to the Standing Committee’s recommendation stated that:

“The Government of Nunavut understands the sensitivity surrounding personal health information and is committed to ensuring the protection of all personal health information. The Government of Nunavut will be looking at the legislation enacted in and under development by other jurisdictions, particularly the other two territories, for guidance with respect to creating separate legislation to deal with privacy of health records. In addition, the Government of Nunavut will review whether including oversight provisions in the *Access to Information and Protection of Privacy Act* would address the Commissioner’s concerns without the need for separate legislation to protect personal health information. Until such time, the *Access to Information and Protection of Privacy Act* will continue to be the legislative and regulatory authority for health information. Such legislation will continue to protect the personal health information of the people of Nunavut together with a comprehensive privacy framework and supporting policies. The Government of Nunavut will provide further update on this issue in its next annual report of the administration of the *Access to Information and Protection of Privacy Act*.”

During her November 24, 2011, testimony to the Standing Committee, the Information and Privacy Commissioner stated that:

“I can advise that the Government of the Northwest Territories is in the process of drafting their health privacy legislation. It has been in the works for, I would say, probably the last three or four years. The last information that I have is that they’re looking at passing legislation in late 2012 or early 2013. Now, that’s a fairly soft date, I think, but that’s my understanding of what they’re hoping to do.”

The Government of Nunavut’s 2009-2010 annual report on the administration of the *Access to Information and Protection of Privacy Act* indicated that:

“The Department of Health and Social Services eHealth Project has retained Privacy and Security Specialists that have helped develop a Design Level Privacy Impact Assessment based on the Meditech Clinical Information System. The Privacy Advisory Group with guidance from subject matter experts has created a detailed suite of industry standard privacy and security policies that will govern the Nunavut Interoperable Electronic Health Record. The Department of Health and Social Services has also created a new Senior Health Privacy Officer position which is tasked with implementing and monitoring the privacy and security program. This position will work closely with the multidepartment Privacy Advisory Group which includes members from the ATIPP Division and Records Management for the GN.”

Testimony by Government of Nunavut witnesses on the occasion of their November 25, 2011, appearance before the Standing Committee indicated that:

“In regard to the health privacy directives, the Privacy Advisory Group is a group that was set up underneath Health to govern privacy issues related to electronic health records. It was determined by that group that at this time, health privacy specific legislation would not be required by utilizing the ATIPP Act as well as an intricate set of privacy directives and policies to govern the system itself. Individuals whose information is held in the system have the right to protection of privacy. Once we strengthen the privacy rights of individuals by including privacy oversight in the ATIPP Act, that will then again further provide individuals with even more protection of their personal privacy and as well, it will provide them with the opportunity of recourse if they feel that the Department of Health and Social Services, as with any other department, has inappropriately used, collected, or disclosed their personal information. The privacy directives themselves deal with users of the systems and ensure that they are appropriately using the system in a way that will protect the privacy of all Nunavummiut.”

***Standing Committee Recommendation #7:***

The Standing Committee recommends that the Government of Nunavut's next annual report on the administration of the *Access to Information and Protection of Privacy Act* account in detail for its progress to date in addressing the issues of health-specific privacy legislation, management and security of electronic health records, and information-sharing between departments of the Government of Nunavut which hold such records, including the Department of Health and Social Services and the Department of Justice.

**Issue: Provision of Information to Members of the Legislative Assembly Pursuant to Subsection 48(v) of the *Access to Information and Protection of Privacy Act***

Subsection 48(v) of the *Access to Information and Protection of Privacy Act* provides that:

“A public body may disclose personal information to a Member of the Legislative Assembly who has been requested by the individual to whom the information relates to assist in resolving a problem.”

In 2005, the Office of the Information and Privacy Commissioner assisted in the development of a form for the use of residents wishing to provide consent for their personal information to be released to the appropriate Member of the Legislative Assembly under this provision of the legislation.

However, the precise extent to which the government is obliged to comply with this provision is unclear, especially in relation to matters concerning health and social services and the ability of departmental employees and other parties to communicate directly with MLAs.

While Members of the Standing Committee fully recognize the necessity of protecting the privacy rights of Nunavummiut, it is also important that the government respect the wishes of constituents who have provided informed consent to have their personal information disclosed to their elected Member under this provision of the legislation. Members of the Standing Committee also recognize that in circumstances where the information requested could impact the privacy rights of a third party or a minor, the government’s priority must be the protection of privacy rights.

In its October 29, 2010, report on the review of the 2009-2010 annual report of the Information and Privacy Commissioner, the Standing Committee recommended that the Government of Nunavut, in cooperation with the Office of the Information and Privacy Commissioner, develop operational guidelines for the use of public bodies in relation to the disclosure of information pursuant to the provisions of subsection 48(v) of the *Access to Information and Protection of Privacy Act*.

The government’s response to the Standing Committee’s recommendation stated that

“Consultations will be done with other jurisdictions to analyze procedures utilized by other public bodies. Some information that could be discussed and utilized in the Legislative Assembly would not be covered by the same protections outside the Legislature. For example, the name or circumstances of an individual could be expressed and they would not have the same level of recourse to respond legally as if the same was expressed outside the Legislature. It is agreed that information security procedures and agreements should be established to set out



the parameters to protect the privacy of personal information in such instances, while still facilitating the ability of legislators to assist Nunavummiut.”

***Standing Committee Recommendation #8:***

The Standing Committee reiterates its recommends that the Government of Nunavut, in cooperation with the Office of the Information and Privacy Commissioner, develop operational guidelines for the use of public bodies in relation to the disclosure of information pursuant to the provisions of subsection 48(v) of the *Access to Information and Protection of Privacy Act*, and that these guidelines be tabled in the Legislative Assembly.

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

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

Appeal of decision of head

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

Notice of appeal

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

Written notice to third party

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

Written notice to applicant

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

Parties to appeal

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

Information and Privacy Commissioner not a party

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

During her November 24, 2011, testimony to the Standing Committee, the Information and Privacy Commissioner stated that:

“ ... I would like that power, to take something to court, because when I make a recommendation, it's because that's what I believe the Act says and if it's not followed, there are some instances. I don't think I take everything to court where my opinion wasn't followed, but there are some instances where I think that it would have more impact, where we really need to know whether my interpretation is correct or the public body's interpretation is correct, and a court can do that. So yes, I would love to have that option, many of my colleagues do,

and it's used within reason and on occasion to take governments to court on recommendations. I think it would be an extra tool in my toolbox and very useful.”

***Standing Committee Recommendation #9:***

The Standing Committee recommends that the Government of Nunavut conduct an interjurisdictional review of analogous provisions in other legislation and that its findings be reported in its formal response to the report of the Standing Committee. The Standing Committee further recommends that the review consider the issue of the systemic barriers, including financial resources, that private citizens face in exercising their right under section 37 of the *Access to Information and Protection of Privacy Act* to appeal a decision by a head of a public body to the Nunavut Court of Justice. The Standing Committee further recommends that the Government of Nunavut invite the Information and Privacy Commissioner to provide a formal written submission on this issue.

**Tabling Dates of Information and Privacy Commissioner's Annual Reports,  
GN Responses and GN Annual Reports**

	Information and Privacy Commissioner's Annual Reports	GN responses to Standing Committee Reviews of the Information and Privacy Commissioner's Annual Reports	GN responses to the Information and Privacy Commissioner's Annual Reports	GN Annual Reports on the Administration of the ATIPP Act
1999-2000	October 27, 2000	December 4, 2001	-	-
2000-2001	November 14, 2001	March 4, 2003	-	-
2001-2002	November 27, 2002	December 2, 2003	-	-
2002-2003	December 4, 2003	(June 2004)*	-	-
2003-2004	November 25, 2004	-	-	(May 31, 2004)*
2004-2005	November 15, 2005	-	March 1, 2006	November 18, 2005
2005-2006	November 30, 2006	-	March 13, 2007	November 22, 2006
2006-2007	October 26, 2007	-	February 19, 2008	June 1, 2007
2007-2008	September 15, 2008	-	January 26, 2009	May 26, 2008
2008-2009	June 8, 2009	March 22, 2010	Not yet tabled	June 11, 2009
2009-2010	Backdoor tabled with the Clerk on July 27, 2010 Formally Tabled on October 22, 2010	February 28, 2011	February 28, 2011	October 28, 2011
2010-2011	September 28, 2011	-	-	Not yet tabled

\* Not tabled, but available