



Nunavut Canada

LEGISLATIVE ASSEMBLY OF NUNAVUT

3rd Session

3rd Assembly

HANSARD

Official Report

DAY 82

Tuesday, May 14, 2013

Pages 4535 – 4576

Iqaluit

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

Legislative Assembly of Nunavut

Speaker

Hon. Hunter Tootoo

(Iqaluit Centre)

Hon. Eva Aariak

(Iqaluit East)

*Premier; Minister of Education;
Minister of Executive and
Intergovernmental Affairs; Minister
responsible for Aboriginal Affairs;
Minister responsible for Immigration*

Hon. James Arreak

(Uqqummiut)

*Minister of Culture and Heritage;
Minister of Environment; Minister of
Languages; Minister responsible for the
Utility Rates Review Council*

Moses Aupaluktuq

(Baker Lake)

Tagak Curley

(Rankin Inlet North)

Hon. Monica Ell

(Iqaluit West)

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

Ron Elliott

(Quttiktuq)

Joe Enook

(Tununiq)

Deputy Chair, Committee of the Whole

Hon. Lorne Kusugak

(Rankin Inlet South – Whale Cove)

*Government House Leader; Minister of
Community and Government Services;
Minister responsible for the Workers'
Safety and Compensation Commission*

John Ningark

(Akullik)

Johnny Ningeongan

(Nanulik)

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

Hezakiah Oshutapik

(Pangnirtung)

Hon. Keith Peterson

(Cambridge Bay)

*Minister of Finance, Chair of the
Financial Management Board; Minister
of Health*

Allan Rumbolt

(Hudson Bay)

Hon. Fred Schell

(South Baffin)

Hon. Daniel Shewchuk

(Arviat)

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

Louis Tapardjuk

(Amittuq)

*Deputy Chair, Committee of the
Whole*

Hon. Peter Taptuna

(Kugluktuk)

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

Jeannie Ugyuk

(Nattilik)

Officers

Clerk

John Quirke

Deputy Clerk

Nancy Tupik

Clerk Assistant

Stephen Innuksuk

Law Clerk

Sheila MacPherson

Sergeant-at-Arms

Simanek Kilabuk

Hansard Production

Innirvik Support Services

Box 1200

Iqaluit, Nunavut, X0A 0H0

Tel (867) 975-5000 Fax (867) 975-5190 Toll-Free (877) 334-7266

Website: www.assembly.nu.ca

Table of Contents

Opening Prayer.....	4535
Ministers' Statements	4535
Members' Statements	4538
Recognition of Visitors in the Gallery.....	4545
Oral Questions.....	4546
Petitions	4561
Reports of Standing and Special Committees on Bills and Other Matters*	4561
Tabling of Documents	4564
Notices of Motions	4564
Notices of Motions for First Reading of Bills	4565
Consideration in Committee of the Whole of Bills and Other Matters	4565
Report of the Committee of the Whole	4575
Third Reading of Bills.....	4575
Orders of the Day	4575

A.

Daily References

Tuesday, May 14, 20134535

B.

Ministers' Statements

291 – 3(3): Wise Woman Award (Ell)4535
292 – 3(3): Early Childhood Education Training in Nunavut (Shewchuk)4536
293 – 3(3): New Sexual Health Resource: Choices Comic Book (Aariak).....4536
294 – 3(3): Skills Canada Nunavut (Ell)4537
295 – 3(3): Importance of Airport Security (Taptuna)4538

C.

Members' Statements

493 – 3(3): The Boston Bruins Win Series with Toronto Maple Leafs (Shewchuk)4538
494 – 3(3): Audit Request Regarding Nutrition North Canada Program (Schell)4539
495 – 3(3): Nutrition North Canada Program (Elliott)4539
496 – 3(3): North West Company Attempts to Stifle Competition (Kusugak)4540
497 – 3(3): Environmental Protection Initiative in Pangnirtung (Oshutapik)4542
498 – 3(3): Congratulations to Sanikiluaq's 2013 High School Graduates (Rumbolt)4542
499 – 3(3): Supporting Cultural Instruction Programs in Nunavut's Schools (Ningark)4543
500 – 3(3): 2013 Graduates of Nunavut Sivuniksavut (Aariak).....4543
501 – 3(3): NS Graduates from Constituency (Ugyuk).....4545
502 – 3(3): Appreciation for Marion Love (Ningeongan).....4545

D.

Oral Questions

643 – 3(3): Cultural Programs in Nunavut Schools (Ningark).....	4546
644 – 3(3): Government Office Space in Sanikiluaq (Rumbolt).....	4547
645 – 3(3): Solid Waste Management Plan (Oshutapik).....	4549
646 – 3(3): Indeterminate Nurses in Nunavut (Elliott).....	4550
647 – 3(3): Status of New High School for Coral Harbour (Ningeongan).....	4552
648 – 3(3): GN’s Position on Seismic Testing (Enook).....	4553
649 – 3(3): Additional Office Space at Sanikiluaq (Rumbolt).....	4555
650 – 3(3): Update on Devolution (Elliott).....	4556
651 – 3(3): Status of Iqaluit International Airport Project (Enook).....	4557
652 – 3(3): Status of Equipment Shelter in Arctic Bay (Elliott).....	4558
653 – 3(3): Multiple Options Program (Elliott).....	4559

E.

Petitions

006 – 3(3): Gjoa Haven Sewage Lagoon (Ugyuk).....	4561
---	------

F.

Reports of Standing and Special Committees on Bills and Other Matters

Committee Report 034 – 3(3): Bill 59, Collaboration for Poverty Reduction Act (Ningeongan).....	4561
Committee Report 035 – 3(3): Report on the Review of the 2011-2012 Annual Report of the Information and Privacy Commissioner of Nunavut (Elliott).....	4561

G.

Tabling of Documents

368 – 3(3): Comic Book Titled “Choices” (Aariak).....4564
369 – 3(3): Fuel Tax Rebate Program 2011-2012 Annual Report (Peterson)4564
370 – 3(3): Chief Medical Officer of Health’s 2011-2012 Tobacco Control Act Annual Report
(Peterson).....4564

H.

Motions

050 – 3(3): Extended Adjournment – Notice (Ningeongan)4564
051 – 3(3): Performance Audit of the Nutrition North Canada Program – Notice (Schell).....4565

I.

Bills

Bill 66 – Plebiscites Act – Notice.....4565
Bill 59 – Collaboration for Poverty Reduction Act – Consideration in Committee.....4565
Bill 59 – Collaboration for Poverty Reduction Act – Third Reading.....4575

Iqaluit, Nunavut
Tuesday, May 14, 2013

Members Present:

Honourable Eva Aariak, Honourable James Arreak, Mr. Moses Aupaluktuq, Honourable 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, Mr. 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 proceed with today's sitting, I would like to ask Ms. Ell to lead us off in a prayer, please.

>>*Prayer*

Speaker (interpretation): Thank you, Ms. Ell. (interpretation ends) I ask members to bear with me. I got a sore throat today, so my voice sounds a little funny.

We will move on in our orders of the day. Item 2. Ministers' Statements. Minister responsible for the Status of Women, Minister Ell.

Item 2: Ministers' Statements**Minister's Statement 291 – 3(3): Wise Woman Award**

Hon. Monica Ell (interpretation): Thank you, Mr. Speaker. I stand before you

today as the Minister responsible for the Status of Women.

Each year on International Women's Day, Qullit Nunavut Status of Women Council presents the Wise Woman of the Year Award and the Outstanding Young Woman Award. These awards are to honour women from Nunavut who are role models in their communities. These awards are in recognition of their dedication and commitment to improve the lives of women and families in Nunavut.

The council selects the recipients of the Nunavut Wise Woman Award and the Outstanding Young Woman Award from nominations received from across the territory.

(interpretation ends) Mr. Speaker, this year, the council presented Renata Solski with the 2013 Wise Woman Award in recognition of her remarkable contribution to Nunavut. Renata has engaged youth in the performing arts and her dedication to theatre, dance, and video has supported many young women to develop confidence and provide a positive experience for self-expression.

This year's recipient for the 2013 Outstanding Young Woman Award is presented to Sylvia Cloutier in recognition of her outstanding contribution to performing arts and theatre productions.

Mr. Speaker, I would like to invite my colleagues to join us during the break in the foyer for the presentation of the awards, and please help me in congratulating Renata Solski and Sylvia Cloutier for their outstanding dedication

for the well-being of women and girls in Nunavut. Thank you, Mr. Speaker.

>> *Applause*

Speaker: Thank you, Minister Ell. Item 2. Ministers' Statements. Minister responsible for Nunavut Arctic College, Minister Shewchuk.

Minister's Statement 292 – 3(3): Early Childhood Education Training in Nunavut

Hon. Daniel Shewchuk: Thank you, Mr. Speaker. I am pleased to rise in the House today to announce that Nunavut Arctic College, with support from the Public Health Agency of Canada, will be delivering more early childhood education training in Nunavut.

>> *Applause*

Mr. Speaker, expansion of this pan-territorial initiative is being made possible through the federal Aboriginal Head Start Strategic Fund and has been approved for \$1.1 million over the next two years. The project is entitled "Capacity Building for Early Childhood Development Educators."

Mr. Speaker, this wonderful news for Nunavut Arctic College and its Education Programs Division, which is committed to providing more opportunities for Nunavutmiut to obtain training and careers in early childhood education.

Mr. Speaker, the Arctic College Early Childhood Education Certificate program is designed to train students to work with children from infancy to the age of 6, in daycare centres, nursery

schools, schools, or as operators of their own daycare homes, with a strong emphasis placed on the preschool years.

With the support of the Government of Canada, the college will be able to expand delivery of early childhood education training across the territory. This project will initiate, support, and enhance culturally sensitive programming in our communities. It also compliments and supports our ongoing efforts to provide more early childhood education programming in Nunavut.

This is another positive step forward as we continue to seek ways and means to support Nunavutmiut and strengthen the social fabric of Nunavut. Thank you, Mr. Speaker.

>> *Applause*

Speaker: Thank you, Minister Shewchuk. Item 2. Ministers' Statements. Minister responsible for the Department of Education, Minister Aariak.

Minister's Statement 293 – 3(3): New Sexual Health Resource: Choices Comic Book

Hon. Eva Aariak: Thank you, Mr. Speaker. Today, I would like to inform my colleagues about an exciting and innovative curriculum resource that promotes good sexual health for adolescents in Nunavut.

Working together with the Department of Health, we have created an appealing new resource that will help our young people make informed decisions about their health and well-being. The *Choices* comic book deals with important sexual

health issues, including healthy relationships, gender identity, sexually transmitted infections, and the impact of alcohol on decision-making. *Choices* will be part of the grade 8 Aulajaaqtut curriculum and will be used in schools all across Nunavut.

Mr. Speaker, rates of sexually transmitted infections are very high in Nunavut. *Choices* provides information on this health concern in a way that our youth can clearly understand and speaks to the social issues they face.

Staff from my department and the Department of Health selected the main themes for the *Choices* comic book after completing research and conducting focus groups with youth in Nunavut. The story was developed in Nunavut and reflects the lifestyle and environment of our young people.

Mr. Speaker, I would like to thank the department for securing a major portion of the funding for this project from the Public Health Agency of Canada. We now have a made-in-Nunavut resource that will help our young people gain the knowledge, skills, and attitudes they need to make healthy life choices. Thank you, Mr. Speaker.

>>Applause

Speaker: Thank you, Minister Aariak. Item 2. Ministers' Statements. Minister responsible for the Department of Family Services, Minister Ell.

Minister's Statement 294 – 3(3): Skills Canada Nunavut

Hon. Monica Ell: Thank you, Mr. Speaker. I rise today to congratulate

Skills Canada Nunavut on the success of their eighth annual territorial competition that took place on Tuesday, April 23. I would like to recognize and thank all of the sponsors and various agencies that make these events a success. Each year, this event gets better with more skilled youth taking part in trades and technology.

There were 14 gold medals won that day and the gold medal winners are:

- For Workplace Safety: Nigel Neeveacheak from Taloyoak
- For TV & Video Production: Shelton Nipisar and Innosar Issakiark from Arviat
- In Hairstyling: Shelly Nichol from Rankin Inlet
- For Post-Secondary Carpentry: Anthony Abbott from Iqaluit
- In Cooking: Shannon Barkley from Iqaluit
- For Baking: Vayda Kaviok from Arviat
- In Robotics: the Iqaluit Team

First place winners for remaining competitions were:

- For Cosmetology: April Kablutsiak from Arviat
- In Photography: Avis Mukyungnik from Arviat
- In Carpentry: Jorgen Anablak from Kugluktuk

Eleven of our youth will be going to Vancouver, BC on June 3 to represent Nunavut and take part in the 19th annual national competitions. Please join me in wishing our competitors the best of luck as they represent Nunavut at the nationals. Thank you, Mr. Speaker.

>> *Applause*

Speaker: Thank you, Minister Ell. Item 2. Ministers' Statements. Minister responsible for Economic Development and Transportation, Minister Taptuna.

**Minister's Statement 295 – 3(3):
Importance of Airport Security**

Hon. Peter Taptuna: Thank you, Mr. Speaker. Good afternoon, colleagues, Kuglukturmiut, and Nunavummiut. Mr. Speaker, I rise today to provide an update on airport security in Nunavut. Over the past two years, we have had aircraft damaged and airport terminal buildings vandalized in some of our communities where aircraft are parked overnight.

Mr. Speaker, the cost of air travel in Nunavut is high. The first step in addressing these costs is to provide secure, robust, and reliable airport infrastructure for the aviation industry. Repairing vandalized equipment and airport buildings is costly to the airlines, the community, and our airports.

Mr. Speaker, Nunavut Airports, in cooperation with airlines and communities, sought viable and affordable options to decrease the occurrence of vandalism at our airports. Nunavut Airports installed new security systems that are advanced, but can be maintained in the north. The airlines are

also taking part by increasing the surveillance of their equipment.

Mr. Speaker, Nunavummiut have played a large role in improving security at our airports. In response to security issues at airports, our communities took on the challenge of educating the public on the seriousness of vandalizing airport equipment. This included educating the public about the benefit of having airplanes positioned in their communities. Thank you, Mr. Speaker.

>> *Applause*

Speaker: Thank you, Minister Taptuna. Item 2. Ministers' Statements. Moving on in our orders of the day. Item 3. Members' Statements. Member for Arviat, Mr. Shewchuk.

Item 3: Members' Statements

**Member's Statement 493 – 3(3): The
Boston Bruins Win Series with
Toronto Maple Leafs**

Hon. Daniel Shewchuk: Thank you, Mr. Speaker. I rise today to bring all Members of the House and the citizens of the territory of Nunavut to the attention of the beautiful yellow Boston Bruins tie that is being worn by my colleague, Minister Kusugak.

>> *Applause*

An Hon. Member: Shame, shame!

Hon. Daniel Shewchuk: Mr. Speaker, last night, in the historic win by the mighty Bruins over the Leafs, gives Boston the opportunity to move onto the second round of the playoffs. Unfortunately, my colleagues' Montreal

Canadiens did not win their series and they have been golfing for a couple of weeks already and have to wait to try again next year for the cup.

Mr. Speaker, I acknowledge my colleague for keeping his honour and trust in an agreement and again, for wearing such a beautiful tie. Thank you, Mr. Speaker.

>>Applause

Speaker: Thank you, Mr. Shewchuk. Item 3. Members' Statements. Member for South Baffin, Mr. Schell.

Member's Statement 494 – 3(3): Audit Request Regarding Nutrition North Canada Program

Mr. Schell: Thank you, Mr. Speaker. In March, I stood in this House and raised my concerns with the Nutrition North program. I mentioned that our big retailers are actually making money off freight in several communities. I also mentioned that our big retailers' profits are soaring, which was recently confirmed in the latest year-end report. I also mentioned how we're still struggling to get straight answers from the retailers and the federal government.

Mr. Speaker, I shouldn't say I was surprised to hear the media report yesterday which indicated that a Winnipeg firm, a North West Company subsidiary, is shipping groceries to Rankin Inlet at very minimal freight cost, free in some instances. One resident got 4 litres of milk for less than \$5. That's less than half the price of milk at the Northern Store in Rankin Inlet.

When a North West Company employee was questioned about this, he said, and I quote, "It does seem a little odd from the outside that we're offering two different ways of doing it, but you know, there are other people offering it, so we felt that we should also have an offer in the market." Mr. Speaker, that sounds a lot like market cannibalism.

The North West Company was facing competition from a small, local company, so they decided to actually practise the Nutrition North program as intended by passing on the subsidy to a small group of clients. Again, it appears that it was only being done to prevent them from choosing the smaller, local option.

Mr. Speaker, I'm sure my colleagues and I would all agree that there are plenty of reasons why the Auditor General of Canada needs to audit the Nutrition North program. We need to find out once and for all what's happening with our Canadian tax dollars. At the appropriate time, I'll ask this House to unanimously support a motion to that effect. Thank you, Mr. Speaker.

>>Applause

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

Member's Statement 495 – 3(3): Nutrition North Canada Program

Mr. Elliott: Thank you, Mr. Speaker. I rise today to again talk about the Nutrition North Canada Program.

Mr. Speaker, as you may be aware, I recently undertook an online survey to

get feedback about the Nutrition North Canada Program from ordinary Nunavummiut and other Canadians living in isolated northern communities. Mr. Speaker, I want to share with you and my colleagues some highlights from this survey.

Mr. Speaker, a total of 375 people took the time to complete this survey. I want to express my appreciation to all of them for making the effort to provide input on this important program.

Mr. Speaker, one of the most striking findings from the survey was that over 90 percent of respondents indicated that they did not feel that the subsidy provided by Nutrition North is being fully passed on to consumers.

Mr. Speaker, as you will recall from the 2011 meetings that we held in this Chamber with retailers, federal officials from the Department of Aboriginal Affairs and Northern Development and the Nutrition North Canada Advisory Board, the issue of pricing transparency was a major concern. Mr. Speaker, it is apparent that northerners continue to lack confidence in the program's success in this area.

Mr. Speaker, the survey's findings also revealed a lack of confidence and awareness in the work of the Nutrition North Canada Advisory Board. Over 90 percent of respondents indicated that they do not feel that the board is giving northerners a direct voice in the program.

Mr. Speaker, as you will recall, we received a commitment from federal officials following our 2011 meetings that the annual reports of the Nutrition

North Canada Advisory Board would be made publicly available. Mr. Speaker, we are still awaiting this to happen.

Mr. Speaker, over 80 percent of the respondents indicated that they have not noticed a decrease in the price of perishable foods since the introduction of the Nutrition North Canada Program. Mr. Speaker, if the Nutrition North Canada Program is not making a substantive impact in ensuring that healthy foods are affordable for our constituents, it's time to be ready to rethink the program.

Mr. Speaker, my colleague from South Baffin noted in his statement today that he will be introducing a motion later this week calling on the federal Auditor General to conduct a comprehensive performance audit of the federal Nutrition North Canada Program. Later this week, at the appropriate time, I look forward to seconding this motion and speaking strongly in favour of it. Thank you, Mr. Speaker.

>> *Applause*

Speaker: Thank you, Mr. Elliott. Item 3. Members' Statements. Member for Rankin Inlet South and Whale Cove, Mr. Kusugak.

**Member's Statement 496 – 3(3):
North West Company Attempts to
Stifle Competition**

Hon. Lorne Kusugak: Thank you, Mr. Speaker. I feel for you with your cold today, but let me assure you at least it's just a cold. I have to stand in front of this House with this ridiculous tie...

>> *Laughter*

...thanks to the Toronto Maple Leafs, who I was cheering for yesterday.

I think we may see a change in how hockey is played in Canada because I believe that the Toronto Maple Leafs are going to put forward a motion in the owners' meetings this summer to make sure that from now on, hockey is going to be played where the third period will only last ten minutes.

>>*Laughter*

Congratulations to my colleague. Some day, I'll hopefully get even with you.

Mr. Speaker, on a more serious note, I rise today to express concern over the information received yesterday in reference to ordering food in Rankin Inlet, a fine community.

Mr. Speaker, I find it disturbing to discover that we have a retailer with major resources available to them trying to stifle competition. Let me be clear: while I will always be in favour of supplying food products to my constituents at the cheapest possible prices, it is unacceptable to hear that it appears to be nothing more than an effort to eliminate competition.

Mr. Speaker, I have heard it said that some people believe the Nutrition North program was only created to stop people from buying food orders from southern vendors and create a closed market. When a small provider attempts to fill a niche and create a business to serve my constituents and I now see a multi-million dollar corporation trying to put them out of business, it makes me wonder.

Mr. Speaker, people are raising concerns about food prices at local retailers, yet here we have a corporation providing southern food prices, in some cases, with no freight charges to Rankin Inlet through a different retail outlet, prices, I might add, that are nowhere near as expensive as their main retail outlet, which they also own, and where most of my constituents shop for groceries locally.

Mr. Speaker, I would like to remind my constituents of what may possibly happen. Once the competition is eliminated, you may find that a lot of those cheap, freight-free grocery orders all of a sudden cost more or disappear completely due to the lack of competition.

If I may have unanimous consent to complete my Member's Statement. Thank you, Mr. Speaker.

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

Hon. Lorne Kusugak: Thank you, Mr. Speaker.

I would also like to say I am deeply concerned about how the stated purpose of Nutrition North is being subverted. While some may stand up and cheer the southern cost, freight-free food currently being shipped to Rankin Inlet, I feel it raises serious questions about the impact on small business and Nunavummiut in general. It also leads me to think there may be more to the accusations raised about eliminating choice and competition. Thank you, Mr. Speaker.

>> *Applause*

Speaker: Thank you, Mr. Kusugak. At least you get to take the tie off today. I'll still have my sore throat later.

>> *Laughter*

Item 3. Members' Statements. Member for Pangnirtung, Mr. Oshutapik.

**Member's Statement 497 – 3(3):
Environmental Protection
Initiative in Pangnirtung**

Mr. Oshutapik (interpretation): Thank you, Mr. Speaker. We may hear from a person not supporting a Canadian hockey team, but rather, supporting an American hockey team, so please keep that in mind, and here I speak to the government side.

Thank you, Mr. Speaker. I rise today to inform the Legislative Assembly about a positive initiative in Pangnirtung.

Mr. Speaker, in April of this year, the Municipality of Pangnirtung received a donation from our local Northern Store in the amount of \$32,819. Mr. Speaker, this donation was provided under the company's plastic bag reduction program. Mr. Speaker, Pangnirtung Mayor Sakiasie Sowdloopik officially received the donation on behalf of the community.

(interpretation ends) Mr. Speaker, I am pleased to report that the donation will be used to remove toxic and dangerous material from the community's metal dump. This work will be undertaken over the next few months and will involve shipping out the materials by boat.

Mr. Speaker, this partnership between the private sector and the municipality is extremely positive for our residents.

The issue of ensuring that our communities' solid waste facilities are well managed is very important and I will have questions on this issue for the government at the appropriate time.

Mr. Speaker, I ask all members to join me in congratulating the Municipality of Pangnirtung and our local Northern Store for their excellent work. Thank you, Mr. Speaker.

>> *Applause*

Speaker: Thank you, Mr. Oshutapik. Members' Statements. Member for Hudson Bay, Mr. Rumbolt.

**Member's Statement 498 – 3(3):
Congratulations to Sanikiluaq's
2013 High School Graduates**

Mr. Rumbolt: Thank you, Mr. Speaker. It always gives me great pride to rise in this House and congratulate the high school graduates from Sanikiluaq.

Mr. Speaker, graduating from high school is an important step in our lives. This achievement represents work and discipline. It is a stepping stone to the future. These young graduates are role models for the youth in their community.

Mr. Speaker, I would like to congratulate:

Bill Arragutainaq;
Sarah Cookie;
Linda Inuktaluk;
Samantha Inuktaluk;
Daisy Kavik;

Timothy Kowcharlie;
Walter Meeko;
Malaya Qavvik;
Shoapik Sala; and
Garry Rumbolt.

Mr. Speaker, one of the graduates, Billy Arragutainaq, recently also earned his red seal licence from the Nova Scotia Community College in the oil burner mechanic field, which is quite an accomplishment. He has much to celebrate.

Mr. Speaker, it takes more than dedication from students to become graduates. It takes dedication from parents, guardians, teachers, and a community. I extend my congratulations to all of those who helped our graduates achieve their success. Thank you, Mr. Speaker.

>> *Applause*

Speaker: Thank you, Mr. Rumbolt. Members' Statements. Member for Akulliq, Mr. Ningark.

**Member's Statement 499 – 3(3):
Supporting Cultural Instruction
Programs in Nunavut's Schools**

Mr. Ningark: Thank you kindly, Mr. Speaker. I rise today to talk about the importance of supporting cultural instruction programs in Nunavut's schools.

Mr. Speaker, I have always believed that a well-rounded education for Nunavut students must include a solid mixture of academic subjects, opportunities to take trades training, a proper physical education program, and a strong element of traditional cultural skills.

Our schools need modern, well-equipped classrooms in which academic subjects can be taught effectively and modern, well-resourced libraries to support this learning. Our schools need modern, well-equipped gyms and other facilities to provide physical education training for our youth. Our schools need modern, well-equipped spaces in which to teach trades.

Mr. Speaker, I am concerned that providing adequate facilities for delivering cultural skills instruction is sometimes an afterthought. I support our schools to take steps to ensure that adequate and dedicated space is provided for the delivery of cultural instruction programs and traditional skills.

Mr. Speaker, a strong cultural skills curriculum helps our young people to gain self-confidence, learn important values, and build good character. I urge the government to ensure that our schools and teachers have the space and resources to fulfill this very important responsibility. Thank you, Mr. Speaker.

>> *Applause*

Speaker: Thank you, Mr. Ningark. Members' Statements. Member for Iqaluit East, Ms. Aariak.

**Member's Statement 500 – 3(3): 2013
Graduates of Nunavut
Sivuniksavut**

Hon. Eva Aariak (interpretation): Thank you, Mr. Speaker. I also extend a warm welcome to Iqalumiut, particularly my constituents. I wish them a good afternoon.

Mr. Speaker, I just returned from a trip to Ottawa where I attended a graduation ceremony for the Nunavut Sivuniksavut program students. This program was initiated 27 years ago with the course held in Ottawa and many Nunavummiut have attended this program over the years.

The students undertake a very different course than that offered elsewhere, as only grade 12 graduates attend with various post-secondary courses and preparatory classes for post-secondary courses of their choice. This includes the ability to live in a large city, as Ottawa is quite large, and this helps them adapt to a different lifestyle.

It is very heart-warming and a source of pride to see them learn about Inuit, our culture, as well as our history and traditional practices. Even as they take these types of courses, they are also taught classes to allow them to further their education if they so choose.

Furthermore, this program is also a good stepping stone towards employment opportunities as it prepares them for employment practices. Be that as it may, Mr. Speaker, our government provides support through various funding programs that this school applies for, including FANS funding for the Nunavut Sivuniksavut students. The Nunavut government provides assistance in this manner.

The primary reason why I attended this graduation ceremony was in my role as a parent, as my son was one of the first year graduates in the school, although I was there to represent our government as well.

Mr. Speaker, it is a source of happiness to state that my son Jerry was among 32 graduating students yesterday. This was the largest graduating class in the history of Nunavut Sivuniksavut. I want to extend my congratulations to my son Jerry, along with all of his fellow graduating students.

Mr. Speaker, I would like to ask for unanimous consent to conclude my statement. Thank you, Mr. Speaker.

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

Hon. Eva Aariak (interpretation): Thank you for allowing me to conclude my statement.

As I said, I would like to congratulate the students from Nunavut Sivuniksavut who just recently graduated because those students are learning various things in Canada and around the world. They represent the people of Nunavut.

I saw those who have just completed the second year program and I would like to pass on my congratulations to them. (interpretation ends) The member from Hudson Bay was congratulating the students from Sanikiluaq. I also pass on my congratulations to Sanikiluaq as well. Thank you, Mr. Speaker.

>> *Applause*

Speaker: Thank you, Ms. Aariak. Members' Statements. Member for Natilik, Ms. Ugyuk.

**Member's Statement 501 – 3(3): NS
Graduates from Constituency**

Ms. Ugyuk (interpretation): Thank you, Mr. Speaker. It was very good to see our Premier, who is also the Minister of Education, attend the Nunavut Sivuniksavut graduation.

There were also graduates from Taloyoak. Nancy Aqqaq from Gjoa Haven has just recently graduated down at Nunavut Sivuniksavut and we hear that they enjoy attending Nunavut Sivuniksavut. They help out with different kinds of things that the Inuit people want to bring out. Cecile Lyall and Nancy Aqqaq have graduated and I wish them well. Thank you, Mr. Speaker.

>> *Applause*

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

**Member's Statement 502 – 3(3):
Appreciation for Marion Love**

Mr. Ningeongan: Thank you, Mr. Speaker. I rise today to express my appreciation for the work and dedication of Marion Love, who will soon be moving on from her position as Executive Director of Nunavut's Human Rights Tribunal, which is based in Coral Harbour.

Mr. Speaker, Ms. Love began working for the Government of the Northwest Territories in 1982. She has worked in many fields, supporting adult literacy, Article 23 training initiatives, and various other community and workplace initiatives. Ms. Love is a long-time

resident of Coral Harbour and, for the past eight years, she has been the senior person at Nunavut's Human Rights Tribunal.

Mr. Speaker, I am especially appreciative of the fact that Ms. Love has spent considerable time training the individual who will replace her. Rosie Tanuyak-Ell is originally from Chesterfield Inlet, but moved to Coral Harbour with her family in 1996. Ms. Tanuyak-Ell began working for the Human Rights Tribunal in 2006 as a human rights officer. I am very pleased that she will be taking on the executive director position after Ms. Love leaves.

Mr. Speaker, it is always heartening to have local residents work hard and advance in the service of their community and territory. I wish Ms. Love every success in her future activities and would like to take this opportunity to again express my appreciation for her work in the past. Thank you, Mr. Speaker.

>> *Applause*

Speaker: Thank you, Mr. Ningeongan. Item 3. Members' Statements. We will move on in our orders of the day. Item 4. Returns to Oral Questions. Item 5. Recognition of Visitors in the Gallery. Mr. Ningeongan.

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

Mr. Ningeongan (interpretation): Thank you, Mr. Speaker. The individual whom I was just talking about is here in the Gallery. I said that they have a replacement for the position in the Human Rights Tribunal in Coral

Harbour and I would like to welcome Rosie Tanuyak-Ell, who is in the Gallery.

>>Applause

Speaker: Thank you, Mr. Ningeongan. Welcome to the Gallery. Item 5. Recognition of Visitors in the Gallery.

Members, I would like to take this opportunity to welcome and recognize Erin and Bob from Aon Hewitt, visiting from Calgary. Maybe that's why we have such nice weather for them up here. Welcome to the Gallery.

>>Applause

Item 5. Recognition of Visitors in the Gallery. We will move on in our orders of the day. Item 6. Oral Questions. Member for Akulliq, Mr. Ningark.

Item 6: Oral Questions

Question 643 – 3(3): Cultural Programs in Nunavut Schools

Mr. Ningark (interpretation): Thank you, Mr. Speaker. As per my earlier Member's Statement, I referred to the different teachers now teaching various subjects within our schools and that these teachers need proper classrooms and resources with our schools. Here I specifically refer to the elders who teach traditional skills, such as sewing and hide preparation, and in the case of the males, the traditional hunt. Their classes tend to be space challenged.

In the Arctic, it is much easier to teach survival skills in the outdoors as those skills can only be taught with the materials on the land that they must use.

The women also teach the proper way to make cold-weather clothing, as youth need to be taught by our elders.

Perhaps I can direct my question to the Minister responsible for Education. I also want to note her return and for that I am happy. Now my question to the Minister of Education is: throughout Nunavut, has the minister been apprised of the issue of the cultural instruction programs needing more space? Thank you, Mr. Speaker.

Speaker: Thank you, Mr. Ningark. Minister responsible for the Department of Education, Minister Aariak.

Hon. Eva Aariak (interpretation): Thank you, Mr. Speaker. I also thank my colleague for his question. Up to now, I haven't received any concerns from Nunavummiut about the lack of space in the Inuit cultural programs, including from the teachers. Since there are various courses being taught under this category, not all of them face this challenge and we now have many elders certified to teach various courses within our schools here in Nunavut.

Furthermore, when we went to open their new school in Sanikiluaq, I was quite happy to see the classroom was set up in a different manner. The floor had a drain which was said to be where they flensed the sealskins. It was very uplifting to see that set-up as it showcased the Inuit cultural class difference in the set-up as it was geared to those classes.

Let me reiterate, to date, I haven't been apprised of any concerns or issues related to limited classroom space for

any of the Inuit cultural classes offered in our schools. Thank you, Mr. Speaker.

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

Mr. Ningark (interpretation): Thank you, Mr. Speaker. I envy the school in Sanikiluaq for their ingenuity.

As we all know, as elected officials, we are occasionally invited to attend events or classes at the schools. Again, as we tour the schools, we are informed, “Here is the kindergarten classroom,” or let’s say, “Here are the grade 5 classrooms,” amongst other things. Alternatively, we could be shown the kitchen or meat preparation room. Again, some members are sometimes shown the classroom for traditional classes, such as a skin preparation room, workspace, qamutik-making area, and so on, but I haven’t ever been shown these types of classrooms.

Maybe at this time now, she can direct her officials in her department to look into the best types of classrooms they can provide for these cultural classes. They need proper places to learn. I certainly hope that in our near future, much like the school in Sanikiluaq, the department includes these types of classrooms for future additions or new schools and that these are considered down the road. Thank you, Mr. Speaker.

Speaker: Thank you, Mr. Ningark. Minister responsible for the Department of Education, Minister Aariak.

Hon. Eva Aariak (interpretation): Thank you, Mr. Speaker. The cultural classes’ teachers are provided different classrooms for their courses, and I have

seen cases in quite a number of schools, much like Inuit do their sealskin work on the home floor, that they do their sealskin work on the school floor, as well as when they work on caribou skins. It is very gratifying to see this in our schools, that they are offering traditional cultural skills to our students.

When they are preparing to develop new school facilities, they consult with the local DEA on how the design of the new facility should look like. The DEA has ample opportunities to make their suggestions, especially for a specialty room for sealskin work or other types of cultural classroom set-up, much like Sanikiluaq. Other communities have done that type of planning work, to incorporate these types of rooms for their cultural classes, where they have a dedicated sealskin working room.

If the older schools don’t have this type of room available, other areas can be utilized for these types of cultural activities. However, during the design phase of our newest facilities, especially the new schools scheduled for construction in the immediate future, the local DEA has ample opportunity to express their wishes. They are provided options as to what can be included in the new facility when it is under construction. Thank you, Mr. Speaker.

Speaker: Thank you, Madam Minister. Oral Questions. Member for Hudson Bay, Mr. Rumbolt.

Question 644 – 3(3): Government Office Space in Sanikiluaq

Mr. Rumbolt: Thank you, Mr. Speaker. My questions today are for the Minister of Justice.

One of the ongoing initiatives of the department is to assume full responsibility for community corrections in Nunavut. As the minister is aware, Sanikiluaq continues to lack a permanent community corrections officer.

The department's business plan indicates that, and I quote, "The biggest challenge is in securing office space and housing in several targeted communities. Community Corrections and Community and Government Services are working closely to address these issues." Can the minister indicate where these discussions are today? Thank you, Mr. Speaker.

Speaker: Thank you, Mr. Rumbolt. Minister responsible for the Department of Justice, Minister Shewchuk.

Hon. Daniel Shewchuk: Thank you, Mr. Speaker. I thank Mr. Rumbolt for the question. He's absolutely right. Community corrections are an essential service that we have to try and provide in all communities.

In this case, we do have a vacant position in Sanikiluaq, as has been mentioned, and we continue to work with Community and Government Services to secure office space, which we haven't done yet. That is ongoing and we also continue to secure housing for a vacant position we have there. Thank you, Mr. Speaker.

Speaker: Thank you, Minister Shewchuk. Your first supplementary, Mr. Rumbolt.

Mr. Rumbolt: Thank you, Mr. Speaker. I'm wondering if the minister can confirm or clarify, for acquiring office space for the probation officer in

Sanikiluaq, whether it now lies with Community and Government Services or if the Department of Justice has not placed a formal request to Community and Government Services. I'm just wondering where it stands, whether they're waiting for a response from Community and Government Services on the office space issue or if they're still just in general discussions. Thank you, Mr. Speaker.

Speaker: Thank you, Mr. Rumbolt. Minister responsible for the Department of Justice, Minister Shewchuk.

Hon. Daniel Shewchuk: Thank you, Mr. Speaker. A request and discussion is ongoing with Community and Government Services. They know our needs and what we require for office space. We have given them the specifications and what we need. They're ongoing to try and secure space that is going to be most effective and efficient for our needs. Thank you, Mr. Speaker.

Speaker: Thank you, Minister Shewchuk. Your final supplementary, Mr. Rumbolt.

Mr. Rumbolt: Thank you, Mr. Speaker. I thank the minister for his comments and answers. Can the minister also confirm that his department has sent a request to the Nunavut Housing Corporation requiring housing for this position? Thank you, Mr. Speaker.

Speaker: Thank you, Mr. Rumbolt. Minister responsible for the Department of Justice, Minister Shewchuk.

Hon. Daniel Shewchuk: Thank you, Mr. Speaker. It's my understanding that

there has been a formal request. They're requesting housing for this vacant position. Thank you, Mr. Speaker.

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

Question 645 – 3(3): Solid Waste Management Plan

Mr. Oshutapik (interpretation): Thank you, Mr. Speaker. I forgot to express a good afternoon wish to my constituents earlier, so good afternoon to them as well as our fellow Nunavummiut.

Mr. Speaker, I would like to direct my question to the head honcho. Perhaps we should be referring these words to the *Inuit Uqausinginnik Taiguusiliuqtiit* to make a decision on how we should coin the ministers in Inuktitut since we are phonetically copying the English word for minister.

I would like to direct my question to the Minister for Community and Government Services, (interpretation ends) the Hon. Lorne Kusugak.

In my Member's Statement today, I spoke about the importance of solid waste management in Nunavut.

The current business plan of the Department of Community and Government Services indicates that one of the priorities is to examine the feasibility of a public-private partnership model to "address solid waste infrastructure for all communities" in Nunavut.

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

Speaker: Thank you, Mr. Oshutapik. Minister responsible for Community and Government Services, with the nice tie, Minister Kusugak.

>> *Laughter*

Hon. Lorne Kusugak: Thank you, Mr. Speaker. We will have to edit your statement in *Hansard*. It is a tie, I agree with you there, and it was a tie yesterday until overtime.

>> *Laughter*

Mr. Speaker, (interpretation) in regard to the member's questions about solid waste management in the communities, we are presently working to make it better for the solid waste in each community. We are examining it right now in order to make sure that they are in the right place in each community and that they are operated in a better manner, Mr. Speaker. Thank you.

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

Mr. Oshutapik (interpretation): Thank you, Mr. Speaker. I thank the minister for his response. In our communities, garbage is everywhere.

(interpretation ends) Mr. Speaker, the Department of Community and Government Services has been working with the Department of Environment to improve ways of managing solid waste in Nunavut and to develop a Nunavut-wide solid waste management strategy.

Can the minister indicate what new initiatives the two departments are currently working on? Thank you, Mr. Speaker.

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

Hon. Lorne Kusugak (interpretation): Thank you, Mr. Speaker. We are working on solid waste management and how to keep it clean. I would like to respond to the member by saying that we are now working to do some more work this summer to manage the landfill sites. We are now waiting for RFPs to be able to manage solid waste in each community. This is what we will be doing this summer. Thank you, Mr. Speaker

Speaker: Thank you, Minister Kusugak. Your final supplementary, Mr. Oshutapik

Mr. Oshutapik (interpretation): Thank you, Mr. Speaker. He already responded to my second supplementary, but I just wanted some more clarification from the minister. How long until the minister will know when this project will be started? Thank you, Mr. Speaker.

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

Hon. Lorne Kusugak (interpretation): Thank you, Mr. Speaker. I thank the member for his question. We will be doing the RFP this summer. I feel that we have to be able to do a better job with solid waste management in each community. Solid waste is in every

community and we would like to be able to do that efficiently in each community's landfill. As soon as I find out, I will be providing the members with more information in this House. Thank you, Mr. Speaker.

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

Question 646 – 3(3): Indeterminate Nurses in Nunavut

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

Mr. Speaker, it's a well-known fact that Nunavut competes with many other jurisdictions to hire health professionals, such as nurses and doctors. In many cases, we are forced to contract expensive agency nurses because we do not have enough staff to fill all the necessary positions.

Can the minister confirm whether or not it is still the government's intention to fill as many nursing positions as possible with full-time, indeterminate nurses? Thank you, Mr. Speaker.

Speaker: Thank you, Mr. Elliott. Minister responsible for the Department of Health, Minister Peterson.

Hon. Keith Peterson: Thank you, Mr. Speaker. In response to Mr. Elliott's questions, yes. Thank you, Mr. Speaker.

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

Mr. Elliott: Thank you, Mr. Speaker. It has come to my attention that not one of

the recent graduates from Nunavut's own Nursing Program at Nunavut Arctic College has been offered a job within our health system.

Last week was National Nursing Week and I spoke of the tremendous benefit it is in the High Arctic to have long-term nurses working in our communities.

Can the minister explain why, when we have committed northerners living, studying, and graduating in Nunavut, in a health profession that is in high demand, these graduates are not immediately being hired to work in Nunavut? Thank you, Mr. Speaker.

Speaker: Thank you, Mr. Elliott. Minister responsible for the Department of Health, Minister Peterson.

Hon. Keith Peterson: Thank you, Mr. Speaker. I thank Mr. Elliott for the question. Mr. Speaker, I would certainly hope that the graduates would have an opportunity to apply for positions in the Department of Health. There is a process that they have to follow, but we do encourage potential nurses to approach our department. I will follow up and ask our officials what they have done to look at recruiting these individuals to work in our health centres. Thank you, Mr. Speaker.

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

Mr. Elliott: Thank you, Mr. Speaker. Thank you for that commitment. In the past, it's my understanding that the nurses were hired as student nurses before they actually completed their exams to put them in as full-time nurses. So it's something that has happened in

the past and for some reason, it's not happening this year. I'm sure he will have a discussion with the Minister of Finance, who is now in charge of human resources.

In looking back over earlier *Hansards*, when Nunavut's Nursing Program was in its beginning stages, I note that the government of the day committed to hiring all graduates from the Nunavut Arctic College Nursing Program to work in nursing jobs in Nunavut. Can the minister clearly state whether the government of today stands by that commitment and, if not, why not? Thank you, Mr. Speaker.

Speaker: Thank you, Mr. Elliott. Minister responsible for the Department of Health, Minister Peterson.

Hon. Keith Peterson: Thank you, Mr. Speaker. I thank Mr. Elliott for his questions. Yes, it is interesting when you can have opportunities, being the finance minister, talking to the HR minister and talking to the health minister and vice versa, so there are a lot of opportunities to resolve issues.

Mr. Speaker, Mr. Elliott raises good concerns. I believe that the nurses, the graduates that he is asking about are... . There's a process right now. I believe that our health officials are talking to the nurses. There may even be offers planned to be made. I don't want to get into details in the House about HR issues, interviews, and job offers.

We do have a commitment to hire nurses, indeterminate nurses, and we do support Nunavummiut to take the Nursing Program in Nunavut or elsewhere in Canada and work in our

facilities. There's a good chance that home-grown and educated nurses are going to make a very long commitment to nursing in Nunavut and provide continuity in our health centres and our hospitals. So I again thank Mr. Elliott for asking about nurses. Thank you, Mr. Speaker.

Speaker: Thank you, Minister Peterson. Oral Questions. Member for Nanulik, Mr. Ningeongan.

Question 647 – 3(3): Status of New High School for Coral Harbour

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

Mr. Speaker, I recognize that we have already reviewed and approved the government's 2013-14 capital budget and that the most recent five-year capital plan for 2014-18 indicates that a new school project for Coral Harbour will begin in 2014-15. However, I am sure the minister will appreciate that community residents would like some reassurance that what is on paper will actually become reality on the ground.

For the public record, especially for the people of Coral Harbour, will the minister confirm that Coral Harbour's new school project is planned to begin in 2014-15? Thank you, Mr. Speaker.

Speaker: Thank you, Mr. Ningeongan. Minister responsible for the Department of Education, Minister Aariak.

Hon. Eva Aariak (interpretation): Thank you, Mr. Speaker. Yes, my colleague's understanding is factual for

this issue. The new school for Coral Harbour is included in the five-year capital plan. The planning phase is scheduled for 2014-15 and (interpretation ends) the design phase will be in 2015-16. (interpretation) Thank you, Mr. Speaker.

Speaker: Thank you, Madam Minister. Your first supplementary, Mr. Ningeongan.

Mr. Ningeongan (interpretation): Thank you, Mr. Speaker. I thank the minister for the response. I was interested to note that for (interpretation ends) Bill 61, (interpretation) the government's recent (interpretation ends) capital supplementary appropriation No. 2, (interpretation) we approved funding for a brand-new school project in another community. This means that there may be eight school capital projects underway in 2014-15 instead of the seven originally planned. Can the minister provide some assurances to the listening public that the plans for a new school in Coral Harbour will not be delayed as a result of adding new projects to the department's capital plan? Thank you, Mr. Speaker.

Speaker: Thank you, Mr. Ningeongan. Minister responsible for the Department of Education, Minister Aariak.

Hon. Eva Aariak (interpretation): Thank you, Mr. Speaker. Yes, I want my colleague to completely understand the situation, including the residents of Coral Harbour, with respect to the capital plan inclusion of their school. Based on what I know, this won't change.

The school isn't totally overcrowded in Coral Harbour, but we have been notified that we will have to plan for a new facility to be constructed. Based on the information I have, this aspect of the planning won't change. Thank you, Mr. Speaker.

Speaker: Thank you, Minister Aariak. Your final supplementary, Mr. Ningeongan.

Mr. Ningeongan (interpretation): Thank you, Mr. Speaker. I thank the minister for the response. This will be my last question on behalf of my home community of Coral Harbour. The residents of Coral Harbour are aware that the year 2014 is still quite a long ways off, and we would like to see more communication between the community and the Department of Education.

Perhaps the minister can have the preparations completed after having visited the community. I note that the term of this current government is nearing its end and these plans may change with the transfer to a new government. Has this been taken into consideration by her department to ensure communication continues between the parties seamlessly? Thank you, Mr. Speaker.

Speaker: Thank you, Mr. Ningeongan. Minister responsible for the Department of Education, Minister Aariak.

Hon. Eva Aariak (interpretation): Thank you, Mr. Speaker. With respect to this current government, I am extremely proud of it as they plan for our future priorities. They list them by priority following the different activities we are required to complete over the life of this

government over several years up to now. Such decisions as which schools require urgent replacement, which community has the most pressing need for a hockey arena, and so on, this government has been quite adept at identifying these priorities over the last several years.

I am quite happy and concur with the member that the Department of Education keep a good line of communication with the community. I seem to be having trouble speaking Inuktitut today, but we will endeavour to keep the Coral Harbour DEA informed about this middle school project and the planned construction. I will further direct the officials at the Department of Education to maintain the lines of communication with the Coral Harbour DEA on the new school project. Thank you, Mr. Speaker.

Speaker: Thank you, Minister Aariak. Oral Questions. Member for Tununig, Mr. Enook.

Question 648 – 3(3): GN's Position on Seismic Testing

Mr. Enook (interpretation): Thank you, Mr. Speaker. Good afternoon to the people of Pond Inlet and Nunavut. Mr. Speaker, I want to start off with questions directed to the Minister responsible for the Environment, the Hon. Minister Arreak. I am unsure whether or not it touches up on transportation, so you can clarify that for me afterwards.

Mr. Speaker, last summer and the year prior, representatives have been visiting our community and the communities of Clyde River and Arctic Bay to present

their seismic testing off Button Point in Baffin Bay and they want to test that entire area offshore to determine what the seabed holds.

Mr. Speaker, I tabled a document yesterday outlining the concerns of the Pond Inlet HTO, if the seismic testing is to occur, on the possible effects on marine mammals. Further, this morning, I heard on the radio that the Clyde River hamlet council is very concerned about this potential testing.

I want to ask the minister about this issue. Has our government provided their position on this seismic testing proposal to the National Energy Board? Thank you, Mr. Speaker.

Speaker: Thank you, Mr. Enook. Minister responsible for the Department of Environment, Minister Arreak.

Hon. James Arreak (interpretation): Thank you, Mr. Speaker. The document tabled by the member has been reviewed by our officials, including the concerns expressed by Clyde River in their correspondence. The project proposals are being reviewed and proposed developments are reviewed by our offices.

We are trying to work with the National Energy Board. However, they want to conduct seismic testing with compressed air to determine seabed topography and to map out the seabed. This includes the delineation of petroleum resources, if any, as well as the sea life and ecology of the seabed being tested. Thank you, Mr. Speaker.

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

Mr. Enook (interpretation): Thank you, Mr. Speaker. I would like to hear from the minister, including the people of Nunavut, particularly the residents of Pond Inlet. What is the status on the seismic testing proposal? Is it supported by this government? Thank you, Mr. Speaker.

Speaker: Thank you, Mr. Enook. Minister responsible for the Department of Environment, Minister Arreak.

Hon. James Arreak (interpretation): Thank you, Mr. Speaker. These companies have been proposing to do seismic testing. We usually support the community in trying to get feedback of any projects. For the lands department, we will have to consult with the councils of the community to see what concerns they have. We will keep the hamlet council informed of any project. Thank you, Mr. Speaker.

Speaker: Thank you, Minister Arreak. Your final supplementary, Mr. Enook.

Mr. Enook: Thank you, Mr. Speaker. (interpretation) I would like to ask the minister in regard to the communities of Pond Inlet, Clyde River, Qikiqtarjuaq, and Pangnirtung that are on the eastern side of where the proposed seismic testing will be. The communities are talking about all the concerns that they have. Can this government support the local governments if they go against this project? Thank you, Mr. Speaker.

Speaker: Thank you, Mr. Enook. Minister responsible for the Department of Environment, Minister Arreak.

Hon. James Arreak (interpretation): Thank you, Mr. Speaker. In any kind of

testing of our waters, we have to know what's going on within Nunavut. We will closely look into what is being proposed, but I cannot state whether or not we're going to support or how we can work closer with the communities. We will keep working with the communities.

The response to the letters and their concerns is being worked on. We will respond to their concerns and let the council know if there's anything coming. Of course, we will discuss the pros and cons of this project. Thank you, Mr. Speaker.

Speaker: Thank you, Minister Arreak. Oral Questions. Member for Hudson Bay, Mr. Rumbolt.

Question 649 – 3(3): Additional Office Space at Sanikiluaq

Mr. Rumbolt: Thank you, Mr. Speaker. I would like to direct my questions to the Minister of Health.

Mr. Speaker, I have made it clear in the past to the Department of Health that the health centre in Sanikiluaq is overcrowded and too small for our community needs.

Mr. Speaker, earlier this year, I wrote a letter to the minister with suggestions on how to help with the overcrowding at the health centre. In that letter, I suggested that office space be acquired outside the health centre for the social worker and other frontline workers.

Can the minister update the House today what his department is doing to acquire to additional office space for frontline

workers in Sanikiluaq? Thank you, Mr. Speaker.

Speaker: Thank you, Mr. Rumbolt. Minister responsible for the Department of Health, Minister Peterson.

Hon. Keith Peterson: Thank you, Mr. Speaker. I thank Mr. Rumbolt for his question. Yes, Mr. Speaker, Mr. Rumbolt did write me a letter and he invited me to Sanikiluaq. I had an opportunity to go down there on March 25. It was a very nice visit and I appreciate the people of Sanikiluaq for inviting us and hosting us.

We did have an opportunity to meet with the mayor and some officials down there. We brought some Community and Government Services people and my health officials. They did meet with officials down there. I believe that they will be discussing the information they received from their meetings this week. They will update me with respect to how they will go forward with trying to provide office space in Sanikiluaq. Thank you, Mr. Speaker.

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

Mr. Rumbolt: Thank you, Mr. Speaker. I thank the minister for his update. Mr. Speaker, I wonder if the minister can confirm if acquiring additional office space for frontline workers in Sanikiluaq now lies with the Department of Community and Government Services and he's awaiting their response. Thank you, Mr. Speaker.

Speaker: Thank you, Mr. Rumbolt. Minister responsible for the Department of Health, Minister Peterson.

Hon. Keith Peterson: Thank you, Mr. Speaker. I thank Mr. Rumbolt for the question. As I mentioned, the officials from both departments will be getting together this week to meet and discuss how to move forward on the office space issue. Thank you, Mr. Speaker.

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

Question 650 – 3(3): Update on Devolution

Mr. Elliott: Thank you, Mr. Speaker. My questions are for the Premier.

On April 25 of this year, the Government of Nunavut and Nunavut Tunngavik Incorporated hosted a live Inuit language phone-in show to talk about devolution and explain how a devolution deal could help Nunavummiut. Can the Premier update the House on the outcome of this public awareness campaign? Thank you, Mr. Speaker.

Speaker: Thank you, Mr. Elliott. Minister responsible for Executive and Intergovernmental Affairs, Madam Premier.

Hon. Eva Aariak (interpretation): Thank you, Mr. Speaker. I also thank my colleague. The Nunavut Tunngavik Incorporated and the Government of Nunavut collaborated to go on TV to get feedback from the people and also to provide information about devolution. I am very pleased that different people were able to call to ask some questions and they were able to express their concerns. We will continue to try and

educate the people of Nunavut in regard to devolution. Thank you, Mr. Speaker.

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

Mr. Elliott: Thank you, Mr. Speaker. In May 2012, last year, David Akeeagok was named the Government of Nunavut's chief negotiator for devolution. Can the Premier update the House on what has transpired on this file over the past year and indicate our government's timetable with respect to achieving a devolution agreement? Thank you, Mr. Speaker.

Speaker: Thank you, Mr. Elliott. Minister responsible for Executive and Intergovernmental Affairs, Madam Premier.

Hon. Eva Aariak (interpretation): Thank you, Mr. Speaker. I also thank the member for asking that question as the member feels this is an important matter for Nunavut to work towards devolution down the road.

Yes, our negotiator, the NTI negotiator, along with the federal government chief negotiator, held discussions. Besides the continuing discussions, they have also toured various communities to meet over this matter. Additionally, with these discussions, the federal chief negotiator will be submitting a report to the AANDC minister as he has completed his report.

I am now expecting to hear what the next project is. Last month, I met with the new minister of social services. We have heard that we are expecting some good news and the report has been done. I'm just as anxious as you are to hear

about what is going to happen, whether the mandate is going to be approved by the federal government. Thank you, Mr. Speaker.

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

Mr. Elliott: Thank you, Mr. Speaker. The Government of Nunavut's chief negotiator for devolution was quoted as saying "NTI is a full partner. This will be a three-party negotiation, similar to Yukon and NWT, where aboriginal groups were involved in their devolution agreements."

Mr. Speaker, my question for the Premier is: how will Inuit involvement be incorporated into the negotiations? Is NTI solely speaking for Inuit of Nunavut around the negotiation table, or will the regional Inuit associations be there? Thank you, Mr. Speaker.

Speaker: Thank you, Mr. Elliott. Minister responsible for Executive and Intergovernmental Affairs, Madam Premier.

Hon. Eva Aariak (interpretation): Thank you, Mr. Speaker. I think it has been four years that we have been trying to inform the people of Nunavut about devolution. NTI is in full support of what we're doing and they support Inuit because they are the body that represents Inuit. They have a negotiator and that's how they're going to negotiate these things. Thank you, Mr. Speaker.

Speaker: Thank you, Madam Premier. Oral Questions. Member for Tununiq, Mr. Enook.

Question 651 – 3(3): Status of Iqaluit International Airport Project

Mr. Enook (interpretation): Thank you, Mr. Speaker. My questions are for the Minister of Economic Development and Transportation.

Mr. Speaker, sooner or later, whether they like it or not, every resident of Baffin Island has to travel through Iqaluit's airport. This airport is very important to the residents of Baffin Island as well as Nunavummiut.

Mr. Speaker, the government's plans to construct a new air terminal building and undertake other improvements to Iqaluit's airport is expected to cost well over \$100 million. Can the minister provide an update today on the status of this major project? Thank you, Mr. Speaker.

Speaker: Thank you, Mr. Enook. Minister responsible for Economic Development and Transportation, Minister Taptuna.

Hon. Peter Taptuna: Thank you, Mr. Speaker. I thank the member for that question. Mr. Speaker, that process is moving forward. As the member is well aware, we are in the RFP process and that's ongoing. All the targets that we have indicated for our advisory committee to target for are on track. We expect that we will be awarding the RFPs sooner rather than later. We expect the date to be next month. Thank you, Mr. Speaker.

Speaker: Mr. Enook.

Mr. Enook (interpretation): Thank you, Mr. Speaker. Thank you, hon. minister.

Earlier this year, the government issued a request for proposals for a chief project officer for this project. Can the minister indicate which individual or firm was awarded this contract? Thank you, Mr. Speaker.

Speaker: Thank you, Mr. Enook. Minister responsible for Economic Development and Transportation, Minister Taptuna.

Hon. Peter Taptuna: Thank you, Mr. Speaker. I thank the member for that question. Mr. Speaker, we appreciate the funds that were given for the biggest project for Nunavummiut and Nunavut. It is a huge project. At this time, I do not have names for project officers or otherwise, but we do have an advisory committee and with our partners, they keep the project moving along. As I indicated, Mr. Speaker, the process is moving forward and on target for scheduling and, hopefully, construction by 2014 or later this year. Thank you, Mr. Speaker.

Speaker: Thank you, Minister Taptuna. Item 6. Oral Questions. Member for Quttiktuq, Mr. Elliott.

Question 652 – 3(3): Status of Equipment Shelter in Arctic Bay

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

Two years ago, \$800,000 was spent on the construction of an equipment shelter at the Arctic Bay Airport. To date, the shelter is not complete. In previous sittings, I have tabled photographs of the building in its incomplete state. Can the

minister update the House on this project? Thank you, Mr. Speaker.

Speaker: Thank you, Mr. Elliott. Minister responsible for Economic Development and Transportation, Minister Taptuna.

Hon. Peter Taptuna: Thank you, Mr. Speaker. I thank the member for that question. Mr. Speaker, as soon as I get the details on the current status of the equipment shelter, I'll surely let the member know. Thank you, Mr. Speaker.

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

Mr. Elliott: Thank you, Mr. Speaker. Thank you for that commitment. Mr. Speaker, the equipment shelter in Arctic Bay is just one of four equipment shelters across the territory that is in an incomplete state.

Last week, we approved \$70,000 in capital carryover projects for the equipment shelter in Arctic Bay. How much will it cost to complete this project? Thank you, Mr. Speaker.

Speaker: Thank you, Mr. Elliott. Minister responsible for Economic Development and Transportation, Minister Taptuna.

Hon. Peter Taptuna: Thank you, Mr. Speaker. I thank the member for that question. This project has been ongoing with our partners at another department of CGS and at this point, the necessary completion of the plumbing and electrical is still ongoing. At this point, I'll have to indicate to the member that we're looking for additional funds to

complete the projects. Thank you, Mr. Speaker.

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

Mr. Elliott: Thank you, Mr. Speaker. Actually, if I could get a commitment from the minister. He said, “electrical and plumbing.” If I could get a commitment from the minister to have them really look at the work that has been completed on the project already.

I think there’s a lot of fill work that needs to be done in terms of having the building and having access into the building. It stands on piles up on the ground and you can actually look under the building. So it would be great to have plumbing and electricity, but there would be no floor.

So if I could get a commitment from the minister to look at the details of it and actually make the commitment to get it correct. Thank you, Mr. Speaker.

Speaker: Thank you, Mr. Elliott. Minister responsible for Economic Development and Transportation, Minister Taptuna.

Hon. Peter Taptuna: Thank you, Mr. Speaker. I thank the member for that question. Mr. Speaker, literally speaking, why there’s a higher cost of completing the project is the mechanical and electrical.

Mr. Speaker, I don’t go down to my headquarters office and check daily on the status of some of these things that are happening out there. There are a lot of things happening, but once I get the current information on the plans of

completion of the equipment shelter for Arctic Bay, I’ll surely let the member know. Thank you, Mr. Speaker.

Speaker: Thank you, Minister Taptuna. No. 6. Oral Questions. Member for Quttiktuq, Mr. Elliott.

Question 653 – 3(3): Multiple Options Program

Mr. Elliott: Thank you, Mr. Speaker. My questions are for the Minister of Education.

Mr. Speaker, the Department of Education has recently been promoting its multiple options program for Nunavut’s high school students. In theory, there are at least six different option areas of study or training that students can choose to follow as they progress towards graduation. In practice, the options available do not seem as multiple as promised.

Can the minister clarify for this House how the Department of Education proposes to deliver its multiple options program? Thank you, Mr. Speaker.

Speaker: Thank you, Mr. Elliott. Minister responsible for the Department of Education, Minister Aariak.

Hon. Eva Aariak (interpretation): Thank you, Mr. Speaker. When the students go to high school, the multiple options are currently being worked on. To date, they are incomplete as to when they will come into force. There are also certain questions that the Department of Education needs to find out. They will try to find more information from the DEAs. The multiple options program will not come into force between the

2013 and 2014 fiscal years because they are not finished yet. Thank you, Mr. Speaker.

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

Mr. Elliott: Thank you, Mr. Speaker. At a recent kitchen table talk discussion, which was communication from the government, the community, and the DEAs in my constituency, government officials made it clear that there are, in fact, limited options when it comes to delivering the multiple options program to high school students.

Can the minister explain how her department decides which options from the multiple options program will be delivered at the community level? Thank you, Mr. Speaker.

Speaker: Thank you, Mr. Elliott. Minister responsible for the Department of Education, Minister Aariak.

Hon. Eva Aariak: Thank you, Mr. Speaker. That is one of the reasons why there is ongoing feedback required from DEAs. There are questions that still need to be answered. Once we have all the information we need to implement the multiple course program, it will be communicated to the DEAs.

Multiple options offer the opportunity for students to work towards a career pathway, but it is actually not mandatory. Multiple options is a major initiative and requires significant planning, including staffing. It has been recognized by the department that it requires significant planning, including staffing, appropriate space, and capital

requirements, so there is a lot of work to be done in that area.

Again, the goal for it to be implemented as career pathways is 2014-15. Thank you, Mr. Speaker.

Speaker: Thank you, Madam Minister. Your final supplementary, Mr. Elliott.

Mr. Elliott: Thank you, Mr. Speaker. I recognize that resources are limited. I further recognize that for each community, there may be different levels of interest in the various options offered under the multiple options program.

If the delivery of the multiple options program is to be limited, will the minister commit to giving communities a say and a choice as to which options will be delivered to high school students in each community? Thank you, Mr. Speaker.

Speaker: Thank you Mr. Elliott. Minister responsible for the Department of Education, Minister Aariak.

Hon. Eva Aariak: Thank you, Mr. Speaker. The multiple options program will provide an opportunity for students to select a major area of study from six options and these include fine arts and crafts, introduction to trades and engineering, information technology, communications/media, entrepreneurship, small business studies, history, heritage and culture, and community caregiving and family studies.

These options offer the opportunity for students to work towards a career pathway. Depending on the student's career wishes for him or herself in the

future, they will have an opportunity to choose these multiple options to help them plan their education outcomes at the high school level. Thank you, Mr. Speaker.

Speaker: Thank you, Madam Minister. Item 6. Oral Questions. We will move on in our orders of the day. Item 7. Written Questions. Item 8. Returns to Written Questions. Item 9. Replies to Opening Address. Item 10. Petitions. Ms. Ugyuk.

Item 10: Petitions

Petition 006 – 3(3): Gjoa Haven Sewage Lagoon

Ms. Ugyuk: Thank you, Mr. Speaker. During my recent constituency visit to Gjoa Haven, a petition was brought to my attention by the municipality. This petition was signed by 95 residents of Gjoa Haven who have expressed concerns regarding the location of the new sewage lagoon. Thank you, Mr. Speaker.

Speaker: Thank you, Ms. Ugyuk. Item 10. Petitions. Item 11. Responses to Petitions. Item 12. Reports of Standing and Special Committees on Bills and Other Matters. Mr. Ningeongan.

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

Committee Report 034 – 3(3): Bill 59, Collaboration for Poverty Reduction Act

Mr. Ningeongan: Thank you, Mr. Speaker. I wish to report that Bill 59, *Collaboration for Poverty Reduction*

Act, has been reviewed by the Standing Committee on Legislation and that the Bill is ready for consideration in Committee of the Whole.

Mr. Speaker, I seek unanimous consent to waive Rule 68(6) and have Bill 59 immediately moved into the Committee of the Whole. Thank you, Mr. Speaker.

Speaker: Thank you, Mr. Ningeongan. There is a request for unanimous consent to waive Rule 68(6) so that Bill 59 can be immediately referred to the Committee of the Whole. Are there any nays? There being none. Bill 59, therefore, is immediately referred to the Committee of the Whole for today.

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

Committee Report 035 – 3(3): Report on the Review of the 2011-2012 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 2011-12 Annual Report of the Information and Privacy Commissioner of Nunavut to the Legislative Assembly.

*See Appendix for full text of Committee Report 35 – 3(3) filed with the Clerk.

Since her initial appointment in 1999, the Information and Privacy Commissioner has submitted a total of 13 annual reports to the Legislative Assembly of Nunavut. In each annual report, she has presented a number of recommendations.

Since 2005, the Government of Nunavut 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 November 2, 2012.

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.

Its hearings on the 2010-11 annual report of the Information and Privacy Commissioner were held on November 24, 2011. On November 25, 2011, senior officials from the Government of Nunavut's Department of Executive and Intergovernmental Affairs also appeared before the standing committee to respond to members' questions concerning the administration of the territorial *Access to Information and Protection of Privacy Act*.

Following its 2011 hearings, the standing committee presented its own report to the Legislative Assembly on March 5, 2012. The government's response to the standing committee's report and recommendations was tabled

in the Legislative Assembly on October 23, 2012. The standing committee's reports and the government's responses to them are available on the Legislative Assembly's website.

The standing committee's hearing on the 2011-12 annual report of the Information and Privacy Commissioner was held on the morning of April 18, 2013. Senior officials from the Government of Nunavut's Department of Executive and Intergovernmental Affairs subsequently appeared before the standing committee during the afternoon. This appearance constituted the second 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 April 18, 2013 appearances of the Information and Privacy Commissioner and departmental officials before the standing committee were held in the Nanuq Room of the Legislative Assembly and were open to the public and news media to observe.

The standing committee notes that the government has made progress on some issues, such as amending the *Access to Information and Protection of Privacy Act* to provide the Information and Privacy Commissioner with clear authority to investigate privacy breaches. However, further action is required in other areas, such as the application of access to information and protection of privacy legislation to municipalities and addressing the issue of health-specific privacy legislation.

Mr. Speaker, the standing committee's report presented ten formal recommendations. A number of these recommendations follow up on issues that have been 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:

- The timeline for the coming into force of recent amendments to the *Access to Information and Protection of Privacy Act*;
- The disclosure of Crown agency contracting, procurement and leasing activities;
- The 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 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*;

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

Mr. Speaker, I would like to take this opportunity to pay tribute to my colleagues for their thoughtful interventions and questions during the standing committee's deliberations. As the standing committee has noted on a number of occasions, 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 like to take this opportunity to also pay tribute to the work that our Information and Privacy Commissioner, Ms. Elaine Keenan Bengts, has performed on behalf of Nunavut during the tenure of her appointment. The standing committee appreciated her candid replies to our questions and comments during her recent appearance.

I would also like to express appreciation to 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.

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

Speaker: Thank you, Mr. Elliott. Do members agree that Pursuant to Rule 91(2) that the report of the standing committee be received by the House and entered into the record as read?

Some Members: Agreed.

Speaker: There is, indeed, agreement. As such, the report will be entered into the record as read.

Item 12. Reports of Standing and Special Committees on Bills and Other Matters. Item 13. Tabling of Documents. Minister of Education, Minister Aariak.

Item 13: Tabling of Documents

Tabled Document 368 – 3(3): Comic Book Titled “Choices”

Hon. Eva Aariak: Thank you, Mr. Speaker. I am pleased to table the Department of Education’s new sexual health resource, the comic book titled “Choices.” The comic book is available in Inuktitut, Inuinnaqtun, French, and English. Thank you, Mr. Speaker.

Speaker: Item 13. Tabling of Documents. Minister of Finance, Minister Peterson.

Tabled Document 369 – 3(3): Fuel Tax Rebate Program 2011-2012 Annual Report (Peterson)

Hon. Keith Peterson: Thank you, Mr. Speaker. I am pleased to table the Fuel Tax Rebate Program 2011-12 Annual Report. Thank you, Mr. Speaker.

Speaker: Thank you, Minister Peterson. Item 13. Tabling of Documents. Minister of Health, Minister Peterson.

Tabled Document 370 – 3(3): Chief Medical Officer of Health’s 2011-2012 Tobacco Control Act Annual Report

Hon. Keith Peterson: Thank you, Mr. Speaker. I am pleased to table the chief medical officer of health’s 2011-12 *Tobacco Control Act* Annual Report. Thank you, Mr. Speaker.

Speaker: Thank you, Minister Peterson. Item 13. Tabling of Documents. Moving on in our orders of the day. Item 14. Notices of Motions. Mr. Ningeongan.

Item 14: Notices of Motions

Motion 050 – 3(3): Extended Adjournment – Notice

Mr. Ningeongan: Thank you, Mr. Speaker. I give notice that on Thursday, May 16, I will move the following motion:

I move, seconded by the Hon. Member for Rankin Inlet South and Whale Cove, that pursuant to the provisions of Rule 3, that when the House concludes its spring 2013 sitting, it shall be adjourned until September 5, 2013.

Thank you, Mr. Speaker.

Speaker: Thank you, Mr. Ningeongan. Item 14. Notices of Motions. Mr. Schell.

Motion 051 – 3(3): Performance Audit of the Nutrition North Canada Program – Notice

Mr. Schell: Thank you, Mr. Speaker. I give notice that on Thursday, May 16, 2013, I will move the following motion:

NOW THEREFORE I MOVE, seconded by the Hon. Member for Quttiktuq, that the Legislative Assembly calls on the Auditor General of Canada to undertake a comprehensive performance audit of the Nutrition North Canada Program and report its office's findings and recommendations to the Parliament of Canada.

Thank you, Mr. Speaker.

Speaker: Thank you, Mr. Schell. Item 14. Notices of Motions. Item 15. Notices of Motions for First Reading of Bills. Mr. Elliott.

Item 15: Notices of Motions for First Reading of Bills

Bill 66 – Plebiscites Act – Notice

Mr. Elliott: Thank you, Mr. Speaker. I give notice that on Thursday, May 16, I will move that Bill 66, *Plebiscites Act*, be read for the first time. Thank you, Mr. Speaker.

Speaker: Thank you, Mr. Elliott. 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. Bill 59 with Mr. Enook in the Chair.

Before we proceed to the Committee of the Whole, we will take a 30-minute break.

Sergeant-at-Arms.

>>*House recessed at 15:19 and Committee resumed at 15:51*

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

Chairman (Mr. Enook)(interpretation): Good afternoon. I welcome Nunavummiut who are watching the televised proceedings or listening to the radio broadcast to our committee meeting. In Committee of the Whole, we have the following item to deal with: Bill 59. What is the wish of the committee? Mr. Rumbolt.

Mr. Rumbolt: Thank you, Mr. Chairman. We wish to commence with the review of Bill 59. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you, Mr. Rumbolt. Does the committee agree that we deal with Bill 59?

Some Members: Agreed.

Bill 59 – Collaboration for Poverty Reduction Act – Consideration in Committee

Chairman (interpretation): Thank you. At this time, I would like the minister presenting this bill, Monica Ell, to go to

the witness table to make her opening comments. Ms. Ell.

Minister Ell, welcome to the witness table. I believe it's your first appearance before the committee in your capacity as minister and we would like to welcome you. We are proud of you. If you have any opening comments, you may now proceed. Minister Ell.

Hon. Monica Ell (interpretation): Thank you, Mr. Chairman. Thank you for being proud of me and welcoming me.

I am very pleased to be here this afternoon and to have the opportunity to review with you Bill 59, the *Collaboration for Poverty Reduction Act*. This bill is for poverty reduction, but it is about collaboration.

This bill affirms in law the requirement for government to work with others to reduce poverty. This collaboration is a commitment that was made in *Tamapta* and that was put into practice in the creation of The Makimaniq Plan.

With this bill, it is proposed that this principle, expressed in the Inuit language as *Piliriqatigiinniq*, will continue to be used by future governments as our work to reduce poverty in Nunavut continues.

(interpretation ends) Mr. Chairman, perhaps most important, when the *Collaboration for Poverty Reduction Act* comes into force, it will bring clarity and commitment to the government's obligations under Article 32 of the Nunavut Land Claims Agreement.

The bill ensures there is a place for the collaboration that is needed to ensure Inuit participation. For these reasons, the

government made a public commitment during the Poverty Summit to "introduce legislation for the implementation of the long-term Poverty Reduction [Action] Plan with the collaboration of our partners."

I welcome the opportunity to review the bill with you in detail and to respond to your questions. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you, Minister Ell. Before we proceed, do you have any witnesses that you would like to bring to the table? Minister Ell.

Hon. Monica Ell (interpretation): Yes, I would like to bring in Sandy Teiman, Assistant Deputy Minister for Family Services, and Ed McKenna, Director of the Poverty Reduction Division. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Members, do you agree to bring in the witnesses?

Some Members: Agreed.

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

Minister Ell, for the record, even though you mentioned the names of your officials, please introduce your witnesses. Minister Ell.

Hon. Monica Ell (interpretation): Yes, the person I stated was my assistant deputy minister is currently the acting deputy minister of Family Services. The person on my left is Sandy Teiman and the person on my right is Ed McKenna, (interpretation ends) Director of the

Poverty Reduction Division.
(interpretation) Thank you, Mr.
Chairman.

Chairman (interpretation): Thank you,
Minister Ell, for the clarification.
Welcome. Does the chair of the standing
committee have any opening comments?
Mr. Ningeongan.

Mr. Ningeongan (interpretation): Thank
you, Mr. Chairman. Yesterday,
apparently someone lengthened my
report.

>>*Laughter*

I'll speak in English. Thank you.
(interpretation ends) As Chair of the
Standing Committee on Legislation, I
am pleased to make some brief opening
comments as we begin consideration of
Bill 59, the proposed *Collaboration for
Poverty Reduction Act*.

Mr. Chairman, as you will recall, Bill 59
received second reading on March 19,
2013 and was subsequently referred to
the standing committee for
consideration.

The standing committee has engaged in
a productive dialogue with the
sponsoring minister concerning Bill 59. I
am pleased to take this opportunity to
highlight some of the themes that have
emerged during the standing
committee's consideration of Bill 59.

The standing committee notes that a
number of other Canadian jurisdictions
have also passed similar legislation.
These include the provinces of
Manitoba, Nova Scotia, Ontario, and
Québec.

The standing committee further notes
that a number of common elements in
these jurisdictions' statutes are also
contained in Nunavut's proposed
legislation, including the establishment
of new annual statutory tabling
requirements respecting the development
and implementation of anti-poverty
strategies and action plans.

The standing committee encourages the
government to be mindful of the
importance of ensuring that Nunavut's
anti-poverty initiatives take into account
the need for adequate support programs
for harvesters, as well as the need to
ensure that healing and well-being are
integral parts of anti-poverty initiatives.

With respect to the issue of support
programs for harvesters, the standing
committee encourages the Minister of
Family Services to work closely with the
Minister of Environment, as well as the
appropriate vice-president of Nunavut
Tunnigavik Incorporated, which is a
member of the Nunavut Roundtable for
Poverty Reduction.

As members will recall, the Government
of Nunavut and Nunavut Tunnigavik
Incorporated jointly produced a report
titled "A Consultation-Based Review of
the Harvester Support Programs of the
Government of Nunavut and Nunavut
Tunnigavik Incorporated," which was
tabled in the Legislative Assembly on
March 13, 2006.

The standing committee notes that
clause 9 of Bill 59 proposes to establish
a "Poverty Reduction Fund" as a special
purpose fund in the Consolidated
Revenue Fund. The purpose of this fund
is to "promote collaboration for the
implementation of *The Makimaniq Plan*

and the five year poverty reduction action plan” and to “support community-driven initiatives and initiatives of local networks of community organizations engaged in poverty reduction that accord with *The Makimaniq Plan* and the five year poverty reduction action plan.” Although the standing committee does not oppose this provision, it does, however, note that similar provisions in existing statutes give rise to concern.

As members are aware, section 39.1 of the *Qulliq Energy Corporation Act* provides for the establishment of an “Affordable Energy Fund,” whose purpose is to “hold money appropriated to it in order, directly or indirectly, to subsidize the cost of energy or otherwise make energy more affordable.” However, concerns have been raised in the Legislative Assembly on a number of occasions with respect to the lack of clarity regarding the extent to which the Affordable Energy Fund has actually been utilized.

The standing committee also notes that section 181 of the *Wildlife Act* provides for the continuation of the “Natural Resources Conservation Trust Fund,” a special purpose fund established under the *Natural Resources Conservation Trust Act*. One of the purposes of this fund is to “promote the wise use of wildlife and habitat, through education, research and demonstration.” However, in reviewing prior years’ annual reports on the administration of this fund, the most recent of which was tabled in the Legislative Assembly on March 19, 2013, it is noteworthy that the government did not actually make any expenditures under this fund during the 2005-06 to 2011-12 fiscal years.

During the minister’s recent appearance before the standing committee on the occasion of its clause-by-clause consideration of Bill 59, members took the opportunity to pose a number of questions concerning the proposed Poverty Reduction Fund. Members note that Bill 59 will require the responsible minister to table an annual report in the Legislative Assembly that contains information concerning projects funded by the Poverty Reduction Fund.

Mr. Chairman, that concludes my opening comments. The standing committee recommends the passage of Bill 59 to all members. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you, Mr. Ningeongan. Does anyone have any general comments to the opening remarks? Please remember the contents of Rule 77(1) and Rule 77(2). Are there any general comments on the opening comments? If there are none, we will now go to Bill 59 that is in your white legislation binder. So if you can get a copy of the bill in front of you, we will be reviewing it clause by clause. I believe everyone now has a copy in front of them. I’ll read the English version as that is the only copy I have of the bill. (interpretation ends) Bill 59, *Collaboration for Poverty Reduction Act*. (interpretation) Clause 1. Do you agree?

Some Members: Agreed.

Chairman (interpretation): Turn the page. Clause 2. Do you agree?

Some Members: Agreed.

Chairman (interpretation): Clause 3. Do you agree?

Some Members: Agreed.

Chairman (interpretation): Clause 4. Do you agree?

Some Members: Agreed.

Chairman (interpretation): Clause 5. Do you agree?

Some Members: Agreed.

Chairman (interpretation): Turn the page. Clause 6. Do you agree?

Some Members: Agreed.

Chairman (interpretation): Clause 7. Do you agree?

Some Members: Agreed.

Chairman (interpretation): Clause 8. Do you agree?

Some Members: Agreed.

Chairman (interpretation): Turn the page. Clause 9. Do you agree? Mr. Rumbolt. No? Mr. Elliott, I don't have my glasses, excuse me.

Mr. Elliott: Thank you, Mr. Chairman. Just in terms of clause 9, it talks about the Poverty Reduction Fund. I had a couple of questions regarding that. One of the things that it states is in terms of contributions being made by partners. I just wanted clarification on whether the federal government would be considered a partner. Thank you, Mr. Chairman.

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

Hon. Monica Ell (interpretation): Thank you, Mr. Chairman. The Poverty Reduction Fund would be a special purpose fund. I will just give you clarification. Those funds will be used for the organizations that we will be working with and they will be used for the round-table organization. Thank you.

Chairman (interpretation): Thank you, Minister Ell. Mr. McKenna.

Mr. McKenna: Thank you, Mr. Chairman. Yes, the federal government would be considered a partner if they wish to contribute to the Poverty Reduction Fund. Thank you.

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

Mr. Elliott: Thank you, Mr. Chairman. Also, it mentions all throughout the document, but in No. 9 as well, when we talk about the five-year poverty reduction action plan, what date does that five years actually start or end? I know we have been working towards this. The minister mentioned about two years in development. We have done the round tables. In terms of five years from start to finish and whatnot, are there specific dates? Are we talking 2020? Thank you, Mr. Chairman.

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

Hon. Monica Ell (interpretation): Thank you, Mr. Chairman. I will have Mr. McKenna respond to that question. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you, Mr. McKenna.

Mr. McKenna: Thank you, Mr. Chairman. The current Poverty Reduction Strategy, The Makimaniq Plan, was an 18-month plan that was developed, as you know, at the end of 2011. The five-year Poverty Reduction Action Plan will extend The Makimaniq Plan beginning in 2014 through 2019. Thank you.

Chairman (interpretation): Thank you, Mr. McKenna. Mr. Elliott.

Mr. Elliott: Thank you, Mr. Chairman. This section talks about donations and bequests. For that, I'm just wondering. If people make donations, it's my understanding... Since this is a fund held by the Government of Nunavut, will tax receipts be provided where individuals who want to make contributions will actually receive a tax receipt so that they could receive the benefit at the end of the year? Thank you, Mr. Chairman.

Chairman (interpretation): Thank you, Minister Ell.

Hon. Monica Ell: Thank you, Mr. Chairman. The fund will be used to promote collaboration and implementing the poverty reduction plans or to support community poverty reduction initiatives. Donations, bequests, and other payments can be made to the fund. The minister at the time may accept conditional donations, bequests, or payments and the minister may make disbursements from the fund on the recommendations of the round table.

At this time, we have not discussed whether this is a tax deductible option. I don't believe we are setting it up as a charitable organization at this time. Thank you, Mr. Chairman.

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

Mr. Elliott: Thank you, Mr. Chairman. Yes, if I could get a firm commitment from the government to check into that and report back to us.

When I looked into it, my understanding is that if someone wanted to, you could actually send a cheque to the Government of Canada to say, "Pay down the deficit," and you could actually get a tax deduction for that. As well, if you do something for the Government of Nunavut and say that here, you want to help with the housing problem or help pay for the health centre in Arctic Bay, you could make a donation to that and you should be able to get a tax receipt. Even hamlets are able to do that as well.

So if I could get a commitment from the government to look into it and confirm. The other thing that they could confirm is who would be providing the tax receipts, whether it would actually be the Government of Nunavut or the poverty reduction group. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you, Mr. Elliott. I didn't really hear a question, but he just wanted to get a confirmation whether they will be able to receive tax receipts. Minister Ell, if you wanted to respond to that. Ms. Ell.

Hon. Monica Ell (interpretation): Thank you, Mr. Chairman. I will ask my staff to find out on the question of the member and let the members know. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you, Minister Ell. While we are on clause 9, Ms. Ugyuk.

Ms. Ugyuk (interpretation): Thank you, Mr. Chairman. In section 9(b), it states, “to support community-driven initiatives and initiatives of local networks of community organizations engaged in poverty reduction that accord with *The Makimaniq Plan* and five year poverty reduction action plan.” Will the communities be able to request funding for healing purposes? Thank you, Mr. Chairman.

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

Hon. Monica Ell (interpretation): Thank you, Mr. Chairman. I will have Ed respond to the question. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you, Mr. McKenna.

Mr. McKenna: Thank you, Mr. Chairman. The general theme of healing and well-being is a prominent one, one of the principal themes in *The Makimaniq Plan*. Community initiatives that wanted to address that theme would be recognized and funded if they were eligible, but that type of initiative would be recognized and eligible for funding. Thank you.

Chairman (interpretation): Thank you, Mr. McKenna. Ms. Ugyuk, do you have

any more questions? (interpretation ends) Please.

Ms. Ugyuk (interpretation): Thank you, Mr. Chairman. I also thank Mr. McKenna for clarifying this issue for me. Last week, during our session, there was a statement made about the wellness programs offered in the communities and that there are guidelines they have to use. With respect to the second matter, when would this begin? I understand where it is coming from. Thank you, Mr. Chairman.

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

Hon. Monica Ell (interpretation): Thank you, Mr. Chairman. Currently, the Poverty Reduction Division has a committee dealing with this issue, although they have yet to hire their employee at this time. Ed McKenna can provide further clarification on this matter, as this is part of his duties in the division, Mr. Chairman.

Chairman (interpretation): Thank you, Mr. McKenna.

Mr. McKenna: Thank you, Mr. Chairman. If I understand it, the question concerns the wellness committees that we have in each community. In six communities in Nunavut, there have been wellness plans prepared. That planning process will be extended over the next three years to all the communities in Nunavut. Thank you.

Chairman (interpretation): Thank you, Mr. McKenna. Ms. Ugyuk.

Ms. Ugyuk (interpretation): Thank you. He just remarked that there are six

communities with wellness plans. Does he know or have the information on which communities are included in this list? Thank you.

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

Hon. Monica Ell (interpretation): Thank you, Mr. Chairman. Perhaps Ms. Ugyuk can repeat her question as I didn't quite catch it. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Ms. Ugyuk, please raise your voice so it can be heard.

>> *Laughter*

Ms. Ugyuk (interpretation): Thank you, Mr. Chairman. Yes, the earlier response provided by Mr. McKenna outlined that there were six communities with wellness plans completed with committees and they are already working on the implementation of their plans for their community. Which communities don't have these wellness committees as of yet? Thank you.

Chairman (interpretation): Thank you, Ms. Ugyuk. Minister Ell, maybe that clarified the question.

Hon. Monica Ell: Thank you, Mr. Chairman. There is a lot of healing and wellness programs being funded by the Government of Nunavut and these funds could be enhanced. I'm not sure which one specifically the hon. is talking about, but I will ask the director of the Poverty Reduction [Division] to, perhaps, answer that question. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you, Minister Ell. Mr. McKenna.

Mr. McKenna: Thank you, Mr. Chairman. The program which is being used to extend the wellness plans to all the communities in Nunavut is managed within the Department of Health. I don't want to hazard a guess on all six communities, but I can give you, for example, Kugluktuk has a completed wellness plan, Arviat is another, and I think that those plans were made public, I believe, it was in November of 2011. They provide a good model for other communities to use in developing similar wellness plans. Thank you.

Chairman (interpretation): Thank you. We're on clause 9. I have no more names on my list. I will continue. Clause 9. Do you agree?

Some Members: Agreed.

Chairman (interpretation): Turn the page. Clause 10. Do you agree? Mr. Elliott.

Mr. Elliott: Thank you, Mr. Chairman. In terms of the grants and contributions, I think one of the things that we want to make clear, it's nice and great that we have collaboration and different groups working together, but sometimes when things start to come down to the wire, someone actually has to take responsibility. I think that's where the fund has been established. It sounds like the Government of Nunavut will be taking on the responsibility of handling the financial aspects of it.

In terms of the grants and contributions, within the Government of Nunavut, we already have established systems through Culture and Heritage and ED&T has funding that businesses, communities, and individuals can apply

for. I think what Ms. Ugyuk was trying to get at is when individuals or organizations or communities try to access this funding, who is establishing the policies for this? Is it the round table that's going to be establishing the policies or is it the GN?

It is pretty cut and dried when it's a government-only program, but with this, it is going to be a collaborative memorandum of understanding of groups working together. For clarification, is it the GN that will be establishing the policies for the proposals and the reporting process that would have to follow through in terms of the financial spending of the funding for the groups or organizations that actually receive the funding? Is it the GN that will be creating those policies? Thank you, Mr. Chairman.

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

Hon. Monica Ell: Thank you, Mr. Chairman. The grants and contributions policy will be designed by the government and Finance will be reviewing it in collaboration with members of the round table. The purpose of the grants and contributions is consistent with the use of the Poverty Reduction Fund. It's to promote collaboration in implementing the poverty reduction plans and to support community poverty reduction initiatives. Thank you, Mr. Chairman.

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

Mr. Elliott: Thank you, Mr. Chairman. That helps clarify that. In the end, as well, I think we're going to be getting on

to the next section, which is reporting. In terms of public accounts and what we have done with some of the committees within the Legislative Assembly, there always has to be accountability.

I'm assuming and just for clarification, a lot of the talk within the legislation talks about the minister, the minister, the minister. Again, with a lot of the collaboration that's going on, is it ultimately the minister who is responsible for the funding in terms of, at the end of the day, the accountability goes to the minister responsible? Thank you, Mr. Chairman.

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

Hon. Monica Ell: Yes, Mr. Chairman. Thank you.

Chairman (interpretation): Thank you. Clause 10. Do you agree?

Some Members: Agreed.

Chairman (interpretation): Clause 11. Do you agree?

Some Members: Agreed.

Chairman (interpretation): I apologize. (interpretation ends) Once again, I didn't have my glasses on. Mr. Elliott.

Mr. Elliott: Thank you, Mr. Chairman. I wasn't quick enough to go to my end.

In terms of the annual reporting, the question that I wanted to ask was in regard to the report itself. Once again, for clarification on will it be the responsibility of the Government of Nunavut, I noticed that certain positions

within the public service will be dedicated to this actual bill. I'm wondering: will it be the Government of Nunavut that creates the report and ensures that it's actually completed and comes before the Legislative Assembly? Thank you, Mr. Chairman.

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

Hon. Monica Ell (interpretation): Thank you, Mr. Speaker. Yes, it would be me, as the Minister of Family Services, or whoever will be the minister in the next government who will be providing an annual report to the Legislative Assembly. We have a secretariat as well that would be dealing with information to be provided.

I hope I answered his question. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you, Minister Ell. Clause 11. Do you agree?

Some Members: Agreed.

Chairman (interpretation): Thank you. Does the committee agree to Bill 59 as a whole?

Some Members: Agreed.

Chairman (interpretation): Does the committee agree that Bill 59 is now ready for third reading?

Some Members: Agreed.

Chairman (interpretation): Thank you. We have completed Bill 59. Does the minister have any closing remarks? You can go ahead, Minister Ell.

Hon. Monica Ell (interpretation): Thank you, Mr. Chairman. I thank my colleagues. I want to take this opportunity to thank the Members of this House and, in particular, the Members of the Standing Committee on Legislation. The questions and comments I received and those provided to Minister Taptuna in the meeting of the Full Caucus last October have been insightful and constructive, and will continue to guide the work as we implement the provisions in the bill.

I also want to thank Minister Taptuna, who introduced this bill to the House and who oversaw the legislative process that has brought us to this day.

My thanks also to departmental staff for the work they have done in the preparation of the bill.

Mr. Chairman, all Nunavummiut need to work together to reduce poverty and this bill will help to ensure that we do. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you, Minister Ell. Sergeant-at-Arms, please escort the minister and her officials out.

Thank you, Sergeant-at-Arms. We have completed the bill. What is the wish of the committee? Mr. Ningeongan.

Mr. Ningeongan (interpretation): Thank you, Mr. Chairman. (interpretation ends) At this time, I move a motion to report progress. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you, Mr. Ningeongan. There is a motion on the floor to report progress and the motion is not debatable. All those in favour, raise your hand. Any opposed?

Thank you. I will now rise to report progress to the Speaker.

Speaker: 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, (interpretation) your committee has been considering Bill 59 and would like to report progress and that Bill 59 is now ready for third reading. Also, Mr. Speaker, I move that the Report of the Committee of the Whole be concurred with. Thank you.

Speaker: Thank you, Mr. Enook. There is a motion on the floor. Is there a seconder? Thank you, Ms. Ugyuk. The motion is in order. All those in favour. Any opposed? The motion is carried.

Item 21. Third Reading of Bills. Minister Ell.

Item 21: Third Reading of Bills

Bill 59 – Collaboration for Poverty Reduction Act – Third Reading

Hon. Monica Ell: Thank you, Mr. Speaker. I move, seconded by the Hon. Member for Rankin Inlet South and Whale Cove, that Bill 59, *Collaboration for Poverty Reduction Act*, be read for the third time. Thank you, Mr. Speaker.

Speaker: Thank you, Minister Ell. The motion is in order. All those in favour. Any opposed? The motion is carried and Bill 59 has had third reading and is ready for assent.

>> *Applause*

Moving on in our orders of the day. Item 22. *Orders of the Day*. Mr. Clerk.

Item 22: Orders of the Day

Clerk (Mr. Quirke): Thank you, Mr. Speaker. A reminder that there's a meeting of the Standing Committee on Legislation tomorrow starting at nine o'clock in the Tuktu Room.

Orders of the Day for May 15:

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

- Bill 64

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

Thank you.

Speaker: Thank you, Mr. Clerk. This House stands adjourned until Wednesday, May 15, at 1:30 p.m.

And Mr. Kusugak can take off his nice tie now.

>>*Laughter*

Sergeant-at-Arms.

>>*House adjourned at 16:32*

Appendix – May 14, 2013



Standing Committee on Oversight of Government Operations and Public Accounts

Report on the Review of the 2011-2012 Annual Report of the Information and Privacy Commissioner of Nunavut

**Third Session of the Third Legislative Assembly of Nunavut
Spring 2013 Sitting
May 2013**

**Ron Elliott, Chair
Louis Tapardjuk, Co-Chair
Moses Aupaluktuq, MLA
Tagak Curley, MLA
Joe Enook, MLA
John Ningark, MLA
Johnny Ningeongan, MLA
Hezakiah Oshutapik, MLA
Allan Rumbolt, MLA
Fred Schell, MLA
Jeannie Ugyuk, MLA**

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

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

As of May 1, 2013, these amendments to the *Access to Information and Protection of Privacy Act* have not come into force. Testimony provided by Government of Nunavut

officials during the Standing Committee's April 18, 2013, hearings indicated that the government "aims" to bring the amendments into force during the spring of 2013. The 2013-2016 business plan of the Department of Executive and Intergovernmental Affairs indicates that:

"The Legislative Assembly passed amendments to the *Access to Information and Protection of Privacy Act* in June 2012. The first draft of the *Privacy Management Framework* has been completed. Subsequent training was provided to Government of Nunavut employees in September 2012 to ensure ability to use and implement the framework throughout all public bodies."

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 thirteen 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.

In 2005, the Government of Nunavut began the practice of tabling an annual report on the administration of the *Access to Information and Protection of Privacy Act*. The government's most recent annual report on the administration of the Act was tabled in the Legislative Assembly on November 2, 2012.

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. Its hearings on the 2010-2011 annual report of the Information and Privacy Commissioner were held on November 24, 2011.

On November 25, 2011, senior officials from the Government of Nunavut's Department of Executive and Intergovernmental Affairs also appeared before the Standing Committee to respond to Members' questions concerning the administration of the *Access to Information and Protection of Privacy Act*.

Following its 2011 hearings, the Standing Committee presented its own report to the Legislative Assembly on March 5, 2012. The government's response to the Standing Committee's report and recommendations was tabled in the Legislative Assembly on October 23, 2012. The Standing Committee's reports and the government's responses to them are available on the Legislative Assembly's website, as are the transcripts from the Standing Committee's hearings.

The Standing Committee's hearing on the 2011-2012 annual report of the Information and Privacy Commissioner was held on the morning of April 18, 2013. Senior officials from the Government of Nunavut's Department of Executive and Intergovernmental Affairs subsequently appeared before the Standing Committee during the afternoon. This appearance constituted the second 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 April 18, 2013, appearances of the Information and Privacy Commissioner and departmental officials before the Standing Committee were held in the Nanuq Room of the Legislative Assembly and were open to the public and news media to observe. Transcripts from the Standing Committee's hearings are posted on the Legislative Assembly's website.

Observations and Recommendations

Issue: Coming into Force of Amendments to the *Access to Information and Protection of Privacy Act*, the Government of Nunavut's New *Privacy Management Framework* and the Government of Nunavut's Annual Report on the Administration of the *Access to Information and Protection of Privacy Act*

Bill 38, *An Act to Amend the Access to Information and Protection of Privacy Act*, received 1st Reading on June 1, 2012. Bill 38 received Assent on June 8, 2012. These amendments provided clear authority for the Information and Privacy Commissioner to undertake privacy-related reviews concerning personal information held by public bodies.

The amendments also established a statutory requirement for public bodies to notify the Information and Privacy Commissioner where a material breach of privacy has occurred with respect to personal information under their control.

As of May 1, 2013, these amendments to the *Access to Information and Protection of Privacy Act* have not come into force. Testimony provided by Government of Nunavut officials during the Standing Committee's April 18, 2013, hearings indicated that the government "aims" to bring the amendments into force during the spring of 2013.

The 2013-2016 business plan of the Department of Executive and Intergovernmental Affairs indicates that:

"The Legislative Assembly passed amendments to the *Access to Information and Protection of Privacy Act* in June 2012. The first draft of the *Privacy Management Framework* has been completed. Subsequent training was provided to Government of Nunavut employees in September 2012 to ensure ability to use and implement the framework throughout all public bodies."

The Standing Committee applauds the Government of Nunavut for preparing and tabling an annual report on the administration of the *Access to Information and Protection of Privacy Act*. The information contained in these annual reports is of significant importance to Members of the Legislative Assembly and the general public.

However, although the government's 2010-2011 annual report on the administration of the *Access to Information and Protection of Privacy Act* contained detailed information concerning the official languages in which requests were submitted under the legislation, the government's 2011-2012 annual report did not contain this information.

Standing Committee Recommendation #1:

The Standing Committee recommends that the Government of Nunavut's response to this report clarify the timeline for the coming into force of the amendments to the *Access to Information and Protection of Privacy Act* that were passed by the Legislative Assembly in June of 2012.

The Standing Committee further recommends that the Government of Nunavut's new *Privacy Management Framework* be tabled in the Legislative Assembly at the earliest opportunity.

The Standing Committee further recommends that the Government of Nunavut's 2012-2013 annual report on the administration of the *Access to Information and Protection of Privacy Act* contained detailed information concerning the official languages in which requests were submitted under the legislation in both the 2011-2012 and 2012-2013 fiscal years.

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. This recommendation was reiterated in its March 5, 2012, report on the review of the 2010-2011 annual report of the Information and Privacy Commissioner.

The government's most recent response to the Standing Committee's recommendation stated that:

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

Over the past year, there has been improvement in this area. Ministerial Letters of Expectation to the government's Crown agencies for the 2012-2013 fiscal year were tabled in the Legislative Assembly on June 6, 2012. As of May 1, 2013, the most recent Crown agency annual reports on contracting, procurement and leasing activities to have been tabled in the Legislative Assembly are as follows:

- Nunavut Business Credit Corporation: 2010-2011 (Tabled October 23, 2012)
- Nunavut Development Corporation: Not yet tabled
- Nunavut Housing Corporation: 2011-2012 (Tabled March 1, 2013)
- Qulliq Energy Corporation: 2009-2010 (Tabled February 24, 2011)
- Nunavut Arctic College: Not yet tabled

Standing Committee Recommendation #2:

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 report 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."

The Standing Committee reiterated its recommendation in its March 5, 2012, report on the review of the 2010-2011 annual report of the Information and Privacy Commissioner. The government's most recent response to the Standing Committee's recommendation stated that:

"The Office of the Chief Medical Officer of Health has developed a protocol for the Public Health investigation, management and reporting of communicable diseases and outbreaks in Nunavut. This protocol will be included in the *Nunavut Communicable Disease Manual* now under development. Some communicable diseases and all outbreaks are reportable to the Chief Medical Officer of Health in Nunavut as per the Public Health Act and Communicable Disease Regulations. Each report is followed up with a view to preventing further transmission of disease by implementing various public health measures as per the *Communicable Disease Manual*.

In addition, these reports of individual diseases and outbreaks are tracked as part of the communicable disease surveillance system. This information is used to produce regular reports. Some of these reports are currently in place while others are in the development stage. The reports include: Nunavut Respiratory Watch; Monthly Communicable Disease Report by Region and by Territory Overall: Annual Communicable Disease Report by Region and by Territory Overall: and Outbreak Reports.

During outbreaks or unusual situations, it may also be necessary to inform the public of a specific situation including the steps required to protect the public. Decisions on the release of information at the community level are made on a case by case basis taking a number of key factors into consideration. These factors include:

- The characteristics of the situation or the disease such as infectiousness and mode of transmission;
- Interventions or prevention measures required to interrupt disease transmission;
- Confidentiality and privacy. Note that if the number of cases is to be disclosed at the community level, no number less than 5 is reported in order to prevent identification of an individual;
- Minimizing any chance of stigmatizing the community.

A copy of the *Communicable Disease Protocol* from the Department of Health and Social Services will be tabled by the department, as per the recommendation of Standing Committee.”

However, as of May 1, 2013, this protocol has not been tabled in the Legislative Assembly.

Standing Committee Recommendation #3:

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."

The Standing Committee reiterated its recommendation in its March 5, 2012, report on the review of the 2010-2011 annual report of the Information and Privacy Commissioner. The government's most recent response to the Standing Committee's recommendation stated that:

"Policy 05-027-00, *Contacting Clients Through Local Radio*, is part of the Department's Community Health Nursing Standards, Policies and Guidelines. This communication practices directive states that "The Department of Health and Social Services 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 [...]".

The policy further states that although telephone contact is the most efficient method for reaching clients in the community, in instances where clients do not have access to telephone services, alternative methods which preserve the client's privacy will be sought; i.e., appointment cards to be delivered to the client's home.

The policy on *Contacting Clients Through Local Radio* from the Department of Health and Social Services will be tabled by the department, as per the recommendation of Standing Committee."

However, as of May 1, 2013, this policy has not been tabled in the Legislative Assembly.

Standing Committee Recommendation #4:

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 access to information and protection of privacy legislation to municipalities has been an ongoing concern for Members of the Standing Committee.

At present, Nunavummiut have rights under federal and territorial legislation concerning access to information and protection of privacy in relation to the institutions of the Government of Canada and the Government of Nunavut. However, there is still no legislative framework concerning access to information and protection of privacy with respect to the municipal level of government in Nunavut.

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*.”

In its March 5, 2012, report on the review of the 2010-2011 annual report of the Information and Privacy Commissioner, the Standing Committee recommended that:

“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.”

The government’s response to the Standing Committee’s recommendation stated that:

“On November 23, 2011, all municipal councils were sent a letter from the Government of Nunavut (GN) seeking their input on their possible inclusion under the *ATIPP Act*. No responses were received. On April 2, 2012, a letter was sent to all Senior Administrative Officers inviting them to take part in a three (3) day session around the *ATIPP Act*. Two (2) days consisted of in depth training on the legislation and its purpose and the third day was dedicated to next steps in working toward their inclusion under the *ATIPP Act*.

Three (3) municipalities participated in the sessions, Kimmirut, Repulse Bay and the City of Iqaluit. In total, seven (7) municipal employees took part in this session. The Information and Privacy Commissioner was also present for this session.

The discussions were extremely beneficial to both the municipal employees and the GN. We were able to get a better understanding of what issues are currently facing municipalities, and what type of support they would require moving forward. Further plans were made to work together toward creating an access and privacy regime that is in line with the spirit and intent of the *ATIPP Act*. We will continue to work with the Commissioner to ensure accountability and transparency throughout all levels of government in Nunavut.”

The issue of the application of access to information and protection of privacy legislation to municipalities was discussed in detail with both the Information and Privacy Commissioner and Government of Nunavut witnesses during the Standing Committee’s April 18, 2013, hearings.

Standing Committee Recommendation #5:

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

The Standing Committee recommends that the Government of Nunavut's 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, the Municipal Training Organization and the Office of the Information and Privacy Commissioner to review the issue of access to information and protection of privacy at the municipal level in Nunavut.

The Standing Committee further recommends that the Government of Nunavut's next annual report on the administration of the *Access to Information and Protection of Privacy Act* account for collaborative training initiatives involving municipal employees, Government Liaison Officers, the Municipal Training Organization and other parties.

The Standing Committee further recommends that the Government of Nunavut, in partnership with appropriate parties, examines such options as introducing access to information and protection of privacy legislation that is specific to municipalities and/or having the territorial *Access to Information and Protection of Privacy Act* apply to municipalities in a manner that would address such operational concerns as the ability of municipalities to respond to historical access requests. The Standing Committee suggests that such concerns could possibly be addressed through such means as explicitly providing that the legislation does not provide a right to access in respect to information that was generated by municipalities prior to an effective commencement date.

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.

This recommendation was reiterated by the Standing Committee in its March 5, 2012, report on the review of the 2010-2011 annual report of the Information and Privacy Commissioner. The government’s most recent response to the Standing Committee’s recommendation stated that:

“The Information and Privacy Commissioner met with the Department of Executive in May of 2012. A discussion regarding her discretion to extend the time for requesting a review took place and both sides felt that providing the Commissioner with this discretion may prove to be beneficial for both the public and the Government of Nunavut. The Department will include this amendment in any future amendments to the *Access to Information and Protection of Privacy Act*.”

Standing Committee Recommendation #6:

The Standing Committee recommends that the Government of Nunavut introduce such amendments at the earliest opportunity.

Issue: Development of Health-Specific Privacy Legislation, Electronic Health Records and the *Nutaqqavut* Health Information System

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*.”

In its March 5, 2012, report on the review of the 2010-2011 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 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.”

In her 2011-2012 annual report, the Information and Privacy Commissioner stated that:

“There is, however, still a need to address the special circumstances surrounding personal health information.”

The government’s response to the Information and Privacy Commissioner’s 2011-2012 annual report was tabled in the Legislative Assembly on March 13, 2013. It stated that:

“As noted in previous years, the Government of Nunavut has very strict privacy directives related to the handling of personal health information in the electronic health records system. These directives, along with the *Access to Information and Protection of Privacy Act*, provide strong legislative and regulatory controls over the protection of personal health information. At this time, there are no plans to create health-specific privacy legislation for Nunavut.”

The issue of health-specific privacy legislation was discussed in detail with both the Information and Privacy Commissioner and Government of Nunavut witnesses during the Standing Committee’s April 18, 2013, hearings. Testimony from the Government of Nunavut’s lead witness indicated that:

“The complexity of our health records, as you quite correctly pointed out in your own opening comments, in many jurisdictions now, are calling for legislation separate from their ATIPPs, and that’s because of the broad and general use of electronic databanks for this kind of information. The necessity that a wide range of health professionals need to have access to your personal medical information has to be balanced against your own desire to keep that information personal and private. So increasingly, other jurisdictions are looking at other ways to legislatively deal with medical health records and not relying totally on their ATIPP legislation. To the best of my knowledge, there is a beginning conversation being held around that topic, but this has not reached the point yet of any kind of drafts that have come to our attention. I do know that consideration is being given to it in terms of at least how are other jurisdictions handling and maintaining the balance between the need of the professional health community and the individual patient.”

The 2011-2012 Annual Report of the Information and Privacy Commissioner raised a number of concerns regarding the Department of Health's *Nutaqqavut* Health Information System. In her report, the Information and Privacy Commissioner noted that:

"I completely understand and applaud the goals of this project, and understand the need to gather the information necessary to have healthier children in Nunavut. I was, however, surprised that, despite the fact that this program has the potential to be highly invasive of personal privacy, there was no attempt to involve my office in the consultation process leading up to the implementation of the program, to address the those privacy issues."

The government's response to the Information and Privacy Commissioner's 2011-2012 annual report was tabled in the Legislative Assembly on March 13, 2013. It stated that:

"The Department [of Health] has also been working on a Privacy Impact Assessment (PIA). The PIA will soon be finalized, at which point, the department will send the PIA to the [Information and Privacy] Commissioner for review and comment."

During her April 18, 2013, appearance before the Standing Committee, the Information and Privacy Commissioner confirmed that she had recently received the Privacy Impact Assessment concerning the *Nutaqqavut* Health Information System and would be meeting with officials from the Department of Health to discuss the initiative.

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 and the management and security of electronic health records.

The Standing Committee further recommends that the Government of Nunavut's response to this report clarify the extent to which patients in territorial health care facilities are informed of their participation in the *Nutaqqavut* Health Information System and their privacy rights under territorial legislation.

The Standing Committee further recommends that the Department of Health's Privacy Impact Assessment concerning the *Nutaqqavut* Health Information System be tabled in the Legislative Assembly at the earliest opportunity.

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 extent to which the government complies with this provision continues to be 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.”

The Standing Committee reiterated its recommendation in its March 5, 2012, report on the review of the 2010-2011 annual report of the Information and Privacy Commissioner. The government’s most recent response to the Standing Committee’s recommendation stated that:

“The Department of Executive [and Intergovernmental Affairs] met with the Information and Privacy Commissioner to discuss the issue of access to personal records by MLAs who have been asked to assist an individual in resolving a problem they have with the Government of Nunavut (GN). Both parties felt that creating such operational guidelines may limit the effectiveness of existing procedures for resolving issues between the GN and Nunavummiut. As accessing records does not usually resolve the issue, we encourage MLAs to assist their constituents in going through the proper channels to resolve any issues they have. The GN is not trying to limit the ability of an individual to access their personal information, but often, they do not fully understand what their consent under section 48(v) means and what information about them may be released to the MLA with such consent. We want to ensure the privacy of Nunavummiut is fully respected and issues are resolved in a timely manner in a way that is respectful to all parties involved.”

Standing Committee Recommendation #8:

The Standing Committee recommends that the Government of Nunavut, in its response to this report, formally articulate, in detail, its interpretation of subsection 48(v) of the *Access to Information and Protection of Privacy Act*.

The Standing Committee further recommends that the Government of Nunavut, in its response to this report, formally articulate, in detail, the process by which it determines whether a resident of Nunavut has provided informed consent in a matter relating to the exercise of this provision of the *Access to Information and Protection of Privacy Act*.

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.”

In its March 5, 2012, report on the review of the 2010-2011 annual report of the Information and Privacy Commissioner, the Standing Committee recommended 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.”

The government's response to the Standing Committee's recommendation stated that:

“We have conducted a jurisdictional scan of the other provinces and territories. Five jurisdictions have Commissioners with order-making powers while the others act in an ombudsman role where they can offer recommendations to the head of a public body. New Brunswick and Newfoundland are the only jurisdictions that provide the Commissioner with the ability to appeal a decision of the head of a public body to the courts. Manitoba has created an adjudicator position to which the Commissioner can request a review of a decision of the head and the remaining five do not allow their Commissioner to play any role in appealing a decision of the head of a public body. We do not feel that it is necessary to change our legislation to allow the Commissioner the right to appeal a decision of the head of a public body to the Nunavut Court of Justice.”

This issue was discussed in detail with both the Information and Privacy Commissioner and Government of Nunavut witnesses during the Standing Committee's April 18, 2013, hearings. In her testimony to the Standing Committee, the Information and Privacy Commissioner stated that:

“Where the Information and Privacy Commissioner has order[-making] power, it doesn't make sense. It's like appealing their own decision to a higher court and that just doesn't happen, that's just not the way things work, but where I make only recommendations it makes more sense for that to be considered.”

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

Standing Committee Recommendation #9:

The Standing Committee recommends that the Government of Nunavut reconsider its position concerning the 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. The Standing Committee confirms its support for existing provisions in the legislation which allow an applicant to appeal a decision made by a head of a public body under section 36 to the Nunavut Court of Justice.

The Standing Committee reiterates its recommendation that the Government of Nunavut invite the Information and Privacy Commissioner to provide a formal written submission on this issue.

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

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

"The [territorial] *Adoption Act* requires the Department to consult with the applicable Aboriginal organization for the child (that is, the Aboriginal organization of which the child or his or her parent is, or is eligible to be, a member) when a private adoption is taking place. The Department has interpreted consultation to be contact through written correspondence. As such, the Department writes to one of the three regional Inuit associations (which represent the interests of Inuit and are affiliated with Nunavut Tunngavik Incorporated, the organization that represents the rights and interests of *Nunavut Land Claims Agreement* beneficiaries) to inform it that an adoption plan has been developed for an Inuk child to be privately adopted, usually by a non-Inuit family. This provides an opportunity for the Regional Inuit Association (RIA) to respond with an alternate plan of care for the child, should it choose to do so.

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

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

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

Standing Committee Recommendation #10:

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