

Annual Report: April 1, 1999 - March 31, 2000
CONFLICT OF INTEREST COMMISSIONER OF NUNAVUT

The Honourable Robert Stanbury, P.C., Q.C.

The Honourable Kevin O'Brien, M.L.A.,
Speaker,
Legislative Assembly of Nunavut

Your Honour:

As the first Conflict of Interest Commissioner of Nunavut, I am pleased to submit my first annual report in accordance with Part III of the Legislative Assembly and Executive Council Act.

I am honoured to be entrusted with this office and grateful for the warm welcome shown to me by you and your colleagues. I am looking forward to helping you forge and maintain a strong relationship of trust between the citizens and their Legislative Assembly.

Although my association with the North reaches back more than 30 years, my familiarity with Nunavut was enriched by the selection process for this office and the extensive interviews it entailed. With the continued willingness of members to teach, I hope I will continue to learn about the land and its people. With co-operation and commitment to integrity, I hope together we will enhance our ability to serve.

This report covers the first year of Nunavut's history, from April 1, 1999, to March 31, 2000. Between April 26 and December 14, 1999, Mr. Robert C. Clark, Ethics Commissioner of Alberta and Acting Conflict of Interest Commissioner of the Northwest Territories served as Acting Conflict of Interest Commissioner of Nunavut. I was appointed your Acting Conflict of Interest Commissioner on January 20, 2000, and was confirmed in this office on March 22, 2000. I am indebted to my colleague, Mr. Clark, and to the Clerk, MR. John Quirke, for information from that part of the reporting period prior to my appointment. I appreciate their co-operation and the valued assistance of their staffs.

Section 79.3(1) of the Legislative Assembly and Executive Council Act requires the Conflict of Interest Commissioner to report to the Speaker annually on the following matters

Filing of Disclosure Statements

Under section 77(1) every Member must file a disclosure statement within 60 days after commencement of the first session of the Legislative Assembly following election of the Member, and annually thereafter. The first session of the Legislative Assembly of Nunavut began on the first day of the new Territory, April 1, 1999, so the filing deadline for its first-elected Members was May 31, 1999. I am required to identify in my report any Member who filed a disclosure statement more than 45 days after the original or an extended deadline.

I am informed by the Clerk that no Member failed to file within the deadline.

Contract Authorizations

Section 75.1 allows a Member or former Member to apply to the Conflict of Interest Commissioner for authorization to accept a contract that he or she is otherwise prohibited from accepting. I am required to report any such authorization.

No such contract was authorized.

Extensions of Time

Section 79.1 allows a Member to request from the Conflict of Interest Commissioner an extension of the time specified to do anything required. I must report any extension and identify the Member who obtained it.

No such extension was given.

Activities of the Office

Before the birth of Nunavut on April 1, 1999, candidates for the Legislative Assembly and its first Members had access to advice from an Ethics and Accountability Panel , consisting of Mr. John Amagoalik and Mr. Roger Tasse, appointed by the Interim Commissioner of the Territory. Subsequently, pending selection of a Conflict of Interest Commissioner by the Legislative Assembly, Mr. Clark, as previously mentioned, was available to Members. He reports that he provided written advice to one Member with respect to business interests and government contracts.

After my appointment as Acting Conflict of Interest Commissioner on January 20, 2000, my attention was focused on establishment of this office in close liaison with the Clerk and staff of the Legislative Assembly, familiarization with relevant laws and reports, consultation with counterparts in other jurisdictions and preparation for briefing of Members. In particular, attention was paid to the applicable law of Nunavut, duplicated from the pre-division Northwest Territories, and to the report of the panel which reviewed that law for the new NWT Legislative Assembly.

In March, before and after being confirmed by the Legislative Assembly, I met in Iqaluit with Members, collectively and individually. I made an introductory presentation to the Members in which I reviewed the law and our respective responsibilities under it. I expressed my readiness to address with them amendments or a fresh new law reflecting their cultures, traditions and values. I also met with Ministers' executive assistants. I issued three memoranda dealing respectively with the budget process, approval of a new government contracting policy, and Members' `contracts with government. All Members received a binder of these and other relevant materials – a conflict of interest survivor kit" – to be added to from time to time and kept close at hand for ready reference.

During the year ending on March 31, 2000, I received no requests from any Member for written advice under section 79.2. However, oral advice was given to Members in response to questions in the course of interviews with them and, in one case, with a Member's spouse as well.

My office is in some respects a "virtual" one, in that I am not based physically in Nunavut. However, I have been and remain as close and accessible to Members as the Internet, telephone and fax can make me, and I am pleased to be personally present in Nunavut as may be required. I have enjoyed my first months working with the Legislative Assembly, and I look forward to a continuing co-operative and constructive relationship with its Members.

Respectfully submitted this 25th day of July, 2000.

Robert Stanbury