

KEVIN O'REILLY—MLA FRAME LAKE
Comments to the Bill

Bill 11: Legislative Assembly Officers Standardization Act

October 21, 2020

MR. O'REILLY: Thanks, Madam Chair. I just want to express my appreciation for the work that went into the bill by our staff. There is a lot of research that went into this, as well. These are very important positions that are set up through our legislation, and in many cases, the people who are appointed have a very specialized skill set. They often have to deal with adjudicating different kinds of interests or dealing with complaints, investigations, and so on, and they are often based on certain rights that are set out in legislation. These are very important pieces of legislation, very important offices that we set up that report to us, but really perform a very important public function for people here in the Northwest Territories. I think we want to make sure that we get this right, and I do support the principle of consistency in trying to make sure that all of these officers receive fair compensation, fair benefits for the hard work that they do.

Madam Chair, there is one issue that I do want to speak about in general, though. It's a very kind of curious bill that just ends up in Committee of the Whole without having gone through any kind of public review, and I want to assure the members of the public that there was a lot of research and work that went in behind the scenes to prepare this bill. It is kind of odd that it just ends up in Committee of the Whole without any opportunity for public comment or review. I do think that is something that we need to turn our minds to collectively in the future about bills like this that just come into Committee of the Whole and perhaps try to find some ways to allow for some level of public engagement.

However, I don't want to hold this bill up in any way. It's important. We have some deadlines in terms of looming appointments to fill some of these positions, Madam Chair, so I do support the bill moving forward. Thanks, Madam Chair.

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COMMITTEE MOTION 37-19(2):
BILL 11: LEGISLATIVE ASSEMBLY OFFICERS STANDARDIZATION ACT -
DELETION OF SUBCLAUSE 1(4) AND (5), CARRIED

MR. O'REILLY: Thanks, Madam Chair. I'd like to move an amendment to the bill. I move that Bill 11 be amended by deleting subclauses 1(4) and (5). Thanks, Madam Chair.

CHAIRPERSON (Ms. Semmler): The motion is in order. To the motion. Mr. O'Reilly.

MR. O'REILLY: Thanks, Madam Chair. I would like to have a quick chance to explain what this is all about. This part of the bill sets the mandated terms of employment, so to speak, for the Access to Information and Protection of Privacy Commissioner moving forward. I want to start by saying that this bill is not going to change the current terms of

employment for any of our statutory officers. That is always the principle. You don't want to change someone's terms of employment while they are in a job without their consent and agreement and so on, so that is not what this is about. This is about moving forward once appointments are completed, when we fill those positions again.

We did receive, as MLAs, some communications from the Access to Information and Privacy Commissioner about the term of office. There is sort of a national, I'm not going to use the word "standard," but an approach where the people in those positions in most of the other provinces and territories serve for at least five years, so there was a request from the Commissioner to consider changing the term as set out in the bill from four to five years. I know this is a bit strange, but I am going to move that we delete the part of the bill that would change the term, so that this Commissioner would remain in office for five years. Thanks, Madam Chair.

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COMMITTEE MOTION 38-19(2):
BILL 11: LEGISLATIVE ASSEMBLY OFFICERS STANDARDIZATION ACT -
DELETION OF SUBCLAUSE 7(4) AND (5), CARRIED

MR. O'REILLY: Thanks, Madam Chair. I'd like to move the amendment here that Bill 11 be amended by deleting subclauses 7(4) and (5). Thanks, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you. The motion is in order. To the motion. Mr. O'Reilly.

MR. O'REILLY: Thanks, Madam Chair. I know there are some eager beavers in here, but I just want to explain what this all about. This is the part of the bill that sort of changes the mandate terms for the Ombud, and the effect of this amendment would be to keep the term of office at five years. We received, as MLAs, written communication from the Ombud this morning suggesting that there's something called the International Ombudsman Institute, and their best practices paper from 2017 says that terms of fewer than five years should be avoided. I think she sent out some additional rationale here, which I think is good reason to look at keeping the current term. That's why I thought it would be worthwhile to bring forward this motion. Thanks, Madam Chair.

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