

**ORAL QUESTION—KEVIN O'REILLY, MLA FRAME LAKE**

**QUESTION 449-19(2):  
ACCESS TO INFORMATION AND PROTECTION OF PRIVACY ACT  
IMPLEMENTATION**

**November 2, 2020**

**MR. O'REILLY:** Merci, Madame la Presidente. My question is for the Minister of Justice. We have one of the best access to information and protection of privacy laws in the world, but it's still not implemented. Can the Minister provide an update on the status of implementation of the new legislation, including reduction of fees, identification of classes of records that do not require an ATIPP application, and other reductions in costs for applicants? Mahsi, Madam Speaker.

**DEPUTY SPEAKER:** Minister of Justice.

**HON. R.J. SIMPSON:** Thank you, Madam Speaker. The ATIPP Act, yes, we were hoping that implementation would be speedier, but there have been significant staffing challenges. We are hoping to bring the act into force in spring of 2021. Recently, we did bring Section 61.1 into force to allow for the access and privacy into force to allow for the access and privacy staff to act as ATIPP coordinators for other public bodies. The staff within the Department of Justice are currently examining the fees, and we hope to have the regulations in place to have those reductions that the Member was speaking of by December.

We have not yet had a chance to turn our minds to the classes of records that could be exempt. I sat with the Member in committee room A for endless hours discussing the ATIPP Act, and I think this is a valuable part of it. If we have classes of records that do not need to go through ATIPP, that frees up a lot of people's time. Saying that, I will note that the requests, the number of requests, have remained relatively steady, but it is the complexity of requests that has increased. That alone, this change alone, I do not think is going to alleviate all of the problems. However, I do see it being a significant change and look forward to making it. Thank you.

**MR. O'REILLY:** I want to thank the Minister for that early Christmas present. A major change that was introduced in the amendments was extending the legislation to include records held by municipalities. In the spring of this year, the then Minister of Justice told me that a working group was formed with representatives of communities to ensure that they were going to be part of the process to develop those regulations. Can the Minister tell us what is going on now in terms of the application of ATIPP to community governments, and when will this actually happen?

**HON. R.J. SIMPSON:** The working group was formed. There was Justice, MACA, LGANT, and the NWTAC. They met in April, but like many other things, the next meeting was delayed. We hope to have that meeting prior to Christmas. That is when the working group will be looking at what resources are required, what is a realistic

timeline to make this happen. Then, we can have a plan going forward. I don't want to put this onto the municipalities when they are not ready. It would be a disaster. It wouldn't be good for anyone.

**MR. O'REILLY:** Yes. As a former city councillor here, we do not want to implement this on top of municipalities without ensuring that they actually have adequate resources. One of the other major elements of this review of ATIPP was looking at ways to improve training and development of resource materials for all the different departments. Can the Minister provide a timeline for when this training is going to be completed and new support materials developed?

**HON. R.J. SIMPSON:** The department is working on the materials. I do not have a timeline for training, but the departments that need training are receiving training upon request. Just recently, departmental staff trained with the Department of Infrastructure on how to process these requests. It's an ongoing process.

**DEPUTY SPEAKER:** Thank you, Minister. Member for Frame Lake. Final supplementary.

**MR. O'REILLY:** Merci, Madame la Presidente. Yes. One of the hallmarks of developing this new legislation was the strong consultation and input with stakeholders and even Members on this side of the House. It was, I think, a good way of bringing forward legislation, and the Minister even spoke about that himself. Can the Minister, though, tell me when we can expect to see draft regulations to finally realize the potential of this legislation, and will he commit to share those regulations with standing committee for their review and comment? Mahsi, Madam Speaker.

**HON. R.J. SIMPSON:** As I stated, we expect spring 2021 for the act to be brought in. We will need the regulations by then. As the Member knows, the Department of Justice is creating a policy for the prepublication of regulations, and these are the exact types of regulations that I imagine would be shared and open for input. Thank you, Madam Speaker.