

ORAL QUESTION—KEVIN O'REILLY, MLA FRAME LAKE

**ORAL QUESTION 767-19(2):
GNWT– NWT AND NUNAVUT CHAMBER OF MINES WORKING GROUP**

June 4, 2021

MR. O'REILLY: Merci, Monsieur le President. My questions are for the Minister of Industry, Tourism and Investment. I'd like to follow up on questions I had yesterday about the GNWT-Chamber of Mines COVID-19 recovery working group.

Mr. Speaker, I raised the issue of how these notes from these meetings seem to show that our government is helping the chamber of mines draft correspondence, and I want to cite a couple of examples.

On page 14 of the document I tabled a couple of days ago, this is in a June 23rd meeting, this is a direct quote, Mr. Speaker, "GNWT is willing to assist in the editing of the letter from industry if that would help".

From the context of that quote, Mr. Speaker, the letter appears to be going to the Mackenzie Valley Land and Water Board, and it's a request for relief from monitoring requirements for environmental licences and permits. And, of course, when Alberta did this during the pandemic, there was a lot of issues. Mr. Speaker, there's another place where an individual's actually named as assisting with the editing of letters. Can the Minister explain why our staff are helping the chamber of mines edit letters to co-management bodies? Mahsi, Mr. Speaker.

MR. SPEAKER: Thank you, Member for Frame Lake. Colleagues, please keep the preamble short; just ask the questions.

Minister responsible for Education, Culture and Employment. Oh sorry, Minister of Finance.

HON. CAROLINE WAWZONEK: I would gladly defer the question to another Minister, Mr. Speaker.

---Laughter

Minister, thank you, and thank you for that question. Mr. Speaker, I know the Member mentioned the idea of context, and I -- the challenge of having minutes to work off of, and I acknowledge the Member is working off of minutes that have been redacted, is that, in fact, you don't necessarily have the full context. I have gone back to the department and specifically about this.

I would agree that I certainly was concerned to read that there might be inappropriate assistance happening. I was reassured, and I'm happy to be reassured, that again in the context -- the context of the meetings, that I was not at, is that in fact, they are -- they were meetings in the context of developing pandemic relief and pandemic assistance. This of course being back right early after the lockdown in June of 2020, so when the situation of identifying ways of relief and recovery was really very fresh and very new.

And so what in fact was occurring and what may not be reflected in fulsome notes in terms of meeting minutes is that when the industry is writing to the Mackenzie Valley Land and Water Board or other co-management boards, the purpose and goal, from the perspective of the department, is to ensure that they know what exactly the position is that's being taken, that they understand the issues that are being faced, that they can engage with other departments in fact if we need to be formulating a position to respond, and may well be able to give some advice, which may or may not ever be taken by the chamber of mines but to be able to say, you know, look, you're going down a path that simply is unlikely to bear fruit or you're going down a path, you know, where we may be able to -- we would have to go back and make our own response to, so. That, as I understand, is the context of what occurred but, again, I appreciate, I have followed up with the department about this. And there's a line between supporting industry, any industry supporting any outside body and certainly doing that in the context of still maintaining our independence and the role that we have as government. Thank you, Mr. Speaker.

MR. O'REILLY: Merci, Monsieur le President. I want to thank the Minister for confirming that assistance is provided in drafting letters by the chamber of mines.

There's another set of minutes from July the 15th, and I want to read a direct quote, Mr. Speaker: "GNWT will discuss interim land withdrawals and how they can be addressed to facilitate mining activities".

Mr. Speaker, this would appear -- and this is GNWT -- this is not ITI. It appears to be a whole-of-government approach. I'd like the Minister to explain how this GNWT work on allowing mining activities in land withdrawals is consistent with our priorities and Cabinet's mandate to settle and implement Indigenous land rights. Mahsi, Mr. Speaker.

HON. CAROLINE WAWZONEK: Thank you, Mr. Speaker. Mr. Speaker, I want to say this again very clearly on behalf of my own responsibility in the areas of the department that any statement about the government's position on land withdrawals on anything that is multi-departmental, that doesn't come from a single official like this. It has to be multi-departmental. It has to be whole-of-government. So, yes, this is, again, minutes which is reflective of the ITI department's staff that were attending minutes. And I, again, went back to them to say let's be very clear that when we attend these meetings, we don't -- we have to always be there mindful of the role and the position that is taken by the Government of the Northwest Territories.

I am reminded, of course, that land withdrawals are not only about necessarily lands being withdrawn for the purposes of Indigenous land negotiations and land settlements. There may well be a variety of other withdrawals taking place for protected areas, parks for example. And the purpose and the context here was in fact to be discussing that whole of process for all land withdrawals and all different types of land withdrawals and to be able to raise -- to be able to raise it in the perspective of industry with our colleagues at -- across the different departments of the Government of the Northwest Territories so that we can engage as a government internally on the kinds of discussions and the kind of balance that needs to be taking place within this -- within the territory of all the various interests at hand.

But, again, the position, it should never be -- it should be very clear from what I hope I've said yesterday and today that there is one position and it's taken on behalf of the government and that receiving stakeholder ideas, impressions, and reactions is but one part of what formulates the position of the government. Thank you, Mr. Speaker.

MR. O'REILLY: Merci, Monsieur le President. Thanks to the Minister for that. I think she needs to talk to her staff about getting the whole-of-government position correct.

But, Mr. Speaker, yesterday, the Minister was trying to compare the Business Advisory Council to this chamber of mines working group. And the Business Advisory Council has a public terms of reference. It's multi-stakeholder. There's a web page that the department keeps where the correspondence and recommendations from the council are publically available. And I'm just wondering if the Minister can make a commitment to ensure that the -- or post the un-redacted meeting summaries from this working group to a similar page so that we can have a little bit more transparency here, Mr. Speaker, and make sure the public understands what's actually happening in this working group, and regular MLAs as well. Mahsi, Mr. Speaker.

HON. CAROLINE WAWZONEK: Thank you, Mr. Speaker. Mr. Speaker, the items that were redacted were redacted in keeping with the ATIPP process, the Access to Information and Protection of Privacy Act. Many of those redactions were in fact mandatory. They are not discretionary. If it is information that pertains to another individual, and there's been a name -- a person that is named alongside other information, such as their place of employment, then that is I believe -- and I'm not the ATIPP coordinator here, Mr. Speaker, but I believe that that would then be mandatory. So other elements may be discretionary. Had I known back in I guess April or March when these initial requests were being made, I may have been able to assist with some of the more discretionary elements. But even then, they're discretionary to apply the conditions of ATIPP to documents such as -- well, to any document that's going out under ATIPP. So I can certainly go back. There's probably some elements in there that we could un-redact. There's a lot that I would prefer to un-redact, to give a better sense of the context, to give a better sense of the understanding of the work that was happening. And I'll go back and do that and we'll see if we can perhaps table something that has more information. But, again, I am not the ATIPP coordinator. The point is to have a person that does this so that there's consistency when there's ATIPP redactions taking place. I'm happy to try and get more information out about the work that's been done. As I said yesterday, there's good reason for these organizations to meet and their -- the work that they engage in should be well known. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Minister. Final supplementary. Short supplementary. Member for Frame Lake.

MR. O'REILLY: Merci, Monsieur le President. I want to thank the Minister for that very helpful and long answer. And I look forward to a much greater transparency on these meetings. But, you know, Mr. Speaker, if these meetings were actually happening in almost any other jurisdiction in Canada, they would be regulated under lobbyists registration or lobbyists legislation. Mr. Speaker, we are one of two jurisdictions in Canada that does not have lobbyists legislation. And I think that's increasingly important, especially in the post-evolution world where we have now -- now have a

responsibilities for billions of dollars of resources. So can the Minister tell me whether our government is prepared to bring forward a bill legislation for lobbyist registration in the Northwest Territories? Mahsi, Mr. Speaker.

HON. CAROLINE WAWZONEK: Thank you, Mr. Speaker. Mr. Speaker, I'm not sure that that type of legislation would necessarily fall under ITI. Certainly, the idea of having some sort of registered -- the idea of having some sort of public awareness, I see certainly no harm from that from the perspective of the -- as the ITI minister. In my view, Mr. Speaker, it would be beneficial for everyone in the industry to know of the work that is going on, to know of the extent of the efforts by officials, as well as by my office, to meet across the board with different industries, different stakeholders, individual businesses, all the different regions. That -- having that and having people know the efforts that we go into to do that engagement, in my view is only helpful. The kind of meetings we have should be known, and I certainly don't see any harm in that. Again, Mr. Speaker, that's probably not to take this suggestion forward, it's probably not one that would fall under ITI necessarily. But, again, I've certainly given some reasons why that would potentially be to the benefit of ITI. Thank you, Mr. Speaker