



## EXECUTIVE AND INTERGOVERNMENTAL AFFAIRS

### ACCESS TO INFORMATION AND PROTECTION OF PRIVACY POLICY

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#### POLICY STATEMENT

The Government of Nunavut recognizes that effective administration of Access to Information and Protection of Privacy (ATIPP) legislation requires consistent standards of practice and training across all public bodies to ensure accountability to the public and protection of personal privacy.

#### PRINCIPLES

The policy supports Pijitsirniq and Piliriqatigiinniq by ensuring that:

- Public bodies have a duty to assist applicants in exercising their rights under the Act and regulations;
- A consistent approach to the application of the Act and regulations is applied across all public bodies; and,
- Public bodies protect the privacy of applicants under the Act.

#### APPLICATION

This policy applies to all departments, branches and offices of the Government of Nunavut, as well as agencies, boards, commissions, corporations, offices and other bodies designated under Schedule A of the ATIPP regulations.

#### DEFINITIONS

Act:

The Access to Information and Protection of Privacy Act.

Applicant:

A person who applies for access to a record under section 6 of the Act, or a person who applies for a correction to their personal information in the custody of control of a public body under section 45 of the Act.

ATIPP Coordinator:

A public servant with appropriate training and delegated authority to process requests made under the ATIPP Act.

ATIPP Coordinators Committee:

A committee comprised of all ATIPP Coordinators of every public body authorized under section 69 of the ATIPP Act, which is chaired by the Manager of the Territorial ATIPP Office.

Central Accountability Committee:

A Deputy Ministers Committee established to provide advice on corporate governance for both financial and non-financial accountability for the Government of Nunavut.

Public Body:

A department, branch or office of the Government of Nunavut, or an agency, board, commission, corporation, office or other body designated under Schedule A of the ATIPP regulations; public bodies do not include the Office of the Legislative Assembly, the office of a member of the Legislative Assembly or Executive Council.

Head:

The member of the Executive Council who presides over a public body that is a department, branch or office of the Government of Nunavut, and in relation to any other public body, the person designated in the regulations as the head of the public body.

Deputy Head:

The Deputy Minister or President that is responsible for a public body.

Territorial ATIPP Office:

The office within the Department of Executive and Intergovernmental Affairs designated as the centralized office for the coordination for the ATIPP function across all public bodies

## **ROLES AND RESPONSIBILITIES**

Minister

The Minister responsible for the Act is accountable to the Executive Council for the implementation of this policy.

Deputy Minister

The Deputy Minister of the Department of Executive and Intergovernmental Affairs is responsible to the Minister for the administration of this policy.

## **PROVISIONS**

Heads will provide authority to Deputy Heads and ATIPP Coordinators pursuant to section 69 of the Act.

All Deputy Heads of public bodies will identify and designate ATIPP Coordinators for their public body. Deputy Heads will ensure ATIPP designations are signed, current, and filed with the Territorial ATIPP Office.

ATIPP Coordinators must be trained by the Territorial ATIPP Office before responding to any ATIPP requests.

Public bodies are responsible for ensuring meaningful representation on the ATIPP Coordinators Committee.

The ATIPP Coordinators Committee is responsible to the Central Accountability Committee for the following functions:

- 1) Creating and maintaining a terms of reference to define its purpose and govern its responsibilities; and,
- 2) Developing and reviewing procedures, protocols, guidelines, resource materials, and standards of application and service pertaining to the administration of the Act and its regulations.

The Central Accountability Committee approves the ATIPP Coordinators Committee terms of reference, as well as all procedures, protocols, guidelines, resource materials, and standards pertaining to the administration of the Act and its regulations.

The Territorial ATIPP Office will:

- 1) Retain copies of all official communications and legal documentation pertaining to the Act that may be required to substantiate actions or set precedent for public bodies;
- 2) Provide ongoing support, guidance and training to ATIPP Coordinators regarding the Act and regulations; and,
- 3) Assist the public in exercising their rights under the ATIPP Act and regulations.

## **PREROGATIVE OF CABINET**

Nothing in this directive shall in any way be construed to limit the prerogative of the Executive Council to make decisions or take actions respecting the administration of ATIPP outside the provisions of this policy.

## **SUNSET CLAUSE**

This Policy will be effective from the date of signature until October 31, 2024.