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Katimayigalaat mungiyut Maligaliuligiyyinik

**Tunihimayut Pihimayut
Kimilmilguugutikhait Atuktut Ukauhiit Pikuyakyua ovalo Inuit Ukauhiit
Munagitjutikhait Pikuyakyuat**

Aipaanut (2nd) Katimaniaktut Maligaliukvik Nunavumi

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Standing Committee on Legislation

**Submissions Received on the Review of the
Official Languages Act and the *Inuit Language Protection Act***

2nd Session of the 6th Legislative Assembly of Nunavut

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Comité permanent sur la législation

**Présentations reçues concernant l'examen de la
Loi sur les langues officielles et de la *Loi sur la protection de la langue inuite***

2^e session de la 6^e Assemblée législative du Nunavut





Section 3 of ILPA intended to address this concern by requiring, among other things, that every organization display its public signs, posters, and commercial advertising in the Inuktitut together with any other language used and provide its reception, customer, or client services to the general public in the Inuktitut. These requirements apply to both public and private sector bodies operating in Nunavut. Public sector bodies, as defined in Section 1 of ILPA, includes the departments and agencies of the Government of Nunavut and federal departments, agencies, or institutions.

Federal services undeniably play an important role in the lives of Nunavunmiut, such as: old age security benefits and pensions; child benefits; income taxes; elections; coast guard; fisheries and oceans; postal services; banking; and air travel. It is important that Inuit, especially unilingual speakers, are served equally in Inuktitut in our own territory as other Canadians already enjoy in English and French throughout the country.

As previously noted by the Languages Commissioner of Nunavut, there has been resistance from some federal government departments to comply with ILPA. There is ongoing ambiguity around federal ILPA obligations.

With the passing of both the *United Nations Declaration on the Rights of Indigenous Peoples Act* and the *Indigenous Languages Act* by the Parliament of Canada, there are renewed opportunities to initiate productive dialogue with the federal government on its obligations under ILPA. Additionally, with the announcement of the federal *Inuit Nunangat Policy* that includes provisions related to accessing federal programs and services in Inuktitut, there appears to be an opportunity to work closely with the federal government to build compliance with ILPA.

Recommendation #1: that the Legislative Assembly consider adding clarity on federal obligations under ILPA by adding the following provision:

Application to federal departments, agencies, or institutions

1.1. This Act only applies to federal departments, agencies, or institutions when an Act of Parliament provides for the application of this Act to federal departments, agencies, or institutions.

Minister of Languages Annual Reports: Submission Timeline

Section 15 of OLA requires the Minister of Languages to submit an annual report. In this report, the Minister is also required to include certain matters related to ILPA based on



section 27 of ILPA. In terms of the timeline to submit the annual report, subsection 15. (1) of OLA reads: “The Minister shall, within 12 months after the end of each fiscal year, prepare and submit to the Speaker of the Legislative Assembly and the Languages Commissioner a report...”.

It is our understanding that the Legislative Assembly generally prefers shorter timelines to produce and submit annual reports. At this time, we would like to recommend against changing the current timeline in Section 15 of OLA.

With the tabling of the 2019-2020 and 2020-21 Minister of Languages Annual Reports during the Winter 2023 sitting of the Legislative Assembly, the government came into compliance with its reporting requirements.

The Minister of Languages Annual Report is largely dependent on receiving the required information from several language funding recipients (GN departments, agencies, and community organisations). I would like to highlight that our department has taken important steps to increase its capacity to coordinate and manage, more effectively and efficiently, the collection, analysis and reporting on this information. Saying that, the process of producing annual reports in Nunavut’s official languages still require significant time and resources to complete.

The timeline of the Minister’s annual report (12 months after the end of the fiscal year) is staggered with the Language Commissioner’s annual report (6 months after the end of the fiscal year) and Inuit Uqausinginnik Taiguusiliuqtiit’s annual report (8 months after the end of the fiscal year). While various delays have previously limited the advantage of this structure, it does present an opportunity for alignment between organisations.

Office of the Languages Commissioner: Annual Recommendations

We value and appreciate the work carried out by the Office of the Languages Commissioner of Nunavut. The Office of the Languages Commissioner, through its annual reports, has made numerous recommendations intended for the Government of Nunavut regarding compliance with and implementation of OLA and ILPA. Although previous efforts have been made to respond to these recommendations, the Department and the Government of Nunavut is open to discuss how the process to respond to the Language Commissioner’s recommendations could be formalized with associated timelines. A formalized process will better ensure timely responses, improved monitoring of implementation efforts, and increased accountability. While I do not recommend any specific legislative changes, the Department would value further discussions with your committee on the desired form this relationship could take.



Justice on the appointments process ensuring that the applicable appointment forms are submitted and signed. This section of ILPA has created an unnecessary administrative burden as members only cease to be members by either a resignation as per subsection 20(7), or until a successor is appointed.

Recommendation #6: That subsection 20(8) of ILPA be amended to include a provision where expired members can be revoked without cause. Specifically:

Continuation After Expiry

(8) Except as otherwise provided in this section, a member continues to hold office after the expiry of the term referred to in subsection (4) until reappointed, or until their appointment is terminated under subsection (8.01).

Removal After Expiry

(8.01) Despite subsection (6), when a member continues to hold office following the expiry of their term of office, the Commissioner in Executive Council, on the recommendation of the Minister, may terminate the appointment of the member without cause.

Simplify Process to Appoint Replacement IUT Board Members

Section 20(8.1) of ILPA states:

Vacancy

(8.1) If there is a vacancy in the Inuit Uqausinginnik Taiguusiliuqtiit, the Commissioner in Executive Council
(a) shall, within 180 days, appoint another individual to serve for the unexpired term of that member; and
(b) may appoint another individual to serve for the unexpired term of that member if, after the expiry of 150 days, a nomination has not been made pursuant to paragraph (3)(a) or a committee has not provided advice under paragraph (3)(b).

As noted above, the Department of Culture and Heritage supports IUT staff on the appointments process for IUT. As per the Cabinet Appointments Policy, a public call for nominations is required for board appointments. The appointments process, including the submission of a Cabinet Request for Decision, can take up to two months. Combined with the 150-day delay which can be necessitated by section 8.1(b), the replacement process can be significantly delayed.

APPENDIX A - RECOMMENDED AMENDMENTS

#1	Consider clarifying ILPA’s application to the federal government as: <i>Application to federal departments, agencies or institutions</i> <i>1.1. This Act only applies to federal departments, agencies or institutions when an Act of Parliament provides for the application of this Act to federal departments, agencies or institutions.</i>
#2	Consider removing section 13.1 of OLA and removing references to The Official Languages Promotion Fund throughout OLA.
#3	Consider having IUT staff absorbed into the Government of Nunavut, while maintaining the independence of the board with respect to decisions around Inuit language use and standardization.
#4	Alternatively, if not recommending #3 i) Consider changing IUT’s deputy head from the Chairperson to the Executive Director. ILPA 22(3) ii) Consider amending subsection 22 (1) of ILPA to add a requirement to use a competitive hiring process, similar to section 20.1 of OLA iii) Consider adding to ILPA the requirement for IUT to comply with section 9 of the Public Service Act and the directives issued with respect to that section (Priority Hiring)
#5	Consider removing the spent portion of ILPA 20(4)
#6	Consider amending 20(8) to simplify the process for revocation of IUT board members: <i>Continuation after expiry</i> <i>(8) Except as otherwise provided in this section, a member continues to hold office after the expiry of the term referred to in subsection (4) until reappointed, or until their appointment is terminated under subsection (8.01).</i> <i>Removal after expiry</i> <i>(8.01) Despite subsection (6), when a member continues to hold office following the expiry of their term of office, the Commissioner in Executive Council, on the recommendation of the Minister, may terminate the appointment of the member without cause.</i>
#7	Consider amending 20(8.1) to clarify the process for replacement of IUT board members: <i>(8.1) When the Inuit Uqausinginnik Taiguusiliuqtiit has fewer than five members, the Commissioner in Executive Council</i> <i>(a) must, within 180 days, appoint another individual to the Inuit Uqausinginnik Taiguusiliuqtiit; and</i> <i>(b) may appoint another individual if, after the expiry of 90 days, a nomination has not been made pursuant to paragraph (3)(a) or a committee has not provided advice under paragraph (3)(b).</i>
#8	Consider removing the definition of “Public Agency” in both OLA and ILPA or amending it to mirror the Legislation Act.

ANNEXE A - MODIFICATIONS RECOMMANDÉES

No 1	<p>Envisager de clarifier l'application de la LPLI au gouvernement fédéral comme suit :</p> <p style="text-align: center;"><i>Application de la LPLI dans les ministères, organismes ou institutions du gouvernement fédéral</i></p> <p style="text-align: center;"><i>1.1. La présente Loi ne s'applique aux ministères, organismes ou institutions du gouvernement fédéral que lorsqu'une loi du Parlement prévoit l'application de la présente loi aux ministères, organismes ou institutions du gouvernement fédéral.</i></p>
No 2	<p>Envisager de supprimer l'article 13.1 de la LLO et de supprimer les références au Fonds de promotion des langues officielles dans l'ensemble de la LLO.</p>
No 3	<p>Envisager d'intégrer le personnel de l'IUT au gouvernement du Nunavut, tout en maintenant l'indépendance du conseil en ce qui concerne les décisions relatives à l'utilisation et à la normalisation des langues inuit.</p>
No 4	<p>Autrement, si vous ne suivez pas la recommandation no 3</p> <p>i) Envisager de remplacer l'administrateur général de l'IUT qui est actuellement un président par le poste de directeur exécutif. LPLI 22(3)</p> <p>ii) Envisager de modifier le paragraphe 22(1) de la LPLI afin d'ajouter l'obligation de recourir à un processus d'embauche par voie de concours, comme dans l'article 20.1 de la LLO.</p> <p>iii) Envisager d'ajouter à la LPLI l'obligation pour l'IUT de respecter l'article 9 de la <i>Loi sur la fonction publique</i> et les directives émises à l'égard de cet article (embauche prioritaire).</p>
No 5	<p>Envisager de supprimer la partie désuète du paragraphe 20(4) de la LPPI.</p>
No 6	<p>Envisager de modifier le paragraphe 20(8) afin de simplifier le processus de révocation des membres du conseil d'administration de l'IUT :</p> <p style="text-align: center;"><i>Occupation de la charge après l'expiration du mandat</i></p> <p style="text-align: center;"><i>(8) Sauf disposition à l'effet contraire du présent article, le membre continue d'exercer ses fonctions après l'expiration du mandat visé au paragraphe (4) jusqu'à ce qu'il soit nommé de nouveau ou jusqu'à ce que son mandat prenne fin en vertu du paragraphe (8.01).</i></p> <p style="text-align: center;"><i>Retrait de la charge après l'expiration du mandat</i></p> <p style="text-align: center;"><i>(8.01) Malgré le paragraphe (6), lorsqu'un membre demeure en fonction après que son mandat a expiré, le commissaire en conseil peut, sur recommandation du ministre, mettre fin à son mandat sans motif.</i></p>
No 7	<p>Envisager de modifier le paragraphe 20(8.1) afin de clarifier le processus de remplacement des membres du conseil d'administration de l'IUT :</p> <p style="text-align: center;"><i>(8.1) Lorsque l'Inuit Uqausinginnik Taiguusiliuqtiit compte moins de cinq membres, le commissaire en conseil :</i></p> <p style="text-align: center;"><i>(a) doit, dans les 180 jours de la vacance, nommer une autre personne à l'Inuit Uqausinginnik Taiguusiliuqtiit; et</i></p> <p style="text-align: center;"><i>(b) peut nommer un autre particulier si, après l'expiration d'un délai de 90 jours, aucune nomination n'a été faite conformément à l'alinéa (3)(a) ou si un comité n'a pas fourni l'avis visé à l'alinéa (3)(b).</i></p>
No 8	<p>Envisager de supprimer la définition d'« organisme public » dans la LLO et la LPLI ou de la modifier pour refléter la <i>Loi sur la législation</i>.</p>

**Submission to the Standing Committee on Legislation
Review of the *Official Languages Act***

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I. TITLE OF THE LEGISLATION

Official Languages Act (“OLA” or the “Act”)¹

II. ORIGINATOR OF SUBMISSION

Office of the Languages Commissioner of Nunavut

The OLA establishes Inuktitut, English and French as the Official Languages of Nunavut and mandates the Languages Commissioner to take the actions necessary to ensure the equality, status and use of the Official Languages in territorial institutions. The recommendations in these submissions are based on the experiences of my office in responding to the concerns of Nunavummiut.

III. STRUCTURE OF SUBMISSION

This submission is set out in two parts, Part A explaining the reasons a reform of the OLA is necessary so that it can achieve its objectives, and Part B setting out the specific wording proposed for the OLA.

PART A: THE NEED FOR REFORM

1. Overview

There is room for improvement in the clarity and definition of the processes, roles and obligations contemplated in the OLA. Substantial amendments to its structure, wording and content are needed to enable the OLA to fulfil its purpose.

2. History

The OLA was inherited from the Northwest Territories and revised after consultations with communities in Nunavut.² I propose amendments to make it more responsive to the needs and realities of Nunavut.

3. Requirement for Review

The OLA requires the Legislative Assembly to conduct periodic reviews of its administration and implementation, the effectiveness of its provisions and the achievement of its objectives. Although the first review was to be conducted in the year following September 18, 2014, there has not yet been a review. This will be the first assessment of the Act’s effectiveness in achieving its objectives.

The OLA’s objectives include, amongst others, ensuring that the Inuit Language is used by territorial institutions in their communications with the public, giving the Inuit Language full equality

¹ *Official Languages Act*, S Nu 2008, c 10 [OLA], s 37.

² *Language Legislation for Nunavut Consultation Paper* (Nunavut Legislative Assembly, 2008) at 2-3: <https://assembly.nu.ca/library/GNedocs/2008/000039-e.pdf>.

with the other Official Languages, promoting the Inuit Language, protecting and promoting the French Language and vitality of the Francophone community and providing a framework for the Inuit and Francophone communities to have the means needed to safeguard and strengthen their cultural expression, collective life and heritage for future generations.

These are important objectives, and I fully support them. However, based on my experience in dealing with concerns, the OLA would be more effective in achieving these objectives if there were greater clarity as to when it applies and if there were enhanced compliance measures.

4. Conclusion

The OLA serves important objectives of establishing the equality of status of the Official Languages and clear standards of communication and access to government services in those languages. The changes I recommend in Part B will help the OLA achieve those objectives.

PART B: PROPOSALS FOR SPECIFIC WORDING

As a preliminary matter, I note that inclusive language such as “they” and “their” should replace gender-specific words such as “he”, “she”, “his” and “her” throughout the Act, and the term “complaint” should replace “concern” throughout the provisions relating to investigations. I also recommend the amendments to specific provisions set out below.

Current Provision	Proposed Amendment	Reasons
1. INTERPRETATION		
a) “Inuit Language” means Inuit Language as defined in the <i>Inuit Language Protection Act</i> .	<p><u>“Inuktitut” means</u></p> <p><u>(a) throughout Nunavut, Inuktitut, and</u></p> <p><u>(b) in Kugluktuk, Cambridge Bay, Bathurst Inlet and Umingmaktuug, includes Inuinnaqtun;</u></p>	This definition brings the definition in line with that established by Inuit Tapiriit Kanatami and recognizes both Inuktitut and Inuinnaqtun.
b) “Legislative Assembly” means the Legislative Assembly and all of its institutions and offices, but not the constituency offices of Members of the Legislative Assembly.	<p><u>“Legislative Assembly” means the Legislative Assembly and all of its institutions and offices, including the Office of the Integrity Commissioner, the Office of the Chief Electoral Officer, the Office of the Representative for Children and Youth, the Office of the Languages Commissioner, and the Office of the Information and Privacy Commissioner [...];</u></p>	This addresses the lack of clarity that has made it difficult to determine if the OLA applies to a particular body.
c) “public agency” means, unless otherwise provided by regulation, a body that is	<p><u>“public agency” means, unless otherwise provided by regulation, a body that is</u></p> <p><u>(a) established by the laws of Nunavut, and</u></p> <p><u>(b) either</u></p> <p><u>(i) subject to the direction of a Minister or the Executive Council,</u></p> <p><u>or</u></p> <p><u>(ii) identified as a public agency under subsection 1(1) of the <i>Financial Administration Act</i>;</u></p>	This revision will make it clearer to which public bodies the OLA applies and make the Act more inclusive.

<p>d) “territorial institution” means</p> <p>(a) the Government of Nunavut,</p> <p>(b) a judicial or quasi-judicial body,</p> <p>(c) the Legislative Assembly, and</p> <p>(d) a public agency.</p>	<p>“territorial institution” means</p> <p>(a) [...],</p> <p><u>(e) a body established pursuant to the Nunavut Land Claims Agreement, and</u></p> <p><u>(f) any body or office established to perform a governmental function by or pursuant to a law of Nunavut or under the authority of the Executive Council,</u></p>	<p>This revision is aimed at defining more clearly territorial institution in a manner that aligns with the spirit of the OLA and facilitates its application.</p> <p>The proposed new paragraph (f) is similar to language in the federal <i>Official Languages Act</i>.</p>
<p>2(2) If a provision of section 3, 4, 5, 7, 8, 9, 11 or 12 is inconsistent with or in conflict with a provision of an Act other than the <i>Human Rights Act</i>, the provision of this Act prevails.</p>	<p>If any provision of <u>this Act</u> is inconsistent with or in conflict with a provision of an Act other than the <i>Human Rights Act</i>, the provision of this Act prevails.</p>	<p>This amendment makes the OLA more coherent with the important federal, territorial and Inuit objectives set out in the preamble and because of which the OLA must enjoy quasi-constitutional status in law. It is important that <u>all</u> provisions of the OLA prevail over other laws, except for the <i>Human Rights Act</i>.</p>
<p>3(2) To the extent and in the manner provided under this Act, the Official Languages of Nunavut have equality of status and equal rights and privileges as to their use in territorial institutions.</p>	<p><u>The Official Languages of Nunavut have equality of status and equal rights and privileges as to their use in territorial institutions.</u></p>	<p>This will make it clear that all the Official Languages are at all times of equal status.</p>
<p>3(3) In its application to Inuinnaqtun, this Act shall be interpreted and implemented in a manner that is consistent with the need to give priority to</p> <p>(a) the revitalization of Inuinnaqtun; and</p> <p>(b) improved access to services under sections 8 to 12 in the communities where Inuinnaqtun is indigenous.</p>	<p>[...]</p> <p>(b) improved access to services under sections 8 to 12 in the communities where Inuinnaqtun is <u>spoken</u>.</p>	
<p>4(1) Everyone has the right to use any Official Language in the debates and other proceedings of the Legislative Assembly.</p>	<p>[...]</p> <p>4(1.1) <u>“Facilities shall be made available for the simultaneous interpretation of the debates and other proceedings of the Legislative Assembly from each Official Language into the others.”</u></p>	<p>This amendment will make it clear that not only may legislators use any Official Language but also that they must be able to understand each other in any Official Language through interpretation. There is precedent for this at section 4(2) of the federal <i>Official Languages Act</i>.</p>

<p>5(1) The Acts of the Legislature shall be made, printed and published in English and French and both versions are equally authoritative.</p>	<p><u>Except as otherwise provided herein, the Acts of the Legislature shall be made, printed and published in English and French and both versions are equally authoritative. The Official Languages Act and the Inuit Language Protection Act shall also be made, printed and published in Inuktut, English and French.</u></p>	<p>The OLA and Inuit Language Protection Act should be drafted in all Official Languages simultaneously. This will ensure drafters use terminology that is meaningful in Inuktut and make it more likely that Official Language speakers will be able to understand their language rights.</p>
<p>6. The Speaker, on the recommendation of the Management and Services Board, may make regulations respecting any aspect, measure, method or requirement not fully or sufficiently provided for in this Act as the Speaker, on the recommendation of the Management and Services Board, considers necessary to ensure that Legislative Assembly is in compliance with sections 4, 5, 11 and 12, including regulations respecting signage, notices, translation, interpretation, the giving of notice and the duties of the officers and employees of the Legislative Assembly.</p>	<p>Remove this provision.</p>	<p>The Management and Services Board can address the manner of implementing the obligations in an internal policy. This will be a simpler more streamlined process for adopting and updating appropriate measures as needed.</p>
<p>8(1) In the proceedings of a judicial or quasi-judicial body, any of the Official Languages may be used by</p> <p>(a) any person before, in a pleading in, or in process issuing from the judicial or quasi-judicial body;</p> <p>(b) a presiding member of the judicial or quasi-judicial body.</p>	<p>In the proceedings of a judicial or quasi-judicial body, any of the Official Languages may be used <u>in any written or oral communications</u> by</p> <p>(a) any person before, in a pleading in, or in process issuing from the judicial or quasi-judicial body; <u>and</u></p> <p>(b) a presiding member of the judicial or quasi-judicial body.</p>	<p>It should be clear that these rights apply to both oral and written communications. These amendments will promote access to justice and fairness for speakers of all Official Languages.</p>
<p>8(3) A party or witness in civil proceedings is entitled</p> <p>(a) to request and receive interpretation services in his or her Official Language of choice,</p> <p>(i) in the manner prescribed by the Nunavut Court of Justice or the Court of Appeal under section 10, or</p> <p>(ii) in the manner prescribed under paragraph</p>	<p>A party or witness in civil proceedings is entitled</p> <p>(a) to request and receive <u>interpretation and translation</u> services in the Official Language of <u>their</u> choice;</p> <p>[...]</p> <p>(b) to be actively notified of this right before having made any request for <u>interpretation or translation.</u></p>	<p>Translation should be available for documentary evidence as well as written submissions and rulings in order to ensure that all Official Language speakers have equal access to justice and the opportunity to engage in civil proceedings appropriately and effectively.</p>

38(1)(c)(i) for a quasi-judicial body; and

(b) to be actively notified of this right before having made any request for interpretation.

Add the following:

8(6) Every judicial or quasi-judicial body has, in any proceedings before it, the duty to ensure that any person giving evidence before it may be heard in the Official Language of their choice, and that in being so heard the person will not be placed at a disadvantage by not being heard in one of the other Official Languages.

The amendment is required to address situations where the Government of Nunavut commences proceedings involving Inuit but provide only an English version of the pleadings. This has prevented those individuals from responding adequately and has potentially impacted their rights.

8(7) Where a territorial institution is a party to proceedings before a judicial or quasi-judicial tribunal,

(a) the territorial institution shall use, in all oral or written pleadings, the Official Language chosen by the other parties unless it is established by the territorial institution that reasonable notice of the language chosen has not been given, and

b) if the other parties fail to choose or agree on the Official Language to be used in those proceedings, the territorial institution shall use such Official Language as is reasonable, having regard to the circumstances.

8(8) The pre-printed portion of any form that is used in proceedings before a judicial or quasi-judicial body and is required to be served by any territorial institution that is a party to the proceedings on any other party shall be in all the Official Languages.

Information added to complete that form may be set out in any Official Language but, if set out in only one Official Language, it shall be clearly indicated on the form that the information may be translated into another Official Language upon request. If a request for a translation of the added information is made, the party that served the form shall forthwith make or cause to be made a translation of the added information.

<p>11(1) Every territorial institution shall</p> <p>(a) display its public signs, if any, in the Official Languages;</p>	<p><u>Signs</u></p> <p>11(1) Every territorial institution shall display <u>signs intended for the notice of the public</u> in the Official Languages.</p>	<p>Clarifying the words in this section will make it easier to determine which complaints are admissible. Separating the obligations under “Communications with Services to the Public” will allow for clearer language setting out the obligations of territorial institutions in a more coherent manner.</p>
<p>(b) make or issue its instruments in writing directed to or intended for the notice of the public in the Official Languages; and</p>	<p><u>Instruments</u></p> <p>(2) Every <u>instrument</u> made or issued under the authority of a territorial institution and that is directed to or intended for the notice, <u>use or information</u> of the public shall be made or issued in all the Official Languages.</p>	<p>Providing broad definitions will ensure that Official Language speakers are able to understand important communications. As we have seen during the pandemic, government communications may concern urgent matters of health and safety, so it is important that all written communications be made available in all Official Languages.</p>
<p>(c) ensure that each Official Language version or portion of a sign and each version or portion of an instrument to which this section applies is designed or displayed so as to have an equal prominence, impact or effect with all the other Official Languages used.</p>	<p><u>Equality</u></p> <p>(3) The territorial institution shall ensure that each Official Language version or portion of a sign and each <u>Official Language</u> version or portion of an <u>instrument</u> to which this section applies is designed or displayed so as to have an equal prominence, impact or effect with all the other Official Languages used.</p>	
<p>11(2) The administrative head of a territorial institution having a duty under subsection (1) shall establish and maintain the operational policies necessary to implement this section.</p>	<p><u>Duty of the DEIA</u></p> <p>(4) The <u>Department of Executive and Intergovernmental Affairs</u> shall establish and maintain the operational policies necessary to implement this section.</p>	<p>Giving responsibility for policy development to a central body will enable it to develop expertise in the interpretation and application of the Act, thereby facilitating the consistent application throughout all territorial institutions.</p>
<p>12(4) A territorial institution has the duty described in subsection (2) with respect to its other offices if due to the nature of an office it is reasonable that communications with and services from that office be available in an Official Language, as evidenced by any of the following:</p>	<p>(4) [...]</p> <p>(a) the scope, impact or importance of the services in question for members of the public in a specific community or region, in the territory as a whole or in another geographic area, <u>or</u></p>	

(a) the scope, impact or importance of the services in question for members of the public in a specific community or region, in the territory as a whole or in another geographic area;

(b) the relevance of the services in question to the health, safety, security of members of the public or to the similarly essential matters prescribed by regulation.

(b) the relevance of the services in question to the health, safety, or security of members of the public or to the similarly essential matters prescribed by regulation.

12(6) This section applies to both oral and written communications.

Move this provision to the beginning of section 12.

12(1) Wherever this section establishes a duty in respect of communications and services, that duty applies in respect of oral and written communications and in respect of any documents or activities that relate to those communications or services.

This wording clarifies the types of communications and services that are required to be offered in all Official Language.

12(8) If there is a significant demand for communications with and services in an Official Language in a municipality, the administrative head of the municipality has the duty to ensure that members of the public entitled to the municipal communications and services prescribed by regulation, can receive them in that Official Language.

If there is a significant demand for communications with and services in an Official Language in a municipality, determined in accordance with section 12(3), the administrative head of the municipality has the duty to ensure that members of the public entitled to the municipal communications and services prescribed by regulation, can receive them in that Official Language.

The concept of “significant demand” is problematic because demand may decrease as a language becomes more endangered. This change will allow regulators to consider other factors, such as a recent influx of Inuinnaqtun speakers, in deciding whether to designate a municipality pursuant to this section.

13(3) The Minister shall, in consultation with territorial institutions and municipalities,

(a) develop and maintain a comprehensive plan for the implementation of language obligations, policies, programs and services by departments of the Government of Nunavut and public agencies;

Insert a new section 15.1 as follows:

There is established a secretariat within the Department of Executive and Intergovernmental Affairs called the Secretariat of Official Languages that shall

(a) assist in developing the implementation plan referred to in subsection 13(3).

(b) review, monitor and evaluate the implementation plan referred to in subsection 13(3).

It would be helpful to have a central government agency develop policies and monitor compliance with language plans to ensure consistency between institutions.

There is precedent for this provision at section 5.01 of New Brunswick’s proposed Bill 37.³

³ <https://www.legnb.ca/en/legislation/bills/60/2/37/an-act-respecting-the-official-languages-act>

(c) establish and maintain the operational policies referred to in subsection 11(2),

(d) within 12 months after the end of each fiscal year, prepare and submit to the Speaker of the Legislative Assembly, the Languages Commissioner and the Minister of Languages a report that describes the progress of each territorial institution under the implementation plan referred to at paragraph 13(3)(a) and any applicable implementation plan referred to at paragraph 13(4)(a) and makes recommendations for improvements,

(e) advise territorial institutions on measures to be taken to comply with this Act and meet the needs of the Official Languages communities,

(f) provide support to employees of territorial institutions to ensure compliance with this Act,

(g) undertake public outreach initiatives, including regular consultation with stakeholders from each Official Language community, to promote respect, understanding and communication between the Official Language communities, and

(g) undertake other duties and functions as required by the Commissioner in Executive Council.

13(4) The Minister may direct the administrative head of a department of the Government of Nunavut, a public agency or a municipality

(a) to submit an annual or longer-term implementation plan for consideration under subsection (3); and

(b) to provide the information that the Minister considers necessary to exercise the powers or perform the duties under this section.

The Minister, the Languages Commissioner, or the Minister of Executive and Intergovernmental Affairs may direct the administrative head of a department of the Government of Nunavut, a public agency or a municipality

(a) to submit an annual or longer-term implementation plan for consideration and approval, and

(b) to provide the information that the Minister, the Languages Commissioner, or the Minister of Executive and Intergovernmental Affairs considers necessary to exercise the powers or perform their duties under this Act.

Including the Languages Commissioner in these provisions respecting implementation plans will ensure that concerns identified by the Languages Commissioner are addressed in those implementation plans and ensure Government of Nunavut is meeting its language obligations under OLA.

(4.1) For greater certainty, the Access to Information and Protection of Privacy Act

does not apply to a direction made by the Minister, the Languages Commissioner, and the Minister of Executive and Intergovernmental Affairs pursuant to paragraph 13(4)(b).

13.1 (1) The Official Languages Promotion Fund is established as a special account in the Consolidated Revenue Fund. ***Remove this provision.***

(2) The assets in the fund must be used only to promote the following purposes:

[...]

(c) improving Inuit Language literacy and proficiency and reversing language loss and assimilation;

20.1 (1) The Languages Commissioner may appoint, following a competition, such staff as are necessary for the proper conduct of the duties of the Languages Commissioner, despite the *Public Service Act*.

(1.1) Despite subsection (1), the Languages Commissioner may appoint staff without a competition with the approval of the Management and Services Board.

(2) The staff appointed under subsection (1) are members of the public service as defined in the *Public Service Act*.

(3) With respect to persons appointed under this section, the Languages Commissioner shall rank as and have all the powers of a deputy head under the *Public Service Act*.

(1) [...]

(1.1) Despite subsection (1), the Languages Commissioner may, with the approval of the Management and Services Board, appoint staff without a competition.

(2) The staff appointed under subsection (1) or subsection (1.1) are members of the public service as defined in the *Public Service Act*.

(3) With respect to persons appointed under this section, the Languages Commissioner is the chief executive officer for the purposes of the *Public Service Act*.

(2.1) The staff appointed under subsection (1) or subsection (1.1) are not eligible for membership in a bargaining unit as defined in the *Public Service Act*.

(4) For greater certainty, the appointment of staff by the Languages Commissioner pursuant to subsection (1) does not require the approval of the Legislative Assembly or the Management and Services Board.

The wording is changed to clarify the powers of the Languages Commissioner to make staffing decisions.

22. (1) It is the duty of the Languages Commissioner to take all actions and measures within the authority of the Languages Commissioner to

(1) The Languages Commissioner has a duty to take all actions and measures within their authority, as prescribed in the Act, to ensure that Official Language

Many statutes of Nunavut are based on legislation from other Canadian jurisdictions and may inadvertently place

ensure that Official Language rights, status and privileges are recognized, and the duties respecting the Official Languages are performed.

(2) Without limiting the generality of subsection (1), the duties of the Languages Commissioner include

(a) investigating whether the requirements of this or any other Act, regulation, policy or procedure concerning the Official Languages have been appropriately performed, and providing reports about the results of the investigation and recommendations, if any;

(b) developing mediation and other methods consistent with Inuit Qaujimajatuqangit, and using these methods when appropriate to resolve concerns about the performance of legislative, policy or procedural language obligations; and

(c) commenting on the implementation activities and performance of territorial institutions and municipalities under this Act, and on their compliance with the spirit and intent of this Act.

rights, status and privileges are recognized, and the duties respecting the Official Languages are performed.

(2) Without limiting the generality of subsection (1), the duties of the Languages Commissioner include

[...]

(b) conducting reviews of legislation and policies as it relates to the status, use or protection of Official Languages or its impact on Official Language speakers and reporting on the results of the reviews and the Languages Commissioner's recommendations, if any.

(c) developing mediation and other methods consistent with Inuit Qaujimajatuqangit, and using these methods when appropriate to resolve complaints about the performance of legislative, policy or procedural language obligations,

(d) [...] and

(e) informing and educating territorial institutions, municipalities and the public about language rights and appropriate compliance measures.

speakers of some of the Official Languages at a disadvantage if, for example, they need more time to find interpreters or translators to facilitate compliance. There is precedent for a duty to conduct systemic reviews of legislation at section 4(1)(e) of the *Representative of Children and Youth Act*.

In addition, my office has always had a role in informing and educating organizations and the public about language rights and appropriate compliance measures, and this role should be recognized in the legislation.

22.1 (1) The following general principles and concepts of Inuit Qaujimajatuqangit apply in respect of the exercise of the powers and performance of the duties of the Languages Commissioner under sections 20.1, 21, paragraph 22(2)(b), section 30 and subsections 32(1) and (3):

(a) Inuuqatigiitsiarniq (respecting others, relationships and caring for people);

(b) Tunnganarniq (fostering good spirit by being open, welcoming and inclusive);

(c) Pijitsimiq (serving and providing for family or community, or both);

(1) The following general principles and concepts of Inuit Qaujimajatuqangit apply in respect of the exercise of the powers and performance of the duties of the Languages Commissioner under sections 20.1, 21, paragraph 22(2)(b), section 30 and subsections 32(1) and (3)

[...]

(g) Pilimmaksarniq or Pijariuqsarniq (development of skills through practice, effort and action), and

(h) Avatittinnik Kamatsiarniq (respect and care for the land, animals and the environment).

The legislation should recognize all eight principles of Inuit Qaujimajatuqangit.

- (d) Aajiiqatigiinniq (decision-making through discussion and consensus);
- (e) Piliriqatigiinniq or Ikajuqtiigiinniq (working together for a common cause);
- (f) Qanuqtuurniq (being innovative and resourceful).

23(2) For the purposes of an Act or law respecting libel or slander,

- (a) anything said, all information supplied and all documents and things produced in the course of an investigation, mediation or other proceeding before the Languages Commissioner are privileged to the same extent as if it were a proceeding in court; and
- (b) a report made by the Languages Commissioner and a fair and accurate account of the report in news media, a periodical publication or broadcast are privileged to the same extent as if the report of the Languages Commissioner were the order of a court.

For the purposes of an Act or law respecting libel or slander,

[...]

- (b) a report made by the Languages Commissioner is privileged to the same extent as if the report were the order of a court, and
- (c) a fair and accurate account of a report made by the Languages Commissioner in news media, a periodical publication or broadcast is privileged to the same extent as if the report of the Languages Commissioner were the order of a court.

This amendment will improve clarity by separating the existing paragraph (b). As such, the report made by the Languages Commissioner is privileged and any media or other publication on that report will also be privileged. This protects the Languages Commissioner and the media or publisher against claims of libel based on a report of the Languages Commissioner.

25(5) If there is an inconsistency or conflict between this section and the *Access to Information and Protection of Privacy Act* or the regulations made under that Act, this section prevails to the extent of the inconsistency or conflict.

If there is an inconsistency or conflict between this Part and the *Access to Information and Protection of Privacy Act* or the regulations made under that Act, this Part prevails to the extent of the inconsistency or conflict.

Complaints

Investigation

26(1) A person may apply to the Languages Commissioner orally, or in another form that the Languages Commissioner considers to be satisfactory, for the investigation of concerns that, in the administration of the affairs of a territorial institution or municipality,

- (a) the status of an Official Language has not been recognized;
- (b) a provision of this or any other Act or regulation relating to the status, use or protection

A person may file a complaint with the Languages Commissioner orally or in writing that, in the administration of the affairs of a territorial institution or municipality,

- (a) the status of an Official Language was not or is not being recognized,
- (b) any provision of ~~this or any other~~ Act or regulation relating to the status or use of the Official Languages was not or is not being complied with, or

The term “complaint” is stronger than “concern” and will be more meaningful to those raising concerns about language rights.

This mirrors the wording in the federal OLA.

of an Official Language has not been complied with; or

(c) the spirit and intent of this Act or the *Inuit Language Protection Act* has not been fulfilled.

(c) the spirit and intent of this Act or the *Inuit Language Protection Act* is not being complied with.

26(2) On the Languages Commissioner's own initiative, or at the request of a territorial institution, a municipality or a member or committee of the Legislative Assembly, the Languages Commissioner may commence an investigation on the grounds for concern referred to in subsection (1)

The Languages Commissioner may, on their own initiative, or at the request of a territorial institution, a municipality or a member or committee of the Legislative Assembly, commence an investigation on the grounds for complaints set out at subsection (1).

26(3) On receipt of an application or request made under this section, the Languages Commissioner shall evaluate the concerns and, subject to subsection 28(1), shall investigate.

Remove this provision.

26(4) The Languages Commissioner may conduct a single investigation of two or more applications or requests, if he or she is satisfied that it is fair and reasonable in the circumstances to do so.

Move to Investigations.

27. (1) No person shall discharge, suspend, expel, intimidate, coerce, evict, impose a pecuniary or other penalty on or otherwise discriminate against a person because that person applies for or requests an investigation, gives evidence or assists in an investigation, inquiry or reporting of a concern to the Languages Commissioner.

(1) No person shall

(a) discharge, suspend, expel, intimidate, threaten, coerce, evict, impose a pecuniary or other penalty on or otherwise discriminate against a person because that person applies for or requests an investigation or gives evidence or assists in an investigation, inquiry or reporting of a complaint to the Languages Commissioner; or

(b) obstruct the Languages Commissioner, or any person acting on behalf or under the direction of the Languages Commissioner, in the performance of the Languages Commissioner's duties or functions under this Act.

There is precedent for this new paragraph at paragraph 62(2)(b) of the federal *Official Languages Act*. It is necessary to ensure that the Languages Commissioner can properly conduct an investigation in a timely manner.

Refuse or discontinue investigation

INVESTIGATIONS

Evaluation of complaints and requests

28(1) On receipt of a complaint made pursuant to subsection 26(1), the Languages Commissioner shall evaluate the complaint and determine if the complaint

Separating the process and steps relating to investigations will assist the Office of the Languages Commissioner in dealing with complaints. This will also ensure that territorial institutions and municipalities as well as complainants have a clear understanding of the process and options for addressing complaints.

(a) is made by a person who is entitled to the linguistic rights set out in this Act,

(b) is made in respect of a territorial institution or municipality having linguistic obligations under this Act, and

(c) is made on the grounds set out at paragraphs 26(1) (a) and (b).

28(2) On receipt of a request made pursuant to subsection 26(2), the Languages Commissioner shall evaluate the request and determine if the request

(a) concerns linguistic rights,

(b) is made in respect of a territorial institution or municipality having linguistic obligations under this Act, and

(c) is made on the grounds set out at paragraphs 26(1) (a) and (b).

28(3) The Languages Commissioner may refuse a complaint or a request if, following the evaluation

Existing 28.(1).

(a) the complaint primarily affects an individual or individuals other than the complainant or party requesting an investigation, and the directly affected individual or individuals do not wish to proceed,

(b) all or part of the complaint or request may be dealt with and remedied, adequately and appropriately, under another Act or using another available procedure,

(c) the complaint or request is frivolous, vexatious, not made in good faith or concerns a trivial matter,

(d) the complainant or party requesting an investigation has withdrawn or abandoned the complaint, or

(e) the complaint has been resolved.

28(4) If, following the evaluation, the Languages Commissioner determines that the complaint or request does not satisfy the criteria set out at subsections 28(1) or 28(2), the Languages Commissioner shall refuse the complaint or request.

Establishes when a complaint or request must be refused.

28(5) The Languages Commissioner, upon refusing a complaint or request, must notify the complainant or the party requesting the investigation in writing of the refusal and setting out the reasons for same.

Previously s. 26(4).

28(6) The Languages Commissioner may conduct a single investigation of two or more complaints if satisfied that it is reasonable in the circumstances and that doing so best serves the administration of the Act.

This addition sets out the factors the Languages Commissioner may consider when deciding to join complaints into a single investigation or deal with a complaint as a systemic investigation.

In determining whether it is reasonable in the circumstances, the Languages Commissioner may consider, without limitation,

(a) the significance of the language rights engaged,

(b) the repeated nature of language rights violations, and

(c) a failure to implement past recommendations of the Languages Commissioner.

Accepting a complaint or request

29(1) If the Languages Commissioner decides to investigate, the Languages Commissioner shall,

(a) before commencing the investigation,

(i) notify the Minister, the administrative head of the territorial institution or municipality affected and any other person the Languages Commissioner considers

29(1) Upon accepting a complaint or a request made pursuant to subsection 26(1), or upon initiating an investigation pursuant to subsection 26(2), the Languages Commissioner shall notify the administrative head of the implicated territorial institution or municipality and any other person the Languages Commissioner considers appropriate in the circumstances.

This establishes a clear obligation to notify on the Languages Commissioner. By identifying the administrative head as the primary person to notify, it will ensure that the territorial institution is aware of the complaint regardless of any changes to government. The Languages Commissioner may still notify the Minister responsible for the territorial

appropriate to notify in the circumstances, and

(ii) consult with the administrative head of the territorial institution or municipality affected and with any other person the Languages Commissioner considers appropriate, to attempt to resolve the concerns raised or for any other purpose; and

(b) before making a report or recommendation that may adversely affect a person, territorial institution or municipality, consult with that person, territorial institution or municipality.

institution given the wording of this section.

This amendment also separates the different aspects of the complaints process.

Informal resolution

30. The Languages Commissioner may recommend or use mediation and other means consistent with Inuit Qaujimajatuqangit in attempting to resolve concerns identified in an application or request made under subsection 26(1) or (2).

30(1) The Languages Commissioner may, prior to commencing an investigation, or at any time during an investigation, recommend or use an informal resolution process, including mediation, consistent with Inuit Qaujimajatuqangit to resolve a complaint or request made pursuant to subsection 26(1) or (2). The informal resolution process will be conducted confidentially.

It will be helpful to clarify that there is flexibility to proceed by way of either formal or informal processes whenever the circumstances indicate that doing so will be more effective at resolving a complaint or bringing an organization into compliance.

30(2) The Languages Commissioner, prior to recommending or using an informal complaint resolution process, shall

The following additions are intended to establish the informal resolution process, provide a guideline and rules around when and how to use this process.

(a) consult the complainant or party requesting the investigation and the administrative head of the territorial institution or municipality,

(b) obtain the consent and confidentiality undertakings of the complainant or party requesting the investigation and the administrative head of the territorial institution or municipality,

(c) identify the issues that can be resolved through the informal resolution process, and

(d) identify, where appropriate, a third-party facilitator to carry out the informal resolution process.

30(3) The Languages Commissioner may, at any time, decide to suspend or terminate the informal resolution process and commence a formal investigation if the Languages Commissioner, in their sole discretion, determines that

(a) the parties will not be able to resolve the complaint through an informal resolution process.

(b) compliance with this or any other Act or regulation relating to the status, use or protection of an Official Language will not be satisfied through an informal resolution process, or

(c) the spirit and intent of this Act or the *Inuit Language Protection Act* will not be complied with through the informal resolution process.

30(4) The Languages Commissioner may, as part of the informal resolution process, establish such procedures as the Languages Commissioner considers appropriate to ensuring the resolution of the complaint or the request.

Formal investigation

31(1) The Languages Commissioner may, at any time after accepting a complaint or a request to investigate, commence a formal investigation.

This ensures that the Languages Commissioner may commence an investigation at any time during the complaints process.

Before commencing the formal investigation, the Languages Commissioner shall inform the administrative head of the territorial institution or municipality of their intention to carry out an investigation.

31(2) Investigations carried out by the Languages Commissioner under this Act shall be conducted confidentially.

Procedures

31(3) The Languages Commissioner may determine the procedures to be followed in carrying out investigations under the Act.

31(4) During an investigation, the Languages Commissioner is not required to hold a hearing and no person has the right to be heard by the Languages Commissioner. However, if at any time during an investigation the Languages Commissioner determines that a report or recommendation may adversely affect any individual, territorial institution or municipality, the Languages Commissioner shall, before completing the investigation, give that individual or territorial institution or municipality an opportunity to respond to any allegations.

Section 29.(2). Reflects wording in the federal Official Languages Act and ensures a right to be heard if the Languages Commissioner's findings will adversely affect a territorial institution, a municipality or an individual.

Powers of Languages Commissioner to carry out investigations

31. (1) Except as provided in this section, the Languages Commissioner may, during an investigation, request and obtain information from the persons and in the manner the Languages Commissioner considers appropriate, and may take one or more of the following actions without being bound by the rules of evidence or proceedings in civil cases:

(a) enter and inspect premises occupied by a territorial institution or municipality at any reasonable time;

(b) make the inquiries while in those premises that Languages Commissioner considers appropriate, including talking in private with any individual on a voluntary basis;

(c) request and examine information, records and objects, make or require copies or take photographs that the Languages Commissioner considers relevant to the concerns under investigation;

(d) accept or exclude any information or evidence as the Languages Commissioner considers appropriate, whether or not it would be admissible or excluded in a civil case.

(2) Subject to giving reasonable notice, the Languages Commissioner may

31(5) The Languages Commissioner has, in carrying out an investigation under this Act, and without being bound by the rules of evidence or proceedings in civil cases, the power

(a) to enter premises occupied by a territorial institution or municipality at any reasonable time and to inspect these,

(b) to make inquiries orally or in writing of any person who may have information that is relevant to the investigation,

(c) to summon and enforce the appearance of any person as a witness and compel them to give oral or written evidence on oath or solemn affirmation,

(d) to compel any person to produce any records, documents or things in their possession or control; and

(d) to administer the oath or affirmation under paragraph (c).

This language reflects the investigative powers of commissioners in other jurisdictions.

in the course of an investigation

- (a) summon and enforce the appearance of a person as a witness;
- (b) administer oaths and affirmations;
- (c) compel a person to give evidence on oath or affirmation, including by way of an affidavit, at a time and place the Languages Commissioner specifies; and
- (d) compel a person to produce documents and things in the person's possession or control that the Languages Commissioner considers relevant to the concerns under investigation, at a time and place the Languages Commissioner specifies.

(6) The Languages Commissioner may accept or exclude any information or evidence as the Languages Commissioner considers appropriate, whether or not it would be admissible or excluded in a civil case.

Failure to appear when summoned

(7) A person who

- (a) being summoned pursuant to paragraph 31(5)(c), fails without valid excuse to appear,
- (b) being required pursuant to paragraph 31(5)(d) to produce any record, document or thing in their possession, fails to produce the record, document or thing,
- (c) refuses to be sworn or to affirm, or
- (d) refuses to answer any question or inquiry put to them by the Languages Commissioner,

This is intended to ensure that the Languages Commissioner is able to exercise their powers and authority.

is liable, on summary conviction, to a fine not exceeding \$5,000.

36. (1)	The Languages Commissioner may (a) apply to the Nunavut Court of Justice for a remedy within	The Languages Commissioner may [...]
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the time limits established by paragraph 35(2)(a) only after

(i) submitting the report under subsection 32.1(1), and

(ii) obtaining, in writing, the consent of an applicant or party who requested the related investigation;

(b) appear before the Nunavut Court of Justice on behalf of a person who has applied under subsection 35(1) for a remedy; or

(c) with leave of the Nunavut Court of Justice, appear as a party to a proceeding under subsection 35(1).

(b) apply to the Nunavut Court of Justice for a remedy pursuant to section 27 and subsection 31(7),

[...]

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	ግንዛቤ ለማሳደግ	ግንዛቤ ለማሳደግ	ግንዛቤ ለማሳደግ	ግንዛቤ ለማሳደግ

ለትኩረት ለጎረቤቶቻቸው ምንም ዓይነት ልራሚር ሊያደርጉላቸው አይችሉም።

(2) ልራሚር ለማድረግ ለሚገባው ሰነድ (1)፣ ምንም ዓይነት ልራሚር ሊያደርጉላቸው አይችሉም።

(a) ምንም ዓይነት ልራሚር ሊያደርጉላቸው አይችሉም። ልራሚር ለማድረግ ለሚገባው ሰነድ (1)፣ ምንም ዓይነት ልራሚር ሊያደርጉላቸው አይችሉም።

(b) ልራሚር ለማድረግ ለሚገባው ሰነድ (1)፣ ምንም ዓይነት ልራሚር ሊያደርጉላቸው አይችሉም።

(c) ልራሚር ለማድረግ ለሚገባው ሰነድ (1)፣ ምንም ዓይነት ልራሚር ሊያደርጉላቸው አይችሉም።

(2) ልራሚር ለማድረግ ለሚገባው ሰነድ (1)፣ ምንም ዓይነት ልራሚር ሊያደርጉላቸው አይችሉም።

[...]

(b) ልራሚር ለማድረግ ለሚገባው ሰነድ (1)፣ ምንም ዓይነት ልራሚር ሊያደርጉላቸው አይችሉም።

(c) ልራሚር ለማድረግ ለሚገባው ሰነድ (1)፣ ምንም ዓይነት ልራሚር ሊያደርጉላቸው አይችሉም።

(d) [...] ልራሚር

(e) ልራሚር ለማድረግ ለሚገባው ሰነድ (1)፣ ምንም ዓይነት ልራሚር ሊያደርጉላቸው አይችሉም።

ለራሚር ለማድረግ ለሚገባው ሰነድ (1)፣ ምንም ዓይነት ልራሚር ሊያደርጉላቸው አይችሉም።

ለራሚር ለማድረግ ለሚገባው ሰነድ (1)፣ ምንም ዓይነት ልራሚር ሊያደርጉላቸው አይችሉም።

22.1 (1) ልራሚር ለማድረግ ለሚገባው ሰነድ (1)፣ ምንም ዓይነት ልራሚር ሊያደርጉላቸው አይችሉም።

(a) ልራሚር ለማድረግ ለሚገባው ሰነድ (1)፣ ምንም ዓይነት ልራሚር ሊያደርጉላቸው አይችሉም።

(1) ልራሚር ለማድረግ ለሚገባው ሰነድ (1)፣ ምንም ዓይነት ልራሚር ሊያደርጉላቸው አይችሉም።

[...]

(g) ልራሚር ለማድረግ ለሚገባው ሰነድ (1)፣ ምንም ዓይነት ልራሚር ሊያደርጉላቸው አይችሉም።

ለራሚር ለማድረግ ለሚገባው ሰነድ (1)፣ ምንም ዓይነት ልራሚር ሊያደርጉላቸው አይችሉም።

(a) ገንዘብ ተቀባይነት ወይንም ገንዘብ ልማት
ገንዘብ ልማት ለሌሎች ለማድረግ
የሚያስፈልገውን ገንዘብ ለማድረግ
ወይንም ለሌሎች ለማድረግ
የሚያስፈልገውን ገንዘብ ለማድረግ

ሌሎች ለማድረግ
የሚያስፈልገውን ገንዘብ
ለማድረግ ወይንም ለሌሎች
ለማድረግ የሚያስፈልገውን
ገንዘብ ለማድረግ

(b) ለገንዘብ ልማት ለሌሎች
ለማድረግ የሚያስፈልገውን ገንዘብ
ለማድረግ ወይንም ለሌሎች
ለማድረግ የሚያስፈልገውን ገንዘብ
ለማድረግ

(c) ለገንዘብ ልማት ለሌሎች
ለማድረግ የሚያስፈልገውን ገንዘብ
ለማድረግ ወይንም ለሌሎች
ለማድረግ የሚያስፈልገውን ገንዘብ
ለማድረግ

(d) ለገንዘብ ልማት ለሌሎች
ለማድረግ የሚያስፈልገውን ገንዘብ
ለማድረግ ወይንም ለሌሎች
ለማድረግ የሚያስፈልገውን ገንዘብ
ለማድረግ

30(3) ርዕሰ ጉዳይ ለሌሎች ለማድረግ
የሚያስፈልገውን ገንዘብ ለማድረግ
ወይንም ለሌሎች ለማድረግ
የሚያስፈልገውን ገንዘብ ለማድረግ
ወይንም ለሌሎች ለማድረግ
የሚያስፈልገውን ገንዘብ ለማድረግ

(a) ርዕሰ ጉዳይ ለሌሎች ለማድረግ
የሚያስፈልገውን ገንዘብ ለማድረግ
ወይንም ለሌሎች ለማድረግ
የሚያስፈልገውን ገንዘብ ለማድረግ
ወይንም ለሌሎች ለማድረግ
የሚያስፈልገውን ገንዘብ ለማድረግ

(b) ለገንዘብ ልማት ለሌሎች
ለማድረግ የሚያስፈልገውን ገንዘብ
ለማድረግ ወይንም ለሌሎች
ለማድረግ የሚያስፈልገውን ገንዘብ
ለማድረግ

(c) ለገንዘብ ልማት ለሌሎች
ለማድረግ የሚያስፈልገውን ገንዘብ
ለማድረግ ወይንም ለሌሎች
ለማድረግ የሚያስፈልገውን ገንዘብ
ለማድረግ

30(4) ርዕሰ ጉዳይ ለሌሎች ለማድረግ
የሚያስፈልገውን ገንዘብ ለማድረግ
ወይንም ለሌሎች ለማድረግ
የሚያስፈልገውን ገንዘብ ለማድረግ
ወይንም ለሌሎች ለማድረግ
የሚያስፈልገውን ገንዘብ ለማድረግ

አዲስ አበባ ከተማ አስተዳደር ኃይማኖት ማህተም ማስፈጸሚያ ማኅበር
አዲስ አበባ ከተማ አስተዳደር ኃይማኖት ማህተም ማስፈጸሚያ ማኅበር
\$5,000 ልዩ ልዩ ስጦታ

36. (1) ልዩ ልዩ ስጦታ ለሰጠው ሰጪው ልዩ ልዩ ስጦታ ለሰጠው ሰጪው ልዩ ልዩ ስጦታ
- (a) ለሰጠው ሰጪው ልዩ ልዩ ስጦታ [...] ለሰጠው ሰጪው ልዩ ልዩ ስጦታ
- (b) ለሰጠው ሰጪው ልዩ ልዩ ስጦታ ለሰጠው ሰጪው ልዩ ልዩ ስጦታ
- (i) ለሰጠው ሰጪው ልዩ ልዩ ስጦታ 32.1(1), [...] ለሰጠው ሰጪው ልዩ ልዩ ስጦታ
- (ii) ለሰጠው ሰጪው ልዩ ልዩ ስጦታ ለሰጠው ሰጪው ልዩ ልዩ ስጦታ
- (b) ለሰጠው ሰጪው ልዩ ልዩ ስጦታ ለሰጠው ሰጪው ልዩ ልዩ ስጦታ
- (c) ለሰጠው ሰጪው ልዩ ልዩ ስጦታ ለሰጠው ሰጪው ልዩ ልዩ ስጦታ

**Tujuutigijaujut hapkununga Tikuaktauhimajut Katimajiit talvuuna Maligaliurnikkut
Ihivriurninnga *Ilitarijauhimagut Uqauhiit Maligaq***

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I. ATIA MALIGAUP

Ilitarijauhimagut Uqauhiit Maligaq ("OLA" unaluuniit "Maligaq")¹

II. TUJUQTUQ TUJUUNMIK

Havagvia hapkua Uqauhiliqinikkut Kamisina Nunavutim

Ilitarijauhimagut Uqauhiit Maligaq OLA piliuqtaa Inuktut, Qablunaatun unalu Uiviititun Ilitarijauhimagut Uqauhiinik Nunavunmi pitqujaillu Uqauhiliqinikkut Kamisina havagutigijaami hulinnikkut ihariagijaujunik pipkainikkut aajjickingnirnik, qanurinningani aturnianiklu Ilitarijauhimagut Uqauhiinik aviktuqhimajumi havagvigjuangit. Pitqujaujut hamani tunijaujuni pihimagut atuqhimajainik havagvingma kiudjutigiblugit ihumaaluutit Nunavunmiut.

III. QANURINNINGA TUJUUTIGIAUJUQ

Una tuniqhaininnga piliuqhimajut malruungnik ilangiiktungnik, Ilanga A naunaiqtait huuq aadlangurninnga uuminnga Ilitarijauhimagut Uqauhiit Maligaq OLA pijariaqaqtut taimaa pillahijangini tikinahuaqtatik, unalu Ilanga B titiraqhugit tainingit pitqujaujuq uumunnga Ilitarijauhimagut Uqauhiit Maligaq OLA.

ILANGANI A: IHARIAGIJAUNINNGA AADLANGURIAMI

1. Kangiqhidjutit

Inikhaqaqtuq ihuaqhivaalirianganik naunaitarninganik tukiliurutitlu havauhiinik, havaarijainiklu aturiaqaqtailu ihumagijaujut uvani Ilitarijauhimagut Uqauhiit Maligaq OLA. Angijumik ihuaqhaininngit tunngavinganut, taininnga iluani ittutlu ihariagijaujut pipkaidjutigiami Ilitarijauhimagut Uqauhiit Maligaq OLA pigiami pidjutikhamingnik.

2. litquhiinik

Ilitarijauhimagut Uqauhiit Maligaq (OLA) ihuaqhaqtauhimajuq Nunatsiarmit imaalu ihuaqhaqtauhimagut uqaqatigilraaqhugit nunallaat Nunavunmi.² Tukhiqtunga ihuaqhaqtaujukhanik pidjutikhanun kiudjutikharnik ihariagijaujunut atuqpagainiklu Nunavunmi.

3. Ihivriuqtaujariaqaqtuq

¹ *Ilitarijauhimagut Uqauhiit Maligaq*, S Nu 2008, c 10 [OLA], s 37.

² *Uqauhikkut Maligat Nunavunmun Katimadjutinun titiqqat* (Nunavunmi Maligaliurvik, 2008) uvani 2-3: <https://assembly.nu.ca/library/GNedocs/2008/000039-e.pdf>.

Iltarijauhijamajut Uqauhiit Maligaq OLA pitqujait Maligaliurvingmi hanaqilutik qakugungurangat ihivriuqhijutikhanik titiqiqinikkut atulirnikhanutlu, ihuarninginik tuniqhainnngit imaalu iniqtiutikhangit tikinahuagtatik. Hivulliqpaamik ihivriuqtauhimajuq ukiungani talvannga Apitilirivia 18, 2014, ihivriuqtauhimaittuq talvangaanit huli. Una hivulliuniaqtuq ihivriuqtauniaqtut hapkua Maligat ihuarningit pijaangini tikinahuagtatik.

Iltarijauhijamajut Uqauhiit Maligaq OLA tikinahuagtainut ilaujut, aallaniklu, naunairiami Inuit Uqauhingit atuqtaujut aviktuqhimajumi havagvigjuangit tuhaqtidjutikhat inungnut, tunigiami Inuit Uqauhiit tamaat aadjikutarijaanik aadlanut Iltarijauhijamajut Uqauhiit, atuliqtitaugiami Inuit Uqauhinganik, tammaqtailigiami atuliqtitaugiamilu Uviititun Uqauhiit aturninngalu Francophone uqajuktunut tunigiamilu tunngavikhaq ukununnga Inuit unalu Francophone nunallaat piqariami ihariagijajumik munarigiami hakugiktigiamilu pitquhinginnik uqaqtamingnik, katittugit inuuhit ilitquhitlu hivunikhami kingunikhatik.

Hapkua anginiqagtut tikinahuarutit, imaalu tamaita ihuarijatka. Kihimi, pihimajut atuqhimajamnik pidjutigijaangani ihumaaluutit, ukua Iltarijauhijamajut Uqauhiit Maligaq OLA ihuatqijauniaqtut pijaangini hapkua tikinahuagtatik piqarumik angitqiamik naunaijautinik atugakhanik unalu ihuaqhijuumiqhimakpata maliqajakhainik.

4. Iniqtirutit

Iltarijauhijamajut Uqauhiit Maligaq OLA ikajuqpaktait anginiqagtut tikinahuagtangit aulapkaigiami aadjikkutarijaa qanurittakhanik uumannga Iltarijauhijamajut Uqauhiit unalu naunaittunik atuqpagainik uqaqtigiingnirmut piinarialaqininngalu kavamatkunni havaangini kivgaqtuidjutikhangit atuqtauvaktunut uqauhingit. Aallan'nguqtirniit pitqujatka Ilangani B ikajuutauniaqtut OLA pijaamingnik hapkuninga tikinahuagtainik.

ILANGA B: TUKHIUTIT TAIDJUIKHAINIK TAINIKHAINIK

Hivulliqpaamik pidjutauhimajut, naunaiqtara tamainun uqauhiit taimaittut "tapkuat" unalu "piutingit" himmautigijakharaluangit "angutaugumi", "arnaugumi", unalu "piutinga angutaugumi" unalu "piutinga arnaugumi" tainingit tamatkiumajumik uvani Maligarmi, unalu taininga "ihuigijaujumik" himmautikhaa "ihumagijaujuq" tamainni tuniqhaininngit pidjutaujunut talvunga ihivriurutainut. Atuqujatkalu nuutaanguqtiqhimajut naliinun tuniqhaininngit ihuaqhaqhimajut ataani.

Tadjamin Tuniqhaininnga	Nutannguqtiqtaujumajut	Pidjutaujut
1. KANGIQHIDJUTAIDJUTAA		
a) "Inuit Uqauhingit" imaatut tukiqaqtut Inuit Uqauhinga naunaittiaqhimajut uumani <i>Inuit Uqauhingit Tammaqtailininga Maligaq.</i>	" <u>Inuktut</u> " tukiqaqtuq (a) <u>atuqtaunikhaq Nunavunmi, Inuktitut, unalu</u> (b) <u>nunangini Kugluktuk, Iqaluktuutiaq, Qingauk Umingmaktuuq, ilaujurlu Inuinnaqtun;</u>	Una tukihidjutaa tunihijuq tukihidjutimik nallaumajumik piliuqtauhimajunik hapkunanga Inuit Tapiriit Kanatami ilitariplugillu tamangnik Inuktitut unalu Inuinnaqtun.
b) "Maligaliurvik" imaatut tukiqaqtuq Maligaliurvingmi tamaitalu iliharvingit havagvingillu, kihimi niruarvingit havagviit Maligaliuqtit Maligaliurvingmi.	"Maligaliurvik" imaatut tukiqaqtuq Maligaliurvingmi tamaitalu iliharvingit havagviillu, <u>ilaujut Havagviat Itqumajunik Kamisinap, Havagviat Atanilluag Niruarnikkut Havakti, Havagviat Nutaqqanut Inulramirnullu Uqaqtikhaanik, Havagviat Uqauhiliqinikkut Kamisina, Havagviat Nalunaijaujuq Ahinut Uqaqtakhaunngittut Kammisin [...];</u>	Una uqautigijait piqaluanginikkut tapkua naunaijautinik ajungnaqtut ihumaliurutigijaangini ukua Iltarijauhimaajut Maligaq OLA pidjutiaqtut kitunun timiqutaunun.
c) "kavamatkunni havagviujut" imaatut tukiqaqtuq, kihimi tunijaukpat maliruagakhamit, timiqutaunun ukua (a) havaktauhimajut maligaujut Nunavunmi, (b) pidjutiaqtuq atugakhanik Ministamin unaluuniin Ministat Katimajit, unalu	"kavamatkunni havagviujut" imaatut tukiqaqtuq, kihimi tunijaukpat maliruagakhamit, timiqutaunun ukua (a) (a) havaktauhimajut maligaujut Nunavunmi, <u>unalu</u> (b) <u>imaaluniit</u> (i) <u>pidjutiaqtuq atugakhanik Ministamin unaluuniin Ministat Katimajit, unaluuniit</u>	Una ihuaqhaidjutikhaq naunairniaqtuq kitumun kavamatkunni timiqutinun uvani Iltarijauhimaajut Maligaq OLA pidjutijun piliurlutiklu Maligaq ilaupkainikkut.

(c) naunaiqtauhimajut imaatut kavamatkunni havagviujut ataani titiraqhimaniinnga 1(1) uumani *Kiinaujalirinirmut Auladjutainnut Maligaq.*

(ii) naunaiqtauhimajut imaatut kavamatkunni havagviujut ataani titiraqhimaniinnga 1(1) uumani *Kiinaujalirinirmut Auladjutainnut Maligaq.*

<p>d) "aviktuqhimajumi havagviit" tukiqaqtuq</p> <p>(a) Nunavut Kavamanga,</p> <p>(b) maligaliqijjin unaluuniit apiqhuingnut timiqutaujun,</p> <p>(c) Maligaliurvingmi, unalu</p> <p>(d) kavamatkunni havagviujut.</p>	<p>"aviktuqhimajumi havagviit" tukiqaqtuq</p> <p>(a) [...],</p> <p>(e) <u>timiqutaujuq piliuqhimajut malikhugu Nunavut Nunataarnikkut Angiqatigiigutaa, unalu</u></p> <p>(f) <u>kitutliqaak timiqutaujun unaluuniin havagviit havaktauhimajut havaktukhat kavamatkut auladjutait imaatut unaluuniin maliklugit maliganut Nunavut unaluuniin ataani ataniudjutaani hapkua Ministat Katimajit,</u></p>	<p>Una nuutaanguqtihimajuq aulahimajuq naunaitumik aviktuqhimajumi havagvigjuangit talvuuna nallaumajunik ukpigijainik talvani Iltarijauhimajut Uqauhiit Maligaaq (OLA) havagviujunilu aturnikhanik.</p> <p>Tamna tukhiqtauhimajuq nutaaq titiraqhimaqtuq (f) aadjikkiivjaktuq Uqauhiliqinikkut talvani kavamatuqatkut <i>Illitarijauhimajut Uqauhiit Maligaaq.</i></p>
<p>2(2) Tuniqhaininnga titiraqhimaninga ukua 3, 4, 5, 7, 8, 9, 11 unaluuniit 12 aallangangpat uumannga ihuidjutaukpat tuniqhaininnganik uuma Maligaaq ahianit uumannga <i>Inungnun Pilaarutainut Maligaaq</i>, tuniqhaininnga uuma Maligaaq hakugitqijaujuq.</p>	<p>Kitutliqaak tuniqhaininnga <u>uma Maligap</u> ihuangitpat unaluuniin ihuigijajumik tuniqhaininnga Maligap aalanin haffumani <i>Inungnun Pilaarutainut Maligaaq</i>, tuniqhaininnga uvani Maligaaq hakugingniqaqtuq.</p>	<p>Una nuutaanguqtihimajuq naunairutiqaqtuq Uqauhiit Iltarijauhimajut Uqauhiit Maligaaq OLA anginiqaqtumik kavamatuqatkut, ukiuqtaqtumi, unalu Inuit tikinnahuaqtakhangit tikinnahuaqtakhatik ihuaqhaqhimajut naunaikhimajut talvani naunaijagiikhimajunik imaalu taima OLA quviagijakhait auladjutikharnik talvani maligaujunut. Aturniqattiaqtuq <u>tamaita</u> tuniqhaininngit Iltarijauhimajut Uqauhiit Maligaaq OLA aturniqaqtut aallani maligaujuni, kihiani <i>Inungnun Pilaarutit Maligaaq.</i></p>
<p>3(2) Qanuraaluktut pidjutaani tunijaujuq uumani Maligarmi, Iltarijauhimajut Uqauhiit Nunavunmi aadjikkutaanik qanurittakhanik aadjikkiiktutlu pilaarutingit pittaarutikhangit aturninnganik aviktuqhimajumi havagvigjuangini.</p>	<p><u>Tamna</u> Iltarijauhimajut Uqauhiit Nunavunmi piqaqtut aadjikkiingnirmik qanuriniit unalu aadjikkiiktumik pilaarutinik unalu ikajuutikhait aturniitigut aviktuqhimajumi havagvigjuangini.</p>	<p>Una naunairniqaqtuq tamaita Iltarijauhimajut Uqauhingit tamaat aadjikutariiktumik qanurittakhanik.</p>
<p>3(3) Aturnikhanik Inuinnaqtun, una Maligaaq</p>	<p>[...]</p>	<p></p>

kangiqhipkaqtauniaqtuq
iimaalu atuliqtaulunilu taimaa
aadjik\kiirktumiklu
hivullitujakhanut uumunnga

(a) atuliqpalianiranun
Inuinnaqtun; unalu

(b) ihuaqhijuumirlugit
pivikhangit kivgaqtuijukhat
ataani titiraqhimajuni 8
talvunga12 nunallaani
Inuinnaqtun uqajuktunut
nunaqaqqaagtut.

(b) ihuaqhijuumirlugit pivikhangit
kivgaqtuijukhat ataani titiraqhimajuni 8
talvunga12 nunallaani Inuinnaqtun
uqaraikpata.

4(1) Inuit tamaita pilaarutiqaqtut
aturumakpata nalianik
Iltarijauhijumajunik Uqauhirnik
uqaqtigiiktuni imaalu aadlallu
katimapkaijarangata
Maligaliurvingmi.

[...]

4(1.1) "Katimajut piqaqpaktukhat
tuhaadjutinik atuqtaujukhanik
uqaqtigliqtunirmun uqaqtigiiktuni
iimaalu aadlallu katimajarangata
Maligaliurvingmi atauttinin
Iltarijauhijumajun Uqauhirnumun aalanun
uqauhirnumun."

Una nuutaanguqtiqhimajuq
naunaittiarutauniaqtuq taima
maligaliuqtit aturiangani
nalianik Iltarijauhijumajunik
Uqauhirnik kihimi taima
kangiqhivaktukhat avatingnut
nalianikIltarijauhijumajunik
Uqauhirnik uqaqtigliqtunijunit.
Hamna hivullitujaujukhaq
uumani titiraqhimaningna
4(2) haffumani
kavamatuqatkut
Iltarijauhijumajut Uqauhiit
Maligaaq.

5(1) Maligat Maligaliurvingmi
piliuqtauniaqtut,
makpiranguqtiqtaujut unalu
makpiraaliuqtaulutiklu
Qablunaatut Uivittitullu
tamangniklu titiraqhimajut
aadjikkiiktumik
ataniudjutijaqtut.

Kihiani tunijaukpat uumani. Maligait
Maligaliurvingmi piliuqtauniaqtut,
makpiranguqtiqtaujut
makpiraaliuqtaulutiklu Qablunaatitut
unalu Uivittitun tamarmiklu titiraqhimajut
aadjikkiiktumik atan'niqtuidjutaujukhat.
Tamna Iltarijauhijumajut Uqauhiit Maligaaq
unalu Inuit Uqauhingit Tammaqtailininga
Maligaaq havaktauniaqtun,
makpiranguqtiqtaujut
makpiraaliuqtaulutiklu inuktut,
Qablunaatun Uivittitunlu.

Iltarijauhijumajut Uqauhiit
Maligaaq OLA unalu Inuit
Uqauhingit Tammaqtailininga
Maligaaq titiraqtaujukhat
tamainni Iltarijauhijumajut
Uqauhiit atauttiklut. Una
atuqtauniaqtuq
iniqhimaitunik titiraqtut
aturiangani
tainikhaliuqhimajunik
numiktiqhimajunik Inuktut
Iltarijauhijumajunik Uqauhirnik
uqajuktunut kangiqhijangini
uqauhirningnut pilaarutingit.

6. Uqaqtittiji, atuqqujainik
Maligaliurviup unalu
Manilirinirmut Katimajingit,
piliuqtaktut maliruagakhanik
pittiarutikhanik kituliqaanut,
maliqajakhainik,

Piirlugu una tuniqhaininnga.

Maligaliurviup unalu
Manilirinirmut Katimajit
ihuaqhittaaqtaa qanuqtut
atulirnikhanut
uqariijaqtamingnik iluani

	<p>hanaqidjutikharnik atuqtakharnikluuniit tamaat tunijaujaangat uumani Maligarmi Uqaqtittiji, talvuuna atuqtakharnik talvani Maligaliurviup unalu Manilirinirmut Katimajingi, ihumaginiaqtun pijaangat Maligaliqinikkut Katimavingit malikhautikhanik tukua titiraqhimajut ukuani 4, 5, 11 unalu 12, ilaujut maliruagakhat pittiaqhugit titiraqutit, tuhaqtidjutikhat, numiktiqhimajut, kangiqhidjutikhat, tunihijut tuhaqtidjutinik unalu havaangit havaktit unalu havaktingit Maligaliuvingmi.</p>		<p>atugakhaq. Una ajurnaitqijaujuq ihuaqhijuumirlugu havauhikhat atulirnikhanut unalu nutaanguqtirllugit ihuaqtunik maliqajakhainik pijariaqaqqan.</p>
8(1)	<p>Katimadjutini maligaliqiijin unaluuniit apiqhuivingnut timiqutaujun, kituliqaak Iltarijauhijamajut Uqauhiit atuqtautaaqtuq uukunangga</p> <p>(a) kinaliqaak inuk hivuani, apiqhuqtaunahuaqtuq, unaluuniin tuhaqtitaunahuaqtun maligaliqiijin unaluuniin apiqhuivingnut timiqutaujunin; (b) hivuani ilaujuq maligaliqiijinun unaluuniin apiqhuivingnut timiqutaujun.</p>	<p>Katimadjutini maligaliqiijinun unaluuniit apiqhuivingnut timiqutaujun, kituliqaak Iltarijauhijamajut Uqauhiit atuqtautaaqtut <u>titiraqhimaningga</u> <u>uqarnikkunluunniit</u> <u>tuhaumapkaidjutini</u> talvuuna</p> <p>(a) kinaliqaak inuk hivuani, apiqhuqtaunahuaqtuq, unaluuniin tuhaqtitaunahuaqtun maligaliqiijin unaluuniin apiqhuivingnut timiqutaujunin; <u>unalu</u></p> <p>(b) hivuani ilaujuq maligaliqiijin unaluuniit apiqhuivingnut timiqutaujun.</p>	<p>Naunaittaqtakharaluangit hapkuat pilaarutingit pijut tamarmiknut uqaqtaminik titiraqhimajumiklu tuhaqtidjutikhat. Hapkuat aadlangurninngit atuliqtitaugiami piinariaalaqiningga maligaliqinikkut ihuaqtumiklu uqaqtijunut tamainnut Iltarijauhijamajut Uqauhiit.</p>
8(3)	<p>Katimajut tautukhutikluuniin inungnun katimadjutainik pittaagtut</p> <p>(a) tukhigianganik pijaangatlu uqaqtiliqtuijukhamik ikajuutikharnik inmik unaluuniit Iltarijauhijamajunik Uqauhirmik aturumajamingnik, (i) pidjutaani pitqujauhijamajumi uumannga Nunavunmi Apiqhuivingmin uumanngaluunniit Apiqhuivingmin Ihumaliutqiktauffaaquajunirmu</p>	<p>Katimajut tautukhutikluuniin inungnun katimadjutainik pittaagtut</p> <p>(a) tukhirlutik pilutiklu uqaqtiliqtuijukhamik <u>unalu</u> <u>numiktirijukhamik</u> <u>kivgaqtuidjutikhanik</u> imaatut Iltarijauhijamajut Uqauhirmik <u>inmik</u> aturumajamingnik; [...]</p> <p>(b) tuhaqtitauhimmaaqtukhat uumani pilaarutimik hivuani tukhiqtinnatik uqaqtiliqtuijukhamik <u>unaluuniit numiktirinirmik.</u></p>	<p>Numiktiqhimajut pigiaqaqtun titiraqhimajunik naunaitkutingnik titiraqhimajuniklu tujuutauhijamajut auladjutikharnik naunaijajaangatlu tamaita Iltarijauhijamajut Uqauhirmik uqajuktunut aadjikkiiktumik pidjutikharnik maligaliqjunut pidjutikharniklu ilaujukharnik nunalaani kuatliqijunun katimadjutikharnik ihuaqtumik aulajangini ihuaqpiaktumiklu.</p>

n ataani ilangani 10,
unaluunniit

(ii) pidjutaani
titiraqhimajuq ataani
titiraqhimajumi 38(1)(c)(i)
hapkununga apiqhuivingnut
timiqtaujun; unalu

(b) aulahimaagtumik
ilituripkaqtauluni haffuminga
pilaarutirik hivuani
apiqhitaugu
uqaqtiliqijukhamik.

Ilaliutilugit hapkua:

8(6) Tamaita maligaliqijini unaluuniin
apiqhuivingnut timiqtaujun piqaqtut,
kitutliqaak katimadjutit hivuani, havaaq
pijaangini kinaliqaak inuk tunihiluni
tautungnaqtunik tuhaajautinagu uvani
Iltarijauhimaajt Uqauhiit
aturumajamingnik tuhaajaulutiklu inuk
ilijaulimaituq ihuangitumik
tuhaqtaungitkumik atauhirmik aalani
Iltarijauhimaajt Uqauhiit.

8(7) Humi aviktuqhimajuni
havagvigjuangini ilaujut katimatinagit
maligaliqijini unaluuniit apiqhuivingnut
timiqtaujun.

(a) aviktuqhimajumi
havagvigjuangit aturniaqtait, tamainni
uqauhikkut titiraqhimajumik
hivulluurutikhanik, Iltarijauhimaajt
Uqauhiit tikkuagtauhimajut aallanin
ilaujunin kihiani piliuqtaukpat
aviktuqhimajumi havagvigjuangin
ihuaqtunik ilitturipkaidjutinik
uqauhikkut tikkuagtauhimajunun
tunijauhimagittun, taimaalu

b) Taimaa aadlat ilaujut
naunaqhingitkumik angirumkiluuniit
Iltarijauhimaajumik Uqauhirmik
atuqtaullajuq tahapkunani
katimapkaijuni, aviktuqhimajuni
iliharvigjuangit aturniaqtat ukua
Iltarijauhimaajt Uqauhiit ihuaqtut,
piluni qanurittaakhaanik.

Nutaaguqtiminga aturiaqaqtuq
ihuaqhijaagani qanurilingit
Nunavut Kavamanga pigiarutit
ilaqaqtut Inuinnarnut kihiani
pipkailutik Qablunaatut
uqauhirmik tukhiqtaujunik. Una
pittailidjutaajuq tahapkununga
atauttinun kiudjutinun
ihuaqtumik unalu hulaqutigijaat
inmi pilaarutitik.

8(8) Tamna hivuani-
 makpiranguqtiqtaujuut ilanganik
 kituliqaak titiraqtakhaq
 atuqtauvakhimajuq katimadjutikharnik
 hivuani maligaliqiijin unaluuniit
 apighuivingnut timiqutaujun
 piqaqtukhatlu ikajuktaujujkanik
 kituliqaak aviktuqhimajumi
 havagvigjuangit taima ilauniaqtun
 katimadjutikharnik kitunutliqaak
 ilaujunut tamaini Iilitarijauhijumajut
 Uqauhiinik.

Naunaitkutaq ilaliutihimajuq iniqtiri
 titiraqtakhamik iliuraqtaaqtuq kituni
 Iilitarijauhijumajut Uqauhiit kihimi,
 iliuraqtauqpat atauhiinnarmi
 Iilitarijauhijumajut Uqauhiit naunaittumik
 naunaiqtauniaqtuq uumani
 titiraqtakhami numiktiqtaunginnarialik
 aadlamut Iilitarijauhijumajut Uqauhinganut
 tukhiqtauqpat. Tukhiqtuut
 numiktirianganik ilaliutihimajut
 kangiqhidjutikhata hanajaukpata, ilaujuq
 kivaqtuijuq titiraqtakhamik
 pipkainiaqtuq nnumiktitiqtaujujkanik
 ilaliutininganik kangiqhidjutikhanik.

11(1) Tamaita aviktuqhimajumi
 havagvigjuangit piniaqtut
 (a) takuupkaqtilugit inungnut
 titiraqtut, titiraqhijumajut,
 piqaqtat, Iilitarijauhijumajut
 Uqauhiinik;

Titiraqtut
 11(1) Tamaita aviktuqhimajumi
 havagvigjuangit takupkainiaqtut
 titiraqtut piniaqhijumajut
 tuhaqtitaujukhanik inungnut ukunani
 Iilitarijauhijumajut Uqauhiinut.

Naunaiqtaa taininngit uumani
 titiraqhimanirni
 ajurnaitqijauniaqtuq
 naunaijariami kitut
 ihuigijaujut nakuungittut.
 Ihuaqhaqhuqit pijakhat ataani
 "Tuhaqtidjutikhata
 hapkununga unalu
 Kivaqtuutinun Inungnut"
 pipkainiaqtut naunaitunik
 uqauhikkut pihimajunik
 pijakhat aviktuqhimajumi
 havagvigjuangit amigaitunik
 havaqatigiiklutik.

(b) havaklugit unaluuniin
 tunihilutik hanaqidjutinik
 titirangnikkut pitquidjutinun
 unaluuniin pihimajut
 tuhaqtidjutit inungnut
 Iilitarijauhijumajut Uqauhiit; unalu

Hanalrutinngit
 (2) Tamaita atuqtakhaliuqhijumajut
 tunijaujutluuniin ataani ataniudjutini
 aviktuqhimajumi Ihavagvigjuani unalu
 tapkua pitquijaujut unaluuniin pihimajut

Tunihimaaqtukhaq
 anginirmik tukiliurutikhanik
 naunaijajaangat
 Iilitarijauhijumajunik Uqauhirnik
 uqajuktunut iliturijaangat

tuhaqtidjutimun, aturningit unaluuniin kangiqhidjutikhat inungnun havaktaujukhat unaluuniin tunijaujukhat tamaini Iilitarijahimajut Uqauhiinik.

aniginiqaqtut tuhaqtidjutit. Takuvakhimajugun talvani nunarjuami aanniarjuarutaani, kavamatkut tuhaqtidjutikhait ihumaaluutaujunik amirnaqtunik pidjutiqaqtunik aannialiqtailinikkut qajangnaitkutikhallu, anginiqaqtuq tamaita titiraqtaujukhat tuhaqtidjutikhat hailihimajukhat tamainni Iilitarijahimajut Uqauhiinik.

(c) pipkainikkut tamaita Iilitarijahimajut Uqauhiit titiraqhimaqtuq ilangaluunniit titiraqhimaninnga tamainnilu titiraqhimanirni ilanginniluunniit qanuriliurutimi taamna ilangani pidjutimi piliuqtauhimajuq tautuktitauluniluunniit taimaatun aajjikkingniqaqtunik pidjutimik, hulaqutinikunaluunniit pidjutaujut tamainnun aallanun Iilitarijahimajunun Uqauhinun atuqtaujunun.

Aadjikkiingniq

(3) aviktuqhimajumi havagvigjuangit pipkainiaqtun tamaita Iilitarijahimajut Uqauhiit titiraqhimaninnga ilangaluunniit takujaujukhanik tamainnilu Iilitarijahimajut Uqauhiit ilanganiluunniit qanuriliurutimi taapkununga ilangani pidjutimi piliuqtauhimajuq tautuktitauluniluunniit taimaatun piqarianginni aajjikkiiktumik pidjutimik, hulaqutinik atuqtipkainikkunluunniit tamainnun aallanun Iilitarijahimajut Uqauhiinni atuqtauhimajuni.

11(2) Atan'nguajaq atan'nguajaq aviktuqhimajumi havagvigjuangit piquaqtuq havaamik titiraqhimaninngani (1) piliurniaqtuq pihimagiamilu aulapkainirmut atugakhat ihariagijaujuq iliurariami una titiraqhimaninnga.

Havaanga DEIA

(4) Tamna Havagviat Kavamaliqijitkut havaklugit unalu pihimalugit auladjutikkut atugakhat pijakhat atuliriangani una titiraqhimajumi.

Tunihimaarlutik munaridjutikharnik atugakhaq pivalladjutikhanik timiqutaun pigiaqtitinaqtun pivalliajaangat ajuittiariikhimajunik talvani uqaqtijukharnik aturnikhaniklu Maligaq, taima uqaqtuluni ihuaqtumik uukuutikharnik tamaini aviktuqhimajumi havagvigjuangit.

12(4) Avikturviinni havagviujut havaaqaqtut naunaiqtauhimajut uvani titiraqhimaninnga (2) pidjutiqaqtunik aallanut

(4) [...]

(a) qanuriliuruta, hulaqutigijaat unaluuniin anginiqaqtut kivgaqtuutit apiqhuutaujun ilaujunun inungnun

havagviujunut pidjutigiplugu
havagviup ihuariakhanik
tuhapkaidjutikhanik imaalu
kivgaqtuidjutikhanik
havagviani hailjukhat ukunani
Iltarijauhijajut Uqauhiini,
naunaiqtauhimajut nalliinnit
hapkuat:

(a) qanuriliurutaa,
hulaqutigijaat unaluuniin
anginiqaqtut kivgaqtuutit
apiqhuutaujun ilaujunun
inungnun kitunun nunallaani
unaluuniin avikturniini,
aviktuqhimajumi tamaat
unaluuniin aalani
nunagijajuni;

(b) ihuarningit ikajuutikhat
ihumagijajut hapkununga
aanniaqtailinikkut,
aanniaqtailinikkut,
qajangnaqtutlu inungnut
unaluuniit aadjikkivjaktun
ihariagijajut pidjutiqaqtut
pitqujauhijajunik
maliruagakhani.

kitunun nunallaani unaluuniin
avikturniini, aviktuqhimajumi tamaat
unaluuniin aalani nunagijajuni,
unaluuniin

(b) ihuarningai ikajuutikhat
ihumagijajut hapkununga
aanniaqtailinikkut, aanniaqtailinikkut,
qajangnaqtutlu inungnut unaluuniit
aadjikkivjaktun ihariagijajut
pidjutiqaqtut pitqujauhijajunik
maliruagakhani.

12(6) Una titiraqhimaniingna
turaangajuq tamangnik
uqarnirmik unalu
titiraqhimajunik
tuhaqtitidjutikhanik.

***Nuutirlugu una pivikhaqarninga
aulaqtiriarningani ilangani 12.***

12(1) Humi una titiraqhimajuq piliuqtaait
havaangit pittiaqhugit tuhaqtitinikkut
unalu kivgaqtuutit, tapkua havaangit
pidjutiqaqtut pittiarinikkut uqarnirmik
unalu titiraqhimajunik tuhaqtidjutit unalu
pittiaqhugit kitutliqaak titiqqat
unaluuniin hulilukaarutit tapkua
pidjutiqaqtut tahapkununga
tuhaqtitinikkut unaluuniin
kivgaqtuutinun.

Una taininnga naunaiqtait
qanurittut tuhaqtidjutikhat
kivgaqtuidjutikhallu
ihariagijajut tunijajukhaq
tamainni Iltarijauhijajut
Uqauhiit.

12(8) Piumakpat akhuurutaujumik
uqaqatigiingnirmik uumunnga
kivgaqtuidjutikhat
Iltarijauhijajut Uqauhiit
hamlatkuni, titiqiqiqinirmut
atan'ngujangat hamlatkuni
havaaqaqtut naunairiami
ilaujut inungnut piinarialik
uumunnga haamlatkut
uqaqatigiingnirmik

Piumakpat akhuurutaujumik
uqaqatigiingnirmik uumunnga
kivgaqtuidjutit uumani Iltarijauhijajut
Uqauhiit hamlangani, ihumagijait
malikhugu titiraqhimaniingnani 12(3),
titiqiqiqinirmut atan'ngujangat
uumannga haamlatkut havaaqaqtut
naunairiami ilaujut inungnut piinarialik
uumunnga haamlatkut tuhaqtipkainiq

Ihumagijauninga
"pijumajauninganik"
ajuqhautajuq
pijumajauninganik
mikhivaalirutaulaaqtuq
uqauhirmik
tammaqpallianaqtuq. Una
allanguqtiqhimajuq
pigiaqtitinaqtun

kivgaqtuidjutit naunaiqtaujuq maliruagakhamit, tuniinarialik uumani Iltarijauhijamajut Uqauhiit.

kivgaqtuidjutitlu naunaiqhijamajut maliruagakhamit, tuniinarialik uumani Iltarijauhijamajut Uqauhiit.

maligaliqijunik ihumaliugianganik allanik hanaqidjutikharnik, taimaitunik qanikkut Inuinnaqtun uqajuktunut, ihumaliugianganik taima tikkuauqtaujaangat haamlatkut malikhautiplugu una titiraqhimaninnga.

13(3) Minista piniiaqtuq, uqaqatigilugit aaviktuqhimajumi havagvigjuangit haamlallu, (a) pivalialutik pihimalugilu naunaijattiaqhimajumik upalungaijaunmik atulirnikhanut uqauhiliqinikut aturiaqaqtainik, atugakhanik, pinahuarutunik iunalu kivgaqtuidjutikhanik havagviujunit Nunavut Kavamanga unalu kavamatkunni timiqutingit;

Iliuarlugu nutaaq titiraqhimaninnga 15.1 imaatut:

Piqaqtuq piliuqhimajumik titiraqtinga Havagviani Kavamaliqijitkut tajjaujuq Titiraqtinga Iltarijauhijamajut Uqauhingit pijukhat imaatut

(a) ikajurlutik piliurutikhanik atulirnikhanut upalungaijautikhat titiraqhimaninnga talvani titiraqhimaninnga 13(3).

(b) ihivriurlugu, munarilugu naunaijarlugulu iniqtirutinga ihumaliurut pijuuq titiraqhimaninnga 13(3).

(c) havaklugit unalu pihimalugu auladjutikkut maliguagahat titiraqhimaninnga uvani titiraqhimaninnga 11(2).

(d) iluani 12 tatqiqhiutini nungugaikpat atauttit maniliqinirmut ukiunga, upalungaijarlugit tujuutigilugillu taffumunga Uqaqtitiji uvani Maligaliurvingmi, Uqauhiliqinikkut Kamisinamun unalu Minista Uqauhiliqinikkut unniudjutinik tapkua naunaijaqhimajut qanuriniit atauttit aviktuqhimajumi havagvigjuat ataani atulirnikhanut upalungaijautini uqautaujut uvani titiraqhimajumi 13(3)(a) unalu kitutliqaak atugakhat atulirnikkut upalungaijautit titiraqhimajut uvani 13(4)(a) unalu

Ikajuutauniaqtuugaluaq piqariami qitqani kavamatkunni timiqutigijangit piliuqtuq atugakhanik munarigiamilu angirutingit uumunnga uqauhilirinirmut ihumaliurut naunairiami aadjikutariiktumik ukunanit havagvigjuani.

Hivuliujuq haffumunga maligakhamun uvani titiraqhimajumi 5.01 haffumani New Brunswick's tukhiqtaujuq Maligakhat 37.³

³ <https://www.legnb.ca/en/legislation/bills/60/2/37/an-act-respecting-the-official-languages-act>

havaklugit _____ pitqujahimajut ihuaqhijuumigiangani,

(e) uqautlugit aviktuqhimajumi havagvigjuangit maliqajakhainik havaktauniaqtun maliqalugu una Maligaq imaalu maliqattiarlugit pijumajait Iltarijahimajut Uqauhiit nunallaangani,

(f) tunihilutik _____ ikajuutinik havaktunun _____ aviktuqhimajumi havagvigjuangit pijaangani maliklugit hapkua Maligaq.

(g) havaklugit _____ inungnun ihaangnikkut hanaqidjutikhat ilaujut katimaqatigiblugit tigumidjutiqaqtut atauttinin Iltarijahimajut Uqauhikkut nunallaat, _____ akhuurutigilugu pittiarunikkut, _____ kangiqhimalugit tuhaqtitiplugillu _____ qavatingnut Iltarijahimajut Uqauhiit nunallaat, unalu

(g) havaklugit aalat havaakhat unalu auladjutait _____ pitqujahimajut Kamisinamin Ministat Katimajiini.

13(4) Tamna Minihitaujuq aturahuaqhuni auladjutainun ataniujuq havagviujuni uvaluniit Nunavut Kavamanga, tamna kavamatkunni havagviujut uvaluniit haamlangat

(a) tunigiami ukiumut unaluuniit akuniraalungmi atullirnikhanut iupalungaijaut ihumagijaujukhaq titiraqhimaninngani (3); unalu

(b) tunihijaangani kangiqhidjutikhanik tapkua Ministap ihumagijait pijakhat aturlugit hakugingniit unaluuniin havaklugit havaakhat ataani uuma titiraqhimajumi.

Minista, Uqauhiliqinikkut Kamisina, unaluuniin Minista hapkununga Kavamaliqijjinun titiqiqinikkut atangujaq havagvianun Kavamatkut Nunavunmi, kavamatkunni havagviujut unaluuniin haamlatkuni

(a) tunihivaktukhat ukiuq tamaat unaluuniin hivitujumik-kikliqaqtumik atulirnikkut upalungaijautit ihumagijaujukhat unalu angiqtaulutik, unalu

(b) tunihijukhat kangiqhidjutikhanik tapkua Minista, Uqauhiliqinikkut Kamisina, unaluuniin Minista hapkununga Kavamaliqijjinun ihumagijait pijakhat aturlugit hakugingniit unaluuniin havaklugit inmi havaaktatik ataani una Maligaq.

Ilaliutiblugit Uqauhiliqinikkut Kamisina hapkunani tuniqhaininngit pidjutiqaqtun atulirnikhanut upalungaijautikhat naunaiqtangit ihumaluutigijaujut naunaiqhimagait Uqauhiliqinikkut Kamisinap ihuaqhaqtauhimajut hapkunani atulirnikhanut upalungaijautikhat imaalu naunaittumik Nunavut Kavamanga pijanginni Uqauhiliqinikkut pijakhamingnik ataani uvani Iltarijahimajut Uqauhiit Maligaq OLA.

(4.1) Naunaittiarutikhanik, Tuhaqakhanik Tiguhinirmut Hapummijaarninirmut Hiamitirnaittunun Titiraqtauhimajunik

Maligaaq atuqtaungittuq
 ganuriliurutikhanik Ministamit,
 Uqauhiliqinikkut Kamisina, unalu Minista
 hapkununga Kavamaliqjinun malikhugu
 titiraqhimajuq 13(4)(b).

13.1 (1) Ilitarijauhijumajut Uqauhiit
 Takukhauvaalirniqagut
 Manikharvik piliuqtauhimajuq
 aadjikkutaqangitumik
 maniliqidjutikhat
 atautimukhimajut Manikhaanik
 Manikharvik.

Piirlugu una tuniqhainnnga.

(2) Piquitit maniliqtuutikha
 atuqtaujukhat akhuurutigilugu
 hapkua pidjutitqaqtut:

[...]

(c) ihuaqhijuumirlugu Inuit
 Uqauhiit taiguangnikkut unalu
 uqadjaringnikkut unalu
 ihuaqharlugit uqauhikkut
 tamaqpalianirit imaalu
 aadjiliurnahuarnirmik;

20.1 (1) Uqauhiliqinikkut Kamisina
 tikkuqaqhittaqtuq, maliklugit
 havaakhat, havaktit
 pijariaqaqtut ihuaqtumik
 havaktaujakhainnik
 havaktakhainnik
 Uqauhiliqinikkut Kamisina,
 pigaluaqtitlugu *Kavamatkut*
Havaktinut Maligaaq.

(1) [...]

(1.1) Aktuqtaungittuq titiraqhimaninnga
 (1), Uqauhiliqinikkut Kamisina pittaqtuq,
angiqtaugumi uumannga Maligaliurviup
unalu Manilirinirmut Katimajiinit,
 tikkuqaqhiluni havaktimik
 uuktuugakhaittumik.

Tainiit aalanguqtut
 naunajariangani hakugingniit
 hapkua Uqauhiliqinikkut
 Kamisina havagiamingni
 havaktikhaqhiuqtut
 ihumaliuriangini.

(1.1) Aktuqtaungittuq
 titiraqhimaninnga (1),
 Uqauhiliqinikkut Kamisina
 tikkuqaqhillajuq havaktimik
 uuktuugakhaittumik
 angirutimik uumannga
 Maligaliurviup unalu
 Manilirinirmut Katimajiit.

(2) Havaktiit tikkuqaqtauhimajut ataani
 iluani titiraqhimaninnga (1) unaluuniit
titiraqhimaninnga (1.1) ilaujun
 kavamatkunni havagviinni
 naunajaqhimajuq uvani Kavamatkunni
Havaktinun Maligarmi.

(2) Havaktiit tikkuqaqtauhimajut
 ataani titiraqhimaninnga (1)
 ilaujut kavamatkunni havaktut
 naunaiqhijumajut talvani
 Kavamatkunni *Havaktut*
Maligaaq.

(3) Pittiaqhugit inuit tikkuqaqtauhimajut
 ataani uuma titiraqhimajumi,
 Uqauhiliqinikkut Kamisina
 atanilluangujuq havakti haffumunga
 hulidjutikhanun *Kavamatkut Havaktinut*
Maligaaq.

(2.1) Havaktit tikkuqaqtauhimajut ataani
titiraqhimaninnga (1) unaluuniin

(3) Pidjutiqaqtunik inungnun tikkuqaqtauhimajunut ataani uuma titiraqhimajumi, Uqauhiinut Kamisina naunaijainiaqtuq unalu tamainik hakugingniit tugliup atan'ngujap ataani *Kavamatkut Havaktinut Maligaq*.

titiraqhimaninnga (1.1) pilimaitut ilaunirmun uvani aivaqatigiiktukhani naunaiqhimajut uvani *Kavamatkut Havaktinut Maligaq*.

(4) Naunaittiarutikhanik, tikkuqaqtaunirmik havaktinginut Uqauhiliqinikkut Kamisinamit malikhugu titiraqhimaninnga (1) pijariaqangittut angiqtaudjutikhamik Maligaliurvingmi unaluuniit Maligaliurviup unalu Manilirinirmut Katimajingi.

22. (1) Havaarijaa uuma Uqauhiliqinikkut Kamisina havaktipkailutik tamainnik qanuriliurutikhanik unalu maliqajakhainik atanniqtuidjutaani Uqauhiliqinikkut Kamisina naunaittumik Iltarijauhijamajut Uqauhiit pilaarutait, qanurininga pilaarutaitlu iltarijauhijamajut, havaktakhaitlu malikhugitt Iltarijauhijamajut Uqauhiit havaktaujut.

(2) Kikliqaqhimaitumik iluani titiraqhimaninnga (1), havaangit Uqauhiliqinikkut Kamisina ilaujut

(a) ihivriuhijut pijakhangit umunga unaluuniin aallat Maligat, maliruagakhat, atugakhaq, unaluuniin havauhikhait pidjutiqaqtut Iltarijauhijamajut Uqauhiit ihuaqtumik havaktaujut, unalu tunihiblutik unniudjutinik mikhaagun qanuriniit ihivriurutit pitquidjutillu, piqaqqan;

(b) havaklugit katimadjutit aalatlu atuqtakhat ihuaqtut hapkununga Inuit Qaujijamajutuqangit, unalu aturlugit hapkua atuqtakhat ihuaqqat ihuaqhijaangini ihumaaluutit mikhaagun havauhiit Maligat, atugakhaq

(1) Uqauhiliqinikkut Kamisina havaaqaqhimajut tamainnik qanuriliurutikhanik qanuriliurutikhaniklu ataniqtuidjutainnut, naunaiqtauhimajut Maligarmi, naunaittumik Iltarijauhijamajut Uqauhiit pilaarutait, qanuriningat pilaarutaitlu iltarijauhijamajut, imaalu havaakhat pidjutiqaqtut Iltarijauhijamajut Uqauhiit havaktaujanginni.

(2) Kikliqaqhimaitumik iluani titiraqhimaninnga (1), havaangit Uqauhiliqinikkut Kamisina ilaujut

[...]

(b) havaklugit ihivriurutit maliganun unalu atugakhat ilaujut qanuriniinun, atungnirit unaluuniin munaridjutikhait Iltarijauhijamajut Uqauhiit unaluuniin hulaqutigijait Iltarijauhijamajut Uqauhiit uqajuktunut uniuudjutigilugillu qanuriniit ihivriurutit unalu Uqauhiliqinikkut Kamisina pitquidjutait, kitutliqaak.

(c) havaklugit katimadjutit unalu aalat atuqtakhat ihuaqtut haffumunga Inuit Qaujijamajutuqangit, unalu aturlugit hapkua atuqtakhat ihuaqqat ihuaqhinahuarlugit ihuigijaujut talvuuna havauhiit maligat, atugakhaq havauhiitluuniin uqauhikkut pijakhait,

(d) [...] ukuallu

(e) kangiqhipkailuni ilihainikkullu aviktuqhimajumi havagvigjuangit.

Amigaitut maligaujut Nunavumi pijutiqaqtut maligaujumit ahiinit Kanatami ataniqtuivingnit inikhaqatiaginarunaqhiijulu uqajuktunut ilangini Iltarijauhijamajut Uqauhiit aturninginik una, imaa, pivikhaqariaqaqtut nanihijaagani uqaqtiliqtuujunit nuuptirijuluniit aulapkariagani maliruaniq. Piqaqtuq hivullirmik havaamik havagiami atauttimut ihivriuhiniq maliganik titiraqhimaninngani 4(1)(e) uumannga *Nutaqqanut Inulramirnullu Uqaqtikhaanik Maliganganik.*

Unaluttauq, havagviga piqainaqtuq havaamik qaujipkariagani ilihautilutikhaniklu timqutaujunut inungnutlu uqauhiliqinikut pilaarutinik ihuaqtunik maliqajaujukhanik, una havaaq iltarijaujukhaugaluq maligaujuni.

unaluuniin havauhiitigut
 uqauhikkut pijakhat; unalu
 (c) uqautigijait atulirnikjanut
 hulilukaarutit unalu havauhiit
 aviktuqhimajumi
 havagvigjuangit unalu haamlat
 ataani uuma Maligap, unalu
 inmi maligahait quviahuutit
 unalu pinahuagutait haffuma
 Maligarmi.

hamliujuni kavamangit inungnutlu
uqauhikkut pilaarutiit ihuaqtuniklu
maligajakhainnik
maligatqujahimajunik.

22.1 (1) Hapkua hivunikhaliurutit
 unalu ihumagijaujut Inuit
 Qaujimajatuqangit
 atuqtaujujkat pittiarinikkut
 aturningit hakugingniit unalu
 havauhiit havaakhangit
 Uqauhiliqinikkut Kamisinap
 ataani titiraqhimaninnga 20.1,
 21, titiraqhimajuq 22(2)(b),
 titiraqhimaninnga 30 unalu
 titiraqhimaninnga 32(1) unalu
 (3):

(a) Inuuqatigiitsiarniq
 (pittiarinirmik aatlat,
 piqatigiiktarnik munarilugillu
 inuit);

Tunnganarniq:
atuqhimaarnahuarlutik
ihuaqtunik inuuhirmik imaa
angmaumajumik,
tungahuktigut uvalu
ilauqatigiblugin);

(c) *Pijitsirniq:* ikajuqhugit
 ilaruhugunagitllu ilagiir
 kivgaqtuijullu ilamingnun
 nunallaanunlu,
 tamangnunluuniin);

(d) *Aajiiqatigiinni:*
Ihumaliurniq
uqaqatigiingnikkut tamarmiklu
angirnikkut);

(e) *Piliriqatigiinni* unaluuniit
Ikajuqatigiinni.
 Havaqatigiingniq atauttikku
 pinahuaqhuni);

(f) Qanuqtuurniq
 (nutaanguqhimarluni unalu
 ikajuutikhanik).

(1) Hapkua hivunikhaliurutit unalu
 ihumagijaujut inuit Qaujimajatuqangit
 atuqtaujut pittiaqhugit aturniit
 hakugingniit unalu havauhiit
 havaakhanginik Uqauhiliqinikkut
 Kamisinap ataani titiraqhimaninnga 20.1,
 21, titiraqhimajuq 22(2)(b),
 titiraqhimaninnga 30 unalu
 titiraqhimaninnga 32(1) unalu (3)

[...]

(g) Pilimmaksarniq unaluuniit
Pijariuqsarniq (pivallianiq ajuitaminik
ukunuuna ajuiqharniq, akhuurniq
unalu qanuriliurutikhaq), unalu

(h) Avatittinnik Kamatsiarniq
(pittiarinik munariplugulu nuna,
anngutit, avatillu).

Maligap ilitarijukhat tamaita
 aingujut hivunikhangit Inuit
 Qaujimajatuqangit.

<p>23(2) Pidjutinga Maligap unaluuniit maligaujut pidjutiqaqtut ihuinaaqtajuuq imaaluuniit uqarijaujuq hungijaqtajupluni,</p> <p>(a) hunaliqaak uqaqtangit, tamaita naunaiqtakhat tunijauhijamajut tamaitalu titiqqat hunallu havaktauhimajut ihivriuqtaudjutaani, uqaqujauplutik unaluuniit aallanik aullaqtiutikhanik hivuani Uqauhiliqinikkut Kamisina pijariaqaqtut aadjikkutaanik hivitunikhanik apiqhuivingmi; unalu</p> <p>(b) unniudjutit havaktauhimajut hapkunanga Uqauhiliqinikkut Kamisinamin unalu ihuarnikkut unalu ihuaqtumik pidjutiqaqtut unniudjutinun tuhaqtidjutini, tuhaadjutikkut tuhaqtidjutit unaluuniin tuhaqtidjutit pijaaqtut aadjikkiikumik unniudjutin Uqauhiliqinikkut Kamisinamin pitqujaujut apiqhuivingmin.</p>	<p>Pidjutinga Maligap unaluuniit maligaujut pidjutiqaqtut ihuinaaqtajuuq imaaluuniit uqarijaujuq hungijaqtajupluni,</p> <p>[...]</p> <p>(b) unniudjutit piliuqtauhimajuuq Uqauhiliqinikkut Kamisinin kamisinina <u>pijaaqtuuq</u> aajjikutaanun taimaatun unniudjutit pitquidjutik apiqhuivingmin, <u>unalu</u></p> <p>(c) <u>ihuqaqtumiklu pidjutimik unniudjutimik piliuqtauhimajuuq Uqauhiliqinikkut Kamisinamin tuhaumapkaidjutini, ubluq taimaat makpiraaliuqhimajuuq tuhaqtipkaidjutiniluunniit pijaaqtuuq aajjikkiiikumun taimaatun unniudjutimik uumannga Uqauhiliqinikkut Kamisinamin pitqujauhijamajuuq apiqhuivingmin.</u></p>	<p>Una nuutaanguqtiqhimajuuq ihuaqhidjutikhanik naunairutiqarniaqtuuq talvuuna naunaijajaangat aulahimajunik titiraqhimajuuq (b). Taimaali, unniudjutit havaktauhimajut hapkunanga Uqauhiliqinikkut Kamisinin pijaaqtut unalu kitutliqaak tuhaqtitinikkut unaluuniin aalat titiraqhimajut tapkua unniudjutit pijauniaqtut. Una munariplugit Uqauhiliqinikkut Kamisina tuhaqtipkaijilu unaluuniit titiraliuqtiuuq makpiraaliuqtiillu uumunga uuktuqtunun uqarijaujuq tunnganiqaqhuni unniudjutimi Uqauhiliqinikkut Kamisinamin.</p>
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<p>25(5) Piqaqqat aallatqingninganut unaluuniit ihuigijaujumik ukunanit titiraqhimaningani unalu <i>Tuhagakhanik Tiguhinirmut Hapummijaarninirmut Hiamitirnaittunun Titiraqtaujuukhaungittunun Maligaaq,</i> unaluuniin maliruagakhat havaktauhimajut ataani tamna Maligaaq, una titiraqhimajuuq hakugingniqaqtuuq aallatqingninganut unaluuniit ihuigijaujumik.</p>	<p>Piqaqqat iaallatqingninganut unaluuniit ihuidjutaujullu ukunani <u>Ilanga</u> unalu <i>Tuhagakhanik Tiguhinirmut Hapummijaarninirmut Hiamitirnaittunun Titiraqtaujuukhaungittunun Titiraqhimajut Maligaaq</i> unaluuniit maliruagakhat piliuqtauhimajut ataani Maligarmi, una <u>Ilanga</u> hakugingniqaqtuuq hivituniqaqtumik aallatqingninganut unaluuniit ihuigijaujumik.</p>
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Ihuigijaujut

Ihivriuqhiniq

<p>26(1) Inuk uuktuqtaaqtuq Uqauhiliqinikkut Kamisinamut uqakhutik unaluuniit, aallamiklu Uqauhiliqinikkut Kamisinamut ihumajuuq</p>	<p>Inuk titirariaqaqtuuq ihuarijaungittut talvani Uqauhiliqijut Kamisinamun uqarlutik imaaluuniit titiraqhimajunik, talvani titiqiqidjutiliqijunik talvani</p>	<p>Tainia "ihuarijaungittut" hakugitqijaujuq "ihumagijaujuq" naunaitqijauniaqtuuq</p>
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ihuarijainik,
ihivriughidjutikhanik
ihumaluutaujunik,
atan'nguajainimik
hulidjutainnik aviktuqhimajumi
havagvigjuangini unaluuniit
haamlatkuni,

(a) qanurittaakhaanik
Iltarijauhijajut Uqauhiit
ilitarijaungittuq;

(b) tuniqhaininnga haffuma
unaluuniin aalat Maligat
unaluuniin maliruagakhat
ilaujut qanuriniinun, aturniit
unaluuniin
tammaqtailinikhanut
Iltarijauhijajut Uqauhiit
maligangittuq uminga;
unaluuniit

(c) tamna ihumagijajuuq
pinahuarnialu uumani
Maligarmi unaluniitt *Inuit*
Uqauhingit Tammaqtailininga
Maligaaq iniktauhimaittuq.

aviktuqhimajumi havagvigjuangit
unaluuniit haamlatkuni,

(a) qanurittakhanik uumannga
Iltarijauhijajut Uqauhiit
ilitarijaungittuq,

(b) kitutliqaak tuniqhaininnga
~~haffuma—unaluuniin~~ kitunik aalat
Maligaaq unaluuniin maliruagakhat
ilaujut qanuriniit unaluuniin aturningat
Iltarijauhijajut Uqauhiit
maliktaungittuq, unaluuniin

(c) ukpiruhuut pinahuarningalu
uumani Maligaaq unaluuniit Inuit
Uqauhingit Tammaqtailininga *Maligaaq*
maliktaungittuq.

tahapkununnga uqaqtait
ihumaaluutigijajut
uuminnga uqauhinga
pilaarutingit.

Una aadjikkutajuuq
taidjuhiinik uvani
kavaatuqatkut
Iltarijauhijajut Uqauhiit
Maligaaq OLA.

26(2) Uqauhiliqinikkut Kamisinap
inmikkut uuktuutikhanut,
pijumagumik aviktuqhimajumi
havagvigjuangit, haamlatkuni
unaluuniit ilaujun
katimajujunillu
Maligaliurvingmi,
Uqauhiliqinikkut Kamisina
ihivriuqtaaqut
ihumaluutaujunut
titiraqhimaninga (1)

Tamna Uqauhiliqinikkut Kamisina
pittaagtuq, inmikkut
uuktuutikhamingnik, pijumagumik
aviktuqhimajumi havagvigjuangit,
haamlatkuni ilaujumuuniit
maligaliurvingmi, ihivriughilutik nunamut
ihuigijajut ihuaqhaqhimajut uvani
titiraqhimaninga (1).

26(3) Pijaukpat uuktuutip unaluuniin
apiqhikpat titiraqhimaninga,
Uqauhiliqinikkut Kamisinanga
ihivriungniaqtait ihumaaluutit
unalu, pidjutiqagtuq
titiraqhimaninga 28(1),
ihivgiuqtauniaqtut.

Piirlugu una tuniqhaininnga.

26(4) Uqauhiliqinikkut Kamisina
ihivriughittaaqtuq malrungnik
amigaitqijainikluuniit
uuktuutiinik tukhiutinikluuniit,
ihuarigumigit qanurinniit
taimaatut piniaqtut.

Nuutirlugu Ihivriuqtaujukhanut.

27. (1) Kinaliqaaq inuk anipkarlugu, taimaaqtitlugu, iqhitaaghugit, iqhitaaghuni, ihuinaaghuni, unaluuniin aalat ihuinaarutit haffumunga unaluuniin ihuinaangittunik inungmun taimaali inuk uuktuqtuq unaluuniin apiqhipluni ihivriuqujipluni, tunihibluniluuniit naunaitkutikhamik unalu ikajuqhuni ihivriughijunik, apiqhuutimik unniqhugitluuniit ihumaluutiminik uvunga Uqauhiliqinikkut Kamisinamun.
- (1) Kinaliqaaq inuk piniagtuq
- (a) anipkarlugu, taimaaqtitlugu, iqhitaaghugu, iqhitaaghugit, ihuinaaghuni, unaluuniin aalat ihuinaarutit haffumunga unaluuniin ihuinaangiltuni inungmun taimaali inuk pidjutiqaqtuq apiqhipluniluuniit ihivriuqtaujukhamik unaluuniin tunihibluni naunaitkutikhanik unaluuniin ikajuqhuni ihivriurnikkut, apiqqutimik unaluuniin unnirlugit ihuigijaujut talvunga Uqauhiliqinikkut Kamisinamun; unaluuniin
- (b) pitaililugu Uqauhiliqinikkut Kamisina kinaluuniit inuk pidjutigiplugu pitqudjutaagut Uqauhiliqinikkut Kamisinap, havauhianni Uqauhiliqinikkut Kamisinap havaarijakhait auladjutaitluuniit ataani Maligarmi.
- Hivuliujuq nutaamun titiraqhimaajumun uvani 62(2)(b) haffumani *kavamatuqatkut Iilitarijauhijaujut Uqauhiit Maligaaq.* Pijukhaujuq pipkainikkut Uqauhiliqinikkut Kamisina ihuaqumik havangianginni ihivriughinirmik inirnariiangini.

Qingijut unaluuniin taimaarlugit ihivriughiniq

IHVRIUQHIIJUT

Ihivriuqtautaulutik ihuigijaujut tukhiutitluuniit

28(1) Pigumikkut ihuigijaujuq malikhugu titiraqhimaninnga 26(1), Uqauhiliqinikkut Kamisina ihivriughiniaqtuq ihuigijaujumik naunaijailunilu ihuigijaujumik

(a) havaktauhimajuq inungmin kitut pittaagtut uqauhiliqinikkut pilaarutinik titiraqhijaujut uvani Maligarmi.

(b) pimmariktumik pijuuq aviktuqhimajumi havagvigjuangit unaluuniit haamlatkuni piqariami uqauhilirinirmut uqariijaqtamingnik titiraqhijaujumi uumani Maligaaq, unalu

(c) havaktauhimajut ihuaqhaqtauplutik titiraqhijaujumi 26(1) (a) unalu (b).

Aviktuqhugit havauhiit atuqtakhaillu pidjutiqaqtut ihivriurutinun ikajuutauniaqtut Havagvianin Uqauhiliqinikkut Kamisina havagahuaqat ihuigijaujut. Una naunaijarutauniaqtuq taima aviktuqhimajumi havagvigjuangit hamlatkunilu iihuaruhungitun naunaitumik kangiqhidjutikhangit havauhikhanik ihuaqhaidjutikhanik ihuigijaujunik.

28(2) Pijaukpat piumajainut tukhionmik malikhugu titiraqhimaninnga 26(2), Uqauhiliqinikkut Kamisina

naunaijarniaqtaa tukhiut naunairlugulu tukhiut

- (a) ihumaaluutigijaujut
uqauhilirinirmut pilaarutinginnik,
 - (b) pimmariktumik _____ pijuq
aviktuqhimajumi havagvigjuangit
unaluuniit haamlatkuni piqariami
uqauhilirinirmut uqariijaqtamingnik
titiraqhimajumi uumani Maligaaq, unalu
 - (c) havaktauhimajut
ihuaqhaqtauplutik titiraqhimajuni
26(1) (a) unalu (b).
-

28(3) Uqauhiliqinikkut Kamisina Atuqhimajangit 28. (1).
qinngittaaqtuq ihuiginirmik unaluuniit
tukhiunmik, kinguagut naunaijainikkut

- (a) ihuigijaujumi aktuutauvaktut
inungmut inungnutluuniit ahianit
ihuiguhuktumin ilaujuminluuniit
piumajut ihivriurutinik, una inuk
inuitluuniit havagumangittut,
 - (b) tamaita ilangaluuniit ihuagijaut
tukhiqtauhimajutluuniit
havaktaugiaqaqtun
ihuaqhaidjutikhaniklu, ihuaqtumik
havaktaujukhat, ataani adlam Maligap
aturlutinluuniit adlamik hailijumik
ihuaqhaidjutikhamik,
 - (c) ihuiguhuktuq tukhiutitluuniit
ihuagijaungittut, ihuangitumik,
ihuangitumik unaluuniin
ihumaaluutiqangituq pingahut
pidjutaajut,
 - (d) ihuiguhuktuq ilaujutluuniin
tukhiqtut ihivriuhitqudjidijunmingnik
taimaaqujjut imaaluuniit
taimaaqtitauhimajuq ihuigijaujumi,
unaluuniin
 - (e) tamna ihuigijaujuq
ihuaqhijaujuq.
-

28(4) Pikpat, malikhugit naunaijautit, Uqauhiliqinikkut Kamisina naunaiqhiniaqtuq tamna ihuigijaujauq unaluuniin apiqqut ihuangitpat qanurinia titiraqhimaninnga uvani titiraqhimaninnga 28(1) unaluuniin 28(2), Uqauhiliqinikkut Kamisina qingillajaa Ihuigijaudjut unaluuniin tukhiunmik.

Havakhugit ihuigijaujuq tukhiutitluuniit qingijaujukhat.

28(5) Uqauhiliqinikkut Kamisina, qin'ngigumitku ihuigijaujumik tukhiunmikluuniit, ilitturipkaqtakhaa ihuiguhuktuq ilaujutluuniit tukhiqtut ihivriughitqujijut titiraqhimajumik qingidjunmik imaalu ihuaqhailutik qingidjutigijamingnik.

Kinguni s. 26(4).

28(6) Uqauhiliqinikkut Kamisina ihivriughittaaqtuq malrungnik amigaitunikuuniit Ihuigijaujut ihuarigumik qanurinniinnik imaalu taimailiurumik ihuaqtunik kivgaqtuidjutikhanik titiqiqinikkut Maligarmi.

Una ilaliutihimajuq piliuqtaa ihumaaluutigijaujuq Uqauhiliqinikkut Kamisina ihumaliuqtaaqtuq ilaugiami ihuigijaujunik avaliittumik ihivriurniq havaariluguluuniit ihuigijaujumik atauttimut ihivriurniq.

Naunaijaijaangat taima ihuagumi talvani qanurinninga tamna Uqauhiliqinikkut Kamisina ihumaginiaqtait, kikliqaqhimaaitumik,

(a) anginiqaqtut uqauhinga pilaarutingit ilaupkaijuq,

(b) atuqtauffaaqtuq qanurittaakhaanik uqauhingit pilaarutinginnik ihuinaaqtut, unalu

(c) atulingitkumik kinguni atuliqujauhijaujunik Uqauhiliqinikkut Kamisinarmit.

Pijaangat ihuigijaujumik tukhiqtauhimajunikuuniit

29(1) Uqauhiliqinikkut Kamisinangit ihumaliugumik ihivriugianganik, tamna

29(1) Pigumik Ihuigijaujumik unaluuniit tukhiqtuqaqqat malikhugu titiraqhimaninngani 26(1), unaluuniit aullaqtirumik ihivriughilutik malikhugu

Una piliuqtaa naunaittumik uqariijaqtamingnik ilitturipkariami Uqauhiliqinikkut

Uqauhiliqinikkut Kamisinangit pigiaqtitiniaqtun,

(a) aullaqtiqinatik ihivriuqtinnagu,

(i) ilituripkarlugu Minista, titiqiqinikkut atangujaa aviktuqhimajumi havagvigjuangit unaluuniin haamlatkuni hulaqutigijaat unalu kitkutliqaak aatla inuk Uqauhiliqinikkut Kamisinga ihumagijaa ihuaqtunikilituripkarlugit qanuriniitigut, unalu

(ii) uqaqatigiplugit titiraliqinikkut atan'ngujat aviktuqhimajumi havagvigjuangit unaluuniit haamlatkuni aktuqtauhimajut aadlanut inungnut Uqauhinut Kamisinga ihumajuq ihuaqtunik, ihuaqhainahuaqplugit ihumaaluutit uqaqtaujut aadlanutluunniit pidjutikhainnik; unalu

(b) hivuani havaktinatik una unniudjutit unaluuniin pitquidjutikhat tapkua ihuittumik hulaqutiginiaqtaa inuup, aviktuqhimajumi havagvigjuangit unaluuniin haamlatkuni, katimaqatigilugu tamna inuk, aviktuqhimajumi havagvigjuangit unaluuniin haamlatkuni.

titiraqhimaninngani 26(2), Uqauhiliqinikkut Kamisinga tuhaqtinniaqtaa titiqiqinirmut atan'ngujaq ihuinaaqhimajumik aviktuqhimajumi havagvigjuangit unaluuniit haamlatkuni aadlaniklu inuit Uqauhingit Kamisinga ihumagijuuq ihuaqtumik qanurittaakhanik.

Kamisinamut. Naunaijaqhugu titiraliqinikkut atan'ngujaq hivulliujuq inuk ilitturipkariangani, pipkainiaqtuq taapkuat aviktuqhimajumi havagvigjuangit qaujijumjun ihuigijaujumik aallanguqtirutanik kavamatkunnun. Uqauhiliqinikkut Kamisinga tuhaqtitaaqtaa Minista munarijalik aviktuqhimajumi havagvigjuangit taidjutainnik uumani ilangani.

Una nuutaanguqtihimajuq allatqiingujuq hanaqidjutikhaq ihuigijaujut havauhikhanik.

Kangiqhidjutikkut ihuaqhaidjutit

30. Uqauhiliqinikkut Kamisinga pitquittaaqtuq aturluniluunniit uqaqatigiiktitaulutik allanik ihuaqtunik Inuit Qaujijumjatuqangit ihuaqhainahuaqhutik ihumaaluutigijaujunik naunaiqtauhimajut uuktuutimi tukhiunmiluunniit piliuqhimajut ataani titiraqhimaninngani 26(1) unaluuniit (2).

30(1) Uqauhiliqinikkut Kamisinga piinnariaqaaqtaa, hivuagut aullaqtinagu ihivriuqtakhaq, qakuguluunniit ihivriuqtautilugit, pitquilitik aturlutikluunniit ihuaqhaidjutikhanik, ilaujut ihuaqhautikhanik, aadjikkutavjanik Inuit Qaujijumjatuqangit ihuaqhailutik Ihuigijaujumik unaluuniit tukhiqtaujumik malikhugu titiraqhimaninnga 26(1) unaluuniit (2). Tamna naunaitumik

Ikajuutauniaqtuq naunaijagiangani tapkua ihuangnirit aulalirlutik imaa naunaijaqhimajut unaluuniin ilitarijaungitut havauhiit humi qanuriniit naunaijautaujut tapkua atuqtaujut ihuatqiatigut ihuaqhaidjutikhat ihuigijaujumik unaluuniin havagvingmun maligajakhait.

ihuaqhaidjutikharnik hanaqidjutikhaq
aulatitiniagtun hiamitiqtukhaungitunik.

30(2) Uqauhiliqinikkut Kamisina,
hivuagut atuqujitannatik aturluniluuniit
ihuigijaujumik ihuaqhaidjutikhamik
havauhikhamik, piniagtuq

Hapkua ilaliutihimajut
pidjutikhanik ihuaqtumik
havauhikhait, tunihiplutik
maligakhainik unalu
maliqajakhainiklu qakugu
unalu qanuqtut aturnikhanik
uuma havauhikhat.

(a) qaujihaijit unaluuniin ilaujut
piumajut ihivriurutinik unalu
titirqiqinikkut atangujauluni
hapkununga aviktuqhimajumi
havagvigjuangit unaluuniin
haamlatkuni,

(b) pilugit angigutit unalu
hiamitiqtukhaungitunik havaktait
ihuiguhuktup unaluuniin ilaujut
piumajut ihivgiurnirmik unalu
titirqiqinikkut atangujamik
hapkununga aviktuqhimajumi
havagvigjuangit unaluuniin
haamlatkuni,

(c) ilitariilugit ajuqhautaujut
ihuaqhaqtaugiaqaqtun uvuuna
naunaitumik ihuaqhaidjutikhat
havauhikhait, unalu

(d) ilitarilugit, qanuq ihuaqqat,
pingahuujut ilaujut katimapkaijut
havaklugit naunaitumik
ihuaqhaidjutikhat havauhikhait.

30(3) Uqauhiliqinikkut Kamisina
pittaagtuq, qakuguliqaak, ihumaliurluni
taimaaqtitlugu taimaaqtilurluguluuniit
ihuaqhaidjutikhaq havaktaunikhanik
aullaqtirlugulu ihivriuqtauluni tamna
Uqauhiliqinikkut Kamisina, inmikkut
ihumamigut, naunaqhiniagtuq taimaa

(a) ilaujut ihuaqhilimaitait
ihuigijaujumik talvuuna
ihuaqhaidjutikhanik havauhikhat,

(b) malikhugu una aadlalluuniit
Maligag unaluuniit aallat
maliruagakhait pidjutiaqaqtut
qanurittaakhanut, aturningga
tammaqtailininngaluuniit

Iltarijauhijumut Uqauhiit
quviagilimaittuq ukunuuna
iltarijaungittumik ihuaqhainirmut
havaanga, unaluuniit
(c) uppirinikkut pinahuarnialu
uumani Maligarmi uvaniluunniit *Inuit*
Uqauhinginnun *Tammaqtailinirmut*
Maligaq maliktaulimaittuq talvuuna
iltarijauhijumangittuni
pigiaqtitauhijumajukkut havauhikhanik.

30(4) Uqauhiliqinikkut Kamisina
piniarungnaqhijuuq, ilaujukhamik uumani
pigiaqtitauhijumajuni havauhikhamik,
piliurnikkut imaatun qanuriliurutikhanik
Uqauhiliqinikkut Kamisinap ihumagijaa
ihuaqtuq pipkainikkut
pigiaqtitauhijumajuq ihuigijajumik
tukhirutimiluunniit.

Iltarijajumik ihivriughiniq

31(1) Uqauhiliqinikkut Kamisina
pittaagtuq, qakuguliqaak pilirumik
ihuigijajumik unaluuniit tukhiunmik
ihivriughilutik, ihivriugtaulutik.

Una naunajainiaqtuq taima
Uqauhiliqinikkut Kamisina
ihivriugiaqaqtun talvuuna
kituliqaak talvuuna
ihuigijajunik
hanaqidjutikharnik.

Aullaqtiqtinnagu iltarijajumik
ihivriughinirmik, Uqauhiliqinikkut
Kamisina tuhaqtitijukhaq titiqqiqinikkut
atan'ngujakhanik aviktughijumajumi
havaqvigjuangit unaluuniit hamlatkuni
havaktukhaujut ihivriughilutik.

31(2) Ihivriughijut havaktauhijumajut
ukunanga Uqauhiliqinikkut Kamisinamit
ataani uumani Maligarmi
havaktauniaqtuq
hiamitiqtakhaungittunik.

Maliqajakhait

31(3) Uqauhiliqinikkut Kamisina
ihumaliuqtaagtuq qanuriliurutikhainnik
maliktaujanginni ihivriughilutik ataani
Maligarmi.

31(4) Ihivriuptautilugit, Uqauhiliqinikkut Kamisina pijariaqangittuq naalaktauvikhanik imaalu inuk pilaarutiqaqtuq tuhaajauluni Uqauhiliqinikkut Kamisinamin. Kihimi, qakungugaikpan ihivriuptaudjutani Uqauhiliqinikkut Kamisina naunaiqhigumi unniudjut atuqujaujumikluuniit ajungnautiqarniarunaqhijug inungmun, aviktuqhimajumi havagvigjuat haamlatkuniluuniit, tamna Uqauhiliqinikkut Kamisina piniiaqtuq, iniqitirinatik ihivriuptamingnik, tuninarirlugit tamna inuk unaluuniit aviktuqhimajumi havagvigjuat haamlatkuniluuniit kiudjutikhanik kitunikliqaak ihuagijaungitunik.

Ilangani 29. (2).
Ihumagittiarlugit tainiliuqhimajut uvani kavamatuqatkut Uqauhiit Maligaq imaalu pilaarutiqaqtuq tuhaqtaujukhaq Uqauhiliqinikkut Kamisinaup paqitainnik ihuirutauniaqtut aviktuqhimajumi hamatkuni havagvigjuangit, inungmutluuniit.

Hakugingniit Uqauhiliqinikkut Kamisinap havagiamingni ihivriuqhijutikhamingnik

31. (1) Pijariaqangittuq uvani titiraqhimajumi, Uqauhiliqinikkut Kamisina pittaqtuq, ihivriuptautilugit, tukhiutit pijaanginilu kangiqhidjutikhanik inungnit pidjutaaniklu Uqauhiliqinikkut Kamisinap ihumagijait ihuaqtumik, piniiaqqat atauhirmik amigaitunikluuniin hapkuninga qanuriliurutikhanik maliqhimaitumik maligakhantik itquumanikkut unaluuniin katimadjutini inungnun pidjutiqaqtun:
- (a) itiqut unalu ihivgiurviit najugaqaqtut hapkunanga aviktuqhimajuni havagvigjuat unaluuniin haamlatkuni kitutliqaak ihuaqtumik;
- (b) apiqqutikhaliuqpaktut najugaani Uqauhiliqinikkut Kamisinap ihumagijait ihuaqqata, ilaujut uqarlutik inuilrumi inungmut inuk angiqhimakpat;
- (c) tukhirlugit ihivriurlugillu naunaitkutikhat, titiqqat

31(5) Uqauhiliqinikkut Kamisina piqaqtuq, havakhugit ihivriuqhiniirmik ataani uumani Maligarmi, maligiaqangittumiklu maliktakhanik naunaitkutikhanik unaluuniit aullaqtiutikhanik inungnut pidjutaunut, hakugiutikhanik

Una uqauhiq takuupkaijuq ihivriuqhiniikkut ataniqtuidjutinik kamisiujunit ahiini ataniqtuivingni.

- (a) itiriami najuganganut najugalik aviktuqhimajumi havagvigjuangit haamlatkuni talvani ihuaqtumik ikaarnimik ihivriuriamilu hapkuat,
- (b) apiqhuutinun unaluuniin titiraqhimajumik kinaliqaak inuk kitut kangiqhidjutikhanik tapkua ihuaqtut ihivriurutinun,
- (c) upautitqujaujunun imaalu atuqujaangat takujaarutikhanik inungmik tautukhimajainik akhuuqharlugu tunihitqulugit uqariaqaqtunik unaluuniit titiraqhimajunik naunaitkutikhanik talvuuna itqumajumik titiraqhimajunikluuniit, titiraqhimajunik naunaittiaqhimajunik,

hunallu, piliurlutik unaluuniit
pijariaqaqtut
aadjiliuqhimajunik imaaluuniit
piksaliurlutik tapfuuma
Uqauhiliqinikkut Kamisinap
ihumagijait ihuaqtut
ihumaaluutinut
ihivriuqtaujuunut;

(d) angiqtaait ilaungitpalluuniit
kitunik ilitturipkaidjutikhanik
naunaitkutinikluunniit taimaa
Uqauhiliqinikkut Kamisinap
ihumagijait ihuaqtut, taimaa
pilimaitpata ilaungitturluuniit
inungnut pidjutiqaqtut.

(2) Pidjutiqaqtuq tunihiluni
ihuaqtunik tuhaqtidjutimik,
Uqauhiliqinikkut Kamisina
pittaaqtuq ihivriuqtautitlugu

(a) upautitqujaujunun unalu
akhuurutigiblugu
tautukhimajuq inuk tautuktuq;

(b) munarilugit uqariijautit
naunaikhitikhangillu;

(c) akhuuqhalugu inuk
tunihitqulugu itquumadjutunik
uqariijaunmik unaluuniin
naunajariiqhimajumik, ilaujut
imaa uqattiarutikkut, atautikkut
unalu iliurarlugillu
Uqauhiliqinikkut Kamisinap
naunajaqhimajait; unalu

(d) akhuuqhalugu inuk
tunihitqulugu titiqqanik
hunaniiku inuup pihimajainik
unaluuniin munariblugitlu
tapkua Uqauhiliqinikkut
Kamisinap ihumagijait ihuaqtut
ihumaaluutinun
ihivriuqtaunirmun, talvangalu
iliurarlugit Uqauhiliqinikkut
Kamisinap kitunun.

(d) akhuuqhalugu kinamutliqaak
inungmik tunihilutik kitutliqaak
naunaitkutinik, titiqqanik

hunaniikuuniin pihimajamingnik
unaluuniin munaridjutimingni; unalu

(d) munarijaangani uqariijaunmik
unaluuniin naunajaqhimajumik ataani
titiraqhimaajumi (c).

(6) Uqauhiliqinikkut Kamisina
angiqtaaqtuq ilaupkarluniluunniit
qujaginnanik ilitturipkaidjutikhanik
naunaitkutinikluunniit taimaatun
Uqauhiliqinikkut Kamisinap ihumagijait
ihuaqtunik, taimaa pilimaitpata
ilaungitturluuniit inungnut pidjutiqaqtut.

Upautingitkumik upautitqujaugumik

(7) Inuk kitu

(a) upautitqujaujunun malikhugu
titiraqhimajuq 31(5)(c),
upautingitkumik ihuaqtumik
pidjutiqaqhutik
upautijukhaugaluaktut,

(b) pitqujauhijumajut maliktakhat
talvani titiraqhimajumi 31(5)(d)
tunihijukhat kituliqaak
titiraqhimajunik, titiqqanik
hunalikluuniit pihimajamingnik,
tunihingitkumik hapkuninga kituliqaak
titiraqhimajunik, titiqqanik
hunalikluuniit,

(c) angirumangittut uqariijariami
unaluuniit uqaudjijumagumi,
unaluuniit

(d) kiujumangitkumik kitunikliiqaak
apiqqutinik apiqhuutaujuniikluuniit
tunihimajainik Uqauhiliqinikkut
Kaminsamin,

Una pidjutaujuq naunaittumik
Uqauhiliqinikut Kamisinaujuq
atulaaliriagani hakugingnirijatik
ataniqtuidjutimingniklu.

pidjutiqaqtuq, naittumik ihuinaarutinun,
akiligakhaq avatqulimaittuq \$5,000.

<p>36. (1) Uqauhiliqinikkut Kamisina pittaqtuq imaatut (a) uukturlutit Nunavut Kuatiliqijunik Maligaliqijitkut ihuaqhaidjutikharnik talvuuna ikaarnitigun kiklivikhangit naunaijagiikhimajut talvuuna titirangni 35(2)(a) miinaq iniriirumik (i) tujuutigilugu uniudjut ataani titiraqhimaninnga 32.1(1), unalu (ii) pijaangani, titiraqhimajumik, angirutimik uuktuqtup unaluuniin ilaujut kitkut apiqhijut pidjutiqaqtut ihivriurutinik; (b) upautijut hivuani Nunavunmi Apiqhuijit Maligaliqiiunun kivgaqtuqhugu inuk uuktuqhimajuq ataani</p>	<p>Uqauhiliqinikkut Kamisina pittaqtuq imaatut [...] (b) <u>uukturlutit Nunavut Apiqhuivit Maligaliqijikkut ihuaqhaidjutikhamik malikhugu titiraqhimaninnga 27 unalu titiraqhimaninnga 31(7),</u> [...]</p>
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titiraqhimaningga 35(1)
ihuaqhaidjutikhamik;
unaluuniit

(c) qimakhimaplutik
Nunavunmi Apiqhuiviani
Maligaliqjikkut, takunnaqtuq
ilaujunit aullaqtiutikhanik
ataani titiraqhimaningga 35(1).

Mémoire présenté au Comité permanent de la législation
Révision de la *Loi sur les langues officielles*

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I. TITRE DE LA LOI

La *Loi sur les langues officielles* (ci-après : « LLO » ou « loi »)¹

II. AUTEUR DU MÉMOIRE

Bureau du commissaire aux langues du Nunavut

La LLO établit l'inuktitut, l'anglais et le français comme langues officielles du Nunavut et confie au commissaire aux langues le mandat de prendre les mesures nécessaires pour assurer l'égalité, le statut et l'usage des langues officielles dans les institutions territoriales. Les recommandations contenues dans ce mémoire sont fondées sur l'expérience de mon bureau pour répondre aux préoccupations des Nunavoises et Nunavois.

III. STRUCTURE DU MÉMOIRE

Le présent mémoire est divisé en deux parties, la partie A expliquant les raisons pour lesquelles une réforme de la LLO est nécessaire pour lui permettre d'atteindre ses objectifs, et la partie B énonçant le libellé précis proposé pour la LLO.

PARTIE A : LA NÉCESSITÉ D'UNE RÉFORME

1. Aperçu

On peut faire mieux en matière de clarté et de définition des processus, des rôles et des obligations prévus dans la LLO. Des modifications importantes de sa structure, de son libellé et de son contenu sont nécessaires pour lui permettre de réaliser son objectif.

2. Histoire

La LLO a été héritée des Territoires du Nord-Ouest et a été révisée après consultations auprès des communautés du Nunavut.² Je propose des modifications pour lui permettre de mieux répondre aux besoins et aux réalités du Nunavut.

3. Exigence aux fins de révision

La LLO exige que l'Assemblée législative fasse des révisions périodiques de l'administration, de l'application et de l'efficacité de ses dispositions et de l'atteinte de ses objectifs. Bien que la première révision devait être faite dans l'année suivant le 18 septembre 2014, aucune révision n'a encore été faite. Ce sera donc le premier examen de l'efficacité de la loi quant à l'atteinte de ses objectifs.

¹ *Loi sur les langues officielles*, L.C.Nun., ch. 10 [LLO], art. 37.

² *Language Legislation for Nunavut Consultation Paper* [Document de consultation sur la législation linguistique du Nunavut], Assemblée législative du Nunavut, 2008 aux pages 2 et 3 : <https://assembly.nu.ca/library/GNedocs/2008/000039-e.pdf>.

Les objectifs de la LLO comprennent, entre autres, de veiller à ce que la langue inuite soit utilisée par les institutions territoriales dans leurs communications avec le public, de donner à la langue inuite une pleine égalité avec les autres langues officielles, de promouvoir la langue inuite, de protéger et de promouvoir la langue française et la vitalité de la communauté francophone et de fournir un cadre permettant aux communautés inuites et francophones de disposer des moyens nécessaires pour sauvegarder et renforcer leur expression culturelle, leur vie collective et leur patrimoine pour les générations futures.

Ce sont des objectifs importants et je les soutiens pleinement. Cependant, d'après mon expérience pour répondre aux préoccupations, la LLO serait plus efficace pour atteindre ces objectifs si l'on précisait quand elle s'applique et si les mesures d'application de la loi étaient renforcées.

4. Conclusion

La LLO sert des objectifs importants visant à établir l'égalité de statut des langues officielles et instituer des normes claires de communication et d'accès aux services gouvernementaux dans ces langues. Les changements que je recommande à la partie B aideront la LLO à atteindre ces objectifs.

PARTIE B : PROPOSITIONS DE LIBELLÉ SPÉCIFIQUE

À titre préliminaire, je note qu'un langage inclusif comme « ils » et « leur » devrait remplacer les mots sexospécifiques tels que « il », « elle », « son » et « elle » dans l'ensemble de la Loi, et que le terme « plainte » devrait remplacer « préoccupation » dans toutes les dispositions relatives aux enquêtes. Je recommande également les modifications aux dispositions spécifiques énoncées ci-dessous.

Disposition actuelle	Modification proposée	Raisons
1. INTERPRÉTATION		
a) « Langue inuite » La langue inuite au sens de la <i>Loi sur la protection de la langue inuite</i> .	« Inuktitut » <u>(a) dans l'ensemble du Nunavut, inuktitut, et</u> <u>(b) à Kugluktuk, Cambridge Bay, Bathurst Inlet et Umingmaktuug, comprend l'inuinnaqtun ;</u>	Cette définition devient ainsi compatible à celle établie par l'Inuit Tapiriit Kanatami et reconnaît à la fois l'inuktitut et l'inuinnaqtun.
b) « Assemblée législative » L'Assemblée législative et l'ensemble de ses institutions et bureaux, sauf les bureaux de circonscription des députés de l'Assemblée législative.	« Assemblée législative » L'Assemblée législative et tous ses bureaux et institutions, <u>y compris le Bureau du commissaire à l'intégrité, Élections Nunavut, le Bureau du représentant de l'enfance et de la jeunesse, le Bureau du Commissaire aux langues du Nunavut, et le Bureau du commissaire à l'information et à la protection de la vie privée du Nunavut [...];</u>	Cela permet de remédier au manque de clarté qui a rendu difficile de déterminer si la LLO s'applique à un organisme particulier.
c) « organisme public » Sauf disposition contraire d'un règlement, s'entend d'un organisme qui est, à la fois : a) créé par les lois du Nunavut; b) placé sous l'autorité d'un ministre ou du Conseil exécutif; c) est désigné comme tel aux termes du paragraphe 1(1) de la <i>Loi sur la gestion des finances publiques</i> .	« organisme public » Sauf disposition contraire d'un règlement, s'entend d'un organisme qui est, à la fois : (a) créé par les lois du Nunavut, <u>et</u> (b) <u>soit</u> <u>(i) sous l'autorité d'un ministre ou du Conseil exécutif, ou</u> <u>(ii) est désigné comme étant un organisme public en vertu du paragraphe 1(1) de la Loi sur la gestion des finances publiques;</u>	Cette révision permettra de préciser à quels organismes publics la LLO s'applique et rendra la loi plus inclusive.

<p>d) « institution territoriale » S'entend</p> <p>(a) du gouvernement du Nunavut;</p> <p>b) des organismes judiciaires ou quasi judiciaires;</p> <p>(c) de l'Assemblée législative;</p> <p>(d) des organismes publics</p>	<p>« institution territoriale » S'entend</p> <p>(a) [...],</p> <p><u>(e) des organismes établis en vertu de l'Accord sur les revendications territoriales du Nunavut; et</u></p> <p><u>(f) tout organisme ou bureau créé pour exercer une fonction gouvernementale ou en vertu d'une loi du Nunavut ou par le Conseil exécutif ou sous son autorité;</u></p>	<p>Cette révision vise à définir plus clairement l'institution territoriale d'une manière qui s'harmonise à l'esprit de la LLO et facilite son application.</p> <p>Le nouvel alinéa (f) proposé est semblable au libellé de la <i>Loi sur les langues officielles</i> fédérale.</p>
<p>2(2) En cas d'incompatibilité entre une disposition de l'article 3, 4, 5, 7, 8, 9, 11 ou 12 et une disposition d'une autre loi que la <i>Loi sur les droits de la personne</i>, la disposition de la présente loi l'emporte.</p>	<p>En cas d'incompatibilité ou de conflit entre une disposition <u>de la présente loi</u> et une disposition d'une loi autre que la <i>Loi sur les droits de la personne</i>, la disposition de la présente loi l'emporte.</p>	<p>Cette modification rend la LLO plus cohérente avec les importants objectifs fédéraux, territoriaux et inuits énoncés dans le préambule et en raison desquels la LLO doit jouir d'un statut quasi constitutionnel en droit. Il est important que <u>toutes</u> les dispositions de la LLO l'emportent sur les autres lois, à l'exception de la <i>Loi sur les droits de la personne</i>.</p>
<p>3(2) Les langues officielles du Nunavut ont, dans la mesure et de la manière prévues aux termes de la présente loi, un statut, des droits et des privilèges égaux quant à leur usage dans les institutions territoriales.</p>	<p><u>Les</u> langues officielles du Nunavut ont une égalité de statut et des droits et privilèges égaux quant à leur usage dans les institutions territoriales.</p>	<p>Cela précisera que toutes les langues officielles ont en tout temps le même statut.</p>
<p>3(3) Dans son application à l'inuinnaqtun, la présente loi est interprétée et mise en œuvre d'une manière qui tient compte de la nécessité de donner priorité à :</p> <p>(a) la revitalisation de l'inuinnaqtun;</p> <p>b) l'amélioration de l'accessibilité aux services visés aux articles 8 à 12 dans les collectivités où l'inuinnaqtun est indigène.</p>	<p>[...]</p> <p>(b) un meilleur accès aux services prévus aux articles 8 à 12 dans les collectivités où l'inuinnaqtun est <u>parlé</u>.</p>	
<p>4(1) Chacun a le droit d'utiliser l'une quelconque des langues officielles dans les débats et autres travaux de l'Assemblée législative.</p>	<p>[...]</p> <p>4(1.1) « <u>Des services doivent être offerts pour l'interprétation simultanée d'une langue officielle à l'autre pour les</u></p>	<p>Cette modification précisera que non seulement les législateurs peuvent utiliser n'importe quelle langue officielle, mais aussi qu'ils doivent être en mesure de se</p>

	<p>débats et les autres délibérations de l'Assemblée législative ».</p>	<p>comprendre dans n'importe quelle langue officielle grâce à l'interprétation. Il existe un précédent à cet égard à l'article 4(2) de la <i>Loi sur les langues officielles</i> fédérale.</p>
<p>5(1) Les lois de la Législature sont promulguées, imprimées et publiées en français et en anglais, les deux versions ayant également force de loi.</p>	<p><u>Sauf disposition contraire aux présentes, les lois de la législature sont promulguées, imprimées et publiées en français et en anglais, et les deux versions font pareillement autorité. La <i>Loi sur les langues officielles</i> et la <i>Loi sur la protection de la langue inuite</i> sont également promulguées, imprimées et publiées en inuktitut, en anglais et en français.</u></p>	<p>La LLO et la <i>Loi sur la protection de la langue inuite</i> doivent être édictées simultanément dans toutes les langues officielles. Cela garantira l'usage d'une terminologie explicite en inuktitut par les rédacteurs et fera en sorte que les locuteurs de langues officielles soient plus susceptibles de comprendre leurs droits linguistiques.</p>
<p>6. Sur recommandation du Bureau de régie et des services, le président de l'Assemblée législative peut prendre des règlements concernant les aspects, mesures, méthodes, modes ou exigences qui ne sont pas complètement ou suffisamment traités par la présente loi si, sur recommandation du Bureau de régie et des services, il l'estime nécessaire pour assurer le respect par l'Assemblée législative des articles 4, 5, 11 et 12. Le président peut ainsi prendre des règlements régissant notamment l'affichage, les avis, la traduction, l'interprétation, la remise d'avis, ainsi que les fonctions des agents et des employés de l'Assemblée législative.</p>	<p><i>Disposition à supprimer.</i></p>	<p>Le Bureau de régie et des services peut traiter la manière de mettre en œuvre les obligations dans une politique interne. Il s'agira d'un processus plus simple et plus rationalisé pour l'adoption et la mise à jour des mesures appropriées au besoin.</p>
<p>8(1) Dans les affaires dont un organisme judiciaire ou quasi judiciaire est saisi, toute langue officielle peut être utilisée par :</p> <p>(a) toute personne devant l'organisme judiciaire ou quasi judiciaire, dans les affaires en question ou dans les actes de procédure qui en découlent;</p>	<p>Dans la procédure engagée devant des organismes judiciaires ou quasi judiciaires, toute langue officielle peut être utilisée <u>dans les communications écrites ou orales</u> par :</p> <p>(a) toute personne devant l'organisme judiciaire ou quasi judiciaire, dans la procédure en</p>	<p>Il doit être clair que ces droits s'appliquent aux communications orales et écrites. Ces modifications favoriseront l'accès à la justice et l'équité pour les locuteurs de toutes les langues officielles.</p>

b) le président d'audience de l'organisme judiciaire ou quasi judiciaire.	question ou dans les actes de procédure qui en découlent, <u>et</u> (b) le président d'audience de l'organisme judiciaire ou quasi judiciaire.	
8(3) Une partie ou un témoin dans un litige civil a le droit : (a) de demander et de recevoir des services d'interprétation dans sa langue officielle préférée : (i) soit selon les modalités prescrites par la Cour de justice du Nunavut ou la Cour d'appel en vertu de l'article 10, (ii) soit selon les modalités prescrites en vertu du sous-alinéa 38(1)c)(i) pour un organisme quasi judiciaire; b) d'être avisé en bonne et due forme de ce droit, avant même d'avoir présenté une demande de services d'interprétation.	Une partie ou un témoin dans un litige civil a le droit : (a) de demander et de recevoir des services d'interprétation <u>et de traduction</u> dans la langue officielle de <u>son</u> choix; [...] (b) d'être avisé en bonne et due forme de ce droit, avant même d'avoir présenté une demande de services d'interprétation <u>ou de traduction</u> .	La traduction doit être offerte pour les preuves documentaires ainsi que pour les observations et les décisions écrites afin de veiller à ce que tous les locuteurs de langue officielle aient un accès égal à la justice et la possibilité d'intenter des instances civiles de manière appropriée et efficace.

Ce qui suit est à ajouter :

8(6) Tout organisme judiciaire ou quasi judiciaire a, dans toute instance dont il est saisi, le devoir de veiller à ce qu'une personne qui témoigne devant lui peut être entendue dans la langue officielle de son choix et à ce que, en l'entendant, elle ne soit pas désavantagée par le fait de ne pas être entendue dans l'une des autres langues officielles.

8(7) Lorsqu'une institution territoriale est partie à une instance devant un tribunal judiciaire ou quasi judiciaire;

(a) l'institution territoriale doit utiliser, dans tous les actes de procédure oraux ou écrits, la langue officielle choisie par les autres parties, à moins qu'elle n'établisse qu'un préavis raisonnable de la langue choisie n'ait pas été donné; et

b) si les autres parties ne parviennent pas à choisir ou à s'entendre sur la langue officielle à utiliser dans l'instance, l'institution territoriale doit utiliser cette langue officielle de façon raisonnable, compte tenu des circonstances.

La modification est nécessaire pour traiter des situations où le gouvernement du Nunavut entame une procédure impliquant des Inuits, mais ne fournit qu'une version anglaise des actes de procédure. Cela a empêché ces personnes de réagir de manière adéquate et a potentiellement eu une incidence sur leurs droits.

8(8) La partie préimprimée de tout formulaire utilisé dans l'instance devant un organisme judiciaire ou quasi judiciaire et qui doit être signifiée par toute institution territoriale qui est partie à l'instance à toute autre partie doit être rédigée dans toutes les langues officielles.

Les renseignements ajoutés pour remplir ce formulaire peuvent être formulés dans n'importe quelle langue officielle, mais, s'ils ne sont rédigés que dans une seule langue officielle, il doit être clairement indiqué sur le formulaire que les renseignements peuvent être traduits dans une autre langue officielle sur demande. Si une demande de traduction des renseignements ajoutés est faite, la partie qui a signifié le formulaire doit immédiatement faire procéder à la traduction des renseignements ajoutés.

<p>11(1) Chaque institution territoriale :</p> <p>(a) affiche ses enseignes et panneaux publics, le cas échéant, dans les langues officielles;</p>	<p>Enseignes et panneaux</p> <p>11(1) Chaque institution territoriale affiche <u>dans les langues officielles les enseignes et les panneaux destinés à aviser le public.</u></p>	<p>Préciser les termes de cette section permettra de déterminer plus facilement quelles plaintes sont recevables. Séparer les obligations au titre de « Autre communication avec le public et prestation des services » permettra d'établir un libellé plus clair énonçant les obligations des institutions territoriales d'une manière plus cohérente.</p>
<p>(b) établit ou délivre ses actes écrits s'adressant au public dans les langues officielles.</p>	<p>Documents</p> <p>(2) Chaque document élaboré ou émis sous l'autorité d'une institution territoriale et qui s'adresse ou est destiné à aviser, à être utilisé ou à informer le public est élaboré ou émis dans toutes les langues officielles.</p>	<p>Fournir des définitions générales permettra aux locuteurs de langues officielles de comprendre les communications importantes. Comme nous l'avons vu pendant la pandémie, les communications gouvernementales peuvent porter sur des questions urgentes de santé et de sécurité, il est donc important que toutes les communications écrites soient élaborées dans toutes les langues officielles.</p>

(c) veille à ce que chaque version ou portion en langue officielle d'une enseigne et d'un panneau et que chaque version ou portion d'un acte auxquelles le présent article s'applique soient conçues ou affichées de façon à ce que toutes les langues officielles utilisées soient également en évidence ou aient un impact ou un effet égal.

Égalité

(3) L'institution territoriale veille à ce que chaque version ou portion en langue officielle d'une enseigne, d'un panneau ou d'un document auxquelles s'applique le présent article soient conçues ou affichées de façon à ce que toutes les langues officielles utilisées soient également en évidence ou aient un impact ou un effet égal.

11(2) Le responsable administratif d'une institution territoriale soumise à une obligation visée au paragraphe (1) élabore et tient à jour les politiques opérationnelles nécessaires à l'application du présent article.

Devoir du ministère de l'Exécutif et des Affaires intergouvernementales

(4) Le ministère de l'Exécutif et des Affaires intergouvernementales élabore et tient à jour les politiques opérationnelles nécessaires à la mise en œuvre du présent article.

Confier la responsabilité de l'élaboration des politiques à un organisme central lui permettra de développer une expertise dans l'interprétation et l'application de la présente loi, facilitant ainsi l'application uniforme dans toutes les institutions territoriales.

12(4) L'obligation d'une institution territoriale prévue au paragraphe (2), au regard des communications et des services, vaut également pour ses autres bureaux si l'emploi d'une langue officielle se justifie, à cet égard, par la vocation d'un bureau, comme l'attestent :

(4) [...]

a) soit la portée, les retombées ou l'importance des services en question pour le public dans une collectivité ou une région spécifique, dans l'ensemble du territoire ou dans une autre zone géographique;

(a) soit la portée, les retombées ou l'importance des services en question pour le public dans une collectivité ou une région spécifiques, dans l'ensemble du territoire ou dans une autre zone géographique, ou

b) soit la pertinence des services en question pour la santé, la sécurité ou la protection du public ou pour les questions essentielles semblables prévues par règlement.

(b) soit la pertinence des services en question pour la santé, la sécurité ou la protection du public ou pour les questions essentielles semblables prévues par règlement.

12(6) Le présent article s'applique autant aux communications orales qu'écrites..

Disposition à déplacer au début de l'article 12.

12(1) Chaque fois que le présent article établit une obligation à l'égard des communications et des services, cette obligation s'applique à l'égard des communications orales et écrites et à l'égard des documents ou des activités

Ce libellé clarifie les types de communications et de services qui doivent être offerts dans toutes les langues officielles.

qui se rapportent à ces communications ou services.

<p>12(8) Si l'emploi d'une langue officielle fait l'objet d'une demande importante au regard des communications et des services dans une municipalité, le responsable administratif de celle-ci a l'obligation de veiller à ce que le public ayant droit à des communications et à des services municipaux prescrits par règlement puisse les recevoir dans cette langue officielle.</p>	<p>Si l'emploi d'une langue officielle fait l'objet d'une demande importante au regard des communications et des services dans une municipalité <u>conformément à l'article 12(3)</u>, le responsable administratif de celle-ci a l'obligation de veiller à ce que le public ayant droit à des communications et à des services municipaux prescrits par règlement puisse les recevoir dans cette langue officielle.</p>	<p>Le concept de « demande importante » est problématique parce que la demande peut diminuer à mesure qu'une langue devient plus menacée. Ce changement permettra aux organismes de réglementation de tenir compte d'autres facteurs, comme l'afflux récent d'inuinnaqtophones, pour décider s'il y a lieu de désigner une municipalité en vertu cet article.</p>
<p>13(3) En consultation avec les institutions territoriales et les municipalités, le ministre :</p> <p>a) élabore et tient à jour un plan d'ensemble visant la mise en œuvre des obligations, des politiques, des programmes et des services en matière de langues par les ministères du gouvernement du Nunavut et les organismes publics;</p>	<p>Nouvelle section 15.1 à insérer, libellée comme suit :</p> <p><u>Un secrétariat appelé Secrétariat des langues officielles est établi au sein du ministère de l'Exécutif et des Affaires intergouvernementales lequel :</u></p> <p>(a) <u>aide à l'élaboration du plan de mise en œuvre dont il est fait mention au paragraphe 13(3);</u></p> <p>(b) <u>étudie, surveille et évalue le plan de mise en œuvre dont il est fait mention au paragraphe 13(3);</u></p> <p>(c) <u>établit et tient à jour les politiques opérationnelles mentionnées au paragraphe 11(2);</u></p> <p>(d) <u>dans les 12 mois après la fin de chaque exercice, prépare et présente au président de l'Assemblée législative, au commissaire aux langues et à la ministre des Langues un rapport décrivant les progrès réalisés par chaque institution territoriale dans le cadre du plan de mise en œuvre dont il est fait mention à l'alinéa 13(3)(a) et de tout plan de mise en œuvre applicable mentionné à l'alinéa 13(4)(a) et formule des recommandations pour des améliorations;</u></p>	<p>Il serait utile qu'un organisme du gouvernement central élabore des politiques et surveille le respect des plans linguistiques afin d'assurer l'uniformité entre les institutions.</p> <p>Il existe un précédent pour cette disposition à l'article 5.01 du projet de loi 37 du Nouveau-Brunswick.³</p>

³

<https://www.legnb.ca/fr/l%C3%A9gislation/projets-de-loi/60/2/37/Loi%20concernant%20la%20Loi%20sur%20les%20langues%20officielles>

(e) conseille les institutions territoriales sur les mesures à prendre pour se conformer à la présente loi et répond aux besoins des collectivités de langue officielle;

(f) fournit un soutien aux employés des institutions territoriales pour assurer le respect de la présente loi;

(g) entreprend des initiatives de sensibilisation du public, y compris des consultations régulières auprès des intervenants de chaque collectivité de langue officielle, afin de promouvoir le respect, la compréhension et la communication entre les collectivités de langue officielle; et

(g) s'acquitte d'autres tâches et fonctions exigées par le commissaire au Conseil exécutif.

13(4) Le ministre peut ordonner au responsable administratif d'un ministère du gouvernement du Nunavut, d'un organisme public ou d'une municipalité :

a) de présenter, pour examen aux termes du paragraphe (3), un plan de mise en œuvre d'un an ou plus;

b) de fournir les renseignements que le ministre estime nécessaires à l'exercice des pouvoirs ou fonctions en vertu du présent article.

Le ministre, le commissaire aux langues ou le ministre de l'Exécutif et des Affaires intergouvernementales peut ordonner au responsable administratif d'un ministère du gouvernement du Nunavut, d'un organisme public ou d'une municipalité :

(a) de présenter, pour examen et aux fins d'étude, un plan de mise en œuvre annuel ou à plus long terme;

(b) de fournir les renseignements que le ministre, le commissaire aux langues ou le ministre de l'Exécutif et des Affaires intergouvernementales estime nécessaires à l'exercice des pouvoirs ou fonctions en vertu du présent article.

L'inclusion du commissaire aux langues dans ces dispositions concernant les plans de mise en œuvre permettra de s'assurer que les préoccupations soulevées par le commissaire aux langues sont prises en compte dans ces plans de mise en œuvre et que le gouvernement du Nunavut respecte ses obligations linguistiques en vertu de la LLO.

(4.1) Il demeure entendu que la Loi sur l'accès à l'information et la protection de la vie privée ne s'applique pas à une directive du ministre, du commissaire aux langues et du ministre de l'Exécutif et des Affaires intergouvernementales conformément à l'alinéa 13(4)b).

13.1 (1) Le Fonds de promotion des langues officielles est constitué comme compte spécial au Trésor.

(2) L'actif du Fonds ne doit être utilisé que pour promouvoir les objectifs suivants :

[...]

Disposition à supprimer.

c) améliorer la littératie en langue inuite et la maîtrise de celle-ci, et inverser le processus de perte de la langue et d'assimilation linguistique;

20.1	<p>(1) Malgré la <i>Loi sur la fonction publique</i>, le commissaire aux langues peut nommer, à la suite d'un concours, le personnel nécessaire à l'exercice approprié de ses fonctions.</p> <p>(1.1) Malgré le paragraphe (1), le commissaire aux langues peut nommer du personnel sans concours avec l'approbation du Bureau de régie et des services.</p> <p>(2) Le personnel nommé en vertu du paragraphe (1) fait partie de la fonction publique au sens de la <i>Loi sur la fonction publique</i>.</p> <p>(3) À l'égard d'une personne nommée aux termes du présent article, le commissaire aux langues est le premier dirigeant pour l'application de la <i>Loi sur la fonction publique</i>.</p>	<p>(1) [...]</p> <p>(1.1) Malgré le paragraphe (1), le commissaire aux langues peut, <u>avec l'approbation du Bureau de régie et des services</u>, nommer du personnel sans concours.</p> <p>(2) Le personnel nommé en vertu du paragraphe (1) ou du paragraphe (1.1) fait partie de la fonction publique au sens de la <i>Loi sur la fonction publique</i>.</p> <p>(3) Quant aux personnes nommées en vertu du présent article, le commissaire aux langues est le premier dirigeant au sens de la <i>Loi sur la fonction publique</i>.</p> <p>(2.1) <u>Le personnel nommé en vertu du paragraphe (1) ou du paragraphe (1.1) ne peut pas adhérer à unité de négociation au sens de <i>Loi sur la fonction publique</i>.</u></p> <p>(4) <u>Il demeure entendu que la nomination du personnel par le commissaire aux langues en vertu du paragraphe (1) n'exige pas l'approbation de l'Assemblée législative ou du Bureau de régie et des services.</u></p>	<p>Le libellé est modifié afin de clarifier les pouvoirs du commissaire aux langues de prendre des décisions en matière de dotation.</p>
22.	<p>(1) Il incombe au commissaire aux langues de prendre, dans le cadre de sa compétence, toutes les mesures pour assurer la reconnaissance des droits, du statut et des privilèges des langues officielles et le respect des obligations en matière de langues officielles.</p> <p>(2) Sans préjudice de la portée générale du paragraphe (1), il incombe notamment au commissaire aux langues :</p> <p>a) de mener des enquêtes afin de déterminer si les exigences de la présente loi ou d'autres lois, de règlements, de</p>	<p>(1) Le commissaire aux langues a l'obligation de poser des gestes et prendre des mesures dans le cadre de sa compétence, comme le prévoit la loi, pour veiller à ce que soient reconnus les droits, les statuts et les privilèges des langues officielles, et de s'assurer que les obligations à l'égard des langues officielles soient respectées.</p> <p>(2) Sans préjudice de la portée générale du paragraphe (1), il incombe notamment au commissaire aux langues :</p> <p>[...]</p> <p><u>(b) de réviser la législation et les politiques ayant trait au statut, à</u></p>	<p>De nombreuses lois du Nunavut sont fondées sur la législation d'autres provinces ou territoires du Canada et peuvent désavantager par inadvertance les locuteurs de certaines langues officielles si, par exemple, ils ont besoin de plus de temps pour trouver des interprètes ou des traducteurs afin de faciliter la conformité. Il existe un précédent quant à l'obligation de procéder à des révisions systémiques des lois à l'alinéa 4(1)e) de la <i>Loi sur le représentant de l'enfance et de la jeunesse</i>.</p>

politiques ou de règles de procédure portant sur les langues officielles ont été remplies de manière appropriée, puis de présenter des rapports d'enquête à cet égard ainsi que, s'il y a lieu, des recommandations;

b) de développer la médiation et d'autres méthodes compatibles avec les Inuit Qaujimajatuqangit, et d'utiliser ces méthodes lorsque cela est approprié afin de régler les préoccupations concernant le respect des obligations linguistiques relatives à la législation, aux politiques ou à la procédure;

c) de faire des commentaires sur les activités de mise en œuvre et la performance des institutions territoriales et des municipalités, ainsi que sur leur respect de l'esprit et de l'intention de la présente loi.

l'utilisation ou à la protection des langues officielles ou à leur incidence sur les locuteurs de langues officielles, et de rendre compte des résultats des révisions recommandations et des recommandations du commissaire aux langues, le cas échéant;

(c) b) de développer la médiation et d'autres méthodes compatibles avec les qaujimajatuqangit inuit, et d'utiliser ces méthodes lorsque cela est approprié afin de régler les plaintes concernant le respect des obligations linguistiques relatives à la législation, aux politiques ou à la procédure;

(d) [...] et

(e) d'informer et éduquer les institutions territoriales, les municipalités et le public sur les droits linguistiques et les mesures de conformité appropriées.

De plus, mon bureau a toujours eu un rôle à jouer dans l'information et l'éducation des organismes et du public au sujet des droits linguistiques et des mesures de conformité appropriées, et ce rôle devrait être reconnu dans la loi.

22.1 (1) Les principes et concepts généraux suivants des Inuit Qaujimajatuqangit s'appliquent à l'exercice par le commissaire aux langues de ses pouvoirs et fonctions aux termes des articles 20.1 et 21, de l'alinéa 22(2)b), de l'article 30 et des paragraphes 32(1) et (3) :

(a) *Inuuqatigiitsiarniq* (le respect d'autrui, les rapports avec autrui et le souci du bien-être d'autrui);

(b) *Tunnganarniq* (la promotion d'un bon état d'esprit en se montrant ouvert, accueillant et intégrateur);

(c) *Pijitsirniq* (le service à la famille ou à la collectivité, ou les deux, et la satisfaction de leurs besoins);

(d) *Ajiiqatigiinni* (la prise de décision par la discussion et le consensus);

(e) *Piliriqatigiinni* ou *Ikajuqatigiinni* (travailler ensemble pour une cause commune);

(f) *Qanuqtuurniq* (faire preuve d'innovation et d'ingéniosité).

(1) Les principes et les concepts généraux ci-après de *qaujimajatuqangit* inuit s'appliquent à l'égard de l'exercice des pouvoirs et de l'exercice des fonctions du commissaire aux langues en vertu des articles 20.1, 21, de l'alinéa 22(2)(b), de l'article 30 et des paragraphes 32 (1) et (3) :

[...]

(g) *Pilimmaksarniq* ou *Pijariuqsarniq* (acquérir des compétences par la pratique, l'effort et l'action), et

(h) *Avatittinnik Kamatsiarniq* (respect et soin de la terre, de la faune et de l'environnement).

La loi doit reconnaître les huit principes de *qaujimajatuqangit* inuit.

<p>23(2) Pour l'application de toute loi ou règle de droit concernant la diffamation verbale ou écrite, ne peuvent donner lieu à une poursuite :</p> <p>a) les paroles prononcées, les renseignements fournis, ou les pièces ou documents produits au cours d'une enquête, d'une médiation ou d'une autre procédure menée par le commissaire aux langues, au même titre que si elle avait lieu devant un tribunal;</p> <p>b) les rapports ou les comptes rendus établis par le commissaire aux langues ainsi que les relations qui en sont faites de façon juste et exacte par la presse écrite ou audiovisuelle, au même titre que si les rapports du commissaire aux langues étaient des ordonnances d'un tribunal.</p>	<p>Pour l'application de toute loi ou règle de droit concernant la diffamation verbale ou écrite, ne peuvent donner lieu à une poursuite :</p> <p>[...]</p> <p>(b) un rapport fait par le commissaire <u>aux langues est privilégié</u> dans la même mesure que s'il s'agissait d'une ordonnance d'un tribunal, <u>et</u></p> <p>(c) <u>un compte rendu juste et exact d'un rapport fait par le commissaire aux langues dans les médias d'information, une publication périodique ou une émission sont privilégiés dans la même mesure que si le rapport du commissaire aux langues était l'ordonnance d'un tribunal.</u></p>	<p>Cette modification améliorera la clarté en séparant l'alinéa (b) actuel. À ce titre, le rapport fait par le commissaire aux langues est privilégié et tout média ou autre publication sur ce rapport sera également privilégié. Cela protège le commissaire aux langues et les médias ou l'éditeur contre les allégations de diffamation fondées sur un rapport du commissaire aux langues.</p>
<p>25(5) En cas d'incompatibilité entre le présent article et une disposition de la <i>Loi sur l'accès à l'information et la protection de la vie privée</i> ou de ses règlements d'application, le présent article l'emporte.</p>	<p>En cas d'incompatibilité ou de conflit entre la présente <u>partie</u> et la <i>Loi sur l'accès à l'information et la protection de la vie privée</i> ou de ses règlements, la présente <u>partie</u> l'emporte dans la mesure de l'incompatibilité ou du conflit.</p>	
<p>Plaintes</p>	<p><u>Enquête</u></p>	
<p>26(1) Une personne peut demander au commissaire aux langues, verbalement ou d'une autre façon que celui-ci estime satisfaisante, d'enquêter sur des préoccupations faisant état dans l'administration d'une institution territoriale ou d'une municipalité, selon le cas :</p> <p>(a) d'un cas de non-reconnaissance du statut d'une langue officielle;</p> <p>(b) d'un manquement à une disposition de la présente loi, d'une autre loi ou d'un règlement portant sur le statut, l'usage ou la protection d'une langue officielle;</p> <p>(c) d'un manquement à l'esprit et à l'intention de la présente loi</p>	<p>Une personne peut déposer une plainte auprès du commissaire aux langues, de vive voix ou par écrit si, dans l'administration des affaires d'une institution territoriale ou d'une municipalité :</p> <p>(a) le statut d'une langue officielle <u>n'a pas été ou n'est pas reconnu,</u></p> <p>(b) une disposition de la présente loi ou d'une autre loi ou d'un règlement se rapportant au statut ou à l'utilisation d'une langue officielle <u>n'a pas été respectée ou n'est pas respectée,</u> ou</p> <p>(c) l'esprit et l'intention de la présente loi ou de la <i>Loi sur la protection de la langue inuite</i> n'ont pas été respectés.</p>	<p>Le terme « plainte » est plus fort que « préoccupation » et sera plus significatif pour ceux qui soulèvent des questions au sujet des droits linguistiques.</p> <p>Cela reflète le libellé de la LLO fédérale.</p>

ou de la *Loi sur la protection de la langue inuite*.

26(2) À l'initiative du commissaire aux langues ou à la requête d'une institution territoriale, d'une municipalité ou d'un député ou d'un comité de l'Assemblée législative, le commissaire aux langues peut commencer une enquête sur les motifs de préoccupation visés au paragraphe (1). Le commissaire aux langues peut, de sa propre initiative ou à la demande d'une institution territoriale, d'une municipalité ou d'un député ou d'un comité de l'Assemblée législative, commencer une enquête sur les motifs de plaintes mentionnées au paragraphe (1).

26(3) Sur réception d'une demande ou d'une requête faite aux termes du présent article, le commissaire aux langues évalue les préoccupations et, sous réserve du paragraphe 28(1), procède à l'enquête. ***Disposition à supprimer.***

26(4) Le commissaire aux langues peut procéder à une enquête commune portant sur deux ou plusieurs demandes ou requêtes, s'il est convaincu qu'il est juste et raisonnable de le faire dans les circonstances. ***À déplacer sous enquêtes.***

27. (1) Il est interdit de faire preuve de discrimination envers une personne, notamment en la renvoyant, en la suspendant, en l'expulsant, en l'intimidant, en l'évinçant, en usant de coercition envers elle ou en lui imposant une peine pécuniaire ou autre, en raison du fait qu'elle a présenté une demande ou une requête visant la tenue d'une enquête, ou qu'elle a témoigné ou collaboré relativement à une enquête, à une demande de renseignements ou au signalement d'une préoccupation au commissaire aux langues.

(1) Il est interdit :

(a) de faire preuve de discrimination envers une personne, notamment en la renvoyant, en la suspendant, en l'expulsant, en l'intimidant, en la menaçant, en l'évinçant, en usant de coercition envers elle ou en lui imposant une peine pécuniaire ou autre, en raison du fait qu'elle a présenté une demande ou une requête visant la tenue d'une enquête, ou qu'elle a témoigné ou collaboré relativement à une enquête, à une demande de renseignements ou au signalement d'une plainte au commissaire aux langues.

(b) d'entraver l'action du commissaire aux langues, ou toute personne agissant au nom ou sous son autorité, dans l'exercice de ses attributions conformément à la présente loi.

Il existe un précédent à cet égard à l'article 62(2)(b) de la *Loi sur les langues officielles* fédérale. Il est nécessaire de veiller à ce que le commissaire aux langues puisse mener une enquête adéquatement et en temps opportun.

Refuser ou mettre fin à l'enquête

ENQUÊTES

Évaluation des plaintes et des demandes

28(1) Sur réception d'une plainte déposée en vertu du paragraphe 26(1), le commissaire aux langues évalue la plainte et détermine si elle :

- (a) est faite par une personne qui a le droit aux droits linguistiques prévus par la présente loi;
- (b) est faite à l'égard d'une institution territoriale ou d'une municipalité ayant des obligations linguistiques en vertu de la présente loi.
- (c) est fondée sur les motifs énoncés aux alinéas 26(1) (a) et (b).

La séparation du processus et des étapes relatives aux enquêtes aidera le Bureau du Commissaire aux langues officielles aux langues à traiter les plaintes. Cela permettra également de s'assurer que les institutions territoriales et les municipalités ainsi que les plaignants comprennent bien le processus et les options de traitement des plaintes.

28(2) Sur réception d'une demande déposée en vertu du paragraphe 26(2), le commissaire aux langues évalue la plainte et détermine si elle :

- (a) concerne les droits linguistiques,
- (b) est faite à l'égard d'une institution territoriale ou d'une municipalité ayant des obligations linguistiques en vertu de la présente loi.
- (c) est fondée sur les motifs énoncés aux alinéas 26(1) (a) et (b).

28(3) Le commissaire aux langues peut rejeter une plainte ou une demande si, à la suite de l'évaluation :

- (a) la plainte touche principalement une ou plusieurs personnes autres que le plaignant ou la partie qui demande une enquête, et la ou les personnes directement touchées ne souhaitent pas aller de l'avant;
- (b) la totalité ou une partie de la plainte ou de la demande peut être traitée et résolue, de manière adéquate et appropriée, en vertu d'une autre loi ou au moyen d'une autre procédure disponible;
- (c) la plainte ou la demande est frivole, vexatoire, n'est pas faite de

28.(1) existant

bonne foi ou concerne une question insignifiante;

(d) le plaignant ou la partie qui demande une enquête a retiré la plainte ou y a renoncé, ou

(e) La plainte a été réglée.

28(4) Le commissaire aux langues rejette la plainte ou la demande si, à la suite de l'évaluation, il a déterminé que la plainte ou la demande ne satisfait pas aux critères énoncés aux paragraphes 28(1) ou 28(2).

Établit quand une plainte ou une demande doit être refusée.

28(5) Lorsqu'il rejette une plainte ou une demande, le commissaire aux langues avise par écrit le plaignant ou la partie qui demande l'enquête de son refus et en expose les motifs.

Auparavant, l'art. 26(4).

28(6) Le commissaire aux langues peut procéder à une enquête commune portant sur deux ou plusieurs demandes ou requêtes, s'il est convaincu qu'il est juste et raisonnable de le faire dans les circonstances.

Cet ajout énonce les facteurs dont le commissaire aux langues peut tenir compte lorsqu'il décide de joindre des plaintes dans le cadre d'une seule enquête ou de traiter une plainte comme une enquête systémique.

Pour déterminer si cela est raisonnable dans les circonstances, le commissaire aux langues peut tenir compte, notamment :

(a) de l'importance des droits linguistiques en jeu;

(b) du caractère répété des violations des droits linguistiques;

(c) du défaut de mettre en œuvre les recommandations antérieures du commissaire aux langues.

Acceptation d'une plainte ou d'une demande

29(1) Si le commissaire aux langues décide d'ouvrir une enquête, il doit :

a) avant de la commencer :

(i) aviser le ministre, le responsable administratif de l'institution territoriale ou de la

29(1) Lorsqu'il accepte une plainte ou une demande présentée en vertu du paragraphe 26(1) ou lorsqu'il ouvre une enquête en vertu du paragraphe 26(2), le commissaire aux langues en avise le responsable administratif de l'institution territoriale ou de la municipalité

Cela établit une obligation de notifier claire au commissaire aux langues. En identifiant le responsable administratif comme la principale personne à aviser, cela assurera que l'institution

municipalité touchée et toute autre personne que le commissaire aux langues estime approprié d'aviser dans les circonstances,

(ii) consulter le responsable administratif de l'institution territoriale ou de la municipalité touchée et toute autre personne que le commissaire aux langues estime approprié de consulter afin de tenter de régler les préoccupations soulevées ou pour toute autre raison;

b) avant de faire un rapport ou une recommandation susceptible de nuire à une personne, à une institution territoriale ou à une municipalité, consulter cette personne, cette institution territoriale ou cette municipalité.

impliquées et toute autre personne qu'il estime appropriée dans les circonstances.

territoriale est au courant de la plainte, peu importe tout changement au gouvernement. Le commissaire aux langues peut encore aviser le ministre responsable de l'institution territoriale compte tenu du libellé du présent article.

Cette modification sépare également les différents aspects du processus de traitement des plaintes.

Résolution non officielle

30. Le commissaire aux langues peut recommander ou utiliser la médiation ainsi que d'autres moyens compatibles avec les Inuit Qaujimajatuqangit pour tenter de régler les préoccupations identifiées dans une demande ou une requête faite aux termes du paragraphe 26(1) ou (2).

30(1) Le commissaire aux langues peut, avant d'entreprendre une enquête ou à tout moment au cours d'une enquête, recommander ou utiliser un processus de résolution non officiel, y compris la médiation, compatible avec qaujimajatuqangit inuit pour régler une plainte ou une demande présentée en vertu du paragraphe 26(1) ou (2). Le processus de résolution non officiel se déroulera de manière confidentielle.

Il sera utile de préciser qu'une souplesse existe pour procéder au moyen de processus officiels ou non officiels chaque fois que les circonstances indiquent que cela sera plus efficace pour régler une plainte ou amener une organisation à se conformer.

30(2) Avant de recommander ou d'utiliser un processus non officiel de résolution des plaintes, le commissaire aux langues doit :

(a) consulter le plaignant ou la partie qui demande l'enquête et le responsable administratif de l'institution territoriale ou de la municipalité;

(b) obtenir les consentements et les engagements de non-divulgence de la part du plaignant ou de la partie qui demande l'enquête et du responsable administratif de l'institution territoriale ou de la municipalité;

Les ajouts suivants visent à établir le processus de résolution non officiel, à fournir une ligne directrice et des règles sur le moment et la façon d'utiliser ce processus.

(c) déterminer les préoccupations qui peuvent être résolues par le truchement du processus de résolution non officiel;

(d) désigner, s'il y a lieu, un facilitateur tiers pour mener à bien le processus de résolution non officiel.

30(3) Le commissaire aux langues peut, en tout temps, décider de suspendre le processus de règlement non officiel ou d'y mettre fin et de commencer une enquête officielle s'il détermine, à sa seule discrétion que :

(a) les parties ne seront pas en mesure de régler la plainte au moyen d'un processus de résolution non officiel;

(b) le respect de la présente loi ou de toute autre loi ou de tout autre règlement relatif au statut, à l'usage ou à la protection d'une langue officielle ne sera pas assuré par un processus de résolution non officiel;

(c) l'esprit et l'intention de la présente loi ou de la *Loi sur la protection de la langue inuite* ne seront pas respectés par le truchement d'un processus de résolution non officiel.

30(4) Le commissaire aux langues peut, dans le cadre du processus non officiel de résolution, établir la procédure qu'il estime appropriée pour assurer la résolution de la plainte ou de la demande.

Enquête officielle

31(1) Le commissaire aux langues peut, en tout temps après avoir accepté une plainte ou une demande d'enquête, commencer une enquête officielle.

Avant d'entamer l'enquête officielle, le commissaire aux langues informe le responsable administratif de l'institution territoriale ou de la municipalité de son intention de procéder à une enquête.

Cela assure que le commissaire aux langues puisse commencer une enquête en tout temps au cours du processus de plainte.

31(2) Les enquêtes menées par le commissaire aux langues en vertu de la présente loi sont confidentielles.

Procédures

31(3) Le commissaire aux langues peut déterminer les procédures à suivre pour mener des enquêtes en vertu de la présente loi.

31(4) Au cours d'une enquête, le commissaire aux langues n'est pas tenu de tenir une audience et nul n'a le droit d'être entendu par le commissaire aux langues. Toutefois, si à un moment quelconque au cours d'une enquête, le commissaire aux langues détermine qu'un rapport ou une recommandation puisse nuire à une personne, à une institution territoriale ou à une municipalité, il doit, avant de terminer l'enquête, donner à cette personne ou institution territoriale ou municipalité l'occasion de répondre à toute allégation.

Section 29.(2). Reflète le libellé de la *Loi sur les langues officielles* fédérale et garantit le droit d'être entendu si les conclusions du commissaire aux langues risquent de nuire à une institution territoriale, à une municipalité ou à un particulier.

Pouvoirs du Commissaire aux langues de mener des enquêtes

31. (1) Sous réserve des autres dispositions du présent article, le commissaire aux langues peut, pendant une enquête, demander des renseignements aux personnes et de la manière qu'il estime appropriée, et les obtenir. Il peut prendre une ou plusieurs des mesures suivantes sans être lié par les règles de preuve ou de procédure en matière civile :

- a) pénétrer dans des locaux occupés par une institution territoriale ou une municipalité et les inspecter, à toute heure raisonnable;
- b) pendant qu'il est dans ces locaux, enquêter selon ce qu'il estime approprié, y compris en s'entretenant en privé, sur une base volontaire, avec tout particulier;
- c) demander et examiner des renseignements, des documents et des pièces, faire ou obtenir des copies ou

31(5) Lorsqu'il mène une enquête en vertu de la présente loi, et sans être lié par les règles de preuve ou de procédure dans les affaires au civil, le commissaire aux langues a le pouvoir :

- (a) de pénétrer dans les locaux occupés par une institution territoriale ou une municipalité à toute heure raisonnable et de les inspecter;
- (b) de demander des renseignements de vive voix ou par écrit à toute personne qui pourrait détenir des renseignements pertinents à l'enquête;
- (c) de convoquer et contraindre à comparaître toute personne comme témoin et de la contraindre à témoigner verbalement ou par écrit sous serment ou affirmation solennelle;
- d) de contraindre une personne à produire des dossiers, des documents ou des choses en sa possession ou sous son contrôle;

Ce libellé reflète les pouvoirs d'enquête des commissaires d'autres provinces et territoires.

prendre des photos selon ce qui, à son avis, est relié aux préoccupations sous enquête;

d) accepter ou refuser tout renseignement ou élément de preuve selon ce qu'il estime approprié, indépendamment de son admissibilité dans une instance civile.

(2) À la condition de donner un avis suffisant, le commissaire aux langues peut, au cours d'une enquête :

(a) assigner toute personne et la contraindre à comparaître comme témoin;

b) prêter serment et recevoir des affirmations solennelles;

c) contraindre toute personne à déposer sous serment ou affirmation solennelle, notamment sous forme d'affidavit, à la date, à l'heure et au lieu qu'il précise;

d) contraindre toute personne à produire, à la date, à l'heure et au lieu qu'il précise, les pièces et documents en sa possession ou sous son contrôle qui, à son avis, sont reliés aux préoccupations qui font l'objet de l'enquête.

d) de faire prêter serment et de recevoir les affirmations solennelles prévus à l'alinéa c).

d) Le commissaire aux langues peut accepter ou exclure tout renseignement ou preuve qu'il estime approprié, qu'il soit admissible ou exclu ou non dans une affaire au civil.

Défaut de comparaître lors de la convocation

(7) La personne qui, selon le cas :

(a) est assignée en vertu de l'alinéa 31(5)c), et ne comparait pas sans excuse valable;

(b) est tenue en vertu de l'alinéa 31(5)d), de produire un dossier, un document ou une chose en sa possession, et omet de produire le dossier, le document ou la chose;

(c) refuse d'être assermentée ou de faire preuve solennellement, ou

L'objectif est de s'assurer que le commissaire aux langues peut être en mesure d'exercer ses pouvoirs et son autorité.

(d) refuse de répondre à toute question posée ou demande faite par le commissaire aux langues;

est passible, sur déclaration de culpabilité par procédure sommaire, d'une amende maximale de 5 000 \$.

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| 36.
(1) | Le commissaire aux langues peut, selon le cas :
a) présenter une demande de réparation devant la Cour de justice du Nunavut, dans le délai indiqué à l'alinéa 35(2)a), après avoir à la fois :
(i) transmis le rapport visé au paragraphe 32.1(1),
ii) obtenu par écrit le consentement de l'auteur de la demande ou de la requête visant la tenue de l'enquête qui s'y rapporte;
b) comparaître devant la Cour de justice du Nunavut au nom d'une personne qui a présenté une demande de réparation en application du paragraphe 35(1);
c) avec l'autorisation de la Cour de justice du Nunavut, comparaître à titre de partie à une instance introduite en application du paragraphe 35(1). | Le commissaire aux langues peut, selon le cas :

[...]

(b) <u>exercer un recours auprès de la Cour de justice du Nunavut en vertu de l'article 27 et du paragraphe 31(7);</u>

[...] |
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**Submission to the Standing Committee on Legislation
Review of the *Inuit Language Protection Act***

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I. TITLE OF THE LEGISLATION

Inuit Language Protection Act (“ILPA” or the “Act”).

II. ORIGINATOR OF SUBMISSION

Office of the Languages Commissioner of Nunavut

The ILPA affirms the importance of the Inuit language to the sustainability and vitality of Inuit culture and mandates the Languages Commissioner to take actions and measures to ensure that the rights, status and privileges established by the Act with respect to the Inuit Language are recognized and performed.¹ The recommendations in this submission are aimed at responding to the concerns received by the Languages Commissioner and the challenges the Office of the Languages Commissioner has faced in applying the ILPA.

III. STRUCTURE OF SUBMISSION

This submission is set out in two parts. Part A sets out the reasons a reform of the ILPA is necessary to ensure it achieves its objectives, and Part B provides specific wording proposed for the ILPA.

PART A: THE NEED FOR REFORM

1. Overview

There is room for improvement in the clarity and definition of the processes, roles and obligations contemplated in the ILPA. Substantial amendments to the ILPA’s structure, wording and content are needed to enable it to fulfil its purpose.

2. History and Requirement for Review

The ILPA received assent in 2008, and most of its provisions are now in force.² The ILPA requires the Legislative Assembly to conduct periodic reviews of its administration and implementation, the effectiveness of its provisions, and the achievement of its objectives. Although the first review was to be conducted in the year following September 18, 2014, it has not yet taken place.³ This will be the first assessment of the ILPA’s effectiveness.

3. Measurement against Objectives

The ILPA’s objectives include, among other things, protecting and promoting the quality and prevalent use of the Inuit Language. Moreover, the ILPA affirms that the Inuit Language is a language of education, work and services.⁴ In order to enable the ILPA to attain those objectives and to ensure it realizes those affirmations, the ILPA must be amended to address the challenges

¹ *Inuit Language Protection Act*, CS Nu, c I-140 [ILPA], s. 28.

² Sections 9 and 10 of the ILPA, *ibid*, which concern early childhood education and adult education, are not yet in force.

³ ILPA, *ibid*, s 43.

⁴ ILPA, *ibid*, preamble.

faced by Nunavummiut today.

The prevalence of Inuktitut in Nunavut has decreased since the ILPA was enacted. Between 2016 and 2021, the percentage of Census respondents in Nunavut who identified Inuktitut as their mother tongue decreased from 63.3% to 52.9%.⁵ In addition, the percentage of Nunavummiut who used Inuktitut most often at work decreased from 26.3% in 2016 to 18.8% in 2021.

Just as the number of those who reported using Inuktitut has declined, the number who used Inuinnaqtun most often at work decreased from 25 to 10.⁶

The same 2021 census report shows that 41.4% of Nunavummiut reported using Inuktitut most often at home, while only 18.8% reported using Inuktitut most often at work.⁷ These numbers illustrate that Inuktitut has not become the language of work.

4. Conclusion

The ILPA plays a pivotal role in safeguarding, promoting and enhancing Inuit language and culture. However, it must become more effective at achieving its objectives. The changes I recommend in Part B will help accomplish this.

⁵ [Census Profile, 2016 Census - Nunavut \[Territory\] and Canada \[Country\] \(statcan.gc.ca\)](#) [2016 Census Profile]; [Profile table, Census Profile, 2021 Census of Population - Nunavut \[Territory\] \(statcan.gc.ca\)](#) [2021 Census Profile]. More particularly, the total number of Inuit language speakers in Nunavut dropped from 22,600 in 2016, comprised of 22,070 Inuktitut speakers, 495 Inuinnaqtun speakers, and 30 other Inuit language speakers, to 19,370 in 2021, comprised of 19,130 Inuktitut speakers, 230 Inuinnaqtun speakers, and 10 other Inuit language speakers.

⁶ *Ibid.*

⁷ *Ibid.*

PART B: PROPOSALS FOR SPECIFIC WORDING

As a preliminary matter, I note that inclusive language such as “they” and “their” should replace gender-specific words such as “he”, “she”, “his” and “her” throughout the Act, and the term “complaint” should replace “concern” in relation to investigations that are not initiated by the Languages Commissioner. I also recommend the amendments to specific provisions set out below.

Current Provision	Proposed Amendment	Reasons
1. INTERPRETATION		
<p>a) “public agency” means, unless otherwise provided by regulation, a body that is</p> <p>(a) established by the laws of Nunavut,</p> <p>(b) subject to the direction of a Minister or the Executive Council, and</p> <p>(c) identified as a public agency under subsection 1(1) of the <i>Financial Administration Act</i>.</p>	<p>“public agency” means, unless otherwise provided by regulation, a body that is</p> <p>(a) established by the laws of Nunavut, <u>and</u></p> <p>(b) <u>either</u></p> <p>(i) subject to the direction of a Minister or the Executive Council, <u>or</u></p> <p>(ii) identified as a public agency under subsection 1(1) of the <i>Financial Administration Act</i>,</p>	<p>This revision will make it clearer to which public bodies the ILPA applies and make the Act more inclusive.</p>
<p>b) “territorial institution” means</p> <p>(a) the Government of Nunavut,</p> <p>(b) a judicial or quasi-judicial body,</p> <p>(c) the Legislative Assembly, and</p> <p>(d) a public agency.</p>	<p>“territorial institution” means</p> <p>(a) [...],</p> <p>(e) <u>a body established pursuant to the <i>Nunavut Land Claims Agreement</i>, and</u></p> <p>(f) <u>any body or office established to perform a governmental function by or pursuant to a law of Nunavut or under the authority of the Executive Council,</u></p>	<p>This revision is aimed at defining more clearly territorial institution in a manner that aligns with the spirit of the ILPA and facilitates its application.</p> <p>The proposed new paragraph (f) is similar to language in the federal <i>Official Languages Act</i>.</p>
<p>1(2) Except as directed by the Inuit Uqausinginnik Taiguusiliuqtiit under paragraph 16(5)(b), “Inuit Language” means,</p> <p>(a) in or near Kugluktuk, Cambridge Bay, Bathurst Inlet and Umingmaktuuq, Inuinnaqtun;</p> <p>(b) in or near other municipalities, Inuktitut; and</p> <p>(c) both Inuinnaqtun and Inuktitut as the Commissioner in Executive Council may, by regulation, require or authorize.</p>	<p>“<u>Inuktitut</u>” means</p> <p>(a) <u>throughout Nunavut, Inuktitut, and</u></p> <p>(b) <u>in Kugluktuk, Cambridge Bay, Bathurst Inlet and Umingmaktuuq, includes Inuinnaqtun;</u></p>	<p>This definition brings the definition in line with that established by Inuit Tapiriit Kanatami and recognizes both Inuktitut and Inuinnaqtun.</p>

Add new subsection

1(2).1 Any written text required to be in Inuktitut pursuant to this Act shall be in syllabics and/or Roman orthography.

Add new subsection

1(2).2 Any written text required to be in Inuinnaqtun pursuant to this Act shall be in Roman orthography.

Add new subsection.

1(2).3 Notwithstanding subsections 1(2).1 and 1(2).2, the Commissioner in Executive Council may, by regulation, establish other writing systems as deemed appropriate.

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| 1(3) | In its application to Inuinnaqtun, this Act shall be interpreted and implemented in a manner that is consistent with the need to give priority to | In its application to Inuinnaqtun, this Act shall be interpreted and implemented in a manner that is consistent with the need to give priority to |
| | (a) the revitalization of Inuinnaqtun; and
(b) improved access to communication, services, instruction and Inuit Language programs in Inuinnaqtun, under sections 3 to 10, in the communities where Inuinnaqtun is indigenous. | (a) the revitalization of Inuinnaqtun, and
(b) improved access to communication, services, instruction <u>and programs in Inuinnaqtun, where Inuinnaqtun is spoken.</u> |
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| 2(2) | If a provision of sections 3 to 13 is inconsistent with or in conflict with a provision of an Act other than the <i>Human Rights Act</i> , the provision of this Act prevails except as otherwise stated. | If any provision of <u>this Act</u> is inconsistent with or in conflict with a provision of an Act other than the <i>Human Rights Act</i> , the provision of this Act prevails except as otherwise stated. | This amendment makes the ILPA more coherent with the important federal, territorial and Inuit objectives set out in the preamble and because of which the ILPA must enjoy quasi-constitutional status in law. As such, it is important that all provisions of the OLA prevail over other laws, except for the <i>Human Rights Act</i> , unless the ILPA expressly states otherwise. |
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| 2(3) | Except as provided in subsection (2), nothing in this Act shall be construed as affecting the validity or legal effect of a communication with or service to the public, or of any document or action or procedure, to which this Act applies. | Except as provided in subsection (2), nothing in this Act shall be construed as affecting the validity or legal effect of a communication with or service to the public, <u>or of any document or action to which this Act applies.</u> | It is not clear what the word "procedure" adds in the current provision. |
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- 3(1) Every organization shall, in accordance with this section and the regulations, if any,
- (a) display its public signs, including emergency and exit signs, in the Inuit Language together with any other language used;
 - (b) display and issue its posters and commercial advertising, if any, in the Inuit Language together with any other language used;
 - (c) ensure that the Inuit Language text of its public signs, posters and commercial advertising is at least equally prominent with any other language used; and
 - (d) provide, in the Inuit Language, its reception services and any customer or client services that are available to the general public.

3(1).1 Every organization shall display signs intended for the notice of the public, including emergency and exit signs, in Inuktitut together with any other language used.

3(1).2 Every organization shall display and issue its posters and commercial advertising in Inuktitut together with any other language used.

For the purposes of this section, "commercial advertising" means any oral or written communication directed at consumers in Nunavut to promote products or services.

3(1).3 Every organization shall provide its reception services and any customer or client services that are available to the public in Inuktitut.

3(1).4 If the communications described in this section 3(1) are in writing, the Inuktitut version must be in writing.

The Inuktitut version of any written text described in this section 3(1) must be

- (a) intelligible,
- (b) use the Inuktitut Spelling standards, and
- (c) at least as prominent as the text of any other language used.

Workplace obligations on organizations other than territorial institutions

3(1).5 An organization shall communicate, in writing and orally, with its employees in Inuktitut where

- (a) the organization has 25 or more employees,
- (b) current employees of the organization have informed the organization that their preferred language is Inuktitut, and
- (c) the communication relates to health or safety measures at the workplace.

It is preferable to deal with the different language obligations separately as they are different in nature. This will allow for better clarity around the obligation and the rights.

In addition, requiring that the Inuktitut versions of signage and advertising must be intelligible will ensure these provisions have meaningful effect.

My office has received complaints from employees of large private sector bodies that display safety signage in English only, despite employing many Nunavummiut whose first language is Inuktitut. These complaints are currently inadmissible, but this should change for health and safety reasons.

3(2) An organization shall communicate with the public in the Inuit Language when delivering the following particular services:

- (a) essential services, including
 - (i) emergency, rescue or similarly urgent services or interventions, including intake or dispatch services, and
 - (ii) health, medical and pharmaceutical services;
- (b) household, residential or hospitality services, including
 - (i) restaurant, hotel, lodging, residential or housing services, and
 - (ii) basic services to a household, including the supply of electricity, fuel, water and telecommunications;
- (c) the other prescribed services that the Commissioner in Executive Council considers to be appropriate as the result of their essential nature or important consequences for individuals.

3(2).1 An organization must communicate with the public in Inuktitut when delivering emergency and health services, including without limitation,

- (a) police, fire and emergency response services,
- (b) health and medical services,
- (c) long-term care and seniors facilities,
- (d) child and youth protection services and facilities, and
- (e) pharmaceutical services.

3(2).2 An organization must communicate with the public in Inuktitut when delivering food, shelter and household services, including without limitation,

- (a) housing and boarding homes,
- (b) emergency shelter services,
- (c) hotel, short-term accommodations and hospitality services,
- (d) grocery and food services, and
- (e) the supply of electricity, fuel, water and telecommunications.

The proposed amendments will better define “essential services” in a way that aligns with other jurisdictions and is clearer.

Previously paragraph 3(2)(c).

3(2).3 The Commissioner in Executive Council may make regulations prescribing other services that, because of their essential nature or the consequences for individuals, must be delivered in Inuktitut.

3(3) In addition to the requirements under subsection (1), the communications with the public referred to in subsection (2) are the following:

- (a) all notices, warnings or instructions directed to users or consumers of the service;
- (b) monthly bills, invoices and similar demands directed to persons who may be Inuit Language speakers;
- (c) the other communications that the Commissioner in Executive Council may prescribe.

3(3).1 The communications with the public referred to in subsection 3(2) include, without limitation,

- (a) notices, warnings or instructions directed to users or consumers of the service,
- (b) monthly bills, invoices and similar demands directed to persons who may speak Inuktitut, and
- (c) any other communications that the Commissioner in Executive Council may prescribe.

Move this to beginning of s. 3(3)

3(3) For greater certainty,

(a) this section applies to both oral and written communications, and

(b) when a communication described in this section is in writing, the Inuktitut version must also be in writing.

This amendment will ensure Inuktitut speakers receive the documentation necessary for them to maintain access to essential services.

3(5) The Languages Commissioner, after receiving a submission or an application under Part 4, and the Nunavut Court of Justice, after receiving an application under Part 4, may relieve a private sector body of an obligation that would otherwise be required under this section and substitute a less onerous requirement for communication or services in the Inuit Language, if

Move this provision to Part 4.

(a) the private sector body is established for purposes relating primarily to the heritage, expression, strengthening or promotion of a non-Inuit linguistic or cultural community; or

(b) satisfied that compliance with this section on the part of the private sector body would otherwise result in undue hardship.

4(1) Every contract issued or made by or on behalf of a department of the Government of Nunavut or a public agency, whether as a result of a request for proposals, tender or otherwise, shall require the third party communications with and services to the public in the Inuit Language that are necessary to ensure compliance with section 3.

4(1).1 Every department of the Government of Nunavut and public agency shall, when services falling under subsection 3(2) or sections 11 and following of the Official Languages Act, are performed or made available on its behalf, ensure that

(a) its language obligations under the Act are identified in the contract, request for proposals, tender or other instrument,

(b) the contractor undertakes to deliver the services and communicate with the public in Inuktitut as well as any other language, and

(c) the public is able to communicate with and obtain the services from the contractor in Inuktitut.

4(1).2 The department of the Government of Nunavut or the public agency on behalf of which the services are being performed or made available shall be responsible for non-compliance of contractors with this Act.

4(2) This section does not apply to a request for proposals or tender not yet awarded or to contracts in force on the day that this section comes into force.

This section does not apply to contracts that were already in force on July 9, 2017.

The current section 4(2) came into force on July 9, 2017.

Add following provision.

4(3).1 An exemption shall not be granted pursuant to subsection (3) for a period of more than 12 months. An exemption may be renewed for an additional period of 12 months or less by order of the Executive Council.

4(3).2 Prior to granting an exemption, or a renewal of an exemption, under this subsection 4(3), the Executive Council shall

(a) inform the Languages Commission of the request for an exemption or a renewal, and

(b) give the Languages Commissioner an opportunity to make submissions with respect to the request.

The Executive Council shall, upon granting an exemption or renewal of an exemption, give written notice to the Languages Commissioner of same, setting out the reasons and the term of the exemption or renewal.

6. Every municipality shall make available to the public, regardless of the volume or level of demand, if any, the following additional communications and services in the Inuit Language:

- (a) street signs, traffic signs and any maps that may be produced or procured by the municipality;
- (b) activities or services delivered by the municipality

6.(1) Every municipality shall make available the following additional communications and services in Inuktut, regardless of the volume or level of demand,

- (a) street signs, traffic signs and any maps that may be produced or procured by the municipality,
- (b) activities or services delivered by the municipality relating to the social welfare of individuals or the

In addition to members of the public, municipal employees, councillors and other stakeholders also require Inuktut services, notices and interpretation.

relating to the social welfare of individuals or the community;
(c) municipal notices to the public, by-law enforcement and ticketing;
(d) interpretation at public meetings and municipal council meetings;
(e) the other prescribed communications or services that the Commissioner in Executive Council considers to be essential as the result of their nature or consequences for individuals, for a community or for Nunavut as a whole.

community,
(c) municipal notices relating to any services provided by the municipality,
(d) by-law enforcement, ticketing and information relating to or notices issued pursuant to those by-laws, and
(e) interpretation at public meetings and municipal council meetings.

Previously paragraph 6(e).

6.(2) The Commissioner in Executive Council may, by regulation, designate

- (a) additional communications or services that municipalities must make available in Inuktitut, regardless of the volume or level of demand,
- (b) municipalities that are required to make all communications and services available in Inuktitut, regardless of the volume or level of demand, and
- (c) specific communications and/or services that must be made available in specific municipalities in Inuktitut, regardless of the volume or level of demand.

Regulations should be developed pursuant to this paragraph. The Government of Nunavut should conduct public consultations to understand better the areas where residents have encountered hurdles in accessing services, programs or activities offered by municipalities.

7. Documents, including notices or guidelines, directed to a municipality by the Government of Nunavut for public circulation, review or comment at the municipal level, shall be provided with Inuit Language translations.

Documents, including notices or guidelines, directed to a municipality by the Government of Nunavut for circulation, review or comment at the municipal level, shall be provided in Inuktitut or with Inuktitut translations.

Documents should be available in Inuktitut even if they are to be circulated among municipal employees, councillors, or other stakeholders and not to the public.

9. To address the preschool stage of learning, consistent with the significance of this developmental stage for language acquisition and revitalization, the Government of Nunavut shall promote early childhood Inuit Language development and learning involving children and their parents at the community level, and shall

The Government of Nunavut shall promote early childhood Inuktitut development and learning for children and their parents at the community level, and shall

- (a) develop and make available early childhood education materials and programs in Inuktitut,
- (b) monitor and evaluate the availability, use and outcomes of those materials and programs referred to in

Making early childhood education materials and programs available in Inuktitut and Inuinnaqtun will not only help preserve the languages but also provide a foundation for children to thrive in educational settings.

My office had recommended bringing this section into force in its 2015-2016 annual

<p>childhood education materials and programs in the Inuit Language; (b) monitor the availability, use and outcomes of the materials and programs referred to in paragraph (a); and (c) develop and implement the licensing standards, training, certification and professional development for child day care operators and staff under the <i>Child Day Care Act</i>, or other early childhood education providers, that are required to implement this section.</p>	<p>paragraph (a), and [...]</p>	<p>report. Despite the recommendation, nothing has been done to give effect to this section 9.</p>
<p>10. The Government of Nunavut shall develop and provide Inuit Language acquisition and upgrading materials and programs designed for adults who wish to learn or improve their proficiency in the Inuit Language both in community learning environments and through post-secondary education.</p>	<p>The Government of Nunavut shall develop and <u>make available Inuktitut learning materials</u> and programs designed for adults who wish to learn or improve their proficiency in <u>Inuktitut in community learning environments and post-secondary education institutions</u>.</p> <p>10.1 The Inuktitut learning materials and programs must be accessible to all in terms of cost, format, method of delivery and location.</p>	<p>Making Inuktitut language learning materials available to adults would not only reverse language loss but would also facilitate achieving the other objectives of the Act, because more professionals would be able to provide services in these languages. This section should come into force as soon as possible.</p>
<p>12(2) Every territorial institution shall</p> <p>(a) identify and implement measures to eliminate any barriers faced by individuals who prefer to speak the Inuit Language during recruitment or in the workplace; (b) identify and implement measures to increase the use of the Inuit Language as a working language of the institution; (c) in recruitment, ensure (i) that the job description includes a statement of the justified occupational requirements of the position relating to language, if any, and (ii) that applicants' assessed level of competence in the Inuit Language is a criteria that receives value in the assessment of his or her overall qualifications for the position; (d) except when skills in a language other than the Inuit Language are a justified occupational requirement of the position, make an active</p>	<p>Every territorial institution shall</p> <p>(a) identify and implement measures to eliminate any barriers faced by individuals who prefer to speak <u>Inuktitut</u> during recruitment or in the workplace, <u>including barriers to career advancement</u>, (b) <u>design</u> and implement measures to increase the use of <u>Inuktitut</u> as a working language of the institution, (c) in recruitment, ensure <u>that</u> (i) the job description includes a statement of the justified occupational requirements of the position relating to language, if any, and (ii) applicants' assessed level of competence in <u>Inuktitut</u> is a <u>factor</u> that receives value in the assessment of <u>their</u> overall qualifications for the position, (d) except when skills in a language other than <u>Inuktitut</u> are a justified occupational requirement of the position, make an active offer advising applicants that they may</p>	<p>The proposed addition at paragraph (a) is similar to section 39(1)(a) of the federal <i>Official Languages Act</i>, which refers to "equal opportunities to obtain employment and advancement".</p>

offer advising applicants that they may

(i) submit an application entirely in the Inuit Language, and

(ii) if selected for an interview, to have the job interview entirely in the Inuit Language;

(e) determine through an active offer made at the commencement of employment, whether the new employee prefers the Inuit Language as his or her language of work;

(f) if the Inuit Language is an employee's preferred language of work,

(i) ensure that management is able to communicate with and supervise the employee in the Inuit Language,

(ii) provide any performance appraisals in the Inuit Language,

(iii) promote Inuit Language networks, mentoring or other innovative means of facilitating the use and strength of the Inuit Language among those preferring to use the Inuit Language at work, and

(iv) accept grievances filed in the Inuit Language; and

(g) whether or not the Inuit Language is an employee's preferred language of work,

(i) offer Inuit Language training, upgrading and assessment of employees' competence in the Inuit Language,

(ii) ensure that employees seeking this training or upgrading are not prevented from registering or attending by routine duties of work, and

(iii) maintain records concerning the individual attainment and overall outcomes from the training and upgrading provided to employees.

(i) submit an application entirely in Inuktut, and

(ii) if selected for an interview, have the job interview entirely in Inuktut,

(e) determine through an active offer made at the commencement of employment, whether the new employee prefers Inuktut as their language of work;

(f) if Inuktut is an employee's preferred language of work,

(i) ensure that management is able to communicate with and supervise the employee in Inuktut,

(ii) provide any performance appraisals in Inuktut,

(iii) promote Inuktut networks, mentoring or other innovative means of facilitating the use and strength of Inuktut among those preferring to use Inuktut at work, and

(iv) accept grievances filed in Inuktut, and

(g) whether or not Inuktut is an employee's preferred language of work,

(i) offer Inuktut training, upgrading and assessment of employees' competence in Inuktut,

(ii) ensure that employees seeking Inuktut training or upgrading are not prevented from registering or attending the training or upgrading by routine duties of work, and

(iii) maintain records concerning the individual attainment and overall outcomes from Inuktut training and upgrading provided to employees.

12(3) To facilitate the use of the Inuit Language in the workplace, every territorial institution shall

(a) ensure that the management of the institution has, collectively, the capacity to function in the Inuit Language;

To give effect to subsection 12(2), every territorial institution shall

(a) ensure that its management is able to function collectively in Inuktut, and

(b) require individuals in managerial

(b) issue or display internal communication directed to its employees, collectively, in the Inuit Language in addition to any other languages used;
(c) promote the use of the Inuit Language in workplace communication generally, including interdepartmental and interagency communication; and
(d) acquire, when available, information technology systems that are appropriate to support the use of the Inuit Language.

positions to attend

- (i) Inuktitut language training, and
- (ii) training respecting Inuktitut language rights and obligations and Inuit culture.

12(4) To facilitate the use of the Inuit Language in the workplace, every department of the Government of Nunavut and public agency shall

- (a) deleted, 2nd Legislative Assembly, September 10, 2008;
- (b) in consultation with the Inuit Uqausinginnik Taiguusiliuqtiit as provided under paragraph 16(2)(d), develop the Inuit Language terminology and expressions required for the internal and external communications and functions of the department or public agency;
- (c) if the Inuit Uqausinginnik Taiguusiliuqtiit has issued a direction under paragraph 16(5)(b),
 - (i) use the standard Inuit Language as directed,
 - (ii) within a reasonable time, update the workplace and operational handbooks, manuals and similar tools used by employees in compliance with the direction, and
 - (iii) publish and facilitate the use of the standard Inuit Language terminology and expressions by employees and others.

12(4) To facilitate and promote the use of Inuktitut in the workplace, every territorial institution shall

- (a) issue or display internal communications directed to its employees collectively in Inuktitut in addition to any other languages used,
- (b) encourage the use of Inuktitut in all workplace communications generally, including interdepartmental and interagency communications,
- (c) acquire, when available, information technology systems that are appropriate to support the use of Inuktitut,
- (d) make available to employees all tools and working conditions they require to carry out their duties in Inuktitut, and
- (e) make available in Inuktitut
 - (i) all services that are provided to employees, individually and collectively, to support them in the performance of their duties, and
 - (ii) regularly and widely used work instruments produced by or on behalf of the territorial institution.

The proposed additions at paragraphs (d) and (e) are similar to provisions in the federal *Official Languages Act*.

12(4.1) To facilitate the use of Inuktitut in the workplace, every department of the Government of Nunavut and public agency shall

- (a) in consultation with the Inuit Uqausinginnik Taiguusiliuqtiit, the

Department of Culture and Heritage, and the public, develop the Inuktitut terminology and expressions required for the internal and external communications and functions of the department or public agency, and

(b) if the Inuit Uqausinginnik Taiguusiliuqtiit or the Department of Culture and Heritage has issued a direction under section 16(5)(b),

(i) use the standard Inuktitut as directed,

(ii) within a reasonable time, update the workplace and operational handbooks, manuals and similar tools used by employees in accordance with the direction, and

(iii) publish and facilitate the use of the standard Inuktitut terminology and expressions by employees and others.

Add the following provision.

12(4.2) Every territorial institution that has authority to direct, or provides services to, other territorial institutions has the duty to ensure that it exercises its powers and carries out its duties in relation to those other institutions in a manner that accommodates the use of Inuktitut by the employees of those institutions.

We have received concerns from employees of territorial institutions that they have not been able to communicate in Inuktitut with other territorial institutions. These concerns are currently inadmissible, and the proposed amendment would change this.

The proposed amendment is similar to section 37 of the federal *Official Languages Act*.

16(1) It is the duty of the Inuit Uqausinginnik Taiguusiliuqtiit to expand the knowledge and expertise available with respect to the Inuit Language, and to consider and make decisions about Inuit Language use, development and standardization under this Act.

The Inuit Uqausinginnik Taiguusiliuqtiit and the Department of Culture and Heritage shall work together to expand the knowledge and expertise available with respect to Inuktitut, and to consider and make decisions about Inuktitut use, development and standardization under this Act.

The Inuit Uqausinginnik Taiguusiliuqtiit could benefit from the resources of the Department of Culture and Heritage if they work together.

16(2) Without limiting the generality of subsection (1), the Inuit Uqausinginnik Taiguusiliuqtiit shall

(a) develop, through consideration of the oral

Without limiting the generality of subsection (1), the Inuit Uqausinginnik Taiguusiliuqtiit and the Department of Culture and Heritage shall work together to

(a) develop, through consideration

As noted above, the Inuit Uqausinginnik Taiguusiliuqtiit could benefit from the resources of the Department of Culture and Heritage if they work together. In addition, adding timelines to

traditions and usage, diversity and modern needs of the Inuit Language, standardized terminology or expressions in the Inuit Language;

(b) publish, promote and maintain a database of all the standardized terminology or expressions in the Inuit Language;

(c) develop and publish competency levels or standards of Inuit Language use or correctness, including with respect to any dialect of the Inuit Language in local use;

(d) on receiving a request from the Minister, the Languages Commissioner or an organization, consider proposed terminology, expressions, documents, standards, competency levels or communications in the Inuit Language and provide recommendations in response; and

(e) establish and administer, in accordance with applicable law, an award program to recognize outstanding achievement by an organization or individual in implementing the requirements of this Act or in contributing to the development, promotion or protection of the Inuit Language.

of the oral traditions and usage, diversity and modern needs of Inuktitut, standardized terminology, orthography and expressions in Inuktitut,

(b) publish, promote and maintain a database of all the standardized terminology, orthography and expressions in Inuktitut,

(c) develop and publish competency levels or standards of Inuktitut use or correctness, including with respect to any dialect of Inuktitut in local use,

(d) on receiving a request from the Minister, the Languages Commissioner or an organization, consider proposed terminology, orthography, expressions, documents, standards, competency levels or communications in Inuktitut and provide recommendations in response within six months of receiving the request, and

(e) establish and administer, in accordance with applicable law, an award program to recognize outstanding achievement by an organization or individual in implementing the requirements of this Act or in contributing to the development, promotion or protection of Inuktitut.

responsibilities set out in this Part will promote accountability. Collaborating with the Department of Culture and Heritage should make it easier to work in a timely manner.

Add the following provision.

16(2).1 If the Inuit Uqausinginnik Taiguusiliuqtiit does not provide a recommendation in response to a request of the Languages Commissioner within the period stipulated at paragraph 16(2)(d), the Languages Commissioner may retain another services provider to provide advice and recommendations and will be reimbursed for its expenditure from budgetary allocations of Inuit Uqausinginnik Taiguusiliuqtiit.

16(3) Without limiting the generality of subsection (1), the Inuit Uqausinginnik Taiguusiliuqtiit shall undertake and supervise research to support the work and performance of its duties, and shall

Without limiting the generality of subsection (1), the Inuit Uqausinginnik Taiguusiliuqtiit and the Department of Culture and Heritage shall work together to undertake and supervise research to support the work and performance of

- (a) document and preserve traditional or historic terminology, regional variants or dialects, expressions and accounts of the Inuit Language;
- (b) identify research requirements and deficiencies relating to the use, development, learning, linguistic structure, vitality or standardization of the Inuit Language;
- (c) undertake or supervise and publish research to address the requirements and overcome the deficiencies identified;
- (d) promote quality, coherence, balance, accessibility and the avoidance of duplication in the research;
- (e) share information with an organization, academic institution or individual, within or outside Nunavut, with the objective of expanding the available knowledge about and expertise in the Inuit Language, language development or standardization more generally; and
- (f) undertake or supervise research that the Minister or Executive Council may request.

their duties pursuant to this Part, and shall

- (a) document and preserve traditional or historic terminology, regional variants or dialects, expressions and accounts of Inuktitut,
- (b) identify research requirements and deficiencies relating to the use, development, learning, linguistic structure, vitality or standardization of Inuktitut,
- (c) undertake or supervise and publish research to address the requirements and overcome the deficiencies identified,
- (d) promote quality, coherence, balance, accessibility and the avoidance of duplication in the research,
- (e) share information with organizations, academic institutions and individuals, within or outside Nunavut, with the objective of expanding the available knowledge about and expertise in Inuktitut, language development or standardization more generally, and
- (f) undertake or supervise research that the Minister or Executive Council may request and complete such research within timelines stipulated by the Minister or Executive Council.

16(4) Without limiting the generality of subsections (1) and (3), the Inuit Uqausinginnik Taiguusiliuqtiit may collaborate with, promote or contribute to the work of an organization, academic institution or individual capable of expanding the knowledge and expertise available with respect to the Inuit Language, or supporting the work or any special projects of the Inuit Uqausinginnik Taiguusiliuqtiit.

Without limiting the generality of subsections (1) and (3), the Inuit Uqausinginnik Taiguusiliuqtiit and the Department of Culture and Heritage may collaborate with, promote or contribute to the work of any organization, academic institution or individual capable of expanding the knowledge and expertise available with respect to Inuktitut, or supporting the work or any special projects of the Inuit Uqausinginnik Taiguusiliuqtiit or the Department of Culture and Heritage pursuant to this Part.

16(5) The Inuit Uqausinginnik Taiguusiliuqtiit may

- (a) designate standard terminology, expressions,

The Inuit Uqausinginnik Taiguusiliuqtiit and the Department of Culture and Heritage may

- (a) designate standard terminology,

orthography, language or usage in the Inuit Language for

(i) use by an organization or in an area of activity to which this Act and the regulations apply, and

(ii) the communications of a department of the Government of Nunavut or public agency;

(b) direct a department of the Government of Nunavut or public agency to implement standard terminology, expressions, orthography or another standard language or usage in the Inuit Language that the Inuit Uqausinginnik Taiguusiliuqtiit has recommended; and

(c) undertake or supervise additional projects consistent with the duties of the Inuit Uqausinginnik Taiguusiliuqtiit that the Minister or Executive Council may request.

expressions, orthography, language or usage in Inuktitut for

(i) use by an organization or in an area of activity to which this Act and the regulations apply, and

(ii) the communications of a department of the Government of Nunavut or public agency,

(b) direct a department of the Government of Nunavut or public agency to implement standard terminology, expressions, orthography or another standard language or usage in Inuktitut that the Inuit Uqausinginnik Taiguusiliuqtiit or the Department of Culture and Heritage has recommended, and

(c) undertake or supervise additional projects consistent with the duties of the Inuit Uqausinginnik Taiguusiliuqtiit or the Department of Culture and Heritage pursuant to this Part that the Minister or Executive Council may request, within timelines set by the Minister or Executive Council.

17(1) In order to perform its duties under this Act, the Inuit Uqausinginnik Taiguusiliuqtiit may

(a) establish committees composed wholly or partly of its members, under the terms and conditions that the Inuit Uqausinginnik Taiguusiliuqtiit considers appropriate;

(b) conduct the reviews, hearings or meetings and receive the submissions or reports that the Inuit Uqausinginnik Taiguusiliuqtiit considers appropriate;

(c) develop, review, recommend or administer surveys or tests that evaluate Inuit Language proficiency for purposes including the certification of an individual's educational or employment skill or competency level in the Inuit Language;

(d) collaborate with an organization, the Languages Commissioner and any other person exercising powers or having duties under this Act;

(e) index or publish information

17(1).1 In order to perform its duties under this Act, the Inuit Uqausinginnik Taiguusiliuqtiit may

(a) establish committees composed wholly or partly of its members, under the terms and conditions that the Inuit Uqausinginnik Taiguusiliuqtiit considers appropriate; and

(b) advise or submit reports or recommendations to the Minister at its own initiative, concerning any matter within the authority of Inuit Uqausinginnik Taiguusiliuqtiit.

17(1).2 In order to perform their duties under this Part, the Inuit Uqausinginnik Taiguusiliuqtiit and the Department of Culture and Heritage may

(a) conduct the reviews, hearings or meetings and receive the submissions or reports that the Inuit Uqausinginnik Taiguusiliuqtiit and the Department of Culture and Heritage consider appropriate,

(b) develop, review, recommend or

concerning any matter within the authority of the Inuit Uqausinginnik Taiguusiliuqtiit; and
(f) advise or submit reports or recommendations to the Minister at its own initiative, concerning any matter within the authority of Inuit Uqausinginnik Taiguusiliuqtiit.

administer surveys or tests that evaluate Inuktitut proficiency for purposes including the certification of an individual's educational or employment skill or competency level in Inuktitut,

(c) collaborate with an organization, the Languages Commissioner and any other person exercising powers or having duties under this Act, and

(d) index or publish information concerning any matter within the authority of the Inuit Uqausinginnik Taiguusiliuqtiit or the Department of Culture and Heritage under this Part.

18. In exercising its powers and performing its duties, the Inuit Uqausinginnik Taiguusiliuqtiit shall, in addition to other factors that the Inuit Uqausinginnik Taiguusiliuqtiit may consider appropriate, have regard to and promote

In exercising their powers and performing their duties under this Part, the Inuit Uqausinginnik Taiguusiliuqtiit and the Department of Culture and Heritage shall, in addition to other factors they consider appropriate, have regard to and promote

(a) effective communications or service delivery practices in the Inuit Language;

(b) the progressive improvement and excellence of the teaching, use, quality and linguistic vitality of the Inuit Language at the individual and community level;

(c) the accelerated development of the Inuit Language, including the development of new terminology that is required for effective compliance with this Act;

(d) effective communication with and between users of an Inuit Language dialect or orthography; and

(e) the careful assessment and selection of those recommendations, measures or approaches that are most likely to be effective in accomplishing the duties of the Inuit Uqausinginnik Taiguusiliuqtiit and the wider objectives of this Act, and not likely to result in any disproportionate adverse impact on an individual or group.

(a) effective communications or service delivery practices in Inuktitut;

(b) the progressive improvement and excellence of the teaching, use, quality and linguistic vitality of Inuktitut at the individual and community level;

(c) the accelerated development of Inuktitut, including the development of new terminology that is required for effective compliance with this Act;

(d) effective communication with and between users of an Inuktitut dialect or orthography; and

(e) the careful assessment and selection of those recommendations, measures or approaches that are most likely to be effective in accomplishing the duties of the Inuit Uqausinginnik Taiguusiliuqtiit and the Department of Culture and Heritage under this Part, and the wider objectives of this Act, and not likely to result in any disproportionate adverse impact on an individual or group.

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19. In exercising its powers and performing its duties, the Inuit Uqausinginnik Taiguusiliuqtiit
- (a) may consult with the public or any organization or group likely to be impacted by a recommendation or approach under consideration by the Inuit Uqausinginnik Taiguusiliuqtiit in the manner that the Inuit Uqausinginnik Taiguusiliuqtiit considers appropriate and fair; and
- (b) shall consult, as required by Article 32 of the Nunavut Agreement and any other law, with any organization or group of Inuit, or any municipality likely to be impacted by a recommendation or approach under consideration by the Inuit Uqausinginnik Taiguusiliuqtiit.
- In exercising their powers and performing their duties under this Part, the Inuit Uqausinginnik Taiguusiliuqtiit and the Department of Culture and Heritage
- (a) may consult with the public or any organization or group likely to be impacted by a recommendation or approach under consideration by the Inuit Uqausinginnik Taiguusiliuqtiit or the Department of Culture and Heritage in the manner that the Inuit Uqausinginnik Taiguusiliuqtiit or the Department of Culture and Heritage considers appropriate and fair; and
- (b) shall consult, as required by Article 32 of the Nunavut Agreement and any other law, with any organization or group of Inuit, or any municipality likely to be impacted by a recommendation or approach under consideration by the Inuit Uqausinginnik Taiguusiliuqtiit or the Department of Culture and Heritage.
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23. (1) The Inuit Uqausinginnik Taiguusiliuqtiit shall, within nine months after the end of each fiscal year, prepare and submit to the Minister an annual report on the performance of its statutory duties and exercise of statutory powers, including the following information:
- (a) the activities of the Inuit Uqausinginnik Taiguusiliuqtiit during the preceding fiscal year;
- (a.1) copies or summaries, as the Inuit Uqausinginnik Taiguusiliuqtiit considers to be appropriate, of the reports or recommendations submitted or advice provided to the Minister under paragraph 17(1)(f), if any;
- (b) the results achieved;
- (c) an assessment of the strength or needs of the Inuit Language;
- (d) the priorities of the Inuit Uqausinginnik Taiguusiliuqtiit and any change of priorities made or anticipated in the interest of a more effective response to the needs of the Inuit Language;
- The Inuit Uqausinginnik Taiguusiliuqtiit shall, within nine months after the end of each fiscal year, prepare and submit to the Minister and the Languages Commissioner an annual report on the performance of its statutory duties and exercise of statutory powers, including the following information:
- [...]
- (2) The Department of Culture and Heritage shall provide such assistance as the Inuit Uqausinginnik Taiguusiliuqtiit requires in the preparation of its annual report.
- (3) The Minister shall cause the annual report of the Inuit Uqausinginnik Taiguusiliuqtiit to be laid before the Legislative Assembly as soon as is reasonably practicable.
-

(e) any other information that the Minister may require.

(2) The Minister shall cause the annual report of the Inuit Uqausinginnik Taiguusiliuqtiit to be laid before the Legislative Assembly as soon as is reasonably practicable.

27.1 (1) The following general principles and concepts of Inuit Qaujimajatuqangit apply in respect of the exercise of the powers and performance of the duties of the Languages Commissioner under sections 28 to 35 and section 37:

- (a) *Inuuqatigiitsiarniq* (respecting others, relationships and caring for people);
- (b) *Tunnganarniq* (fostering good spirit by being open, welcoming and inclusive);
- (c) *Pijitsirniq* (serving and providing for family or community, or both);
- (d) *Aajiqatigiinni* (decision making through discussion and consensus);
- (e) *Piliriqatigiinni* or *Ikajuqatigiinni* (working together for a common cause);
- (f) *Qanuqtuurniq* (being innovative and resourceful).

The following general principles and concepts of Inuit Qaujimajatuqangit apply in respect of the exercise of the powers and performance of the duties of the Languages Commissioner under 28 to 35 and section 37

[...]

(g) *Pilimmaksarniq* or *Pijariuqsarniq* (development of skills through practice, effort and action); and

(h) *Avatittinnik* *Kamatsiarniq* (respect and care for the land, animals and the environment).

The legislation should recognize all eight principles of Inuit Qaujimajatuqangit.

29. (1) An organization that is not a territorial institution may manage its compliance with this Act by means of an Inuit Language plan, which must include the following:

- (a) the organizational measures, policies and practices proposed for the communications with or delivery of services to the public that are required under this Act;
- (b) a schedule for giving effect to the measures, policies or practices;
- (c) an indication of the numbers of the organization's staff, if any, that are or will be fluent in

An organization other than a territorial institution may manage its compliance with this Act by means of an Inuklut Language Plan, which must include

[...]

(c) the number of staff, if any, that are or will be fluent in Inuklut and able to communicate with or deliver services to the public in Inuklut as required under this Act, and

(d) a plan for publicizing the Inuklut Language Plan and the availability of communications with or services to the public in Inuklut.

Language plans should be temporary measures for organizations that require a phased approach to full compliance.

the Inuit Language and able to communicate with or deliver services to the public in the Inuit Language as required under this Act; and
(d) the ways in which the organization will ensure that the Inuit Language plan and the availability of communications with or services to the public in the Inuit Language are publicized.

(2) The Languages Commissioner may provide or publish guidelines for additional information to be included in an Inuit Language plan.

(2) The Languages Commissioner may provide or publish guidelines for additional information to be included in an Inuktit Language Plan.

Add the following provision.

29(3) An Inuktit Language Plan must provide for progressive improvements in compliance at intervals of 24 months from its approval, or at such other intervals as directed by the Languages Commissioner, in order that the organization complies with this Act within a period of 5 years or less.

30. (1) An organization that is not a territorial institution may submit a proposed plan for communications with or services to the public in the Inuit Language to the Languages Commissioner for approval.

An organization other than a territorial institution may submit a proposed plan for communications with or services to the public in Inuktit to the Languages Commissioner for approval.

Application for Investigations

Complaints

31(1) A person may apply to the Languages Commissioner orally, or in another form that the Languages Commissioner considers to be satisfactory, for the investigation of concerns that, in the administration of an organization to which this Act applies,

- (a) a provision of this or any other Act or regulation relating to the use, promotion or protection of the Inuit Language has not been complied with; or
- (b) the spirit and intent of this Act has not been fulfilled.

A person may file a complaint with the Languages Commissioner orally or in writing that, in the administration of an organization to which this Act applies,

- (a) any provision of any Act or regulation relating to the use, promotion or protection of Inuktit was not or is not being recognized, or
- (b) the spirit and intent of this Act was not or is not being complied with.

The term "complaint" is stronger than "concern" and will be more meaningful to complainants.

The phrase "was not being or is not being complied with" mirrors wording in the federal *Official Languages Act*.

31(3) On the Languages Commissioner's own initiative, the Languages Commissioner may commence an investigation relating to the grounds for concern referred to in subsection (1). (3) The Languages Commissioner may, on their own initiative, commence an investigation if they have a concern that, in the administration of an organization to which this Act applies,

(a) any provision of any Act or regulation relating to the use, promotion or protection of Inuktitut was not or is not being recognized, or

(b) the spirit and intent of this Act was not or is not being complied with.

32. The Languages Commissioner may, at any time before or during an investigation,

Move to informal resolution section.

(a) engage an organization in the voluntary preparation or amendment of an Inuit Language plan; or

(b) use mediation or other means consistent with Inuit Qaujimajatuqangit in attempting to resolve concerns identified in an application or investigation.

33(1) No person shall discharge, suspend, expel, intimidate, coerce, evict, impose a pecuniary or other penalty on or otherwise discriminate against a person because that person applies for an investigation, gives evidence or assists in an investigation or the reporting of a concern to the Languages Commissioner.

No person shall

(a) discharge, suspend, expel, intimidate, threaten, coerce, evict, impose a pecuniary or other penalty on or otherwise discriminate against a person because that person

(i) files or assists in filing a complaint with the Languages Commissioner, or

(ii) gives evidence or otherwise assists in an investigation, of the Languages Commissioner, or

(b) obstruct the Languages Commissioner, or any person acting on behalf or under the direction of the Languages Commissioner, in the performance of the Languages Commissioner's duties or functions under this Act.

There is precedent for the proposed new paragraph (b) at paragraph 62(2)(b) of the federal *Official Languages Act*. It is necessary because some officials are not cooperative when under investigation.

33(2) (2) Every person who contravenes subsection (1) is guilty of an offence and is liable on summary conviction,
(a) if an individual, to a fine not exceeding \$5,000; and
(b) if a body corporate or

Remove this provision.

another body with legal capacity, to a fine not exceeding \$25,000.

INVESTIGATIONS

Evaluation of complaints

- 33.1 (1) On receipt of an application or request made regarding the administration of a territorial institution, the Languages Commissioner shall investigate in accordance with this section, sections 33.2 to 33.7 and 38 to 42.
- On receipt of a complaint made regarding the administration of an organization, the Languages Commissioner shall evaluate the complaint and determine if the complaint
- (a) is made in respect of an organization having language obligations under this Act, and
- (b) is made on the grounds set out at section 31(1).

-
- 33.1 (2) The Languages Commissioner may conduct a single investigation of two or more applications or requests, if he or she is satisfied that it is fair and reasonable in the circumstances to do so.
- Move to end of Evaluation of Complaints.*

-
- 33.2 (1) The Languages Commissioner may refuse to investigate or may discontinue an investigation if, in the opinion of the Languages Commissioner, any of the following situations exist:
- (1) The Languages Commissioner may refuse a complaint if the Languages Commissioner determines, following the evaluation, that
- (a) the complaint primarily affects an individual or individuals other than the complainant, and the directly affected individual or individuals do not wish to proceed,
- (b) all or part of the complaint or request may be dealt with and remedied, adequately and appropriately, under another Act or using another available procedure,
- (c) the complaint or request is frivolous, vexatious, not made in good faith or concerns a trivial matter,
- (d) the complainant has withdrawn or abandoned the complaint, or
- (e) the complaint has been resolved.
- (a) the concerns identified primarily affect an individual or individuals other than the applicant or party requesting an investigation, and the directly affected individual or individuals do not wish to proceed;
- (b) all or part of the concerns identified in the application or request may be dealt with and remedied, adequately and appropriately, under another Act or using another available procedure;
- (c) the application or request is frivolous, vexatious, not made in good faith or concerns a trivial matter;
- (d) the applicant or party requesting an investigation has

withdrawn or abandoned the application or request;
(e) the concerns identified in the application or request have been resolved.

(2) Before making a determination under subsection (1), the Languages Commissioner shall consider all relevant circumstances, including the possibility that a directly affected individual, an applicant or a party who requested the investigation may be reluctant to proceed or that an application or request may have been withdrawn, abandoned or represented as having been resolved because of an abuse or imbalance of power.

(2) Before making a determination under subsection (1), the Languages Commissioner shall consider all relevant circumstances, including the possibility that a complainant or other directly affected individual may be reluctant to proceed or that a complaint may have been withdrawn, abandoned or represented as having been resolved because of an abuse or imbalance of power.

(3) If the Languages Commissioner refuses to investigate or discontinues an investigation under subsection (1), the Languages Commissioner shall

(3) If, following the evaluation, the Languages Commissioner determines that the complaint does not satisfy the criteria set out at section 31(1), the Languages Commissioner shall refuse the complaint.

(a) inform the applicant or party who requested the investigation and such other affected persons as the Languages Commissioner considers appropriate of that decision at a time and in a manner that the Languages Commissioner considers appropriate; and

(b) provide a written confirmation to the applicant or party who requested the investigation and such other affected persons as the Languages Commissioner considers appropriate

(i) that the Languages Commissioner has refused to investigate or has discontinued an investigation under subsection (1), and

(ii) the date when the information required by paragraph (a) was provided.

(4) The Languages Commissioner, upon refusing a complaint, must notify the complainant in writing of the refusal and set out the reasons for same.

Previously s. 33.1(2).

The Languages Commissioner may conduct a single investigation of two or more complaints or concerns if satisfied that it is reasonable in the circumstances and that doing so best serves the administration of the Act.

In determining whether it best serves the administration of the Act, the Languages Commissioner may consider, without limitation,

- (a) the significance of the language rights engaged,
- (b) the repeated nature of language rights violations,
- (c) a failure to implement past recommendations of the Languages Commissioner, and
- (d) failure of the organization to comply with its Inuktitut Language Plan.

These amendments will provide guidance as to when it is appropriate to conduct a joint investigation.

The word concern is used here to indicate a situation where the Languages Commissioner initiates an investigation because of a concern that the Act or any law or regulation relating to the protection of Inuktitut is not being complied with or the spirit and intent of ILPA is not being respected.

Commencing an investigation

33.3 (1) If the Languages Commissioner decides to investigate, the Languages Commissioner shall

(a) before commencing the investigation,

(i) notify the Minister, the administrative head of the territorial institution affected and any other person the Languages Commissioner considers appropriate to notify in the circumstances, and

(ii) consult with the administrative head of the territorial institution affected and with any other person the Languages Commissioner considers appropriate, to attempt to resolve the concerns raised or for any other purpose; and

(b) before making a report or recommendation that may adversely affect a person or territorial institution, consult with that person or territorial institution.

Upon accepting a complaint made pursuant to subsection 31(1), or upon initiating an investigation pursuant to subsection 31(3), the Languages Commissioner shall notify

- (a) the administrative head of the territorial institution where the complaint or concern relates to a territorial institution,
- (b) the organization for a complaint or concern that relates to an organization other than a territorial institution, and
- (c) any other person the Languages Commissioner considers appropriate in the circumstances.

Combining investigations under one section whether they involve territorial institutions or other organizations will simplify the process.

33.3 (2) The Languages Commissioner is not required to hold a hearing and no person is entitled to be heard by the Languages Commissioner except as provided in this Act.

Move to formal investigation section.

Informal resolution

Previously s. 32.

33.3.1 The Languages Commissioner may, prior to commencing an investigation, or at any time during an investigation, recommend or use an informal resolution process, including

It will be helpful to clarify that there is flexibility to proceed by way of either formal or informal processes whenever the circumstances indicate that doing so will be more effective at resolving a complaint or bringing an organization into compliance.

(a) inviting an organization to voluntarily prepare and submit an Inuktit Language Plan, or

(b) mediation, consistent with Inuit Qaujimajatuqangit to resolve a complaint made pursuant to subsection 31(1).

The informal resolution process will be conducted confidentially.

33.3.2 The Languages Commissioner, prior to recommending or using an informal complaint resolution process, shall

(a) consult the complainant, if any, and either the administrative head of the territorial institution or the organization, as the case may be,

(b) obtain the consent and confidentiality undertakings of the complainant and either the administrative head of the territorial institution or organization,

(c) identify the issues that can be resolved through the informal resolution process; and

(d) engage, where appropriate, a third-party facilitator or mediator to carry out the informal resolution process.

33.3.3 The Languages Commissioner may, at any time, decide to suspend or terminate the informal resolution process and commence a formal investigation if

the Languages Commissioner, in their sole discretion, determines that

(a) the parties will not be able to resolve the complaint through an informal resolution process,

(b) compliance with this or any other Act or regulation relating to the status, use or protection of Inuktitut will not be satisfied through an informal resolution process, or

(c) the spirit and intent of this Act or the Official Languages Act will not be complied with through the informal resolution process.

33.3.4 The Languages Commissioner may, as part of the informal resolution process, establish such procedures as the Languages Commissioner considers appropriate to ensuring the resolution of the complaint or the concern.

Formal Investigation

33.3.5 The Languages Commissioner may, at any time after accepting a complaint, or initiating an investigation on their own initiative, commence a formal investigation.

Before commencing the formal investigation, the Languages Commissioner shall inform the administrative head of the territorial institution or the organization of their intention to carry out an investigation.

33.3.6 Investigations carried out by the Languages Commissioner under this Act shall be conducted confidentially.

For example, the Languages Commissioner will not share copies of notes from interviews with anyone outside the Office of the Languages Commissioner (except for advisors such as legal counsel who are bound by confidentiality obligations).

Procedures

33.3.7 The Languages Commissioner may determine the procedures to be followed in carrying out investigations under this Act.

Previously s. 33.3(2).

33.3.8 During an investigation, the Languages Commissioner is not required to hold a hearing and no person has the right to be heard by the Languages Commissioner. However, if at any time during an investigation the Languages Commissioner determines that a report or recommendation may adversely affect an individual or an organization, the Languages Commissioner shall, before completing the investigation, give that individual or organization an opportunity to respond to any allegations.

Investigation powers and procedures

Powers of Languages Commissioner to carry out investigations

33.4 Except as provided in this section, the Languages Commissioner may, during an investigation, request and obtain information from the persons and in the manner the Languages Commissioner considers appropriate, and may take one or more of the following actions without being bound by the rules of evidence or proceedings in civil cases:

- (a) enter and inspect premises occupied by a territorial institution at any reasonable time;
- (b) make the inquiries while in those premises that Languages Commissioner considers appropriate, including talking in private with any individual on a voluntary basis;
- (c) request and examine information, records and objects, make or require copies or take photographs that the Languages Commissioner considers relevant to the concerns under investigation;
- (d) accept or exclude any information or evidence as the Languages Commissioner considers appropriate, whether or not it would be admissible or excluded in a civil case.

(2) Subject to giving reasonable notice, the Languages Commissioner may

(1) The Languages Commissioner has, in carrying out an investigation under this Act, and without being bound by the rules of evidence or proceedings in civil cases, the power

- (a) to enter premises occupied by a territorial institution at any reasonable time and to inspect these,
- (b) to make inquiries orally or in writing of any person who may have information that is relevant to the investigation,
- (c) to summon and enforce the appearance of any person as a witness and compel them to give oral or written evidence on oath or solemn affirmation,
- (d) to compel any person to produce any records, documents or things in their possession or control, and
- (e) to administer the oath or affirmation under paragraph (c).

It is necessary to update the wording of the Languages Commissioner's powers so that it is clear. The proposed wording is consistent with powers of commissioners in other jurisdictions.

in the course of an investigation

(a) summon and enforce the appearance of a person as a witness;

(b) administer oaths and affirmations;

(c) compel a person to give evidence on oath or affirmation, including by way of an affidavit, at a time and place the Languages Commissioner specifies; and

(d) compel a person to produce documents and things in the person's possession or control that the Languages Commissioner considers relevant to the concerns under investigation, at a time and place the Languages Commissioner specifies.

(3) In exercising the powers under subsections (1) and (2), the Languages Commissioner has the same powers and duties as are vested in a court of law in civil cases.

Previously s. 33.4(d).

33.4(2) The Languages Commissioner may accept or exclude any information or evidence as the Languages Commissioner considers appropriate, whether or not it would be admissible or excluded in a civil case.

Failure to appear when summoned

33.4(3) No person shall

(a) fail, without valid excuse, to appear, upon being summoned pursuant to paragraph 33.4(c),

(b) fail to produce a record, document or thing upon being required pursuant to paragraph 33.4(d) to produce that record, document or thing in their possession,

(c) refuse to be sworn or to affirm, or

(d) refuse to answer any question or inquiry put to them by the Languages Commissioner.

Complaint substantiated

37. (1) If, after carrying out an investigation regarding the administration of an organization that is not a territorial institution, the Languages Commissioner considers that a concern under investigation is substantiated, the Languages Commissioner may

- (a) recommend the specific measures, policies and practices that an organization may undertake in order to comply with this Act;
- (b) direct an organization to inform the Languages Commissioner within a specified time of the action taken or proposed to correct its practices;
- (c) if no action is taken within the time specified under paragraph (b), use the powers set out in subsections 36(2) and (3) to summon and enforce the appearance of a person, and compel the person to produce documents, things or evidence;
- (d) publish information about an organization, including measures recommended under paragraph (a) or information received under paragraph (b) or (c); and
- (e) apply to the Nunavut Court of Justice for a remedy under subsection 39(1) and include in the Languages Commissioner's application an affidavit containing the Languages Commissioner's findings and the recommendations, if any, that the Languages Commissioner considers appropriate.

(1) If, after carrying out an investigation of a complaint or concern, the Languages Commissioner considers that a complaint or concern is substantiated, the Languages Commissioner may

(a) if the complaint or concern involves an organization other than a territorial institution,

(i) recommend specific measures, policies and practices to be taken,

(ii) direct an organization to inform the Languages Commissioner within a specified time of the action taken or proposed to correct its practices

(iii) publish information about an organization, including the measures recommended under paragraph (a) or the information received under paragraph (b) ~~or (c)~~, and

(iv) if no action is taken within the time specified under paragraph (a)(ii), apply to the Nunavut Court of Justice for a remedy under subsection 40(1) and include in the Languages Commissioner's application an affidavit containing the Languages Commissioner's findings and the recommendations, if any, that the Languages Commissioner considers appropriate, or

(b) if the complaint or concern involves a territorial institution,

(i) submit a report to the administrative head, and any other person the Languages Commissioner deems appropriate in the circumstances, setting out the conclusions and recommendations of the Languages Commissioner,

(ii) refer the matter to the territorial institution for consideration or action based on the recommendations within a specified time, and

(iii) if no action is taken that the

The Qikiqtani General Hospital systemic investigation. For broader systemic issues one year may not be sufficient, and an annual update from a department or organization can be considered.

Languages Commissioner considers adequate or appropriate within the time specified under paragraph (b)(ii), the Languages Commissioner may

(A) prepare and submit an investigation report to the Speaker of the Legislative Assembly, and

(B) apply to the Nunavut Court of Justice for a remedy under subsection 40(1) and include in the Languages Commissioner's application an affidavit containing the Languages Commissioner's findings and the recommendations, if any, that the Languages Commissioner considers appropriate.

(2) The Languages Commissioner shall in every case

(a) at a time and in a manner that the Languages Commissioner's considers appropriate and consistent with section 38, inform the applicant and such other affected persons as the Languages Commissioner considers appropriate of the Languages Commissioner's findings and the powers exercised under subsection (1); and

(b) confirm in writing to the applicant and such other affected persons as the Languages Commissioner considers appropriate

(i) that the Languages Commissioner has concluded the investigation; and

(ii) the date when the information required by paragraph (a) was provided.

(2) The Languages Commissioner shall in every case in which a complaint has been filed pursuant to subsection 31(1) notify the complainant in writing of the Languages Commissioner's findings and the powers exercised under subsection (1).

Complaint not substantiated

37(1).2 If, following an investigation, the Languages Commissioner determines that the complaint or concern is not substantiated, the Languages Commissioner shall inform in writing the complainant, if any, and the organization or the administrative head of the

territorial institution, as the case may be, and may inform any other persons as the Languages Commissioner deems appropriate.

-
40. (1) The Languages Commissioner may
- The Languages Commissioner may
- (a) apply to the Nunavut Court of Justice for a remedy within the time limit established by subparagraph 39(2)(a)(ii) only after obtaining, in writing, the consent of an applicant;
 - (b) appear before the Nunavut Court of Justice on behalf of a person who has applied under subsection 39(1) for a remedy; or
 - (c) with leave of the Nunavut Court of Justice, appear as a party to a proceeding under subsection 39(1).
- (a) apply to the Nunavut Court of Justice for a remedy within the delays established by subparagraph 39(2)(a)(ii) with the written consent of the complainant, if any,
 - (b) [...]
 - (d) apply to the Nunavut Court of Justice for a remedy pursuant to section 33(1),
 - (e) apply for a remedy in the event of the non-respect of any order of the Languages Commissioner pursuant to subsection 33.4.

Previously s. 3(5).

40.1(1) The Languages Commissioner, after receiving a submission pursuant to section 29 or a complaint pursuant to section 31(1), or investigating a concern pursuant to section 31(3), and the Nunavut Court of Justice, after receiving an application pursuant to section 39, may relieve a private sector body of an obligation that would otherwise be required under this Act and substitute a less onerous requirement for communication or services in Inuktitut, if

- (a) the private sector body is established for purposes relating primarily to the heritage, expression, strengthening or promotion of a non-Inuit linguistic or cultural community; or
- (b) satisfied that compliance with this section on the part of the private sector body would otherwise result in undue hardship.

For the purpose of this provision, “undue hardship” means excessive hardship as determined by evaluating the adverse consequences of an obligation with reference to such factors as

An exemption on the basis of undue hardship should be a temporary measure to give organizations time to develop the capacity to comply with their obligations to provide services in Inuktitut.

-
- (a) health and safety,
 - (b) any significant impairment of important objectives, functions or activities of a private sector body,
 - (c) an adverse impact on contractual obligations, and
 - (d) the size, efficiency or viability of a private sector body.

40.1(2) An exemption granted pursuant to paragraph 40.1(1)(b) may not exceed 24 months. The exemption may be renewed if the Languages Commissioner or the Nunavut Court of Justice decides that a renewal is warranted based on fresh evidence of undue hardship, provided that the renewal does not exceed 24 months.

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የግብርና ስራ ለማረጋገጥና ለማሻሻል ስራ ለማስፈጸም

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ርዕይ ልማት ለግብርና ስራዎች s. 3(3)

3(3) ደንብ ለማውጣት

(a) ርዕይ ለግብርና ስራዎች ለማውጣት ለማስፈጸም ለግብርና ስራዎች ለማስፈጸም ለግብርና ስራዎች ለማስፈጸም

(b) ርዕይ ለግብርና ስራዎች ለማውጣት ለማስፈጸም ለግብርና ስራዎች ለማስፈጸም ለግብርና ስራዎች ለማስፈጸም

ርዕይ ለግብርና ስራዎች ለማውጣት ለማስፈጸም ለግብርና ስራዎች ለማስፈጸም ለግብርና ስራዎች ለማስፈጸም

3(5) ለግብርና ስራዎች ለማውጣት ለማስፈጸም ለግብርና ስራዎች ለማስፈጸም ለግብርና ስራዎች ለማስፈጸም ለግብርና ስራዎች ለማስፈጸም

ርዕይ ለግብርና ስራዎች ለማውጣት ለማስፈጸም ለግብርና ስራዎች ለማስፈጸም ለግብርና ስራዎች ለማስፈጸም

(a) ለግብርና ስራዎች ለማውጣት ለማስፈጸም ለግብርና ስራዎች ለማስፈጸም ለግብርና ስራዎች ለማስፈጸም ለግብርና ስራዎች ለማስፈጸም

(b) ለግብርና ስራዎች ለማውጣት ለማስፈጸም ለግብርና ስራዎች ለማስፈጸም ለግብርና ስራዎች ለማስፈጸም ለግብርና ስራዎች ለማስፈጸም

4(1) ለግብርና ስራዎች ለማውጣት ለማስፈጸም ለግብርና ስራዎች ለማስፈጸም ለግብርና ስራዎች ለማስፈጸም ለግብርና ስራዎች ለማስፈጸም

4(1).1 ለግብርና ስራዎች ለማውጣት ለማስፈጸም ለግብርና ስራዎች ለማስፈጸም ለግብርና ስራዎች ለማስፈጸም ለግብርና ስራዎች ለማስፈጸም

(a) ለግብርና ስራዎች ለማውጣት ለማስፈጸም ለግብርና ስራዎች ለማስፈጸም ለግብርና ስራዎች ለማስፈጸም ለግብርና ስራዎች ለማስፈጸም

**Tujuutigijaujut hapkununga Tikkuqaqtauhimajut Katimajiit Maligaliuqhimajuq
Ihivriuqtauningat *Inuit Uqauhinginnut Tammaqtailinirmut Maligaq***

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I. ATIA MALIGALIUQHIMAJUQ

"Inuit Uqauhingnut Tammaqtailinirmut Maligaq" ("ILPA" uinaluuniit "Maligaq").

II. TUJUQTUQ TUJUUNMIK

Havagviat Uqauhiliqinikkut Kamisina Nunavutim

Inuit Uqauhingnut Tammaqtailinirmut Maligaq (ILPA) naunaiqhijut anginiqarnianik Inuit uqauhiit aturninganik Inuit pitquhiinnik pinahuaqtainniklu Uqauhiliqinikkut Kamisina havaktukhaq qanuriliurutikhaniklu maliqajakhainik pijanginni pilaarutit, qanurinninga imaalu pidjutikhangit piliuqtauhimajut Maligarmut pidjutiqaqtunik Inuit Uqauhiinik ilitarijauhimajut havaktaujanginnilu.¹ Pitqujauhimajut umani tujuutauhimajumi turaaqhimajut kiudjutinun ihumaaluutinun pijauhimajut Uqauhiliqinikkut Kamisinamin uvalu ajuqhautainut Havagvia Uqauhiliqinikkut Kamisinamin atuqtait aturiangani una ILPA.

III. QANURINNINGA TUJUUTIGJAUJUT

Una tuniqhaininnga piliuqhimajuq malruungnik ilangingnik. Ilanga A naunaiqtaa huuq aadlangurninnga uuminnga ILPA ihariagijaujuq naunairiami pigiami tikinnahuarutingit, unalu Ilanga B tunijuq ihuaqtuq taininngit tukhiqtauhimajut uumunnga Inuit Uqaqtikhaanik Tammangmat (ILPA).

ILANGA A: IHARIAGIJAUNINNGA AADLANGURIAMI

1. Kangiqhidjutikhat

Inikhaqaqtuq ihuaqhivaaliriangani naunaitiarninganik tukiliurutitlu havauhiinik, havaarijainiklu aturiaqaqtainniklu ihumagijaujut uvani Inuit Uqauhingnut Tammaqtailinirmun Maligaq ILPA. Angijumik ihuaqhaqtaujut tunngavinganut, ILPA's taininnga iluani ittutlu ihariagijaujut pipkaidjutigiami iniqtirlugit pidjutikhangit.

2. Qangaraalungnitat Pitqujauhimajutlu Ihivriuqtaujariaqaqtuq

Ukua ILPA pijait angirutit uvani 2008, tamavjaita iluaniitut hapkua Maligat atuqtauliqtut.² Inuit Uqauhingnut Tammaqtailinirmut Maligaq (ILPA) pitqujait Maligaliurvingmi hanaqilutik qakugungurangat ihivriuqhidjutikhanik titiqqiqinikkut atulirnikhanutlu, ihuarninginik tuniqhaininngit imaalu iniqtiutikhangit pinahuaqtatik. Hivulliqaamik ihivriuqtauhimajuq

¹ *Inuit Uqauhingnut Tammaqtailinirmun Maligaq*, CS Nu, c I-140 [ILPA], s. 28.

² Titiraqhimajut uvani 9 uvani 10 haffumani ILPA, *ibid* pidjutiqaqtut nutarannuat Ilihalihaaqtut ilihautikhait ukualu inirniit ilihautikhait, tadsa atuqtaungittut.

havaktaujuq ukiungani talvannga Apitilirivia 18, 2014, ihivriuqtauhimaittuq talvangaanit huli.³ Una hivulliqpaanguniaqtuq naunajainiq uuminnga ILPA nakuuninnga.

3. *Maliqajakhainik tapkununga Tikinahuarutainut*

Inuit Uqauhingnut Tammaqtaiinirmun Maligaq (ILPA) pinahuaqtait ilaujut, aallanit hunanit, munariplugit imaalu akhuuqhaiplutik ihuaqtunik iamigaitpiaktunitlu aturnikhanik Inuit Uqauhiinik. Tamnalu, Inuit Uqauhingnut Tammaqtaiinirmun Maligaq (ILPA) naunaiqtaat Inuit Uqauhiit uqauhirijakhat iliharvingni, havagvingni kivgaqtuidjutikhat.⁴ Pijaangani una Inuit Pitqujanginnik Munaqhivingmi Maligaq (ILPA) pijanginni tapkuat pinahuaqtait imaalu naunaittumik ilitturijanginni tapkuat naunaiqtauhimajut, ILPA ihuaqhaqtaujukhat ihuaqhautikhanik ajuqhautaujut Nunavunmiut ublumi.

Qanurinia Inuktut Nunavunmi atuqtaulluaruiliqtuq talvanga tamna ILPA atuliqtaungmata. Akunngani ukiut 2016 unalu 2021, amigairningit Kihitaujut kiuvakhimajut Nunavumi tikuaqhijut Inuktut uqauhirijamingnik ikikligiaqhimagut 63.3% uvunga 52.9%.⁵ Unalu, pusantnga Nunavummiut atuqtut Inuktut ilaani havagvingmini mikhijut uumannga 26.3% 2016 uumunnga 18.8% uvani 2021.

Qaffiujut tahapkuat uqaqtut atuqtut Inuktitut ikiglivaliajut, qaffiujut atuqtut Inuinnaqtun ilaani havagvingmi ikiklijuumiqtuq 25 uvunga 10.⁶

Aadjikutaa 2021 naunajainiq unniudjut naunaiqtaa 41.4% pusantIngaugut Nunavunmiut uqaqtut atuqtut Inuktut aihimaliraangamik, taimaa 18.8% pusantingaugut uqaqtut atuqtut Inuktut ilaani havagvingmini.⁷ Hapkuat nampangit naunaiqtaa Inuktut uqauhingungittuq havaamut.

4. *Iniqtirutit*

Inuit Uqauhingnut Tammaqtaiinirmun Maligaq (ILPA) havaarijait munarittiaqhugit, akhuuqhaiplutik ihuaqhijumirnaqtumik Inuit uqauhiinik pitquhiiniklu. Kihimi, ihuatqijaujukhaq pijaangani tikinahuagutitik. Aallan'nguqtirniit pitqujatka Ilanga B ikajungniaqtut higumaplugu.

³ ILPA, *ibid*, s 43.

⁴ ILPA, *ibid*, naunaitkut.

⁵ [Naunajainiq Naunaitkutaq, 2016 Naunajainiq - Nunavut \[Aviktuqhimajuq\] unalu Kaanatami \[Nunarjuanga\] \(statcan.gc.ca\)](#) [2016 Naunajainiq Naunaitkutaq]; [Naunaitkutaq naunaitkutinga, Naunajainiq Naunaitkutaq, 2021 Naunajainiq Amihuuninngit - Nunavut \[Avikturina \(statcan.gc.ca\)\]](#) [2021 Naunajainiq Naunaitkutinga]. Talvulluarli, atauttimut nampait Inuit uqauhiannik uqajuktut Nunavunmi 22,600 uvani 2016, piqaqtuq 22,070 Inuktitut uqajuktut, 495 Inuinnaqtun uqajuktut, 30 aadlat Inuit uqauhiannik uqajuktut, 19,370 uvani 2021, piqaqtuq 19,130 Inuktitut uqajuktut, 230 Inuinnaqtun uqajuktut, 10 aadlat Inuit uqauhiinik uqajuktut.

⁶ *Ibid*.

⁷ *Ibid*.

ILANGA B: TUKHIUTIT TAIDJUIKHAINIK TAINIKHAINIK

Hivulliqpaamik pidjutauhimajut, naunaiqtara ilaupkainirmik uqauhiit taimatut "tapkua" unalu "piutingit" himmautigijakharaluangit "angutaugumi", "arnaugumi", unalu "piutinga angutaugumi" unalu "piutinga arnaugumi" tainingit tamatkiumajumik uvani Maligarmi, unalu taininga "ihuigijaujuq" himmautikhaa "ihumagijaujuq" tamainni tuniqhaininngit pidjutaujunut talvunga ihivriurutainut aullaqtitaulunni Uqauhiliqinikkut Kamisinamit. Atuqujatkalu ihuaqhaqtaujut naliinun tuniqhaininngit ihuaqhaqhimajut ataani.

Tadjamin Tuniqhaininnga	Ihuaqhaqtaujukhat	Pidjutaujut
<p>1. KANGIQHIDJUTIKHAIT</p> <p>a) "kavamatkunni havagviujut" imaatut tukiqaqtuq, kihimi tunijaukpat maliruagakhamit, timiqtaujuun ukua</p> <p>(a) havaktauhimajut maligaujut Nunavunmi,</p> <p>(b) pidjutiqaqtuq atugakhanik Ministamin unaluuniin Ministat Katimajiit, unalu</p> <p>(c) naunaiqtauhimajut imaatut kavamatkunni havagviujut ataani titiraqhimaininnga 1(1) uumani <i>Kiinaujalirinirmut Auladjutainnut Maligaq.</i></p>	<p>"kavamatkunni havagviujut" imaatut tukiqaqtuq, kihimi tunijaukpat maliruagakhamit, timiqtaujuun ukua</p> <p>(a) havaktauhimajut maligaujut Nunavunmi, <u>unalu</u></p> <p>(b) <u>imaaluniit</u></p> <p>(i) pidjutiqaqtut atugakhanik Ministamin unaluuniin Ministat Katimajiit, <u>unaluuniit</u></p> <p>(ii) naunaiqtauhimajut imaatut kavamatkunni havagviujut ataani titiraqhimaininnga 1(1) uumani <i>Kiinaujalirinirmut Auladjutainnut Maligaq;</i></p>	<p>Una ihuaqhautinga naunairniaqtuq kitumun kavamatkunni timiqtaujuun tamna Inuit Uqauhingnut Tammaqtaainirmun Maligaq (ILPA) atuqtakhaq imaatut Maligaq ilaupkainirmik.</p>
<p>b) "aviktuqhimajumi havagviit" tukiqaqtuq</p> <p>(a) Nunavut Kavamanga,</p> <p>(b) maligaliqijjin unaluuniit apiqhuivingnut timiqtaujuun,</p> <p>(c) Maligaliurvingmi, unalu</p> <p>(d) kavamatkunni havagviujut.</p>	<p>"aviktuqhimajumi havagviit" tukiqaqtuq</p> <p>(a) [...],</p> <p>(e) <u>timiqtaujuun piliuqhimajut malikhugu Nunavut Nunataarnikkut Angiqatigiigutaa, unalu</u></p> <p>(f) <u>kitutliqaak timiqtaujuun unaluuniin havagviit havaktauhimajut havaktukhat kavamatkut auladjutait imaatut unaluuniin maliklugit maliganut Nunavut unaluuniin ataani ataniudjutaani hapkua Ministat Katimajiit,</u></p>	<p>Una nuutaanguqtiqhimajuq aulahimajuq naunaitumik aviktuqhimajumi havagviit talvuuna nallaumajunik ukpigijainik talvani Inuit Uqauhingnut Tammaqtaainirmun Maligaq (ILPA) havagviujunilu atuqtaujuukhaq.</p> <p>Tamna tukhiqtauhimajuq nutaaq titiraqhimajuq (f) aadjikkiivjaktuq uqauhiliqinikkut uvani</p>

1(2)	Kihiani turaagaujumi Inuit Uqausinginnik Taiguusiliuqtiit ilagani titiraqhimajumi 16(5)(b), "Inuit Uqauhiinik" tukiqaqtuq, (a) hamani hanianiluniit Qurluqtuumi, Iqaluktuutiami, Qigaungmi, Umingmaktuumilu; Inuinnaqtun; (b) hamani hanianiluniit aalat hamliujuni, Inuktitut; unalu (c) tamangnik Inuinnaqtut Inuktitutlu Kamisinap uvani Ministat Katimajini maliruatiqut, aturiaqaqtitininga agirutaunialuniit.	<u>"Inuktitut"</u> tukiqaqtuq <u>(a) tamainni Nunavunmi, Inuktitut, unalu</u> <u>(b) uvani Kugluktuk, Iqaluktuutiaq, Qingauk unalu Umingmaktuug, ilaujurlu Inuinnaqtun;</u>	Una tukihidjataa tunihijuq tukihidjutimik nallaumajumi piliuqtauhimajunik hapkunanga Inuit Tapiriit Kanatami ilitariplugillu tamangnik Inuktitut unalu Inuinnaqtun.
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Ilaliutilugu nutaaq titiraqhimaninnga

1(2).1 Titiraqhimajut titiraqtaujuqhat Inuktitut malikhugu una Maligaq titirauhiinik qaniujaqpait imaalu/imaaluuniit Qaliujaqpait.

Ilaliutilugu nutaaq titiraqhimaninnga

1(2).2 Titiraqhimajut titiraqtaujuqhat Inuinnaqtun malikhugu una Maligaq titirauhiinik Qaliujaqpait.

Ilaliutilugu nutaaq titiraqhimaninnga.

1(2).3 Pingitkuaqhutik titiraqhimaninnga 1(2).1 unalu 1(2).2, Kamisinap Ministait Katimajit pittaaqtut, maligakhanut, piliurlutik aallanik titirauhikhanik ihuaqtunik.

1(3)	Aturnikhanik Inuinnaqtun, una Maligaq numiktitiqtauniaqtuq iimaalu atuliqtauluni taimaa aadjikkiirktumiklu hivullitijakhanut uumunnga (a) atuliqpalianiranun Inuinnaqtun; unalu	Aturnikhanik Inuinnaqtun, una Maligaq numiktitiqtauniaqtuq iimaalu atuliqtauluni taimaa aadjikkiirktumiklu hivullitijakhanut uumunnga (a) atuqpaalirianinga Inuinnaqtun, unalu
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	(b) ihuaqhijuumiqitut pijaangnirit tuhaqtidjutit, kivgaqtuutikharnik, ilihaidjutit uvalu Inuit Uqauhiinik pinahuarutit Inuinnaqtun, ataani titiraqhimajumi 3 uvunga 10, nunallaani humi Inuinnaqtun nunaqaqqaagtut.	(b) ihuaqhijuumirlugit pijaangnirit tuhaqtidjutit, kivgaqtuutikharnik, ilihaidjutit <u>uvalu pinahuarutit Inuinnaqtun, humi Inuinnaqtun uqaqtaujut.</u>	
2(2)	Tuniqhaininnga titiraqhimaninga ukua 3 uvunga 13 aallangangpat uumannga ihuidjutaukpat tuniqhaininnganik uuma Maligaaq ahianit uumannga <i>Inungnun Pilaarutainut Maligaaq</i> , tuniqhaininnga uuma Maligaaq hakugitqijaujuq.	Kitutliqaak tuniqhaininnga <u>uma Maligarmi</u> ihuangitpat unaluuniin ihuigijajumik tuniqhaininnga Maligarmi aalanin haffumani <i>Inungnun Pilaarutainut Maligaaq</i> , tuniqhaininnga uvani Maligaaq hakugingniqaqtuq.	Una ihuaqhaqtaujut naunairutiqaqtuq Inuit Uqauhingnut Tammaqtaainirmun Maligaaq (ILPA) anginiqaqtumik kavamatuqatkut, ukiuqtaqtumi, unalu Inuit tikinahuqtaqhangit tikinnahuqtaqhatik ihuaqhaqhimajut naunaikhimajut talvani naunaijagiikhimajunik imaalu taima ILPA quviagijakhait auladjutikhanik talvani maligaujunut. Taimaali, akhuungnaqtuq tapkua tamaita iluaniitut haffumunga Iitarijahimajut Uqauhikkut Maligaaq OLA hakugingniqaqtuq aalanin maliganin, kihimi una <i>Inungnun Pilaarutaitigut Maligaaq, kihimi una</i> Inuit Uqauhingnut Tammaqtaainirmun Maligaaq (ILPA), uqaqqat.
2(3)	Kihiani tunijaukpat uvani titiraqhimaninga (2), hunaliqaa uvani Maligarmi ihumagijaulimagituq akturniarmat ihuaqtumik maligaliqinikutluniit qanuriliniganik tuhaumajutinik ikajuutiluniit inungnut, uvaluniit kituliqaa makpiraami upijutimiluniit pigiarunmiluniit, una Maligaaq atuqtaujuqhaq.	Kihiani tunijaukpat titiraqhimaninga (2), piittuq uumani Maligaaq ihumagijaulimaittuq ajuqhaqtipkaijuq ihuaqtumik maligatigutluuniit pipkaidjutijuq uqaqatigiingnirmut ikajuutikhamikluuniit inungnut, <u>unaluuniit kituliqaak titiraq qanuriliurutingitluuniit una Maligaaq atuqtaujuqhaq.</u>	Naunaingittuq humik taininnga "pipkaidjutinga" ilaliutijuq nutaami tuniqhaininngani.
3(1)	Tamaita timiqutigijaujut piniaqtut, maliklugu una titiraqhimaninga maliktakhangillu, piqaqqat, (a) takupkaktakhait inmik inungnun naunaitkutikhat, ukuallu qilamiurutinun anivikhanullu titiraqhimajun, pilugin Inuit uqauhiatigun	<u>3(1).1 Tamaat timiqutigijaujuq qun'ngiaqtitiniagtut naunaitkutanik naunaipkainiq inungnut,</u> unalu qilamiuqtuqaliqqat unalu aninahuarumik naunaitkutingit, <u>Inuktut</u> atauttikkut aadlanut uqauhinga atuqtaujuq. <u>3(1).2 Tamainnut timiqutigijaujut qun'ngiarvikhaq tunilugillu nivingajut</u>	Piumalluangittuq munarigiami aadlatqiiktut uqauhinga uqariijaqtamingnik inmikkut aadlangangmat. Una pipkaidjutauniaqtuq nakuutqiamik naunaijarlugu pijakhat uvalu pilaarutit. Unalu, ihariagijuuq Inuktut titiraqhimaninga naunaitkutat

tamangmik aallatun
uqauhirmun atuqtainun;
(b) tautuktaujuq tunilugillu
nivingajukhanik
nanminiaqtullu
tautuktipkainikkut, piqaqqat,
talvani Inuit Uqauhiinik
atauttikkut qujanginnani
uqauhini atuqtajun;
(c) naunaiqtakhaillu Inuit
Uqauhinganik titiraqhimaniga
inungnut naunaitkutat
nivingajullu ihuaqtuq aadla
uqauhiq atuqtajun; unalu
(d) tunihilutik, Inuit Uqauhiinik,
titiqijit kivgaqtuutikharnik
ukualu qujanginaq inungnut,
kivgaqtuutait piinarialingnik
tamainun inungnut.

unalu maniliurnirmut naunaipkainiq
Inuktut atauttikku aadlanut uqauhinga
atuqtajun.

Pijutaujunik uumunga ilangani,
"qaujiharnigit takuupkaijutit" tukiqaqtuq
uqauhirnik titiraqhimajumikluniit
tuhaumajutinik turaagaujunik
niuviktijunik Nunavumi
atuqtitaaliriagani hanahimajut
kivgaqtuutikharnik.

3(1).3 Tamaat timiqutigijaujuq
tuniniaqtuq titiraqtinga havaangit
kituniklu niuviqtut
ikajuqtaujuumajunutluuniit
kivgaqtuutikharnik piinariala
qihimajut inungnut Inuktut.

3(1).4 taimaa tuhaqtipkainiq
naunaiqhimajunq uumani
titiraqhimaninngani 3(1) titirarumi,
Inuktut titiraqhimaninnga
titiraqtaujuqhaq.

Inuktut titiraqhimaninnga
titiraqhimajumik titiraqhimajut
naunaiqhimajunq uumani
titiraqhimaninngani 3(1) pijukhajut

- (a) kangiqhimadjutikkut,
- (b) aturlugu Inuktut Titirauhikhanik
atuqtakharnik, unalu
- (c) naunaittuq titiraqhimaninnga
aadlat uqauhinga atuqtajunq.

Havagvingmi pijakhat timiujunun aalanin
aviktuqhimajumi havagviinit

3(1).5 Timiqutigijaujuq uqaqatiginiaqtait,
titirarinnga unalu uqarluni, havaktut
Inuktut talvani

- (a) timiqutaujut piqaqtut imaarur 25
amigaitqijainikluuniin havaktiqaqtun,
- (b) tadjja havaktut timiqutigijaujuq
naunaiqkaqtait timiqutigijaujuq
atulluarumajanganik uqauhiq Inuktut,

unalu naunaipkainiq
naunaiqkaqtakhait
naunairniaqtait hapkuat
tuniqhaininngit piqaqtuq
nakuujunik piluni.

Havagviga pijut ihuigijaujut
havaktunit angijunut
nanminiaqtunut
timiqutigijangit tautuktipkaijuq
aaniqtailinirmut naunaitkutat
Qablunaatuinnaq, humaangittuq
havaktut amihut Nunavunmiut
hivulliq uqauhia Inuktut. Hapkuat
ihuigijaujut tadjja ihuangittut,
kihimi una

unalu

(c) tuhaumajutit _____ pidjutiqaqtut

aanniarnaittumik _____ aanniraittumikiluniit

maliqajakhainik havagvingmi.

aallanguqtiqtakharaluangit

aanniaqtailinikkut

aanniqtailinikkullu

pidjutiqaqtunik.

<p>3(2) Timiqutigijaujuq uqaqatiginaqtait inungnut uumani Inuit Uqauhinganic tunilirumiuk hapkuat kivgaqtuutikharnik:</p> <p>(a) ihariagijaungitut kivgaqtuutikharnik, ilaujutlu</p> <p>(i) amigaqhuutiqaqqan, anaktuijukharnik aadjikiivjaktumikluuniit amigaqhuutiqaqtunik kivgaqtuutikharnik ihuaqhaidjutikharnikluuniit, ilaujut itiqtitijaangatluuniit kivgaqtuutikharnik, unalu</p> <p>(ii) aanniaqtailinikkut, aanniaqtukkut havautiliqinikkullu havagutit;</p> <p>(b) iglumiuaqtigiiktut, igluqaqtunut imaaluuniit aanniarvingmit ikajuutikhainnik, ilaujut</p> <p>(i) niriviit, hiniktarviit, hiniktarviit, iglunik, iglunikluuniin kivgaqtuutikharnik, uvalu</p> <p>(ii) ikajuutiqaqtut igluqaqtunun, ilaujut algujaqtuutit, ukhujuat, imait uvalu tuhaqtidjutit;</p> <p>(c) aalat naunajaqhimajut kivgaqtuutikharnik tapkua Kamisinap uvani Ministat Katimajini ihumagijaat ihuaqtut pidjutaujut inmik ihariagijaujunun idjuhiit uvaluuniin anginiqaqtut hulaqutit inullaanut.</p>	<p>3(2).1 Timiqutigijaujuq uqaqatigijakhaa inungnut Inuktut tunilirumi qilamiuqtuqaliqqat aaniaqtailinirmullu havaat, unalu kikliqangittumik,</p> <p>(a) piliihimat, ikualaaqtuliqinikkut uvalu qilamiurnikkut kiudjutikkut kivgaqtuutikharnik,</p> <p>(b) aanniaqtulijijit aanniaqtailinirmullu. kivgaqtuidjutikhat,</p> <p>(c) hivitujumut-munaqhidjutit uvalu iningnikhat igluqpait,</p> <p>(d) nutaqqat inulramiitlu munaridjutikharnik kivgaqtuutikharnik igluqpangitlu, unalu</p> <p>(e) havautikhainnik kivgaqtuutikharnik.</p> <p>3(2).2 Timiqutigijaujuq uqaqatigijakhaa inungnut Inuktut tunilirumik niqikhanik, qimaavikhanik imaalu iglumiuaqatiriit ikajuutikhainnik, ilaujut kikliqangittumik,</p> <p>(a) iglukhat aanniarviliaqtut turaarviuvigijaiillu,</p> <p>(b) qilamiurnikkut qimaavik kivgaqtuutikharnik,</p> <p>(c) hiniktarviit, hivikittumut hiniktarviit aanniarviillu kivgaqtuidjutikhat,</p> <p>(d) niqinik niqiniklu kivgaqtuqtut, uvalu</p> <p>(e) uqhurjuaqtarvinga pauwaqtuut, uqhujuaq, imaq unalu tuhaqtipkainiq.</p>	<p>Tamna tukhiqtauhimajuq ihuaqhaqtajut ihuaqtumik naunajainiaqtun "pidjutikhanik ikajuutikhanik" talvuuna nallaumaniaqtun allanik nunalaani naunaitumiklu.</p>
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Kinguani titiraqhimajuq 3(2)(c).

3(2).3 Kamisina Ministait Katimajit maligaliuqtaaqut naunajarlugit aallat ikajuutikhainnik, ihariagijaungmata qanurinniinnik imaaluuniit qanurilidjutaujunik inungnut, tunijaujukhat Inuktut.

<p>3(3) Ilaliutihimajut pijakhat ataani titiraqhimaninnga (1), tuhaqtidjutit inungnun pihimajut uvani</p>	<p>3(3).1 Tuhaumajutit inungnit uqautaujunik <u>titiraqhimaninnga 3(2) ilaqaqtuq, kiklikhaitumik,</u></p>
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titiraqhimaninnga (2) hapkua:

(a) tamaita ilituqhaidjutit,
qajangnautit uvaluuniin
atugahat pitqujaujut
atuqtunun uvaluuniin
niuvaajunun kivgaqtuutinik;
(b) tatqiqhiun tamaat
akiligakhat, akiliktakhangit
aadjikkiivjaktun atuqtakharnik
inungnun taima Inuit
Uqauhirnik uqajuktut;
(c) aallat tuhapkaidjutikhat
Kamisina Ministait Katimajit
naunaiqhittaaktut.

(a) iliturpkaidjutit, qajagidjutit uvaluuniin
maligakhat pitqujaujut atuqtunun uvaluuniin
niuvaajunun kivgaqtuutinun,

(b) tatqiqhiun tamaat akiliqtakhat,
akiliqtakhat imaalu aadjikkutavjanik
pijumajainnik inungnut uqaqtaaqtnut
Inuktut, imaalu

(c) kitutliqaak _____ aallat
tuhapkaidjutikhat Kamisina Ministait
Katimajit naunaiqhittaaktut.

Nuutpaliani una aulaqtiriariagani s. 3(3)

3(3) Anginikhakkut naunairiangani,

(a) una titiraqhimaninnga
turaangajuq tamangnik uqaqtaujut
titiraqhimajutlu tuhaqtakhat, unalu

(b) taimaa tuhaqtakhat
naunaighimajut uumani
titiraqhimaninngani titiraqhimajut,
Inuktut titiraqhimajut
titiraqtaujuhallu.

Una ihuaqhaqtaujut
naunairniaqtat Inuktut
uqajuktut tunijaujukhat
titiqqanik piqaqtukhat
tapkuninga pihimajaangat
pidjutikhanik atuqtaujunik
ikajuutikhanik.

3(5) Uqauhiliqinikkut Kamisina,
tunijaugumik
uuktuutikhamikluuniit ataani
Ilanga 4, unalu Nunavut
Apiqhuiviat Maligaliqijikkut,
tunijaugumik uuktuutikhamik
ataani Ilanga 4, pijariaqaqtuq
nanminiaqtumik katimajikhanik
pijakhamingnik pijariaqarniaqtut
ataani uumani titiraqhimajumi
imaalu himmautaukpata
ikitqijaujunik pitqujauhijaujunik
tuhapkaidjutikhanik
ikajuutikhamingnutluuniit Inuit
Uqauhiannik, pikpat

(a) nanminiaqaqtut timiujut
piliuqhimajut pidjutikhainut
pidjutiaqaqtunik ilitquhirnut,
uqaqtainut,
hakugikhivallidjutikhanut
akhuuqhaidjutikhanullu
Inuinnaungittunut
uqauhiqaqtunut uvaluuniit
pitquhikkut nunallaani;
unaluuniit

(b) ihuarijaat malikhautigilugu
una titiraq ilanganun
nanminiaqaqtut havagviit
ajuqhautauniaqaqtunik.

***Nuutirlugu una malikhautikharnik
unvunga Ilanga 4.***

4(1) Tamaita kaatulaaliuqtaait
havaktailuuniit
ukunungaluuniit havagviinnut
Nunavut Kavamanga unaluuniit
kavamatkunni havagviujut,
kitkunulliaqaak pidjutaujut
tukhiutit, uuktuutikhat
ahiaqutluuniit, piqariaqaqtut

4(1).1 Tamainnut havagvinga Nunavut
Kavamanga unalu kavamatkunni
havagviujut piniaqtut, taimaa havaangit
pigumitku titiraqhimaninngani 3(2)
uvaluuniit titiraqhimaninnga 11 unalu
malikhugu *Ilitarijauhijaujunik Uqauhiit*
Maligaaq. havaktaujut

pingahuanik uqaqatajukhat
ikajuutikhanik inungnut
aturlutik Inuit uqauhiinik
pijariaqaqtut naunaitumik
maliqajukhat umunga ilanga 3.

piinariaqaqihimagumiluuniit
pitqutigiquplugu naunairlugu taimaa

(a) uqauhikkut pijakhat ataani
Maligarmi naunaijaqhimajut uvani
katulaatigut, tukhiutit tukhiutinun,
uuktuutinun uvaluuniin aalat
atuqtaujut,

(b) kaantraktiujut pijait tunigiami
ikajuutikhat uqarlunilu inungnut
Inuktut aadlallu uqauhinginik, unalu

(c) inuit uqaqatirilaqtut pijaaganilu
ikajuutinik katrangmit Inuktut.

4(1).2 Havagvia Nunavut Kavamanga
unaluunniit kavamatkunni havagviujut
pidjutigiqlugin kitut havagutit
havaktauliqtun hailihimapkaijulluunniit
munarijukhat malingittunik
kaantraakhanik uumani Maligarmi.

4(2) Una titiraqhimajuq
pidjutiqaqitugit apiqhuunmun
tukhiutinun
tunijauhimalangitugit
katulaagutikhaalu atulingitugit
ubluani tapkua una
titiraqhimajuq pihimaviani
atulirnanun.

Una ilangani turaarangitugit katraktigut
atuliqhimajut Taaqhivalirvia 9, 2017.

Tadja ilangani 4(2)
atuqtauliqtugit Taaqhivalirvia 9,
2017.

Ilaliutilugit hapkunani maligakhani.

4(3).1 ilaungitugit tunijaulimaitugit
malikhugu titiraqhimaninnga (3)
avatqumajumik 12 tatqiqhiutinut.
Ilaungittut nutaanguqtiqtaulajut aallanik
hivitunikhanik 12 tatqiqhiutini
ikitqijaanikluuniit aquiqturlugu Ministait
Katimajiit.

4(3).2 Hivuagut tunihitnatik ilaunginikkut,
uvaluuniin nutaanguqtirniq ilaunginikkut,
ataani uuma titiraqhimaninnga 4(3),
Ministait Katimajiit piniagtut

(a) kangiqhipkarlugit Uqauhikkut
Katimajiit apiqhuutinun ilaunginirmun
nutaanguqtirnikkullu, uvalu

(b) tunihilutik Uqauhiliqinikkut

Kamisinamik pijakhanik tujuriangini
pittiarlugit apiquuutit.

Ministait Katimajit, tunihikpata
ilaunginirmik uvaluuniit
nutanguqtirnirmik ilaujariaqangittut,
tunihilutik titiraqhimajunik
tuhaqtidjutikhanik Uqauhiliqinikkut
Kamisinamut aadjikkutaanik,
ihuaqhailutik huuq imatullu
hivituninganik ilaungittunut
nutannguqtirmiinnutluuniit.

6. Tamaita haamlanganit
piinariaaqihimaniaqtut
inungnut, qanuraaluktut
qanuraalukluuniit
piumajanginnik, piqarumi,
hapkuat aadlat uqaqatigiingniq
havaangillu uumani Inuit
Uqauhinganik:

(a) apqutit naunaipkutait,
aulariarutit naunaipkutai
kitutliqak nunaujat hanajaunit
uvaluuniit pinguqtaulat
tapkunanga nunaliujuq;
(b) hulidjutit uvaluuniin
kivgaqtuutikharnik tunijaujut
haamlanin ilaujut inungnut
ikajuutit atauttinun uvaluuniin
nunallaanun;
(c) hamlatkuni tuhaqtitijut
inungnut, maligatigut
maliganun uvalu tikisinik;
(d) uqaqtiuniq inungni
katimanirni haamlatkut
katimajiinginnilu katimanirni;
(e) aallat pitqujahimajun
tuhaqtipkaidjutit
havagutilluuniit taamna
Kamisina uvani Ministait
Katimajiinni ihumagijuq
ihariagijaujun pidjutaanin
qanurinninganin
hulaqutimilluuniit inungnut,
nunallaamun
Nunavunmulluunnit tamaanun.

6.(1) Tamaita Haamlanganit
piinariaaqihimajait hapkuat aadlat
uqaqatigiingniq kivgaqtuutikharniklu
Inuktut, humaangittuq qanuraaluk
qanuraalukluuniit piumajanginnik,

(a) apqutini naunaitkutit,
akhaluuhiqinikkut naunaitkutit,
ukunanilu qujanginnaq nunaujani
piliuqtauhimajungnaqhijun
pihimajulluuniit haamlatkunni,

(b) hulilukaarutit
kivgaqtuidjutikhangit tunijaujun
haamlatkunnin pidjutilgit inungnut
inuutiarutikhanik inungnut
nunallaamiluuniit,

(c) haamlangit tuhaqtitaujukhanut
pidjutiqagtut kitunut
kivgaqtuidkutikhat tunijaujut
ukunannga haamlanganit,

(d) maligatigut aturiaqaqtitiniq,
tikitsinik hivuniqhijutiniklu
pijutiqagtunik tuhaqtijutinikluniit
tunijaujut maligiagani ukua maligaujut,
unalu

(e) uqaqtiliqtuiniq inungnut
katimadjutit uvalu haamlatkut
katimajit katimadjutainun.

Unaluttauq ilaujunut
inungnut, haamlatkut
havaktingit, katimajiingit
aadlallu tigumiaqtiujut
ihariagijut Inuktut
ikajuutikhainik, naunaitkutat
uqaqtiuniklu.

Kinguani titiraqhimajuq 6(e).

6.(2) Kamisina Ministait Katimajit

Maliruagakhat
piliuqtaujukhat maliklugu una
titiraqhimajuq. Nunavut

pillahiniaqtut, maliruagakhanut, Kavamanga pijukhat
 tikkuqaqtauluni Inuktut, nunalaani katimadjutikharnik
 (a) ilagiarutit tuhaumajutit ikajuutiluniit ihuaqtumik
 hamliujut qahariaqaqtut Inuktut, kangikhidjutikhanik taima
 qanuraaluk qanuraalukluniit nunaqaqtunik atuqhimajunut
 pijumajauniganik, ajuqhautajunik pijaangat
 kivgaqtuutikharnik,
 (b) haamlangit ihariagijaujut piliuriami pinahuarutikharnik
 tamaita uqaqatigiingniq hulilukaarutikharnikluniit
 kivgaqtuutikharniklu piinarialeqhimajut aituqtauhimajut hamlaunjunit.
 Inuktut, qanuraaluk qanuraalukluniit
 piimajanginnik, unalu
 (c) naunaiqhimajut tuhapkaidjutikhat
 imaalu/imaaluuniit ikajuutikhait
 hailijukhat naunairiqhimajunut
 hamlatkunut Inuktut,
 pidjutigihimaittumik aktilakhangit
 imaaluuniit pijumajainnik.

7. Titiqqat, ilaujut tuhaqtidjutit Titiqqat, ilaujut tuhaqtidjutit uvaluuniin
 uvaluuniin maliktakhat, maliktakhat, pitqujaujut haamlatkunin
 pitqujaujut haamlatkunin hapkunanga Nunavut Kavamanga
 Kavamatkunin Nunavunmi tuniuqhaqtaujukhat, ihivriurlugit
 inungnun katimapkainirmun, uvaluuniin
 ihivriurlugit uvaluuniin
 uqagahat haamlatkut
 aktilaangitigit, tunijauniaqtut
 Inuit Uqauhiinik
 numiktiqhimajut.

9. Ihuahigiami ilihaliqtinnagit Nunavut Kavamanga akhuuqhainiaqtut Piliuqtuq nutarannuat
 ajuiqhainiq, aadjikutarijaa nutarannuanut ilihalihaaqtunut Inuktut
 akhuurutauninnganut pivaliadjutikhainik iliharnirmiklu
 uuminnga pivallianiq nutaqqanut angajuqqanginullu
 qanurittaakhaanik uumunnga
 uqauhinga piqutinga unalu nunamingni, imaalu piniaqtut
 atuliqtitauliriami, Nunavut
 Kavamanga atuliqtitaugiami
 nutaqqat Inuit Uqauhiit
 pivallianiq ajuiqhaqturlu
 ilaupkaijuq nutaqqat
 angajuqqaangillu nunallaani,
 unalu
 (a) havaklugit uvalu piinarialeqilugit
 nutarannuat Ilihalihaaqtut ilihautikhait
 uvalu pinahuarutikharnik Inuktut,
 (b) munarilugit naunaijarlugillu
 hailijut, aturningit qanuriniillu
tahapkuat titiqqat atuqtakhallu
 titiraqhimajut titiraqhimaningani (a),
 unalu
 [...] Pitquijut
 Inuinnaqtunlu ikajulimaittut
 tammaqtailigiami uqauhingit
 kihimi tunijuq
 tunngavikhamik nutaqqanut
 inuugiamingni ilihainirmut.
 Havagviga pitquijut
 qaritjaangat uminga
 titiraqhimajumi
 atuqtauliqhimajuq uvani
 2015-2016 ukiumun
 unniudjunmi. Humaangittuq
 pitqujaujuq, piittuq tunigiami
 pilaqutinga uumunnga
 titiraqhimaningani 9.

ilaujut uqaqhimajut
naunaijaqhimajut havaatigut
pijakhat havaami ilaujut
uqauhikkut, piqaqat, uvalu
(ii) uuktuqtut ihivriuqtauvaktut
ajuitamingnik talvani Inuit
Uqauhiit maliktakhat pijut
akhuurutinganik
naunaijainigani tamainnit
ajuitamingnik havaakhamut;
(d) kihimi ajuittukhaugaluat
uqauhingani aadlamit inuit
Uqauhingit naunaittumik
havaakhat ihariagijaujut
havaamit, pipkailuni
naunaiykaqtuq uuktuqtut
pittaagtut
(i) tujurlugit
uuktuutikhamingnik tamaat
Inuit Uqauhiinun, uvalu
(ii) tikkuqaugumik
apiqhuqtaunirmun
havaakhamik, havaatigut
apiqhuqtaujumalutik tamaat
Inuit Uqauhiinik;
(e) naunaiqtauniaqtut
ihumagijaugumikluuniit
tunijaunahuarumik
havaakhamik, taimaa nutaaq
havaktikhaq piomagumi Inuit
Uqauhirnik taima
uqauhigijainik havaagijainik;
(f) Inuit Uqauhiit havaktip
aturluarumajaa uqauhiq
havagvingmi,
(i) naunairlugit
munaridjutikharnik
uqagiaqaqtun
munagijaanglatu havaktiit
talvani Inuit Uqauhirnik,
(ii) tunijuuq kitut havaamut
naunaijainiq uumani Inuit
Uqauhingani,
(iii) atuliqtitaugiami Inuit
Uqauhingit havaqatigiingniq,
ikajurniq aadlanikluuniit
nutaanik naunaiqtaa ikajuriami
aturninnga hakugingninngalu
ukunanik Inuit Uqauhingit
tahapkunanit aturumajait Inuit
Uqauhinga havagvingmi, unalu
(iv) pigiaqaqtainik
ihuagijaungitunik titirangnik
talvani Inuit Uqauhiinik; unalu

(i) tamna havaakhamut
nalunaitkutaa ilaqaqtut
uqaqtamik taihimajut
havaakhamut pijariaqaqtut
tapkuat havaakhamut turangajut
uqauhirnik, pikpat, tamnalun
(ii) uuktuqtut ihivriurnikkut
aktilaangit ajuitait Inuktut imaatut
pidjutaujut tapkua tunijaujut
akiitigut naunaijautini inmik
tamainun ajuinirit havaamun,
(d) kihimi ajuittiaraangamik
uqauhingani aadlaujumit Inuktut
naunaittuq havaamut ihariagijaujuq
havaamingnit, uqaudjilutik
uuktuqtunut pillajut imaatut
(i) tujurlugit uuktuutigijatik
tamaat titirarlugit Inuktut, uvalu
(ii) naunaiqtaugumik
apiqhuinirmun havaakhamut,
havaakhamut apiqhuqtauttaaktut
tamaat Inuktut,
(e) naunaiqtauniaqtut
ihumagijaugumikluuniit
tunijaunahuarumik havaakhamik,
taimaa nutaaq havaktikhaq piomagumi
Inuktut taimaatut uqauhirningnik
havagvingmingni;
(f) pikpat Inuktut havaktip
aturluarumagumiuk uqauhirilugu
havagvingmini,
(i) naunaiqtakhat taimaatut
atan'nguqaqtukhat
uqaqtaaqtumik imaalu
munariulugu uqarvigilugu
havaarijaaniklu havakti Inuktut,
(ii) tunihilutik qujanginaq
havauhikkut naunaijautikhanik
Inuktut,
(iii) atuliqtitaugiami Inuktut
havaqatigiingnirmik, ikajurnirmik
aadlalluuniit nutaanik imaatut
ittuq ikajuriami aturninnganik
hakugingninngalu Inuktut
tahapkunani aturluarumajuuq

(g) pikpat pingitpalluuniit Inuit Uqauhinganiq havaktiup pilluarumajanganik uqauhingavagvingmini, tunihilutik Inuit Uqauhiit ilihaidjutinik, iliharpaaliutikhanik ihivriurlugillu havaktit' ajuitainik Inuit Uqauhiinik, (ii) naunairlugit tapkua havaktit qiniqhajut haffuminga ilihaidjutinik uvaluuini iliharpaaliutikhanik pittailidjutaungit atiliurnirmun ilaunirmunlu havaanginun, uvalu (iii) pihimalugit naunaitkutit mihaanun atauttip iniqtirutait uvalu tamainun qanuriniit ilihaidjutinin uvalu iliharpaaliutikhanik tunijajut havaktunun.

Inuktut havagvingmini, imaalu

(iv) piluugit ihuiguuutit titiraqtauhimajut Inuktut, imaalu

(g) taimaa pingitkumiluuniit Inuktut havaktiup aturluarumajanik uqauhirmik havaarijamini,

(i) tunihilutik Inuktut ilihaidjutikhanik, iliharpaaliutikhanik uvalu naunairlugit havaktiit ajuitiaqait Inuktut,

(ii) naunairlugit havaktiit piimajut Inuktut

ajuiqhautikharnik iliharpaaliutikhanikluuniit pittailijaungittut talvanga atiliurnirmik uvaluuiniit upautijumagumik ajuiqhautikharnik iliharpaaliutikhanikluuniit

havaktahamingnik havaarijamingni, unalu

(iii) pihimalugit naunaitkutit mihaanun inuup initirutainut uvalu tamainun qanuriniit hapkunanga Inuktut ilihaidjutit uvalu iliharpaaliutikhanik tunijajut havaktuinut.

12(3) Katimapkailutik aturnikhanik Inuit Uqauhingit havagvingmi, tamangnik aviktuqhimajumi havagviinni piqaqtukhat

(a) naunairlugit munarininnga havagviinni piqaqtuq, tamainnit, pittaarninnga havauhikhanik Inuit Uqauhianik;

(b) ajuqhautit ukualuuniit takupkailutik tuhaqtidjutikhanik turaangajut havaktinun, tamainnit, uvani Inuit Uqauhiinik ilaliutihimajut aalanun uqauhiinun atuqtaujunun;

(c) akhuurutigilugu aturninga Inuit Uqauhiinik havagvingmi tuhaqtidjutinun, ilajut havagviinut havaqatigiillu

Tunigiami pilaqutinga titiraqhimaninnga 12(2), tamaita aviktuqhimajuni havagvingit piniaqtut

(a) naunairlugit tapkua atan'ngujajut havaktaariakhainik tamainik Inuktut, imaalu

(b) pijariaqaqtut atauttit atangujat havaangit upautijaangini

(i) Inuktut uqauhikkut ilihaidjutit, imaalu

(ii) ajuiqhautikhanik pidjutiaqatun Inuktut uqauhiinik pilaarutingit pinahuaqtakhainiklu imaalu Inuit pitquhingniklu.

tuhaqtidjutait, ukualu
(d) pilugit, piinariaqaqqata,
kangiqhidjutikhat
qaritaujaliqutikkut auladjutit
tapkua ihuaqtut ikajuutikhat
atungniranun Inuit Uqauhiinik.

12(4) Uqaqtiujaangat atugianganik
Inuit Uqauhingit havagvingmi,
tamaita havagviingit Nunavut
Kavamanga unalu
kavamatkunni havagviujut
piniaqtun

(a) piijaqhimajuq, 2nd
Maligaliurvingmi, Apitilirvia 10,
2008;

(b) katimaqatigiplugit Inuit
Uqausinginnik Taiguusiliuqtiit
tunijauhijajut ataani
titiraqhimajumi 16(2)(d),
havaklugit Inuit Uqauhiinik
taidjuhiit uvalu uqagahat
pijakhat iluani hilataanilu
tuhaqtitinikkut uvalu
auladjutait havagviup
uvaluuniin kavamatkunni
havagviujut;

(c) una Inuit Uqausinginnik
Taiguusiliuqtiit tunihikpata
atugahamik ataani
titiraqhimajumi 16(5)(b),

(i) aturlugu atuqpagait Inuit
Uqauhiat pitquidjutit,

(ii) iluani ihuaqtumik
ikaarniitigut, nutaanguqtirlugit
havagvingmi auladjutinunlu
makpiraat, maliktakhatlu uvalu
aadjikiivjaktut ikajuutikhat
atuqtaujut havaktinin
malikhugit maligakhat, uvalu

(iii) makpirangurlugit
katimapkailutik aturningit
atuqpagait Inuit Uqauhiinik
tainiinnik uqauhiiniklu
havaktiinait aallanillu.

12(4) Uqaqtiujaangat akhuuqhailutik
aturnikhanik Inuktut havagvingmi,
tamaini avikturniini havagviit piniaqtut

(a) ajuqhautit ukualuuniin
takukhaujut iluani tuhaqtidjutinun
turaangajut havaktiinut atautikkut,
uvani Inuktut ilaliutihimajut aalanun
uqauhiinun atuqtaujunun,

(b) akhuurutigilugu atungnira
Inuktut tamaini havagvingni
tuhaqtidjutit, ilaujut havagviinni uvalu
havaqatigiingniikkut tuhaqtidjutit,

(c) pilugit, piinariaqaqqata,
kangiqhidjutit qaritaujaliqutikkut
auladjutit tapkua ihuaqtut ikajuutikhat
aturninganun Inuktut,

(d) piinariaqilugit havaktiinut
tamainik ikajuutikhat havaktitlugitlu
qanuriniit ihariagijatik havaklugit inmi
havaakhatik Inuktut, uvalu

(e) kivgaqtuutit hailijukhaujutt
Inuktut

(i) tamaita ikajuutikhat
tunijaujut havaktinun, iungmut
uvalu tamainutlu, ikajuutikhat
havauhiitigut havaktakhamingnik,
uvalu

(ii) atuqtauqattaqpaktut
havaktakhat havaktauvaktut
pidjutigiplugitluuniit
aviktuqhimajumi havagviit.

Tamna tukhiqtauhimajuq
ilaujukharnik talvani
titiraqhimajuni (d) uvanilu
(e) aadjikiivjaktun
malikhautikharnik talvani
kanatangit *Ilitarijauhijajut*
Uqauhiit Maligaq.

12(4.1) Ikajuriami aturninnga Inuktut
havagvingmi, tamaita havagviujut
Nunavut Kavamanga unalu
kavamatkunni havagviujut piniaqtut

(a) uqaqatigiplugit Inuit

Uqausinginnik Taiguusiliuqtiit,
Havagviat Pitquhiliqijikkut, inungnunlu,
pivallialiurnikkut Inuktut taidjutikhainik
uqautiniklu pitqujahimajunik iluani
hilataanilu tuhaqtipkainikkut
aulapkaidjutainiklu havagvingmi
unaluuniit kavamatkunni havagviujut,
ukuallu

(b) Taimaa Inuit Uqausinginnik
Taiguusiliuqtiit unaluuniit Havagviat
Pitquhiliqijikkut tunihijut
qanuriliurutimik ataani
titiraqhimaninngani 16(5)(b),

(i) aturlugu atuqpagait Inuktut
pitqujait,

(ii) qakugungugaangat,
nutaanguqtirlugit havagvingni
uvalu auladjutikkut maliktakhat,
makpiraat uvalu aadjikiivjaktut
ikajuutit atuqtaujut havaktinin
malikhugit maligakhat, uvalu

(iii) makpirangurlugit
uqaqtiuniaqtaalu aturninnga
atuqtaunginnarninnga Inuktut
uqauhinginnik uqaqtangillu
havaktinginnit aadlanillu.

Ilurarlugit hapkuat tuniqhaininnga.

12(4.2) Tamaita aviktuqhimajumi
havagviinni atanniqtuiddjutiqagtut
turaaqtitinikkut, tunipluniluunniit
ikajuutikhainik ukununga, aallanunlu
aviktuqhimajumi havagviinni
havaktakhaqagtut pipkainikkut
atuqpaktait atanniqtuiddjutitik
havagutaillu havaktakhatik mikhaagun
taapkununga aallanun havagviinni
taimaatun aturnikhanut Inuktut
havaktiinnin taapkunani havagviinni.

Pihimajugun ihumaaluutinik
havaktinin aviktuqhimajumi
havagviinni uqalimaitpata
uqauhirmingnik Inuktut
aallanullu aviktuqhimajumi
havagviinni. Hapkuat
ihumaaluutigijangit tadja
ihuanguittut, unalu
ihuaqhaqtaujujuktat
aadlangurniaqtaa una.

Atulirumajaujuq
ihuaqhaqtaujujuktat
aadjikiivjaktut ilangani 37
kavamatuqatkuni
Ilitarijauhijut Uqauhiit
Maligaq.

16(1)	Havaarijaa ukua Inuit Uqausinginnik Taiguusiliuqtiit	<u>Tamna</u> Inuit Taiguusiliuqtiit ukuallu	Uqausinginnik <u>Havagviat</u>	Inuit Taiguusiliuqtiit	Uqausinginnik
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<p>angiklijuumiriama ilihimaniq ajuittiaqtamingniklu ittuq pimmariktumik pigiami ukununnga Inuit uqauhirmut, ihumagilugulu ihumaliuriamingnik uumunnga Inuit Uqauhirmut aturninnga, piliurninnga unalu aadjikutarilirinirlu ataani Maligarmi.</p>	<p><u>Pitquhiliqijikkut havaqatigiingniaqtut</u> amigairjuumilugit ilihimajatik uvalu ajuittiaqhimajut piinialgit pittiarikkut <u>Inuktut</u>, uvalu ihumagilugit ihumaliurlutiklu talvuuna <u>Inuktut</u> atungnikhagut, pivalliani uvalu aadjikkiilirlugit ataani uumani Maligarmi.</p>	<p>ikajuqtauniaqtut ikajuutin hapkunanga Havagviat Pitquhiliqiinin havaqatigiiklutik atauttimun.</p>
<p>16(2) Ikiglihimaittumik titiraqhimaningna (1), Inuit Uqausinginnik Taiguusiliuqtiit piniaqtaat</p> <p>(a) piliurlutik, ihumagiplugit uqauhikkut ilitquhiit aturniillu, aallatqiingningit nutaaniklu ihariagijainik Inuit Uqauhiinik, aadjikkiitkukhanik tainiinnik uqauhiinikluuniit Inuit Uqauhiinik;</p> <p>(b) titiranguqtirilutik, akhuurutigilugit pihimalugit naunajautit tamainun aadjililirnirit taidjutit uvaluuniin ihumagijait Inuit Uqauhiit;</p> <p>(c) piliurlutik makpiraangurlugitillu aktilaangit atuqtaujut Inuit Uqauhiit aturniit ihuaqhaidjutait, ilaujut qujanginaq uqauhingnit Inuit Uqauhiit nunamingni aturningat;</p> <p>(d) pinikkut tukhiunmik Ministamin, Uqauhiliqinikkut Kamisina timiqutiluunniit, ihumagilugin tukhiqtauhimajun taidjutikhanik, uqautinik, titiqqanik, aturutikhanik, ajuittaminik qullirutiqaqtunik tuhaumapkaidjutinikluunniit Inuit Uqauhiinik tunilunilu pitquidjutinik kiudjutikkut; unalu</p> <p>(e) piliurluni munarigiamilu, malikhugu ihuaqtuq maligamut, aittuut pinahuarut ilitarigiami quvianaqtumik iniqtiqtamingnik</p>	<p>Ikiglihimaittumik iluani-Ilanga (1), Inuit Uqausinginnik Taiguusiliuqtiit <u>ukuallu</u> <u>Havagviat</u> <u>Pitquhiliqijikkut</u> <u>havaqatigingniaqtut pilutik</u></p> <p>(a) havaklugit, ihumagiblugit uqauhikkut pitquhiit uvalu aturnikkut, aallatqiingnit uvalu tadjamin ihariagijait <u>Inuktut</u>, aadjikiilirlugit taidjuhiit <u>titirauhiit uvalu</u> uqauhiit <u>Inuktut</u>,</p> <p>(b) makpiraangurlugit, akhuurutigilugu uvalu pihimalugu naunajautit tamainun aadjikiiktumik taidjuhiit, <u>titirauhiit uvalu</u> uqaqtaujut <u>Inuktut</u>,</p> <p>(c) piliurluni makpiraaliurlunilu ajuitamingnik qanuraalutinga unaluuniit atuqpagait <u>Inuktut</u> aturninnga unaluuniit ihuarninga, ilaujut pimmariktumik piplugu kitut uqauhinga <u>Inuktut</u>nunamingni aturninnga,</p> <p>(d) pigumikku tukhirutikhaq Ministamin, tamna Uqauhiliqinikkut Kamisina timiujurluunniit, ihumaginiaqtan tukhiqtauhimajunik titiraqhimajuniklu, <u>titirauhiit</u>, uqaqhimajainik, titiqanik, atuqtakharnik, ajuittiagiikhimajunik tuhaqtitijaangatluunniit <u>Inuktut</u> tunijaangatlu atuqtakharnik kiudjutikhanik <u>talvuuna siksiujuni</u> <u>tatqiqhiutini pijaangat tukhiqtauhimajut</u> unalu</p> <p>(e) havaklugit uvalu munarilugit, malikhugit maligat, aittuutikkut</p>	<p>Naunaiqhimajuq tunngani, Inuit Uqausinginnik Taiguusiliuqtiit ikajuqtauniaqtuq aturutikhanik Havagviat Pitquhiliqijikkut havaqatigiikkumik. Unalu, ilaliutujuq naunaipkainiq hulilukaarutinginnik hivulliqpaami ublumimut munarijakhangit piliuqhimajuq uumani Ilanga atuliqtitauniaqtuq kiuttaarninnga. Havaqatigiblugit Havagviat Pitquhiliqijikkut ajungnaitqijaujukhat havaqatigilugit qilamik.</p>

timiqtigijaujumi inukluuniit
iliuriami ihariagijangit
uuminnga Maligaq
ikajuqturluuniit
piliurninnganut,
atuliqtitauninnga
tammaqtailinngalu
uumannga Inuit Uqauhiinik.

pinahuarutit ilitarilugit nakuunikkut
iniqtiqtaujut timiujunin uvaluuniin
atautimit atulirnikhanut pijakhat uvani
Maligarmi uvaluuniin tunihijut
pivallianirmun, akhuuqhainikkut
uvaluuniin munaridjutikhait Inuktut.

Ilurarlugit hapkuat tuniqhaininnga.

16(2).1 una Inuit Uqausinginnik
Taiguusiliuqtiit tunihingitpat
pitquidjutinik kiudjutigibluqu
piumajaitigut Uqauhiliqinikkut Kamisina
iluani atuqtilugu titiraqhimajuq uvani
16(2)(d), Uqauhiliqinikkut Kamisina
pihimaniaqtaat aalamik kivgaqtuutunik
tunihiluni uqaudjinirmik pitquidjutiniklu
utiqtitalutik akiliqtuinirmun maniktigut
tunijaujut hapkunanga Inuit
Uqausinginnik Taiguusiliuqtiit.

16(3) Kikliqaqhimaitumik iluani
titiraqhimajumi (1), ukua Inuit
Uqausinginnik Taiguusiliuqtiit
havangniaqtait uvalu
munagilugit ihivriurutit
ikajuutikhait havaamingnun
uvalu havauhiit havaatik, uvalu

(a) titirarlugit uvalu
tamaqtailiblugit pitquhikkut
uvaluuniin ingilgaangnitatigut
taidjutit, avikturini aalakiit
uvaluuniin uqauhiit, uqaqtaujut
uvalu atugait Inuit Uqauhiit;

(b) ilitagilugit
ihivriudjutikharnik
atuqtakharnik unalu
ajungnautiqagtunik
aulahimajut talvuuna
atugiangarnik,
pivalliadjutikharnik,
ajuiqhautikharnik,
uqauhiliqinikkut atuqtakharnik,
atuguminaqtunik
aadjiirrutikharniklu Inuit
Uqauhiinik;

(c) havaklugit uvaluuniin
munarilugit uvalu titiraqhugit
ihivriurutit uqautigijaangani

Ikiglihimaittumik iluani titiraqhimaininnga
(1), Inuit Uqausinginnik Taiguusiliuqtiit
ukuallu Havagviat Pitquhiliqijikkut
havaqatigiiktukhat munaqhilutiklu
qaujihadjutikhanik ikajuutikhainnik
havaktakharnik havaktakhainiklu
malikhugu una Ilanga, imaalu pijukhat

(a) titiraq tamaqtaililugulu
pitquhikkut ingilraarnitaniklu taidjutit,
aviktuqhimanirmi aallakiit uqauhiillu,
uqautait, maniliqidjutailu Inuktut,

(b) ilitarilugit naunajainiq
ihariagijangit unalu ajuqhautingit pijut
aturninnganut, pivallianiq, ajuiqhainiq,
uqauhilirinirmut tunngavinga,
aturninnganik
aadjikutaliurninnganikluuniit Inuktut,

(c) havaklugit uvaluuniin
munagilugit uvalu makpirangurlugit
ihivriurutit uqautigijaangani pijakhat
uvalu humagihuirugit ihuinningit
naunajaqhimajut,

(d) akhuurutigilugu qanuriniit,
havaqatigiingnikkut, aadjikkingnikkut,

pijakhat uvalu ihuaqharlugit ihuanginirit naunaijaqhimajut;

(d) akhuugutigilugu qanuriniit, havaqatigiingnikkut, aadjikkingnikkut, pijaangnirmun uvalu pittailinikkut aadjiliurnikkut ihivriurutini;

(e) uqautigilugit kangiqhidjutit timiujunun, iliharnikkut iliharvigjuat uvaluuini atauttit, hamani hilataaniluuniin Nunavut, pinahuarutit angiklijuumirlugit piinarialgit ilihimajatik mikhaagun uvalu ajuittiaqhimajut Inuit Uqauhiit, uqauhikkut pivalliani q uvaluuini aadjikiilirlugit; unalu

(f) havaklugit uvaluuini munarilugit qaujahaqtaujut tapkua Ministat uvaluuini Ministat Katimajit apiqhijaaqtut.

pijaangnirmun uvalu pittailinikkut aadjikiilirlugit ihivriurutit,

(e) uqautigilugit kangiqhidjutit timiujunun, iliharnikkut iliharvigjuat atauttinunlu, iluani hilataaniluuniin Nunavut, tikinahuaqtakhait angiklijuumirlugit piinarialgit ilihimajatik mikhaagun uvalu ajuittiarnikkut Inuktut, uqauhikkut pivalliani q uvaluuini aadjikiilirlugit, uvalu

(f) havaklugit uvaluuini munarilugit ihivriurutit tapkua Ministat uvaluuini Ministat Katimajit apiqhijaaqtut uvalu iniqtilugit ihivriurutit kikliitigut titiraqhimajut Ministanin uvaluuini Ministat Katimajit.

16(4) Ikiklihimaittumik iluani titiraqhimaniingani (1) unalu (3), Inuit Uqausinginnik Taiguusiliuqtiit havaqatiginaqtaait, atuliqtitaugiami tuniluniluuniit havaamut timiqutigijajumut, ilihainirmut iliharviit unaluuini inuk pitaaqtuq amigaigjuumilugit ilihimanitik ajuittamingniklu piinarialik pimmariktumik piplugu Inuit Uqauhiinik, ikajurluguluuiniit havaktangit unaluuiniit kitut ilitarijaujut havaakhat uumannga Inuit Uqausinginnik Taiguusiliuqtiit.

Kikliqanginikkut iluani titiraqhimajuni (1) unalu (3), ukua Inuit Uqausinginnik Taiguusiliuqtiit ukualu Havagviat Pitquhiliqijikkut havaqatiginaqtaait, akhuurutigilugu ikajurlugiluuniin havaqatigilugitlu qujanginaq timiujut, iliharnikkut iliharviit uvaluuini atauttit pitaaqtut amigaigjuumilugit ilihimajatik uvalu ajuittiaqhimajut piinarialgit pittinirmun Inuktut, ikajurlugillu havaakhat uvaluuini qujanginaq tajauhijajut havaakhat uvaluuini qujanginaq tajauhijajut havaakhat Inuit Uqausinginnik Taiguusiliuqtiit uvaluuini Havagviat Pitquhiliqijikkut malikhugu una Ilanga.

16(5) Inuit Uqausinginnik Taiguusiliuqtiit pitaaqtut

(a) tikuaqtauhimajut atuqtauraanginaqtuq taidjutit, uqauhiit, uqauhiinun, uqauhiinun, uqauhiinun atungniinunluuniin Inuit Uqauhiinun haffumunga (i) aturniit timiqutimin humilu

Inuit Uqausinginnik Taiguusiliuqtiit uvalu Pitquhiliqijikkut pitaaqtuq

(a) tikuaqtuiluni atuinuqtut tajuhijajut, uqauhiujut, uqauhiujut, uqauhiunginikluniit Inuktut (i) aturningit timiqutajumit humiluuniit hulipkaidjutikhat taffumunga Maligarmi

hulidjutini kitut haffumunga Maligarmun uvalu pitqujaujunun atuqtaujut, uvalu (ii) tuhaqtidjutit havagviup Kavamatkuni Nunavunmi uvaluuniin kavamatkunni havagviujut;

(b) pitquiluni havagvingmik Nunavut Kavamanga unaluuniit kavamatkunni havagviujut atuqtipkailirnikkut aturaanganik taidjutikhanik, uqautinik, titirauhianik aallamikluunniit aturaangajunik uqauhinik aturnirnikluunniit Inuit Uqauhiinik inuit Uqausinginnik Taiguusiliuqtiit pitquijjuq; unalu

(c) havaklugit uvaluuniin munarilugit ilaliutihimajut havaakhat ihuaqtut havaakhanun hapkua Inuit Uqausinginnik Taiguusiliuqtiit tapkua Minista uvaluuniin Ministat Katimajiit tukhiqtaaqut.

maliruagakhallu atuqtaujukhat, imaalu

(ii) tuhaumajutit havagviujuup Nunavut Kavamanga unaluuniit kavamatkunni havagviujut,

(b) hivulliurlutik havagvinga Nunavut Kavamanga kavamatkunniluuniit havagviujut atulirnikhanut aadjikutamik taininik, uqaqtaminik, titirauhinga aadlamikluuniit atuqtaunginnaqtumik uqauhinga aturningaluuniit Inuktut inuit Uqausinginnik Taiguusiliuqtiit unaluuniit Pitquhilirijiitkut pitqujait unalu

(c) havaklugit uvaluuniin munarilugit ilaliutihimajut havaakhat ihuaqtut havaakhanun hapkua Inuit Uqausinginnik Taiguusiliuqtiit uvaluuniin Havagviat Pitquhiliqijikkut malikhugit una Ilanga tamna Minista uvaluuniinMinistait Katimajiit apiqhijaaqtut, kikliitigut kiklikhait titiraqhimajut Ministanin uvaluuniin Ministait Katimajiin.

17(1) Havagiangini havaakhat ataani uumani Maligarmi, ukua Inuit Uqausinginnik Taiguusiliuqtiit pijaaqtut

(a) havaklugit katimajiit kitut uvaluuniin ilaujut, ataani maligahani uvalu qanuriniitigut tapkua Inuit Uqausinginnik Taiguusiliuqtiit ihumagijait ihuaqtut;

(b) havakhugit ihivriurutit, uqaqtitaatitaujut uvaluuniin katimadjutait uvalu tunijaublutik tujuqhimajunik uvaluuniin unniudjutinik tapkua Inuit Uqausinginnik Taiguusiliuqtiit ihumagijait ihuaqtut;

(c) havagvlutik, ihiviurlugit, pitqulugit munarilugiluuniin naunajautit uvaluuniin uuktuutit taplua naunajaidjutaujut Inuit Uqauhiinun uqadjarinngit ilaujut naunaitkutikhat atauttit

17(1).1 Havagiangini havaakhat ataani uuma Maligarmi, ukua Inuit Uqausinginnik Taiguusiliuqtiit pijaaqtut

(a) havaklugit katimajiit ilaujut uvaluuniin ilangit ilaujut, ataani maliktakhait uvalu qanuriniit tapkua Inuit Uqausinginnik Taiguusiliuqtiit ihumagijait ihuaqtut; unalu

(b) Uqaudjiluni tunilunilluunniit naunaitkutinik pitquidjutinikluunniit Ministamun pidjutiminikkut, mikhaagun qujanginnani ihumagijaujuni iluaniittunik atanniqtuidjutaani Inuit Uqausinginnik Taiguusiliuqtiit.

17(1).2 Havagiangini inmi havaatik ataani uuma Ilanga, ukua Inuit Uqausinginnik Taiguusiliuqtiit ukualu Havagviat Pitquhiliqijikkut pittaaqtuq

ilhanirmun havaatiguluuniin
ajuitatik ajuitailuuniin Aktilaangni
Inuit Uqauhiit;
(d) havaqatigilugit timiquti, una
Uqauhiliqinikkut Kamisina unalu
kinami inuk
atanniqtuidjutiqaqtuq
havagutiqaqturlu ataani uumani
Maligarmi;
(e) iliarlugu makpirangurlugit
ilitturipkaidjutit mikhaagun
qujanginnaq ihumagijaujuni
iluaniittunik atanniqtuidjutaani
Inuit Uqausinginnik
Taiguusiliuqtiit; imaalu
(f) uqaudjiluni tunilunilluunniit
naunaitkutinik
pitquidjutinikluunniit
Ministamun pidjutiminikkut,
mikhaagun qujanginnaq
ihumagijaujuni iluaniittunik
atanniqtuidjutaani Inuit
Uqausinginnik Taiguusiliuqtiit.

(a) ihivriughugit, uqaqtitaaqtitaujut
katimadjutiluuniin tunijaublutikluuniin
tujuqtaujujukkanik unniudjutinikluuniin
tapkua Inuit Uqausinginnik
Taiguusiliuqtiit ukualu Havagviat
Pitquhiliqijikkut ihumajut ihuaqtunik,

(b) havaklutik, ihivriurlugit, pitquilutik
uvaluuniin munarilugit naunajautit
uuktuutiluuniin tapkua ihivriurlugit
Inuktut uqadjarinikkut hulidjutit ilaujut
naunaitkutit atauttip iliharnikkut
havaakhanikluuniin ajuitait uvaluuniin
ajuitiaqhijikkut aktilaangit Inuktut,

(c) havaqatigilugit timiquti, una
Uqauhiliqinikkut Kamisina unalu
aadlamik kinamik inungmik
atanniqtuidjutiqaqtuq
havagutiqaqturlu ataani uumani
Maligarmi; unalu

(d) naunaitkutit uvaluuniin
makpirangurlugit kangiqhidjutit
ihumaaluutinun qujanginnaq
pidjutaujunun ataniudjutini Inuit
Uqausinginnik Taiguusiliuqtiit
uvaluuniin Havagviat Pitquhiliqijikkut
ataani uuma Ilanga.

18. Atuqhugit hakugingniit uvalu
havakhugit havaktakhatik, ukua
Inuit Uqausinginnik
Taiguusiliuqtiit piniagtut,
ilaliutihimajut aalanun
pidjutinun tapkua Inuit
Uqausinginnik Taiguusiliuqtiit
ihumaginiaqtait ihuaqtut,
pidjutiqaqtut
akhuurutigilugulu

(a) ihuaqtumik tuhaqtitijaangat
ikajuutikharnikluuniit
auladjutikharnik atuqtakharnik
talvani Inuit Uqauhiinik;
(b) aulahimaaqtumik
ihuaqhaidjutit uvalu
nakuunikkut ilihainiq,
aturninga, ihuarningit
uqauhiliqinirit ihuaqtumik Inuit
Uqauhiinik atauttinun uvalu
nunallaat aktilaangitigut;
(c) kajumiitumik pivalianiganik

Atuqhugit hakugingnitik uvalu havaklugit
inmi havaatik ataani uuma Ilanga, ukua
Inuit Uqausinginnik Taiguusiliuqtiit
ukualu Havagviat Pitquhiliqijikkut
piniagtut, ilaliutihimajut aalanun
pidjutinun ihumagijatik ihuaqtut,
pidjutiqaqtut akhuurutigilugulu

(a) ihuaqtumik tuhaqtitijaangat
ikajuutikharnikluuniit auladjutikharnik
atuqtakharnik Inuktut;

(b) hivumuuqtuq ihuaqhainiq
nakuuqpiarinngalu ilihapkainiq,
aturninnga, qanurittaakhaanik unalu
uqauhilirinirmut aturninnga Inuktut
inmikkut unalu nunallaani
aktilaangitigut;

(c) kajumiktumik
pivalliadjutikharnik Inuktut, ilaujutlu
pivalliadjutikharnik nuutaanik taininik

19. Atuqhugit hakugingniit uvalu havakhugit havaangit, ukua Inuit Uqausinginnik Taiguusiliuqtiit
- (a) uqaqatigiinarialgit inuit kituliqaakluuniit timiqutigijaujut katimajutluuniit aktuqtauniarunaqhijut pitqujauhijaujut qanuriliurutingilluuniit ihumagijaujut uumannga Inuit Uqausinginnik Taiguusiliuqtiit piplugu Inuit Uqausinginnik Taiguusiliuqtiit ihumagijaujut ihuaqtut ihuarningitlu; unalu
- (b) uqarvigijakhait, pitqujauhijaujut taphumanga Titiraqhijaujut 32 uvani Nunavunmi Nunataarutaanut Angirutaa imaalu aallanik maligatigut, qujanginnaq timiqutauniarunaqhijut katimajunik Inuinnarnut, imaaluuniit nunanganit aktuqtauniarunaqhijut pitqujauhijaujut imaaluuniit qanuriliurutingilluuniit ihumagijaujut ukunanga Inuit Uqausinginnik Taiguusiliuqtiit.
- Atuqhugit hakugingnitik uvalu havaklugit inmi havaakhatik ataani uuma Ilanga, Inuit Uqausinginnik Taiguusiliuqtiit uvalu Havagviat Pitquhiliqijikkut
- (a) uqaqatigiinarialgit inungnut kitkunnutluuniit timiqutigijaujunut katimajutluuniit aktuqtauniarunaqhijut pitqujauhijaujut qanuriliurutingilluuniit titiraqhijaujut ihumagijaujut uumannga Inuit Uqausinginnik Taiguusiliuqtiit unaluuniit Havagviat Pitquhiliqijikkut taimaa Inuit Uqausinginnik Taiguusiliuqtiit unaluuniit Pitquhiliqijikkut ihumagijaujut ihuaqtumik ihuaqtumiklu; unaluuniit Havagviat Pitquhiliqijikkut ihumagijaujut ihuaqtut ihuarningitlu; unalu
- (b) uqarvigijauniaqtuq, pitqujauhijaujut uumannga Article 32mi uvani Nunavunmi Angirutimi aallanilu maligani, qujanginnani timiqutini katimajuniluuniit Inuinnarni, ukunaniluuniit qujanginnani haamlani hulaqtajauniarunaqhijun pitquidjutimin upautidjutainnaluuniit ataani ihumagijaujumi uumannga Inuit Uqausinginnik Taiguusiliuqtiit uvaniluuniit Havagviat Pitquhiliqijikkut.

23. (1) Inuit Uqausinginnik Taiguusiliuqtiit ukunanik, naini tatqiqhiutini nunguvingani tamarmingnit maniliurnirmut ukiuq, piliurluni tunilugillu Ministamut uumunngalu Uqaqtittiji Maligaliurvingmut Ukiuq Tamaat Unniutjutinik havaanganut maligatigut havaangit aturninngalu maligatigut pijunnautingit, unalu hapkuat naunaitkutingit:
- (a) hulidjutit hapkununga Inuit Uqausinginnik Taiguusiliuqtiit atuqtulugu kinguliq maniliqinikkut ukiungani;
- Inuit Uqausinginnik Taiguusiliuqtiitpiniaqtut, ukunani naini tatqiqhiutini nunguvingani tamarmingnit maniliqinirmut ukiunga, piliurluni tunilugillu Ministamut uumunngalu Uqaqhiqinikkut Kamisnap Ukiuq Tamaat Unniutjutinik havaanganut maligatigut havaangit aturninngalu maligatigut pijunnautingit, unalu hapkuat naunaitkutingit:
- [...]
- (2) Havagviat Pitquhiliqijikkut tunihiniaqtut ikajuutinik imaa Inuit

(a.1) aadjikutarijaanik naittulluuniit, taimaa Inuit Uqausinginnik Taiguusiliuqtiit ihumagijut ihuaqtut, taiguagakhangit pitqujangilluuniit tunijaujuq ikajuutinganikluuniit tunijaujuq Ministamut titiraqhimaninngani 17(1)(f), piqarumi;

(b) qanuriniit pijauhimsjut;

(c) ihivriurniq hakugingninnganik ihariagininnnganikluuniit ukunannga Inuit Uqauhiinik;

(d) hivullitujakhangit ukuat Inuit Uqausinginnik Taiguusiliuqtiit aadlangurumikluuniit hivullitujakhanganik piliuqtut ihumagijailluuniit piumaninngani nakuutqiamik kiudjutimik ihariagininnnganut Inuit Uqauhinganik;

(e) qujanginnanik aallanik ilitturipkaidjutikhanik Ministaup pijumajumaliqtainnik.

(2) Minista pipkainiaqtuq ukiuq tamaat unniudjutimik uumani Inuit Uqausinginnik Taiguusiliuqtiit iliuraqtaujukhaq Maligaliurvingmi qilamik ihuaqqat.

Uqausinginnik Taiguusiliuqtiit pijariaqaqtut upalungaijarniranun ukiumut unniudjutit.

(3) Minista pipkaidjutiniaqtaa Ukiuq Tamaat unniutjutinik uuminnga Inuit Uqausinginnik Taiguusiliuqtiit iliuraqtakhat Maligarvingmi ihuaqtumik pijuminaqqat.

27.1 (1) Hapkua atuqtauluaqtut hivunikhaliurutit ihumagijaujut haffumani Inuit Qaujimajatuqangit pidjutiqaqtut pitarnirmun atungnirinunlu hakugingniit havauhiillu havaakhat Uqauhiliqinikkut Kamisinap ataani titiraqhimajuni 28 uvunga 35 unalu titiraqhimajumi 37:

(a) *Inuuqatigiitsiarniq* (pittiarnirmik aatlat, piqatigiiktarnik munarilugillu inuit);

(b) *Tunnganarniq*

Hapkua atuqtauluaqtut hivunikhaliurutit ihumagijaujut haffumani Inuit Qaujimajatuqangit pidjutiqaqtut pitarnirmun atungnirinunlu hakugingniit havauhiillu havaakhat Uqauhiliqinikkut Kamisinap ataani titiraqhimajuni 28 uvunga 35 unalu titiraqhimajumi 37

[...]

(g) Pilimmaksarniq unaluuniit Pijariuqsarniq (pivallianiq ajuitaminik ukunuuna ajuiqharniq, akhuurniq unalu qanuriliurutikhaq), unalu

(h) Avatittinnik Kamatsiarniq

Maligaliuqhimajuuq ilitaqhijukhaq tamainik ainngujut hivunikhaliurutikhat Inuit Qaujimajatuqangit.

(atuqhimaarlugu nakuujumik idjuhiq angmaumajumik, tun'nganarmik uvalu ilaupkainirmik);

(c) *Pjitsirniq*: ikajuqhugit ilaruhuqunagitllu ilagiir kivgaqtuijullu ilamingnun nunallaanunlu, tamangnunluuniin);

(d) *Aajiiqatigiinniq*: *Ihumaliurniq* uqaqatigiingnikkut tamarmiklu angirnikkut);

(e) *Piliriqatigiinniq* unaluuniit *Ikajuqtigiinniq*. Havaqatigiingniq atauttikkut pinahuaqhuni pidjutaa);

(f) *Qanuqtuurniq* (nutaanguqhimarluni unalu ikajuutikhanik).

(pittiarniq munariplugulu nuna, anngutit, avatillu).

29. (1) timiqutaujuq nunavunmiutaungittuq havagvigjuaq maliqajamingnik uumunga Maligarmun imaatut Inuit Uqauhiinik upalungajautimik, ilaliutijukhaq hapkuat:

(a) havagviup aktilaarutait, atugakhait uvalu atuqpaktainik tukhiqtaujut tuhaqtitinikkut hapkununga uvaluuniin tunihinikkut ikajuutikhanik inungnun tapkua pijakhainik ataani uumani Maligarmi;

(b) naunaitkutikhaq tunihidjutikhat maliqajakhainnik, atugakhait imaaluuniit atuqpaktainik;

(c) naunaipkutat qaphiuni tapkuat timiujut havaktit, pikpat, pikpat, uvaluuniit uqariktut Inuit Uqauhiinik uqajukkumik imaalu tunihilutik ikajuutikhanik Inuit Uqauhiinik pitqujauhijumunik ataani uumani Maligarmi; uvalu

(d) qanuriliurutingit talvani timiqutigijaujuq naunairniaqtaa Inuit Uqauhiinut Upalungajautikhat

Timiqutigijaujuq ahianit nunavunmit iliharvingit munarittaaqtaa angirutinga uumunga Maligaaq imaatut ittuq Inuktut Uqauhinganik Upalungajautit, ilaliutijukhaq

[...]

(c) qaffiit havaktiit, uqajukkumik, imaaluuniit uqariktut Inuktut uqaqtaaqtuullu ikajuutikhanik inungnun Inuktut pitqujauhijumunik ataani uumani Maligarmi; uvalu

(d) upalungajaut makpiranguqtiutikhanik tamna Inuktut Uqauhirmik Upalungajaut hailijut tuhaumajutinik ikajuutinikluniit inungnut Inuktut.

Uqauhikkut upalungajautit atukaffuktut maliqajakhainik timiqutaujut tapkua pijariaqaqtut ihuaqhaqhijumunik upautiniq tamainun maligakhanun.

piinariaqinngalu
uqaqatigiingnirmut
havaalluuniit inungnut Inuit
Uqauhingalik inungnut.

(2) Uqauhiliqinikkut Kamisina
tunihittaatuq imaaluuniit
makpirangurlugit maliktakhainik
aallaniklu naunaitkutikhanik
ilaujukhat Inuit Uqauhiinut
upalungaijautikhat.

(2) Uqauhiliqinikkut Kamisina
tunihittaatuq imaaluuniit
makpirangurlugit maliktakhait aallaniklu
naunaitkutikhait ilaujukhat Inuktut
Uqauhiinut Upalungaijautikhat.

Iliurarlugit hapkuat tuniqhaininnga.

29(3) Inuktut Uqauhiinut Upalungaijautit
tunihijukhat aulahimaagtumik
ihuaqhaidjutikhanik malikhugit
naatarangata 24 tatqiqhiutini
angiqtaunikkut, uvaluuniin aalat iluaniit
pitqujaujut Uqauhiliqinikkut
Kamisinamin, pijaangini timiqutaujut
malikhugit hapkua Maligarmi atuqtilugu
5 ukiut ikitqiarluuniin.

30. (1) timiqutaujuq aviktuqhimajumi
nunavunmiutaungittuq havagviinnit tujuinnariaqaqtut
hulipkaijit tujuqtaaqut tukhiqtauhimajumik
tukhiqtauhimajuq upalungaijautikhanik
upalungaijautikhat tuhapkaidjutikhanik imaaluuniit
tuhapkaidjutikhanik ikajuutikhanik inungnut Inuktut
ikajuutikhangit inungnut Inuit Uqauhiinut Kamisinamut
Uqauhiitigut Uqauhiliqinikkut Uqauhiliqinikkut
Kamisinamut angiqtaujianginni. angiqtaujiangani.

Aturnikhanik Ihivriurutinun

Ihuigijaujut

31(1) Inuk uukuqtaaqtuq
Uqauhiliqinikkut Kamisinamut
iuqarlutik, ahiagutluuniit
Uqauhiliqinikkut Kamisinamut
ihumajuq ihuarijaminik,
ihivriuhilutik
ihumaluutaujunik,
atan'ngujanit timiqutaujumul
taffumunga Maligarmi
atuqtaujiangani,

Inuk titiragiaqaqtun ihuigijaujut talvani
Uqauhiliqinikkut Kamisinamun uqarluni
titiraghimajunikuuniit taima,
titiqidjutitijunik katimajiinun taima
umani Maligarmi atuqtaujiangani,

Tainia "ihuigijaujuq"
hakugitqijaujuq
"ihumagijaujunin" uvalu
ihuatqijauniaqtuq
ihuiguhuktunun.

(a) iluaniit haffuma
uvaluuniin qujaginaq aalat
Maligarmu uvaluuniin pitqujaujut
ilaujut atungniitigut,

(a) qujaginaq maligakhat
kituniliqaak Maligarmi uvaluuniin
pitqujaujut ilaujut aturniit,
akhuurutinun tamaqtailinimnunluuniin
Inuktut ilitarijaungittuq imaaluuniit
ilitarijaujuittuq uvaluuniin

Tamna uqauhiq "atuqtaungittuq
uvaluuniit maliqatingittuq
titquumani taphumunga
kavamatuqatkat *Ilitarijahimajut*
Uqauhiit Maligarmu.

(b) ihumagijauniga pidjutauningalu

akhuuqhaidjutit uvaluuniin
tamaqtailinirmun Inuit Uqauhiit
maliktaungitut hapkununga;
unaluuniit
(b) quviahuutit uvalu
piumanikkut haffumunga
Maligaaq atuqtaungitpat.

uvani Maligarmi maliktaungitpat.

31(3) Uqauhiliqinikkut Kamisina
nanminirijakhait uuktuutikhait,
Uqauhiliqinikkut Kamisina
aullaqtiriarunaqhijjuq
ihivriughidjutikhanik
pidjutiqaqtunik nunamut
ihumaluutaujut tajjauhijamut
ilangani (1).

(3) Uqauhiliqinikkut Kamisina
piniarunaqhijjuq, inmi
uuktuutikhamingnik, ihivriughilutik
ihumaluutiqaqtunik, atan'ngujaunirmik
timiqutaumut taffumunga Maligaaq
atuqtaujukhaq.

(a) qujanginaq maligakhat
kituniliqaak Maligarmi uvaluuniin
pitqujaujut ilaujut aturniitut,
akhuurutinun tamaqtailinirmunluuniin
Inuktut ilitarijaungittut, uvaluuniin

(b) ihumagijauninga
pidjutauningalu uvani Maligarmi
maliktaungitpata.

32. Uqauhiliqinikkut Kamisina
pijaaqtuq, qujanginaq hivuani
uvaluuniin ihivriughidjutikhanik,

(a) ilaupkarlugit
timiqutigijangit pijumagumik
upalungajjautingit
ihuaqhaqtaujutluuniit
uuminnga Inuit Uqauhinganut
ihumaliurut; unaluuniit
(b) aturluni ihuaqhaidjutikhanik
aallanikluunniit
qanuriliurutikhanik maliktunik
Inuit Qaujijamatuqanginnik
piniaqhimanikkut
ihuaqhanikkut
ihumaaluutigijaujunik
naunaiqhimajunik uukturutimi
ihivriughidjutimiluunniit.

***Nuutpalialutik kangiqhidjutiqangitumik
ihuaqhaidjutikhanik ilangani.***

33(1) Kinaliqaq inuk
anipkaijukhaungittuq,
taimaaqtitlugu, iqhitaaghugit,
iqhitaariluniluuniit,
ihuinaaqhuni, unaluuniin aalat
ihuinaarutit haffumunga
unaluuniin ihuinaangittunik
inungmun taimaali inuk

Kinaliqaq inuk piniaqtuq
(a) anipkarlugu, nutqangalagluni,
iqhitaaripluni, iqhitaaghugit,
pitqujaupluni uvaluuniin aalat
ihuinaagutit uvaluuniin ihuinaangiluni
inungmun taimaali inungmik

Hivuliujuq nutaamun
titiraqhimajumun uvani 62(2)(b)
haffumani *kavamatuqatkut*
Iilitarijauhijamut Uqauhiit
Maligaaq. Ihariagijaujuq taimaa
ilangit havaktingit
havaqatigiingittut ihivriulirumik.

uuktuqtuq unaluuniin
apiqhipluni ihivriujujpluni,
tunihibluniluuniit
naunaitkutikhamik unalu
ikajuqhuni ihivriujhijunik,
apiqhuutimik unniqhugitluuniit
ihumaluutiminik uvunga
Uqauhiliqinikkut Kamisinamun.

(i) titiqqat
ikajuuriniaqtunluuniit
titiraghugit ihuigijaujut talvani
Uqauhiliqinikkut Kamisinamun,
unaluuniit

(ii) tunihibluni tautunaqtunik
uvaluuniin ikajuqhutik
ihivriurutinun, Uqauhiliqinikkut
Kamisananmi, imaaluuniit

(b) pitaililugu Uqauhiliqinikkut
Kamisina kinaluuniit inuk
pidjutigiplugu pitqudjutaagut
Uqauhiliqinikkut Kamisinap,
havauhianni Uqauhiliqinikkut
Kamisinap havaarijakhait
auladjutaitluuniit ataani Maligarmi.

33(2) (2) Tamaita inuit ihuinaaqutut
titiraqhimaningga (1)
ihuinaarutiqaqtuq uvalu
pidjutiqaqtuq naittumik
ihuinaarutinik,
(a) inuk, akiligkhaqarumik
avatqungitpat \$5,000; unalu
(b) timiit kuapuliisit uvaluuniin
aalat timiqutaujut maligatigut
aktilaaqaqtut, akiligakhaituq
avatqumkpat \$25,000.

Piirlugu una malikhautikharnik.

IHVRIUQHIDJUTII

Ihivriuqtautaulutik ihuigijaujut

33.1 (1) Pijaukpat uuktuutimik
uvaluuniin apiqhiluni
mikhaagun titiriqinikkut
nunavunmi havagviit,
Uqauhiliqinikkut Kamisina
Ihivriurniaqtait malikhugit una
titiraqhimajuq, titiraqhimajuq
33.2 hamunga 33.7 unalu 38
hamunga 42.

Pigumikku ihuigijaujut pidjutiqaqtumik
titiqinikkut timiqutaujumit,
Uqauhiliqinikkut Kamisina
ihivriuhiniaqtuq ihuigijaujut
naunaijailunilu ihuigijaujut

(a) pimmariktumik piplugu
timiqutigijaujuq piqaqtuq
uqauhinganik uqariijaqtamingnik
titiraqhimajumi uumani Maligaq, unalu

(b) havaktauhimajut
ihuaqhaqtauplutik titiraqhimajuni
31(1).

33.1 (2) Uqauhiliqinikkut Kamisina
ihivriuhittaaqtuq malrungnik

Nuutpalialutik nunuguanut
Naunaijarninganik Ihuigijaujut.

amigaitunikluuniit
uuktuutikhanik
tukhiutinikluuniit, ihuarigumi
ihuaqtumik ihuaruhukkullu
qanurinninganik.

33.2 (1) Uqauhiliqinikkut Kamisina
qin'ngijauttaaqtuq
ihivriughiluni imaaluuniit
ihivriughilimaittut,
ihumagijamingnik
Uqauhiliqinikkut Kamisina,
hapkuat ihingnut atuqtajunut:

(a) ihumaaluutit
naunaijaqhimajut hulaqutijut
atautinun uvaluuniin atauttinun
aalanin uuktuqtumin
uvaluuniin ilaujumin apiqhijut
ihivriurutinik, uvalu hulaqutijut
atauttit uvaluuniin atauttit
piumangitut havalirlutik;

(b) tamaita ilangaluuniit
ihumaalutigijaujut
naunaiqtauhimajut uvani
tukhiqtauhimajutluuniit
havaktaugiaqaqtun
ihuaqhaidjutikhaniklu,
ihuaqtumik havaktaujukhat,
ataani adlam Maligarmi
aturlutinluuniit adlamik
hailijumik ihuaqhaidjutikhamik;

(c) uuktuutit uvaluuniin
tukhiutait, ihuangitumik,
ihuangitumik uvaluuniin
ihumaaluutiqaqtut
hulaqutaulimaittunik
pidjutajut;

(d) uuktuqtuq uvaluuniin
ilaujuq piujumajut ihivriurutinik
tamaaqtaujuq uvaluuniin
pijauluni uuktuutimik
uvaluuniin apiqhiluni;

(e) ihumaaluutit
naunaijaqhimajut uuktuutini
uvaluuniin apiqhuutit
ihuaqhaqtauhimajut.

(1) Uqauhiliqinikkut Kamisina
qingittaaqtuq ihuigijaujut taimaa
Uqauhiliqinikkut Kamisina ihumaliurumi,
malikhugu naunaijainiq, tamna

(a) ihuigijaujut hulaqutigijaat inuk
uvaluuniin atauttinun aalamin
ihuigijaujumin, uvalu hulaqutigijaat
atauttit uvaluuniin atauttit
havagumangitut,

(b) tamaita ilangaluuniit ihuigidjut
tukhiqtauhimajutluuniit
havaktaugiaqaqtun ihuaqhaidjutikhaniklu,
ihuaqtumik havaktaujukhat, ataani adlam
Maligarmi aturlutinluuniit adlamik
hailijumik ihuaqhaidjutikhamik,

(c) ihuiguhuktuq tukhiutaitluuniit
ihuaqijaungittut, ihuangitumik,
ihuangitumik unaluuniin
ihumaaluutiqaqtut
hulaqutaulimaittunik pidjutajut,

(d) ihuiguhuktuq taimaaqtuq
uvaluuniin ihuiguhuktuq, uvaluuniin

(e) tamna ihuigijaujuq ihuaqhijaujuq.

(2) Ihumaliuqtinnani
titiraqhimaninngani (1),
Uqauhiliqinikkut Kamisina
ihumaliurniaqtuq tamaita
akhuurutajut

(2) Ihumaliuqtinnagu titiraqhimaninngani
(1), Uqauhiliqinikkut Kamisina
ihumaliurniaqtuq tamaita akhuurutajut
qanurittaakhaanik, unalu

qanurittaakhaanik, unalu
piniarungnaqhijuuq pilaqutinga
inuup, uuktuqtuuq unaluuniit
ilaujuq apirijuuq ihivriurniq
piiqauniaqtuuq maniliuriami
unaluuniit tukhiutinga apirijuuq
taimaaqtauniaqtuuq,
piiqaugumiluuniit
ihuaqhijaujuq taimaa
pimmarluktaugumi
pijunnautinganikluuniit
hakugingianik.

ihuiguutigijaujuq aadlamikluuniit
ajuqhaqtitaujuq inuk
piiqauffaanginnarialik pigiami unaluuniit
ihuiginig taimaaqtauniaqtuuq,
pipkaidjutiluni pipkaidjutiluniluuniit
ihuaqhaqtuujuq taimaa pimmarlungniq
ihuittumikluuniit hakugingninganik.

(3) Uqauhiliqinikkut Kamisina
ihivriuqhijumakpat imaaluniit
aturuiqqata ihivriuqhinirmik
ataani ilangani (1),
Uqauhiliqinikkut Kamisina
piniaqtuuq

(3) Pikpat, malikhugit naunaijautit,
Uqauhiliqinikkut Kamisina
naunaighiniaqtuuq tamna ihuigijaujuq
unaluuniin apiqquut ihuangitpat
qanurinia titiraqhimaninnga uvani
titiraqhimaninnga 31(1) unaluuniin,
Uqauhiliqinikkut Kamisina qingillajaa
Ihuigijaujut.

(a) illituriipkarlugu uuktuqtuuq
ilaujurluunniit tukhiqtuuq
ihivriuqhinirmik aallaniklu
hulaqutinik inungnik taimaatun
Uqauhiliqinikkut Kamisina
ihumagijaa ihuaqtuuq
ihumaliurutimik ubluqhiutikkut
taimaalu taimaatun
Uqauhiliqinikkut Kamisina
ihumagijaa ihuaqtunik; unalu
(b) tunihijut titiraqhimajumik
naunaijautinik uuktuqtumun
uvaluuniin ilaujumun kitut
apiqhijut ihivriurutinik uvalu
aalat hulaqtijut inungnun
imaa Uqauhiliqinikkut
Kamisinap ihumagijaat
ihuaqtumik

(i) Uqauhiliqinikkut Kamisina
ihivriuqhijumangitpat
imaaluuniit
ihivriuqhigumangittuuq ataani
titiraqhimaninnga (1), unalu
(ii) ublua humi kangiqhidjutit
pijariaqaqtut imaa
titiraqhimajumi (a) tunijaujuq.

(4) Uqauhiliqinikkut Kamisina,
pijumangitkumik ihuigijaujumik,
tuhaqtittijakhaa ihuiguhuktuq
titiraqhimajumik havagumanggittut
titiraqhimajumik huurlu pijuuq
aadjikutaanik.

Kinguani s. 33.1(2).

Uqauhiliqinikkut Kamisina
ihivriughittaaqtuq malrungnik
amigaitunikluuniit ihuigijaujut
ihumaluutigaramikluuniit ihuarigumik
qanurinniinik imaalu taimailiurumik
ihuaqtunik kivgaqtuidjutikhanik
munaghidjutikhanik Maligarmi.

Naunaijajarangat taima ihuariakhanik
atuqtauninganut umani Maligarmi tamna
Uqauhiliqinikkut Kamisina
ihumaginiaqtait, kikliqaqhimitumik,

(a) anginiqaqtut uqauhiinik
pilaarutingit ilaupkaijutlu,

(b) atuqtauqattaqtut qanuriningit
uqauhiit pilaarutinginnik
ihuinaaqthimajut,

(c) atulingitkumikku kinguani
atuliqjauhijainik Uqauhiliqinikkut
Kamisinamit, unalu

(d) pingitkumik timiqutigijaujut
maligalugit Inuktut Uqauhiinut
Upalungaijautit.

Hapkuat ihuaqhaqtaujut
tuniniaqtun hivulluurutikhanik
tamaatun ihuaqqat
havagutigijaami atauttikkut
ihivriughinirik.

Tainia ihumaaluutaujuq
atuqtauvaktuq hamani
naunairiangani qanurinia imaatut
Uqauhiliqinikkut Kamisina
aulaqtitijuq ihivriurutik taimaali
ihumaaluutaujut tamna Maligaq
uvaluuniin kitutliqaak maligat
uvaluuniin maliruagakhat
ipidjutiqaqtut tamaqtailinirmun
Inuktut malingitaat uvaluuniin
ukpirmikkut uvalu pinahuaqtainik
ILPA atuqtaungitkumik.

Havaliqtut Ihivriughiliqtut

33.3 (1) Uqauhiliqinikkut Kamisinangit
ihumaliugumik ihivriugianganic,
tamna Uqauhiliqinikkut
Kamisinangit pigiaqtitinaqtun

(a) havaliqtinnatik
ihivriuqqujaujumik,

(i) ilituripkarlugu Minista,
titiqinikkut atan'ngujaa
aviktuqhimajumi havagviit
aktuqtauhimajut ukuallu
kitkutliqaak aatla inuk
Uqauhiliqinikkut Kamisinap
ihumagijaa ihuaqtunik
ilituripkarlugit qanuriniitigut,
unalu

(ii) uqaqatigiplugit
titiraliqinikkut atan'ngujat
aviktuqhimajumi havagviit
aktuqtauhimajut aadlanut

Pijagiigumik ihuigijaujumik havakhimajut
malikhautiplugu ilangani 31(1),
aulatitigumikluuniit ihivriudjutikharnik
malikhautiplugu ilangani 31(3), tamna
Uqauhiliqinikkut Kamisina
ilituripkarniaqtat

(a) atan'ngujaqarvinga
aviktuqhimajumi havagviit talvani
ihuigijaujut ihumaaluutigijaujurluunniit
pidjutihimajut aviktuqhimajumi
havagviit,

(b) timiqutigijaujuq ihuigijaujut
ihumaaluutigijamingnikluuniit
pidjutiqaqqat timiqutigijaujumut
aadlamit avikturniini havagviit, unalu

(c) qujanginnaq aalla inuk
Uqauhiliqinikkut Kamisina ihumagijaa

Katitihugit ihivriurutit ataani
atauhiq titiraqhimajumi ilaupkata
aviktuqhimajumihavagviinnit
uvaluuniin aalanit timiqutaunit
naunaijarniaqtait havauhingit.

inungnut Uqauhinut Kamisinga
ihumajuq ihuaqtunik,
ihuaqhainahuaqplugit
ihumaaluutit uqaqtaujut
aadlanutluunniit
pidjutikhainnik; unalu

(b) hivuani havaktinatik una
unniudjutit unaluuniin
pitquidjutikhat tapkua ihuittumik
hulaqutiginiaqtaa inuup,
aviktuqhimajumi havagviit
unaluuniin haamlatkuni,
katimaqatigilugu tamna inuk,
aviktuqhimajumi havagviit.

ihuaqtuq qanuriliurutini.

33.3 (2) Uqauhiliqinikkut Kamisina
pijariaqangittuq tuhaqtipkailuni
inuklu tuhaqtaulimaittuq
Uqauhiliqinikkut Kamisinaanit
kihiani tunijaukpat uumani
Maligarmi.

Nuutpialialutik ilitarijaujumik
ilituqhautinik ilangani.

Kangiqhidjutikkut ihuaqhaidjutit

Kinguani s. 32.

33.3.1 Uqauhiliqinikkut Kamisina
pitaatuq, hivuagut aullaqtiqtinatik
ihivriughinirmik, qakuguluuniit
ihivriugtautilugit, pitqulutik imaaluuniit
aturlutik kangiqhidjutiqangittunik
ihuaqhaidjutikhanik, ilaujut

(a) qaitqulugit timiqtaujut
inmikkut upalungaijarlugit tunihilutiklu
Inuktut Uqauhiinik Upalungaijautinik,
uvaluuniin

(b) uqaqatigiiklutik, aadjikkutavjanik
Inuit Qaujimatugangit
ihuaqhinahuaqhugu ihuigijaujuq
malikhugu titiraqhimaninnga 31(1).

Ikajuutauniaqtuq
naunaijagiangani tapkua
ihuangnirit aulalirlutik imaa
naunaijaqhimajut unaluuniin
ilitarijaungitut havauhiit humi
qanuriniit naunaijautaujut tapkua
atuqtaujut ihuatqiatigut
ihuaqhaidjutikhat ihuigijaujut
unaluuniin havagvingmun
maligajakhait.

Tamna naunaitumik ihuaqhaidjutikharnik
hanaqidjutikhaq aulatitiniagtun
hiamitiqtukhaungitunik.

33.3.2 Uqauhiliqinikkut Kamisina,
hivuagut atuqujitannatik aturluniluuniit
ihuigijaujut ihuaqhaidjutikhamik
havauhikhamik, piniatuq

(a) qaujihajit ihuiguhuktuq,
piqaqqat, titiqijip atania
aviktuqhimajumi iliharvikjuani
uvaluuniin timiqutaujut, pidjutaujuq.

(b) pilugit angirutit unalu
hiamitiqtukhaungittut havaktait
ihuiguhuktumit unalu titiqinikkut
atan'ngujamik hapkununga
aviktuqhimajumi havagviit unaluuniin
timiqutaujunit.

(c) ilitariilugit ajuqhautaujut
ihuaqhaqtaugiagaqtun uvuuna
naunaitumik ihuaqhaidjutikhat
havauhikhait; unalu

(d) ilaupkarlugit, qanuq ihuaqqat,
pingahuujut-ilaujut katimapkaijut
tutqikhajimitluuniit havaklugit
naunaitumik ihuaqhaidjutikhat
havauhikhait.

33.3.3 Uqauhiliqinikkut Kamisina
pittaaqtuq, qakuguliqaak, ihumaliurlutik
taimaaqtitlugu taimaaqtitluguluuniit
ilitarijauhimaittumik ihuaqhaidjutikhaq
havaktaunikhanik aullaqtirlugulu
ihivriugtauluni Uqauhiliqinikkut
Kamisina, inmikkut ihumamikkut,
ihumaliurlutik taimaa

(a) ilaujut ihuaqhilimaitait
ihuigjaujumik talvuuna
ihuaqhaidjutikhanik havauhikhat.

(b) malikhugu una aadlalluuniit
Maligaq unaluuniit maliruagakhat
pidjutiqaqtut qanurittaakhanut,
aturninnga tammaqtailininngaluuniit
Inuktut quviagilimaittuq ukunuuna
ilitarijaungittumik ihuaqhainirmut
havaanga, unaluuniit

(c) uppirinikkut pinahuarnialu
uumani Maligarmi uvaniluunniit
Ilitarijauhimajut Uqauhiit Maligaq
maliktaulimaittuq talvuuna
ilitarijauhimangittuni
pigiaqtitauhimajukkut havauhikhanik.

33.3.4 Uqauhiliqinikkut Kamisina pittaqtuq, ilangat ilitarijauhimaittumik ihuaqhaidjutikhanut, piliurlutik maliktakhanik Uqauhiliqinikkut Kamisinaup ihumagijait ihuaqtunik ihuaqtumik ihuaqhautikhainik ihuigijajumik ihumaluutaujulluuniit.

Ilitarijajumik ihivriughiniq

33.3.5 Uqauhiliqinikkut Kamisina pittaqtuq, qakuguliqaak pilirumik ihuigijajumik, imaaluuniit aullaqtitlutik ihivriughilutik inmikkut uuktuutikhamingnik, aullaqtirlutik ihivriughilutik.

Aullaqtiqtinnagu ilitarijajumik ihivriughinirmik, Uqauhiliqinikkut Kamisina tuhaqtitijukhaq titiqiqinikkut atan'ngujakhanik aviktuqhimajumi havagviit unaluuniit timiqutajumik havaktukhajut ihivriughilutik.

33.3.6 Ihivriughijut havaktauhimajut ukunanga Uqauhiliqinikkut Kamisinamit ataani uumani Maligarmi havaktauniaqtuq hiamitiqtakhaungittunik.

Una uuktuutigillaklugu, Uqauhilirinirmut Kamisina aadlanut uqalimaittut aadjikutaliuqhimajut titiqqanik apiqhuqtaunirmut kinamut havagvinganut Uqauhilirinirmut Kamisinamit (kihimi uqaqatigiiktumik ikajuqtut ukunatitut maligatigut uqaqatigiiktumik ikajuqtinga pijuuq hiamitiqtailinirmut uqaqtakhangit).

Maliqajakhait

33.3.7 Uqauhiliqinikkut Kamisina ihumaliuqtaqtuq qanuriliurutikhamik maliktauluni ihivriughilutik ataani uumani Maligarmi.

Kinguani s. 33.3(2).

33.3.8 Ihivriughtautilugit, Uqauhiliqinikkut

Kamisina pijariaqangittuq
 naalaktauvikhanik imaalu inuk
pilaarutiqaqtuq tuhaajauluni
Uqauhiliqinikkut Kamisinamin. Kihimi,
qakungugaikpan ihivriqtaudjutani
Uqauhiliqinikkut Kamisina
naunaiqhigumi unniudjut
atuqqujaujumi
ajungnautiqarniarunaqhijuq inungmun,
timiqtajunutuunniit, tamna
Uqauhiliqinikkut Kamisina piniqtuq,
iniqtiritinatik ihivriqtamingnik, tunilugit
tamna inuk timiqtajunutuunniit
kiudjutikhanik kitunikliqaak
ihuagjaungitunik.

Ihivriughugit hakugingniit
 uvalu havauhikhat

Hakugingniit Uqauhiliqinikkut Kamisina
havagiamingni ihivriughidjutikhamingnik

33.4 Pijariaqangittuq uvani
 titiraqhimajumi,
 Uqauhiliqinikkut Kamisina
 pitaaqtuq, ihivriqtautilugit,
 tukhiutit pijaanginilu
 kangiqhidjutikhanik inungnit
 pidjutaaniklu Uqauhiliqinikkut
 Kamisinap ihumagijjat
 ihuaqtumik, piniqqat
 atahirmik amigaitunikluunin
 hapkuninga qanuriliurutikhanik
 maliqhimaitumik
 maligakhantik itquumanikkut
 unaluunin katimadjutini
 inungnun pidjutiqaqtun:

(a) itiqttut unalu ihivgiurviit
 najugaqaqtut hapkunanga
 aviktuqhimajuni havagvigjuat
 kitutliqaak ihuaqtumik;
 (b) apiqqutikhaliuqpaktut
 najugaani Uqauhiliqinikkut
 Kamisinap ihumagijait
 ihuaqqata, ilaujut uqarlutik
 inuilrumi inungmut inuk
 angiqhimakpat;
 (c) tukhirlugit ihivriurlugillu
 naunaitkutikhat, titiqqat
 hunallu, piliurlutik unaluunniit
 pijariaqaqtut
 aadjiliuqhimajunik imaaluunniit
 piksaliurlutik tapfuuma
 Uqauhiliqinikkut Kamisinap

(1) Uqauhiliqinikkut Kamisina piqaqtuq,
havakhugit ihivriughinirmik ataani
uamani Maligarmi, maligiaqangittumiklu
 maliktakhanik naunaitkutikhanik
 unaluunniit aullaqtiutikhanik inungnut
 pidjutaunutu, hakuqtiutikhanik

(a) itiriama igluqpangnut atuqtaujut
 aviktuqhimajumi havagviit talvani
 ihuaqtumik ikaarnimik ihivriuriamilu
hapkuat,

(b) apiqhuutinun unaluunin
titiraqhimajumik kinaliqaak inuk kitut
kangiqhidjutikhanik tapkua ihuaqtut
ihivriurutinun,

(c) upautitquajunun imaalu
 atuqujaangat takujaarutikhanik inungmik
 tautukhimajainik akhuuqharlugu
tunihitqulugit uqariaqaqtunik unaluunniit
titiraqhimajunik naunaitkutikhanik
talvuuna itqumajumik
titiraqhimajunikluunniit, titiraqhimajunik
naunaittiaqhimajunik,

(d) akhuuqhalugu kinamutliqaak
 inuk tunihilutik kitutliqaak
naunaitkutinik, titiqqanik
 hunanikluunin pihimajamingnik
 unaluunin munaridjutimingni, unalu

Pijukhaujuq nutaanguqtiriami
 taininnga uqauhingit
 Kamisinga hakugingninga
 taimaa naunaittumik. Tamna
 tukhiqtauhijajuq
 taidjutikharnik aulaniqaqtuq
 akhurutikharnik kamisinangit
 allani nunalaani.

ihumagijait ihuaqtut
ihumaaluutinut
ihivriuqtaujunut;
(d) angiqtaait ilaungitpalluuniit
kitunik illitturipkaidjutikhanik
naunaitkutinikluunniit taimaa
Uqauhiliqinikkut Kamisinap
ihumagijait ihuaqtut, taimaa
pilimaitpata ilaungitturluuniit
inungnut pidjutiqaqtut.

(2) Pidjutiqaqtuq tunihiluni
ihuaqtunik tuhaqtidjutimik,
Uqauhiliqinikkut Kamisina
pittaqtuq ihivriuqtautitlugu

(a) upautitqujaujunun unalu
akhuurutigiblugu

tautukhimajuq inuk tautuktuq;

(b) munarilugit uqariijautit
naunaikhitikhangillu;

(c) akhuuqhalugu inuk
tunihitqulugu itquumadjutinik
uqariijaunmik unaluuniin
naunajariiqhimajumik, ilaujut
imaa uqattiarutikkut, atautikkut
unalu iliurarlugillu
Uqauhiliqinikkut Kamisinap
naunajaqhimajait; unalu

(d) akhuuqhalugu inuk
tunihitqulugu titiqqanik
hunaniklu inuup pihimajainik
unaluuniin munariblugitlu
tapkua Uqauhiliqinikkut
Kamisinap ihumagijait ihuaqtut
ihumaaluutinun

ihivriuqtaunirmun, talvangalu
iliurarlugit Uqauhiliqinikkut
Kamisinap kitunun.

(3) Atuqhimaahugugu
hakugingniit

ataanitiraqhimaninga (1)

unalu (2), Uqauhiliqinikkut

Kamisina aadjikiikumik

hakugingniqaqtut uvalu

havaakhat apiqhuijut

maligatigut inungnun

pidjutinun.

(e) munarijaangani uqariijaunmik
unaluuniin naunajaqhimajumik ataani
titiraqhimajumi (c).

Kinguanis s. 33.4(d).

33.4(2) Uqauhiliqinikkut Kamisina
angiqtaqtuq ilaupkarluniluunniit

qujanginnanik ilitturipkaidjutikhanik
naunaitkutini luunniit taimaatun
Uqauhiliqinikkut Kamisinap ihumagijait
ihuaqtunik, taimaa pilimaitpata
ilaungitturluunniit inungnut pidjutiqaqtut.

Upautingitkumik upautitqujaugumik

33.4(3) Kinaliqaaq inuk piniaqtuq

(a) pingitkumik, piittumik nutaamik
atuqtaminik, takujaami, upautigumik
malikhugu titiraqhimajuq 33.4(c),

(b) pingitkumik titiraqhimajunik,
titiqanik, titirangnik
hunavalungnikluunniit piqaqtukhat
malikhautiplugu titiraqhimajuq 33.4(d)
aulatitijaangat ilitagidjutikharnik,
iniqhimajunik titirangnik,
titiraqhimajunik hunavalungnikluunniit
pihimajainik,

(c) angirumangittuq uqariijariami
unaluunniit uqaudjjumagumi,
unaluunniit

(d) kiujumangitkumik kitunikliiqaak
apiqqutinik apiqhuutaujunikluunniit
tunihimajainik Uqauhiliqinikkut
Kamisinamin.

Hakuingniit Uqauhikkut
Kamisinap ihuigijaujut
angitqiaq

Inirutikkut ihivriughinirmi

Ihuigijaujut naunaijaqhimajut

37. (1) Pikpat, havaguirumi
ihivriughinirmik
pidjutiqaqtunik atan'ngujangit
timiqutaujup ilaungittut
ukununga avikturiani
iliharvigjuanut,
Uqauhiliqinikkut Kamisina
ihumajut ihumaluutaujuq
ihivriuqtaudjutaani
naunaiqtauhimajuq,
Uqauhiliqinikkut Kamisina

(a) atuqulugit naunairiqhimajut
ukua maliqajakhait, atugakhait

(1) Pikpat, ihivriurirumik ihuigijaujumik
ihumaaluutimikluunniit Uqauhiliqinikkut
Kamisina ihumaliuqtuq ihuigijaujuq
ihumaaluutigijaaluunniit naunaiqtuq,
Uqauhiliqinikkut Kamisina pitaqtuq

(a) ihuigijaujuq uvaluuniin
ihumaaluut ilaukpat timiqutinun
aalamin aviktuqhimajunin havagviinit,

(i) pitquiloni ihuaqtunik
maliqajakhait, atugakhait
atuqaktakhatiklu havagutiniklu

Qikiqtani Aanniarviat
ihivriughidjutait. Angitqijanun
auladjutikkut ihumagijaujun
atauhirmi ukiumi
naammalimaittungnarhijuq,
ukiuq tamaatlu nutaanik
ilitturipkaidjutinik
havagvingmin
timiqutiminluunniit
ihumagijauttaaqtuq.

uvalu atuqtaujut tapkua
 timiqtaujut havaktaaqtaait
 pijaangini maliklugit
 haffumunga Maligarmun;
 (b) pitquiloni, timiqtaujumik
 tuhaqtitiluni Uqauhiliqinikkut
 Kamisina
 naunaiqtauajariikhimajumi
 pivikhanik imaaluuniit
 ihuaqhailutik atuqtaujujkanik;
 (c) qanuriliurutiqangitpat iluani
 naunaiqtauhimajumi ataani
 titiraqhimajumi (b), aturlugit
 hakugiutikhat titiraqhimajut
 uvanititiraqhimaningna 36(2)
 unalu (3) katitlugit
 akhuurutigilugillu inuk, imaalu
 qun'ngiarlugu inuk
 piliuriangani titiqqanik,
 hunanik itquumajunikluuniit;
 (d) makpiraaliurlugit
 kangiqhidjutikhat
 timiqtaujujutigut, ilaujut
 maliqajakhait pitqujauhijumajut
 ataani titiraqhimajumi (a)
 uvaluuniin naunaitkutikhat
 tunijauhijumajut ataani
 titiraqhimajumi (b) uvaluuniin
 (c); unalu
 (e) uuktuinnariaqaqtut
 Nunavut Apiqhuivingmunut
 Ihuaqhainirmut
 ihuaqhaidjutikhanut ataani
 ilangani 39(1) ilaujurlu talvani
 Uqauhiliqinikkut Kamisina
 uuktuutikhaa ikajuutikhamik
 piqaqtuq Uqauhiliqinikkut
 Kamisinaup paqitainik
 pitqujauhijumajuniklu,
 qujanginnaq, Uqauhiliqinikkut
 Kamisina ihumaliurumi
 ihuaqtunik.

atuqtakhaliuqhimajunik

(ii) pitquiloni,
 timiqtaujumik tuhaqtitiluni
 Uqauhiliqinikkut Kamisina
 naunaiqtauajariikhimajumi
 pivikhanik imaaluuniit ihuaqhailutik
 atuqtaujujkanik

(iii) makpiraaliurlugit
 kangiqhidjutit mikhaagun
 timiqtaujut, ilaujut
tamna maliqajakhait atuqujaujut
 ataani titiraqhimajumi (a) uvaluuniin
tamna naunaitkutikhat pijaujut ataani
 titiraqhimajumi (b) unaluuniit (c), uvalu

(iv) hulidjutiqangitkumi talvani
 naunaijagiiqhimajumi ataani
 titiraqhimajumi (a)(ii),
 uuktugianganiq talvunga Nunavut
 Kuatiliqijunik Maligaliqijitkut
 ihuaqhaidjutikharnik talvuuna
 naunaitkutmi 40(1) ilaujujkaniklu
 talvani Uqauhiliqinikkut Kamisina
 uuktuutikhanik piqaqtukhaq
 Uqauhiliqinikkut Kamisina
 paqitainik atuqtakharniklu, taima
 kituliqaak, tamna Uqauhiliqinikkut
 Kamisina ihumaginiaqtun
 ihuaqtunik, unaluuniit

(b) ihuigijaujut uvaluuniin
 ihumaaluut ilaukpat aviktuqhimajumi
 havagviinnik,

(i) tujuqutauluni unniudjutimik
titiraliqijimut atan'ngujamut,
aallanullu inungmut
Uqauhiliqinikkut Kamisina
ihuaqqata qanurinningit, iliurarlugu
inigtirutait pitqujaillu
Uqauhiliqinikkut Kamisina,

(ii) Takulugit pidjutaujut
hapkununga aviktuqhimajuni
havagviit ihumagijaujukhat
uvaluuniin qanuriliurutit pihimajut
pitquidjutinun kitunun ikaarnitigut,
uvalu

(iii) qanuriliungitpat tamna
 Uqauhiliqinikkut Kamisina
 ihumagigumi ihuaqtumik

ihuaqtunikuuniit ikaarnikkut
naunaijagiikhimajut talvani
titiraqhimajumi (b)(ii),
Uqauhiliqinikkut Kamisina

(A) upalungaijarlugit tunihilutiklu
ihivriurnikkut uniudjutinik
hapkununga Uqaqtiujumut
Maligaliurvingmun, uvalu

(B) uktuinnariaqaqtut Nunavut
Apiqhuivingmunut
Ihuaqhainirmut
ihuaqhaidjutikhanut ataani
titiraqhimaninnga 40(1) ilaujurlu
talvani Uqauhiliqinikkut
Kamisinap uktuutikhaanik
naunaitkut piqaqtut
Uqauhiliqinikkut Kamisinap
paqitauhimajainik
pitqujahimajuniklu, piqaqqat,
Uqauhiliqinikkut Kamisina
ihumaliurumi ihuaqtunik.

(2) Uqauhiliqinikkut Kamisina
tamainni pidjutiqarniaqtuq

(a) talvuuna pidjagiktumiklu
tamna Uqauhiliqinikkut
Kamisinap ihumaginiaqtain
ihuaqtunik aulajukharniklu
titiraqhimajumi 38
ilituripkaijaangat uktuqtunik
allaniklu aktuqtauhimajunik
inungnik taima Uqauhiliqinikkut
Kamisina ihumaginiaqtun
ihuaqtunik Uqauhiliqinikkut
Kamisinap nalvaqhimajainik
akhuuqhaidjutikhanik
atuqtauhimaaqtun talvani
titiraqhimaninnga (1); unalu

(b) tutqikhaqhimajut
titiraqhimajumik uktuqtumun
uvalu aalat hulaqtijut inungnun
Uqauhikkut Kamisina ihumagijaat
ihuaqtumik

(i) Uqauhiliqinikkut Kamisinangit
iniqtihimajait ihivriudjutikhangit;
unalu

(ii) ublua humi kangiqhidjutit
pijariaqaqtut imaa

(2) Uqauhiliqinikkut Kamisina tamainni
pidjutini taamna Ihuigijajut
titiraqtauhimajut malikhugu
titiraqhimaninnga 31(1) ilitturipkarlugu
ihuiguhuktuq titirakkut Uqauhiliqinikkut
Kamisinap paqitainnik
atanniqtuidjutainiklu atuqtauhimajut
ataani titiraqhimaninnga (1).

Ihuigijaujut naunaijaqhimangittut

37(1).2 Pikpat, malikhugu ihivriughiniq, Uqauhiliqinikkut Kamisina ihumaliuqtuq ihuigijaujut ihumaaluutigijaujurluuniit naunaingittuq, Uqauhiliriniq Kamisina tuhaqtitakhaa titiranikkut ihuiguhuktuq, piqaqqat, timiqutigijaujurluuniit titiqiqinirmut atan'ngujaq nunavunmi iliharvikjuanganit, taimaa, naunaipkarniaqtaalu aadlanut inungnut Taimaa Uqauhiliqinikkut Kamisina ihumagigumi ihuaqtuq.

40. (1) Uqauhiliqinikkut Kamisina pittaqtuq imaatut
- (a) uukturlutit Nunavut Kuatiliqijunik Maligaliqijitkut ihuaqhaidjutikharnik talvuuna ikaarnitigun kiklivikhangit havaklugit titiraqhimajumi 39(2)(a)(ii) pijaukpata, titiraqhimajumik, angirutikhaq uuktuqtum;
- (b) upautijuuq hivuani Nunavunmi Apiqhuijit Maligaliqiinun kivgaqtuqhugu inuk uuktuqhimajuq ataani titiraqhimaniinnga 39(1) ihuaqhaidjutikharnik; unaluuniit
- (c) qimakhimaplutik Nunavunmi Apiqhuijiani Maligaliqijikkut, takunnaqtuq ilaujunut aulaqtirutilugu ataani titiraqhimajumi 39(1).
- Uqauhiliqinikkut Kamisina pittaqtuq imaatut
- (a) uukturit uumunga Nunavunmi Apirhuivingmun Maligaliqijikkut ihuarhaidjutikharnik iluani kinguvaqtidjutini piliuqtauhimajuq ilangani 39(2)(a)(ii) titiraqhimajumik angirutimik ihuiguhuktumin, piqaqqat, piqaqqat,
- (b) [...]
- (d) uukturlutit Nunavut Apiqhuijiani Maligaliqijikkut ihuaqhaidjutikharnik malikhugu titiraqhimaniinnga 33(1),
- (e) uukturluni ihuaqhaidjutikharnik pittianirmik kitumi pitquidjutimik Uqauhiliqinikkut Kamisina malikhugu titiraqhimaniinnga 33.4.

Kinguani s. 3(5).

40.1(1) Uqauhiliqinikkut Kamisina, tunijauhaurumi tujurutikharnik malikhugu ilanga 29 imaaluuniit ihuigijaujut malikhugu ilangani 31(1), uvaluuniin Ihivriurlugit ihumaaluutit malikhugu titiraqhimajumi 31(3), ukualu Nunavunmi Apiqhuijit Maligaliqiinin, kinguani tunijauniatigut uuktuutinik malikhugu

Ilaungittuq talvuuna ajungnautikharnik atuqtaukaffukhimajukhat maliqajakharnik tunijaangit htimiqtuajunut pivalliaangat katiqhaidjutikharnik pinahuaqtanginut tunihidjutikharnik ikajuutikharnik Inuktut.

titiraqhimajumi 39, pidjutiginiaqtaa nanminiaqqtut havagviit pijakhat tapkua pijariaqangniaqtut ataani uuma Maligarmi uvalu himautaujuq ikitqiamik pijakhanik tuhaqtitinikkut uvaluuniin kivgaqtuutunik Inuktut, pikpat

(a) nanminiaqqtut timiujut piliuqhimajut pidjutikhainut pidjutiqaqtunik ilitquhirnut, uqaqtainut, hakugikhivalladjutikhanut akhuuqhaidjutikhanullu Inuinnaungittunut uqauhiqaqtunut uvaluuniit pitquhikkut nunallaani; unaluuniit

(b) Ihuariktumik maliglugu una titiraq ilanganut nanminiaqqtut timingit ajuqhaqpiarniaqtut.

Pijutaujumi uumiga pivikhaqarniganik, "ajuqharniq" tukiqaqtuq ajurnarmik naunairiagani ihuitut qanurilinigat aturiaqaqtainik naunaipkutainik ilaa

(a) aanniaqtailinirmut aanniqtailinirmullu,

(b) qujaginaq angijut ihuinaagutit akhuurnaqtut tikhinahuagutit, auladjutait uvaluuniin hulidjutit nanminiaqqtut havagviit,

(c) ihuitumik ajungnautiqaqtunik kaantulaaliqijunik hivunikhangit, unalu

(d) aktikkulaangit, ihuarningga pittaarninngaluuniit nanminiaqqtumik timiqutigijaujuq.

40.1(2) ilaungittunut tunijauhijaujuq malikhugu titiraqhimajuuq 40.1(1)(b) avatqulimaittut 24 tatqiqhiutini. Ilaungituq nutaanguqtiqtauluni una Uqauhiliqinikkut Kamisina uvaluuniin Nunavunmi Apiqhuijit Maligaliqiniin ihumaliuqtut tapkua nutaanguqtirnikkut pijariaqangniaqtut pihimablugit nutaat naunaijautit ajuqhangit, tunihijut tapkua nutaanguqtirrit avatqungilugit 24 tatqiqhiutit.

Mémoire présenté au Comité permanent de la législation
Révision de la *Loi sur la protection de la langue inuit*

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I. TITRE DE LA LOI

Loi sur la protection de la langue inuit (« LPLI » ou la « Loi »).

II. AUTEUR DU MÉMOIRE

Bureau de la commissaire aux langues du Nunavut

La LPLI fait valoir l'importance de la langue inuite pour le maintien et la vitalité de la culture inuite et attribue à la commissaire aux langues le mandat de faire le nécessaire pour que les droits, le statut et les privilèges que la Loi confère à la langue inuite soient reconnus et appliqués.¹ Les recommandations formulées dans le présent document visent à répondre aux préoccupations exprimées par la commissaire aux langues et à remédier aux difficultés auxquelles le Bureau de la commissaire aux langues a été confronté dans l'application de la LPLI.

III. STRUCTURE DU MÉMOIRE

Le présent mémoire est divisé en deux parties. La partie A énonce les raisons pour lesquelles une réforme de la LPLI est nécessaire pour garantir que celle-ci remplisse ses objectifs, et la partie B présente le libellé spécifique proposé pour la LPLI.

PARTIE A : LA NÉCESSITÉ D'UNE RÉFORME

1. Aperçu

On peut faire mieux en matière de clarté et de définition des processus, des rôles et des obligations prévus dans la LPLI. Des modifications importantes de sa structure, de son libellé et de son contenu sont nécessaires pour permettre la réalisation de ses objectifs.

2. Historique et exigence aux fins de révision

La LPLI a été sanctionnée en 2008, et la plupart de ses dispositions sont maintenant en vigueur.² La LPLI exige que l'Assemblée législative fasse des révisions périodiques de l'administration, de l'application et de l'efficacité de ses dispositions et de l'atteinte de ses objectifs. Bien que la première révision devait être faite dans l'année suivant le 18 septembre 2014, aucune révision n'a encore été faite.³ Il s'agira de la première évaluation de l'efficacité de la LPLI.

¹ *Loi sur la protection de la langue inuit*, LCNun, c I-140 [LPLI], art. 28.

² Les articles 9 et 10 de la LPLI, *ibid*, qui touchent l'éducation des jeunes enfants et l'enseignement aux adultes, ne sont pas encore en vigueur.

³ LPLI, *ibid*, art. 43.

3. Mesure par rapport aux objectifs

Les objectifs de la LPLI visent, entre autres, à protéger et à promouvoir la qualité et l'usage répandu de la langue inuite. Par ailleurs, la LPLI stipule que la langue inuite est une langue d'éducation, de travail et de services.⁴ Afin d'assurer l'atteinte des objectifs de la LPLI et de garantir la réalisation de ses engagements, il est nécessaire de modifier la LPLI pour aborder les défis auxquels les Nunavoises et Nunavois font face aujourd'hui.

L'importance de l'inuktitut au Nunavut a diminué depuis l'adoption de la LPLI. Entre 2016 et 2021, au Nunavut, la proportion de répondants au recensement ayant déclaré que leur langue maternelle est l'inuktitut a diminué, passant de 63,3 % à 52,9 %.⁵ Par ailleurs, le pourcentage de Nunavoises et Nunavois qui utilisent l'inuktitut la plupart du temps sur leur lieu de travail est passé de 26,3 % en 2016 à 18,8 % en 2021.

Parallèlement à la diminution du nombre de personnes ayant déclaré utiliser l'inuktitut, le nombre de personnes ayant utilisé l'inuinnaqtun la plupart du temps au travail est passé de 25 à 10.⁶

Le même rapport de recensement de 2021 montre que 41,4 % des Nunavoises et Nunavois ont déclaré utiliser l'inuktitut la plupart du temps à la maison, alors que seulement 18,8 % ont déclaré utiliser l'inuktitut la plupart du temps sur leur lieu de travail.⁷ Ces chiffres montrent que l'inuktitut n'est pas devenu la langue de travail.

4. Conclusion

La LPLI joue un rôle essentiel dans la protection, la promotion et la valorisation de la langue et de la culture inuites. Elle doit néanmoins gagner en efficacité pour atteindre ses objectifs. Les changements que je recommande dans la partie B aideront à y parvenir.

⁴ LPLI, *ibid*, préambule.

⁵ Profil du recensement, Recensement de 2016 - Nunavut [Territoire] et Canada [Pays] (statcan.gc.ca) [Profil du Recensement de 2016]; [Tableau de profil, Profil du recensement, Recensement de la population de 2021 - Nunavut \[Territoire\] \(statcan.gc.ca\)](#) [Profil du Recensement de 2021]. Plus précisément, le nombre total de locuteurs de la langue inuite au Nunavut est passé de 22 600 en 2016, comprenant 22 070 locuteurs de l'inuktitut, 495 locuteurs inuinnaqtophones et 30 locuteurs d'autres langues inuites, à 19 370 en 2021, comprenant 19 130 locuteurs de l'inuktitut, 230 locuteurs inuinnaqtophones et 10 locuteurs d'autres langues inuites.

⁶ *Ibid.*

⁷ *Ibid.*

PARTIE B : PROPOSITIONS DE LIBELLÉ SPÉCIFIQUE

À titre préliminaire, je note qu'un langage inclusif comme « ils » et « leur » devrait remplacer les mots sexospécifiques tels que « il », « elle », « son » et « sa » dans l'ensemble de la Loi, et que le terme « plainte » devrait remplacer « préoccupation » dans les cas d'enquêtes qui ne relèvent pas de la commissaire aux langues. Je recommande également les modifications aux dispositions spécifiques énoncées ci-dessous.

Disposition actuelle	Modification proposée	Raisons
1. INTERPRÉTATION		
<p>a) L'expression « organisme public », sauf disposition contraire d'un règlement, s'entend d'un organisme qui est, à la fois :</p> <p>(a) créé par les lois du Nunavut,</p> <p>(b) placé sous l'autorité d'un ministre ou du Conseil exécutif et</p> <p>(c) désigné comme tel aux termes du paragraphe 1(1) de la <i>Loi sur la gestion des finances publiques</i>.</p>	<p>L'expression « organisme public », sauf disposition contraire d'un règlement, s'entend d'un organisme qui est, à la fois :</p> <p>(a) créé par les lois du Nunavut <u>et</u></p> <p>(b) <u>soit</u></p> <p>(i) sous l'autorité d'un ministre ou du Conseil exécutif, <u>soit</u></p> <p>(ii) désigné comme étant un organisme public en vertu du paragraphe 1(1) de la <i>Loi sur la gestion des finances publiques</i>.</p>	<p>Cette révision permettra de préciser à quels organismes publics la LPLI s'applique et rendra la Loi plus inclusive.</p>
<p>b) L'expression « institution territoriale », s'entend</p> <p>(a) du gouvernement du Nunavut,</p> <p>(b) des organismes judiciaires ou quasi judiciaires,</p> <p>(c) de l'Assemblée législative et</p> <p>(d) des organismes publics.</p>	<p>L'expression « institution territoriale », s'entend</p> <p>(a) [...],</p> <p>(e) <u>des organismes établis en vertu de l'Accord sur les revendications territoriales du Nunavut et</u></p> <p>(f) <u>tout organisme ou bureau créé pour exercer une fonction gouvernementale ou en vertu d'une loi du Nunavut ou par le Conseil exécutif ou sous son autorité.</u></p>	<p>Cette révision vise à définir plus clairement l'institution territoriale d'une manière qui s'harmonise à l'esprit de la LPLI et facilite son application.</p> <p>Le nouvel alinéa (f) proposé est semblable au libellé de la <i>Loi sur les langues officielles</i> fédérale.</p>
<p>1(2) Sauf indication contraire de l'Inuit Uqausinginnik Taiguusiliuqtiit en vertu de l'alinéa 16(5)b), « langue inuite » s'entend de ce qui suit :</p>	<p>« <u>Inuklut</u> » signifie</p> <p>(a) <u>dans l'ensemble du Nunavut, inuktitut, et</u></p>	<p>Cette définition devient ainsi compatible avec celle établie par l'Inuit Tapiriit Kanatami et reconnaît à la fois l'inuktitut et l'inuinnaqtun.</p>

(a) à Kugluktuk, Cambridge Bay, Bathurst Inlet et Umingmaktuuq, ou à proximité, l'inuinnaqtun;
(b) dans d'autres municipalités ou à proximité, l'inuktitut; et
(c) à la fois l'inuinnaqtun et l'inuktitut, selon ce que la commissaire en conseil exécutif peut, par règlement, exiger ou autoriser.

(b) à Kugluktuk, Cambridge Bay, Bathurst Inlet et Umingmaktuuq, ce terme inclut l'inuinnaqtun;

Ajouter un nouveau paragraphe

1(2).1 Tout texte écrit devant être rédigé en inuktitut en vertu de la présente Loi doit être rédigé en caractères syllabiques et/ou selon l'orthographe romaine.

Ajouter un nouveau paragraphe

1(2).2 Tout texte écrit devant être rédigé en inuinnaqtun en vertu de la présente Loi doit être rédigé en caractères syllabiques et/ou selon l'orthographe romaine.

Ajouter un nouveau paragraphe.

1(2).3 Sous réserve des paragraphes 1(2).1 et 1(2).2, la commissaire en conseil exécutif peut, par règlement, instaurer d'autres systèmes d'écriture si elle considère qu'ils sont appropriés.

1(3) Dans son application à l'inuinnaqtun, la présente Loi est interprétée et mise en œuvre d'une manière qui tient compte de la nécessité de donner priorité à :

(a) la revitalisation de l'inuinnaqtun; et à
(b) l'amélioration de l'accès aux communications, aux services, à l'enseignement et aux programmes de langue inuite en inuinnaqtun, en vertu des articles 3 à 10, dans les

Dans son application à l'inuinnaqtun, la présente Loi est interprétée et mise en œuvre d'une manière qui tient compte de la nécessité de donner priorité à :

(a) la revitalisation de l'inuinnaqtun; et à
(b) l'amélioration de l'accès aux communications, aux services, à l'enseignement et aux programmes en inuinnaqtun, là où l'on parle inuinnaqtun.

collectivités où l'inuinnaqtun est une langue autochtone.

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|------|---|---|--|
| 2(2) | En cas d'incompatibilité entre une disposition des articles 3 à 13 et une disposition d'une autre loi que la <i>Loi sur les droits de la personne</i> , la disposition de la présente Loi l'emporte, sauf indication contraire. | En cas d'incompatibilité entre une quelconque disposition de <u>la présente Loi</u> et une disposition d'une autre loi que la <i>Loi sur les droits de la personne</i> , la disposition de la présente loi l'emporte, sauf indication contraire. | Cette modification rend la LPLI plus cohérente avec les importants objectifs fédéraux, territoriaux et inuits énoncés dans le préambule et en raison desquels la LPLI doit jouir d'un statut quasi constitutionnel en droit. À ce titre, il est important que toutes les dispositions de la <i>Loi sur les langues officielles</i> l'emportent sur les autres lois, à l'exception de la <i>Loi sur les droits de la personne</i> , à moins que la LPLI n'en stipule autrement. |
| 2(3) | Sous réserve des dispositions du paragraphe (2), aucune disposition de la présente Loi ne peut être interprétée comme portant atteinte à la validité ou aux effets juridiques d'une communication avec le public ou d'un service au public, ou d'un document, d'une action ou d'une procédure auxquels la présente Loi s'applique. | Sous réserve des dispositions du paragraphe (2), aucune disposition de la présente Loi ne peut être interprétée comme portant atteinte à la validité ou aux effets juridiques d'une communication avec le public ou d'un service au public, <u>ou d'un document ou d'une action auxquels la présente Loi s'applique.</u> | On ne voit pas très bien ce que le mot « procédure » ajoute dans la disposition actuelle. |
| 3(1) | Conformément au présent article et aux règlements, toute organisation doit, le cas échéant :

(a) afficher ses enseignes et ses panneaux publics, y compris la signalisation des sorties et des sorties de secours, en langue inuite, en plus de toute autre langue qui pourrait être utilisée;

(b) afficher et publier ses enseignes et sa publicité commerciale, s'il y a lieu, dans la langue inuite ainsi que dans toute autre langue utilisée;

(c) veiller à ce que le texte en langue inuite de ses panneaux publics, ses enseignes et sa publicité commerciale soit au moins aussi visible que toute | <u>3(1).1 Chaque organisation doit afficher des enseignes destinées à informer le public, y compris des enseignes d'urgence et des indications de sortie, en inuktitut et dans toute autre langue utilisée.</u>

<u>3(1).2 Chaque organisation doit afficher et publier ses affiches et sa publicité commerciale en inuktitut ainsi que dans toute autre langue utilisée.</u>

<u>Aux fins du présent article, « publicité commerciale » s'entend de toute communication verbale ou écrite adressée aux consommateurs du Nunavut pour promouvoir des produits ou des services.</u>

<u>3(1).3 Chaque organisation doit aussi faire en sorte que les services d'accueil et</u> | Il est préférable de traiter séparément les différentes obligations linguistiques, car elles sont de nature différente. Cela permet de clarifier davantage ce qui relève de l'obligation et ce qui relève des droits.

De plus, le fait d'exiger que les versions en inuktitut de l'affichage et de la publicité soient intelligibles garantit la mise en œuvre effective de ces dispositions. |
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autre langue utilisée; et
(d) faire en sorte que les services d'accueil et les services à la clientèle ou aux usagers offerts au public soient disponibles en langue inuite.

les services à la clientèle ou aux usagers offerts au public soient disponibles en inuktitut.

3(1).4 Si les communications visées par le présent article 3(1) sont faites par écrit, la version en inuktitut doit être par écrit.

La version en inuktitut de tout texte écrit visé à l'article 3(1) doit être :

- (a) intelligible.
- (b) utiliser les normes d'orthographe de l'inuktitut et
- (c) au moins aussi visible que le texte de toute autre langue utilisée.

Obligations en milieu de travail des organisations autres que les institutions territoriales

3(1).5 Une organisation doit communiquer par écrit et verbalement avec ses employés en inuktitut dans les cas suivants :

- (a) l'organisation compte 25 employés ou plus;
- (b) les employés actuels de l'organisation ont informé celle-ci que leur langue de préférence est l'inuktitut; et
- (c) la communication porte sur les mesures de santé ou de sécurité sur le lieu de travail.

Mon bureau a reçu des plaintes d'employés de grands organismes du secteur privé qui affichent des panneaux de sécurité en anglais seulement, même s'ils emploient de nombreuses Nunavoises et de nombreux Nunavois dont la langue maternelle est l'inuktitut. Ces plaintes sont actuellement inadmissibles, mais cela doit changer pour des raisons de santé et de sécurité.

<p>3(2) Une organisation doit communiquer avec le public en langue inuite lorsqu'elle fournit les services suivants :</p> <p>(a) des services essentiels, y compris</p> <p>(i) des services ou des interventions d'urgence, de sauvetage ou d'urgence similaire, y compris des services d'accueil ou de répartition, et</p> <p>(ii) des services de santé, médicaux et pharmaceutiques;</p> <p>(b) des services ménagers, résidentiels ou de tourisme, incluant :</p> <p>(i) des services de restauration, d'hôtel, d'hébergement, de résidence ou de logement, et</p> <p>(ii) des services de base fournis à un foyer, y compris la fourniture d'électricité, de combustible, d'eau et de télécommunications;</p> <p>(c) tout autre service désigné par règlement que la commissaire en conseil exécutif estime approprié en raison de sa nature essentielle ou des conséquences importantes que cela entraîne pour les particuliers.</p>	<p>3(2).1 Une organisation doit communiquer avec le public en inuktut lorsqu'elle fournit des services d'urgence et de santé, y compris, sans en exclure d'autres,</p> <p>(a) des services de police, d'incendie et d'intervention d'urgence,</p> <p>(b) des soins de santé et des services médicaux,</p> <p>(c) des services d'établissement de soins de longue durée et d'établissement pour personnes âgées,</p> <p>(d) des services et des installations de protection de l'enfance et de la jeunesse, et</p> <p>(e) des services pharmaceutiques.</p> <p>3(2).2 Une organisation doit communiquer avec le public en inuktut lorsqu'elle fournit des services de livraison d'aliments, de foyer d'accueil et domestiques, y compris, sans en exclure d'autres,</p> <p>(a) de logement et de placement familial,</p> <p>(b) d'hébergement d'urgence,</p> <p>(c) d'hôtellerie, d'hébergement à court terme et de tourisme,</p> <p>(d) d'épicerie et de restauration; et</p> <p>(e) de fourniture d'électricité, de carburant, d'eau et de télécommunications.</p>	<p>Les modifications proposées permettront de mieux définir les « services essentiels » d'une manière qui s'harmonise avec celle des autres administrations et qui est plus claire.</p>
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Ancien alinéa 3(2)(c).

3(2).3 La commissaire en conseil exécutif peut établir des règlements visant d'autres services qui doivent être fournis en inuktut en raison de leur nature essentielle ou des conséquences que cela peut entraîner pour les particuliers.

<p>3(3) En plus des exigences prévues en vertu du paragraphe (1), les communications avec le public visées au paragraphe (2) sont</p>	<p>3(3).1 Les communications avec le public visées au <u>paragraphe 3(2) comprennent, sans s'y limiter :</u></p>
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les suivantes :

(a) tous les avis, tous les avertissements ou toutes les instructions s'adressant aux utilisateurs ou aux consommateurs du service;

(b) les factures mensuelles, les relevés et les demandes semblables adressées aux personnes qui parlent possiblement une langue inuite;

(c) toute autre communication que la commissaire en conseil exécutif peut ordonner.

(a) les avis, les avertissements ou les instructions s'adressant aux utilisateurs ou aux consommateurs du service;

(b) les factures mensuelles, les relevés et les demandes semblables adressées aux personnes qui parlent possiblement l'inuktitut; et

(c) toute autre communication que la commissaire en conseil exécutif peut ordonner.

Déplacez ceci au début de l'article. 3(3)

3(3) Il est entendu que :

(a) le présent article s'applique autant aux communications verbales qu'écrites et

(b) si les communications visées par cet article sont faites par écrit, la version en inuktitut doit aussi être par écrit.

Cette modification fera en sorte que les inuktophones reçoivent la documentation nécessaire pour maintenir leur accès aux services essentiels.

3(5) La commissaire aux langues, après avoir reçu une observation ou une demande en vertu de la partie 4, et la Cour de justice du Nunavut, après avoir reçu une demande en vertu de la partie 4, peuvent relever un organisme du secteur privé d'une obligation qui serait autrement exigée en vertu du présent article et substituer une exigence moins onéreuse pour les communications ou les services en langue inuite si :

Déplacer cette disposition à la partie 4.

(a) l'organisme du secteur privé est constitué à des fins principalement liées au patrimoine, ainsi qu'à des fins d'expression, de valorisation ou de promotion d'une communauté linguistique ou culturelle non inuite; ou

(b) ceux-ci ont la conviction que l'organisme du secteur privé subirait une contrainte excessive si elle se conformait au présent article.

4(1) Chaque contrat émis ou rédigé par un ministère du gouvernement du Nunavut ou en son nom, ou par une organisation publique ou en son nom, que ce soit à la suite d'une demande de propositions, d'un appel d'offres ou autrement, doit inclure la langue inuite dans les communications avec les tiers

4(1).1 Tous les ministères du gouvernement du Nunavut et tous les organismes publics doivent veiller au respect des conditions ci-après au moment de fournir les services visés par le paragraphe 3(2) ou les articles 11 et subséquents de la *Loi sur les langues officielles* ou lorsque ces mêmes services sont fournis en leur nom, en veillant à ce que :

et les services rendus au public, conformément à l'article 3.

(a) leurs obligations linguistiques en vertu de la Loi sont précisées dans le contrat, la demande de propositions, l'appel d'offres ou tout autre instrument;

(b) l'entrepreneur s'engage à fournir les services et à communiquer avec le public en inuktit ainsi que dans toute autre langue; et

(c) le public peut communiquer avec l'entrepreneur et obtenir les services de celui-ci en inuktit.

4(1).2 Le ministère du gouvernement du Nunavut ou l'organisme public au nom duquel les services sont fournis est responsable en cas de non-respect de la présente Loi par les entrepreneurs.

4(2) Cet article ne s'applique pas aux demandes de propositions ou aux appels d'offres non encore attribués, ni aux contrats en cours à la date d'entrée en vigueur de cet article.

Cet article ne s'applique pas aux contrats qui étaient déjà en vigueur le 9 juillet 2017.

L'actuel article 4(2) est entré en vigueur le 9 juillet 2017.

Ajouter la disposition suivante.

4(3).1 Une exemption ne peut être accordée en vertu du paragraphe (3) pour une période de plus de 12 mois. Une exemption peut être renouvelée pour une période additionnelle de 12 mois ou moins par arrêté du Conseil exécutif.

4(3).2 Avant d'accorder ou de renouveler une exemption en vertu du paragraphe 4(3), le Conseil exécutif doit :

(a) informer la Commission des langues de la demande d'exemption ou de renouvellement; et

(b) donner à la commissaire aux langues l'occasion de présenter ses observations à l'égard de la demande.

Le Conseil exécutif doit, lors de l'octroi d'une exemption ou du renouvellement d'une exemption, en aviser par écrit la commissaire aux langues, en indiquant les motifs et la durée de l'exemption ou du renouvellement.

6. Sans égard au volume ni au niveau de la demande, le cas échéant, chaque municipalité doit mettre à la disposition du public, en langue inuite, les communications et les services additionnels qui suivent :

- (a) les plaques de rue, les cartes et les panneaux de signalisation routière qui peuvent être fabriqués ou acquis par la municipalité;
- (b) les activités ou les services fournis par la municipalité concernant le bien-être social des particuliers ou de la collectivité;
- (c) les avis municipaux au public, l'application des règlements municipaux et la délivrance des contraventions;
- (d) l'interprétation lors des réunions publiques et des séances du conseil municipal;
- (e) les autres communications ou services désignés par règlement que la commissaire en conseil estime essentiels en raison de leur nature ou des conséquences qu'ils entraînent pour les particuliers, une collectivité ou le Nunavut dans son ensemble.

6.(1) Sans égard au volume ni au niveau de la demande, chaque municipalité doit fournir, en Inuktitut, les communications et les services additionnels qui suivent :

- (a) les plaques de rue, les cartes et les panneaux de signalisation routière qui peuvent être fabriqués ou acquis par la municipalité;
- (b) les activités ou les services fournis par la municipalité concernant le bien-être social des particuliers ou de la collectivité;
- (c) les avis municipaux relatifs aux services fournis par la municipalité;
- (d) l'application des règlements municipaux, les contraventions et les renseignements relatifs à ces règlements ou les avis émis en vertu de ceux-ci; et
- (e) l'interprétation lors des réunions publiques et des séances du conseil municipal.

Non seulement les membres du public, mais aussi les employés municipaux, les conseillers et d'autres parties prenantes ont besoin de services, d'avis et d'interprétation en inuktitut.

Ancien alinéa 6(e).

6.(2) La commissaire en conseil exécutif peut, par règlement, désigner :

- (a) les communications ou services supplémentaires que les municipalités doivent rendre disponibles en inuktitut, quel que soit le volume ou le niveau de la demande,

Des règlements doivent être élaborés conformément au présent alinéa. Le gouvernement du Nunavut se doit de mener des consultations publiques afin de mieux comprendre les situations problématiques auxquelles sont confrontés les résidents pour accéder aux

(b) les municipalités qui sont tenues de rendre toutes les communications et tous les services disponibles en inuktitut, quel que soit le volume ou le niveau de la demande, et

(c) les communications et les services spécifiques qui doivent être disponibles en inuktitut dans des municipalités précises, quel que soit le volume ou le niveau de la demande.

services, aux programmes ou aux activités offerts par les municipalités.

7. Les documents, dont les avis ou les lignes directrices, adressés à une municipalité par le gouvernement du Nunavut aux fins de diffusion publique, d'examen ou de commentaires au niveau municipal, doivent être accompagnés d'une traduction en langue inuite.

Les documents, incluant les avis ou les lignes directrices, adressés à une municipalité par le gouvernement du Nunavut pour diffusion, examen ou commentaire au niveau municipal, doivent être fournis en inuktitut ou accompagnés d'une traduction en inuktitut.

Les documents doivent être disponibles en inuktitut même s'ils sont destinés à être distribués aux employés municipaux, aux conseillers ou à d'autres parties prenantes et non au public.

9. En ce qui concerne la période d'apprentissage préscolaire, et compte tenu de l'importance de cette phase du développement pour l'acquisition et la revitalisation de la langue, le gouvernement du Nunavut doit dès lors faciliter le développement et l'apprentissage de la langue inuite durant la petite enfance. Pour ce faire, il peut encourager la participation des enfants et de leurs parents au niveau de la collectivité, tout en veillant à :

- (a) élaborer et fournir du matériel et des programmes d'éducation de la petite enfance en langue inuite;
- (b) contrôler la disponibilité, l'utilisation et les résultats du matériel et des programmes visés à l'alinéa (a); et
- (c) définir et mettre en œuvre les normes de délivrance des licences, la formation, la certification et le perfectionnement professionnel des responsables

Le gouvernement du Nunavut doit promouvoir l'utilisation de l'inuktitut pour le développement de la petite enfance et de l'apprentissage des enfants et auprès de leurs parents au niveau de la collectivité; et doit

(a) élaborer et rendre disponible du matériel et des programmes d'éducation de la petite enfance en inuktitut;

(b) contrôler et évaluer la disponibilité, l'utilisation et les résultats de ce matériel et ces programmes, tels que visés à l'alinéa (a); et

[...]

Le fait de rendre disponibles en inuktitut et en inuinnaqtun le matériel et les programmes d'éducation de la petite enfance pourra contribuer non seulement à préserver ces langues, mais aussi à donner aux enfants les bases nécessaires pour s'épanouir dans un cadre éducatif.

Mon bureau avait recommandé que cet article entre en vigueur dans son rapport annuel de 2015-2016. Malgré la recommandation, rien n'a été fait pour donner effet à cet article 9.

et du personnel des centres de la petite enfance en vertu de la *Loi sur les garderies*, ou d'autres prestataires de services d'éducation de la petite enfance, qui sont nécessaires à la mise en application du présent article.

10. Le gouvernement du Nunavut doit élaborer et fournir du matériel et des programmes d'apprentissage et de perfectionnement de la langue inuite conçus pour les adultes qui souhaitent acquérir des compétences en langue inuite ou les améliorer, tant dans les milieux d'apprentissage communautaires que dans le cadre de l'enseignement postsecondaire.
- Le gouvernement du Nunavut doit élaborer et rendre disponible du matériel et des programmes d'apprentissage de l'inuktitut conçus pour les adultes qui souhaitent acquérir des compétences en inuktitut ou les améliorer dans les milieux d'apprentissage communautaires et les établissements d'enseignement postsecondaire.
- 10.1 Le matériel et les programmes d'apprentissage en inuktitut doivent être accessibles à tous, tant au niveau du coût et du format que du mode de prestation et de l'emplacement.
- Le fait de mettre du matériel d'apprentissage de la langue inuktitut à la disposition des adultes permet non seulement d'inverser la perte de langue, mais aussi de faciliter l'atteinte des autres objectifs de la Loi, car un plus grand nombre de professionnels seront alors en mesure d'offrir des services dans ces langues. Cet article doit entrer en vigueur dès que possible.
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- 12(2) Chaque institution territoriale doit :
- (a) déterminer et mettre en œuvre des mesures visant à éliminer les obstacles auxquels se heurtent les personnes qui préfèrent parler la langue inuite pendant le recrutement ou en milieu de travail;
- (b) déterminer et mettre en œuvre des mesures pour accroître l'usage de la langue inuite comme langue de travail;
- (c) veiller, lors du recrutement, à ce que
- (i) la description du poste comporte un énoncé des exigences professionnelles légitimes pour ce poste en ce qui concerne la langue, le cas échéant, et que
- (ii) le niveau de compétence en langue inuite des candidats évalués constitue un critère valorisé au moment de déterminer leurs qualifications
- Chaque institution territoriale doit :
- (a) déterminer et mettre en œuvre des mesures visant à éliminer les obstacles auxquels se heurtent les personnes qui préfèrent parler l'inuktitut pendant le recrutement ou en milieu de travail, ce qui inclut toute contrainte empêchant l'avancement professionnel,
- (b) concevoir et mettre en œuvre des mesures pour accroître l'usage de l'inuktitut comme langue de travail de l'institution,
- (c) veiller, lors du recrutement, à ce que
- (i) la description du poste comporte un énoncé des exigences professionnelles légitimes pour ce poste en ce qui concerne la langue, le cas échéant, et que
- (ii) le niveau de compétence en
- L'ajout proposé à l'alinéa (a) est semblable à l'article 39(1)(a) de la *Loi sur les langues officielles* fédérale qui fait référence à « l'égalité des chances d'emploi et d'avancement ».
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globales pour le poste;

(d) présenter aux candidats une offre active, sauf si les compétences dans une autre langue qu'une langue inuite constituent une exigence professionnelle légitime du poste, dans quel cas un candidat peut :

(i) présenter une demande entièrement en langue inuite et

(ii) passer l'entrevue entièrement en langue inuite s'il est sélectionné;

(e) décider, dans le cadre d'une offre active faite au début de l'emploi si, en tant que nouvel employé, celui-ci préfère utiliser la langue inuite comme langue de travail;

f) si la langue inuite est la langue de travail de préférence de l'employé :

(i) veiller à ce que la direction soit en mesure de communiquer avec l'employé et de le superviser dans la langue inuite,

(ii) fournir toute évaluation du rendement en langue inuite,

(iii) faire la promotion des réseaux de langue inuite, du mentorat ou d'autres moyens novateurs offrant plus de facilité d'utilisation et le renforcement de la langue inuite chez ceux qui préfèrent utiliser la langue inuite au travail,

(iv) accepter les griefs déposés en langue inuite; et

(g) peu importe si la langue inuite constitue ou non la langue de travail de préférence de l'employé,

(i) offrir une formation en langue inuite, un perfectionnement et une évaluation de la compétence des employés en langue inuite,

(ii) veiller à ce que les employés qui souhaitent suivre cette formation ou ce perfectionnement puissent s'y

inuktut des candidats évalués constitue un critère valorisé au moment de déterminer leurs qualifications globales pour le poste;

(d) présenter aux candidats une offre active, sauf si les compétences dans une autre langue que l'inuktut constituent une exigence professionnelle légitime du poste, dans quel cas un candidat peut :

(i) présenter une demande entièrement en inuktut, et

(ii) passer l'entrevue entièrement en inuktut s'il est sélectionné,

(e) décider, dans le cadre d'une offre active faite au début de l'emploi si, en tant que nouvel employé, celui-ci préfère utiliser l'inuktut comme langue de travail;

(f) si l'inuktut est la langue de travail de préférence de l'employé :

(i) veiller à ce que la direction soit en mesure de communiquer avec l'employé et de le superviser en inuktut,

(ii) fournir toute évaluation du rendement en inuktut,

(iii) faire la promotion des réseaux en inuktut, du mentorat ou d'autres moyens novateurs offrant plus de facilité d'utilisation et le renforcement de l'inuktut chez ceux qui préfèrent utiliser cette langue au travail, et

(iv) accepter les griefs déposés en inuktut, et

(g) peu importe si l'inuktut constitue ou non la langue de travail de préférence de l'employé,

(i) offrir une formation en inuktut, un perfectionnement et une évaluation de la compétence des employés en inuktut,

inscrire ou y assister sans être limités par leurs tâches habituelles, et

(iii) tenir des dossiers concernant l'atteinte individuelle et les résultats globaux de la formation et du perfectionnement offerts aux employés.

(ii) veiller à ce que les employés qui souhaitent suivre cette formation ou ce perfectionnement puissent s'y inscrire ou y assister sans être limités par leurs tâches habituelles, et

(iii) (ii) tenir des dossiers concernant l'atteinte individuelle et les résultats globaux de la formation et du perfectionnement en inuklut offerts aux employés.

12(3) Afin de faciliter l'utilisation de la langue inuite en milieu de travail, chaque institution territoriale doit :

(a) veiller à ce que la direction de l'institution ait, collectivement, la capacité de fonctionner dans la langue inuite;

(b) diffuser ou afficher en langue inuite, en plus de toute autre langue utilisée, les communications internes adressées à l'ensemble de leurs employés;

(c) faire la promotion de l'usage de la langue inuite pour les communications sur les lieux du travail généralement, y compris pour les communications entre ministères et entre organismes; et

(d) acquérir, lorsqu'ils sont disponibles, des systèmes de technologie de l'information appropriés pour appuyer l'utilisation de la langue inuite.

Pour donner effet au paragraphe 12(2), chaque institution territoriale doit :

(a) veiller à ce que sa direction puisse fonctionner collectivement en inuklut, et

(b) exiger que les personnes occupant des postes de direction suivent

(i) des cours de langue inuklute et

(ii) une formation sur les droits et obligations linguistiques en inuklut et sur la culture inuite.

12(4) Afin de faciliter l'utilisation de la langue inuite en milieu de travail, chaque ministère du gouvernement du Nunavut et organisme public doit :

(a) supprimé, 2^e Assemblée législative, 10 septembre 2008;

(b) en collaboration avec l'Inuit Uqausinginnik Taiguusiliuqtiit,

12(4) Afin de faciliter l'utilisation et la promotion de l'inuklut en milieu de travail, chaque institution territoriale doit :

(a) distribuer ou afficher en inuklut, en plus de toute autre langue utilisée, les communications internes adressées à l'ensemble de leurs employés;

Les ajouts proposés aux alinéas (d) et (e) sont semblables aux dispositions de la *Loi sur les langues officielles* fédérale.

conformément à l'alinéa 16(2)(d), élaborer la terminologie et les expressions en langue inuite nécessaires aux communications et au fonctionnement internes et externes du ministère ou de l'organisme public;

(c) si l'Inuit Uqausinginnik Taiguusiliuqtiit a donné une directive en vertu de l'alinéa 16(5)(b) :

(i) utiliser la langue inuite standard selon la directive,

(ii) dans un délai raisonnable, mettre à jour les guides, manuels et outils semblables utilisés par les employés conformément à la directive et

(iii) publier et faciliter l'utilisation de la terminologie et des expressions normalisées de la langue inuite par les employés et d'autres personnes.

(b) encourager l'usage de l'inuklut pour toutes les communications sur les lieux du travail généralement, y compris pour les communications entre ministères et entre organismes;

(c) acquérir, lorsqu'ils sont disponibles, des systèmes de technologie de l'information appropriés pour appuyer l'utilisation de l'inuklut;

(d) mettre à la disposition des employés tous les outils et toutes les conditions de travail dont ils ont besoin pour effectuer leurs tâches en inuklut;
et

(e) rendre disponible en inuklut

(i) tous les services fournis aux employés, individuellement et collectivement pour les appuyer dans l'exercice de leurs fonctions;
et

(ii) tous les instruments de travail régulièrement et largement utilisés produits par l'institution territoriale ou en son nom.

12(4.1) Afin de faciliter l'utilisation de l'inuklut en milieu de travail, chaque ministère du gouvernement du Nunavut et organisme public doit :

(a) en collaboration avec l'Inuit Uqausinginnik Taiguusiliuqtiit, le ministère de la Culture et du Patrimoine et le public, élaborer la terminologie et les expressions en inuklut nécessaires aux communications et au fonctionnement internes et externes du ministère ou de l'organisme public; et

(b) si l'Inuit Uqausinginnik Taiguusiliuqtiit ou le ministère de la Culture et du Patrimoine a donné une directive en vertu de l'article 16(5)(b) :

(i) utiliser l'inuklut standard selon la directive;

(ii) dans un délai raisonnable, mettre à jour les guides, manuels et outils semblables utilisés par les employés conformément à la directive, et

(iii) publier et faciliter l'utilisation de la terminologie et des expressions normalisées de l'inuktut par les employés et d'autres personnes.

Ajouter la disposition suivante.

12(4.2) Toute institution territoriale qui a le pouvoir de diriger d'autres institutions territoriales ou de leur fournir des services a le devoir de veiller à ce qu'elle exerce ses pouvoirs et ses fonctions à l'égard de ces autres institutions d'une manière qui permet aux employés de ces institutions d'utiliser l'inuktut.

Des employés d'institutions territoriales nous ont dit qu'ils n'avaient pas été en mesure de communiquer en inuktut avec d'autres institutions territoriales. Ces préoccupations sont actuellement inadmissibles, et la modification proposée changerait cela.

La modification proposée est semblable à l'article 37 de la *Loi sur les langues officielles* fédérale.

16(1) Il est du devoir de l'Inuit Uqausinginnik Taiguusiliuqtiit d'élargir les connaissances et l'expertise disponibles en ce qui concerne la langue inuite, et d'examiner et de prendre des décisions concernant l'utilisation, le développement et la normalisation de la langue inuite en vertu de la présente Loi.

L'Inuit Uqausinginnik Taiguusiliuqtiit et le ministère de la Culture et du Patrimoine travaillent en synergie pour élargir les connaissances et l'expertise disponibles en ce qui concerne l'inuktut, et pour faire une réflexion et prendre des décisions sur l'utilisation, le développement et la normalisation de l'inuktut en vertu de la présente Loi.

L'Inuit Uqausinginnik Taiguusiliuqtiit pourrait bénéficier des ressources du ministère de la Culture et du Patrimoine s'ils travaillent ensemble.

16(2) Sans limiter la portée générale du paragraphe (1), l'Inuit Uqausinginnik Taiguusiliuqtiit doit :

(a) élaborer, en tenant compte des traditions orales et de l'usage, de la diversité et des besoins modernes de la langue inuite, une terminologie ou des expressions normalisées en

Sans limiter la portée générale du paragraphe (1), l'Inuit Uqausinginnik Taiguusiliuqtiit et le ministère de la Culture et du Patrimoine travaillent en synergie pour

(a) élaborer, en tenant compte des traditions orales et de l'usage, de la diversité et des besoins modernes de l'inuktut, une terminologie, une

Comme mentionné précédemment, l'Inuit Uqausinginnik Taiguusiliuqtiit pourrait bénéficier des ressources du ministère de la Culture et du Patrimoine s'ils travaillent ensemble. Par ailleurs, l'ajout d'échéanciers aux responsabilités énoncées dans la présente partie

langue inuite;

(b) publier, mettre en valeur et maintenir une base de données de toute la terminologie ou des expressions normalisées en langue inuite;

(c) établir et publier des niveaux de compétence ou des normes d'utilisation ou de correction de la langue inuite, y compris à l'égard de tout dialecte de la langue inuite utilisé localement;

(d) sur demande du ministre, de la commissaire aux langues ou d'une organisation, examiner la terminologie, les expressions, les documents, les normes, les niveaux de compétence ou les communications proposés dans la langue inuite et formuler des recommandations en réponse à cette demande; et

(e) établir et administrer, conformément à la loi applicable, un programme de prix pour reconnaître les réalisations exceptionnelles d'une organisation ou d'un particulier dans la mise en œuvre des exigences de la présente Loi ou dans sa contribution au développement, à la mise en valeur ou à la protection de la langue inuite.

orthographe et des expressions normalisées en inuktut;

(b) publier, valoriser et maintenir une base de données de l'ensemble de la terminologie, de l'orthographe et des expressions normalisées en inuktut,

(c) établir et publier des niveaux de compétence ou des normes d'utilisation ou de correction de l'inuktut, y compris à l'égard de tout dialecte de l'inuktut utilisé localement;

(d) sur demande du ministre, de la commissaire aux langues ou d'une organisation, examiner la terminologie, l'orthographe, les expressions, les documents, les normes, les niveaux de compétence ou les communications proposés en inuktut et formuler des recommandations en réponse à cette demande dans les six mois de sa réception; et

(e) établir et administrer, conformément à la loi applicable, un programme de prix pour reconnaître les réalisations exceptionnelles d'une organisation ou d'un particulier dans la mise en œuvre des exigences de la présente Loi ou dans sa contribution au développement, à la mise en valeur ou à la protection de l'inuktut.

favorisera la responsabilisation. La collaboration avec le ministère de la Culture et du Patrimoine devrait faciliter le travail en temps voulu.

Ajouter la disposition suivante.

16(2).1 Si l'Inuit Uqausinginnik Taigusiliuqtiit ne fournit pas de recommandation en réponse à une demande de la commissaire aux langues dans la période stipulée à l'alinéa 16(2)(d), la commissaire aux langues peut retenir les services d'un autre fournisseur de services pour fournir des conseils et des recommandations et sera remboursée pour ses dépenses à même les allocations budgétaires de l'Inuit Uqausinginnik Taigusiliuqtiit.

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| 16(3) | <p>Sans limiter la portée générale du paragraphe (1), l'Inuit Uqausinginnik Taiguusiliuqtiit doit entreprendre et superviser des recherches visant à appuyer son travail et l'exercice de ses fonctions, et doit :</p> <ul style="list-style-type: none">(a) documenter et préserver la terminologie traditionnelle ou historique, les variantes régionales ou les dialectes, les expressions et les récits de la langue inuite;(b) déterminer les besoins et les lacunes en matière de recherche liés à l'utilisation, au développement, à l'apprentissage, à la structure linguistique, à la vitalité ou à la normalisation de la langue inuite;(c) entreprendre ou superviser et publier des travaux de recherche visant à répondre aux exigences et à combler les lacunes décelées;(d) faire valoir la qualité, la cohérence, l'équilibre, l'accessibilité et l'absence de chevauchement des travaux de recherche;(e) partager ses données avec une organisation, un établissement d'enseignement ou des personnes, à l'intérieur ou à l'extérieur du Nunavut, dans l'objectif d'élargir les connaissances et l'expertise disponibles en ce qui a trait à la langue inuite, à son essor et à sa normalisation de façon générale; et(f) entreprendre ou superviser des travaux de recherche à la demande du ministre ou du Conseil exécutif. | <p>Sans limiter la portée générale du paragraphe (1), l'Inuit Uqausinginnik Taiguusiliuqtiit <u>et le ministre de la Culture et du Patrimoine doivent travailler en synergie</u> dans le but d'entreprendre et de superviser des recherches visant à appuyer leur travail et l'exercice de leurs fonctions <u>en vertu de la présente partie</u>, et ils doivent :</p> <ul style="list-style-type: none">(a) documenter et préserver la terminologie traditionnelle ou historique, les variantes régionales ou les dialectes, les expressions et les récits de l'<u>inuktut</u>;(b) déterminer les besoins et les lacunes en matière de recherche liés à l'utilisation, au développement, à l'apprentissage, à la structure linguistique, à la vitalité ou à la normalisation de l'<u>inuktut</u>;(c) entreprendre ou superviser et publier des travaux de recherche visant à répondre aux exigences et à combler les lacunes décelées;(d) faire valoir la qualité, la cohérence, l'équilibre, l'accessibilité et l'absence de chevauchement des travaux de recherche;(e) partager leurs données avec <u>des organisations, des établissements d'enseignement ou des particuliers</u>, à l'intérieur ou à l'extérieur du Nunavut, dans l'objectif d'élargir les connaissances et l'expertise disponibles en ce qui a trait à l'<u>inuktut</u>, à son essor et à sa normalisation de façon générale; et(f) entreprendre ou superviser des recherches que le ministre ou le Conseil exécutif peut demander <u>et mener à bien ces recherches dans les délais fixés par le ministre ou le Conseil exécutif</u>. |
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| 16(4) | <p>Sans limiter la portée générale des paragraphes (1) et (3), l'Inuit Uqausinginnik Taiguusiliuqtiit</p> | <p>Sans limiter la portée générale des paragraphes (1) et (3), l'Inuit Uqausinginnik Taiguusiliuqtiit et le</p> |
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peut travailler en collaboration avec une organisation ou contribuer au travail d'une organisation, d'un établissement d'enseignement ou d'une personne capable de faire progresser les connaissances et l'expertise disponibles en ce qui concerne la langue inuite, ou en faire la promotion, ou bien appuyer le travail ou tout projet spécial de l'Inuit Uqausinginnik Taiguusiliuqtiit.

ministère de la Culture et du Patrimoine peuvent collaborer avec une organisation ou contribuer au travail d'une organisation, ou de tout établissement d'enseignement ou toute personne capable de faire progresser les connaissances et l'expertise disponibles en ce qui concerne l'inuktut, ou en faire la promotion, ou bien appuyer le travail ou tout projet spécial de l'Inuit Uqausinginnik Taiguusiliuqtiit ou du ministère de la Culture et du Patrimoine, conformément à la présente partie.

16(5) L'Inuit Uqausinginnik Taiguusiliuqtiit peut :

(a) établir la terminologie, les expressions, l'orthographe, la langue ou l'usage normalisés de la langue inuite utilisés

(i) par une organisation ou dans un domaine d'activité auquel s'appliquent la présente Loi et les règlements et

(ii) dans les communications d'un ministère du gouvernement du Nunavut ou d'un organisme public;

(b) ordonner à un ministère du gouvernement du Nunavut ou à un organisme public de mettre en œuvre une terminologie, des expressions, une orthographe ou une autre langue ou un usage normalisés de la langue inuite que l'Inuit Uqausinginnik Taiguusiliuqtiit a recommandé; et

(c) entreprendre ou superviser des projets additionnels compatibles avec les fonctions de l'Inuit Uqausinginnik Taiguusiliuqtiit que le ministre ou le Conseil exécutif peut demander.

L'Inuit Uqausinginnik Taiguusiliuqtiit et le ministère de la Culture et du Patrimoine peuvent :

(a) établir la terminologie, les expressions, l'orthographe, la langue ou l'usage normalisés de l'inuktut utilisés

(i) par une organisation ou dans un domaine d'activité auquel s'appliquent la présente Loi et les règlements et

(ii) dans les communications d'un ministère du gouvernement du Nunavut ou d'un organisme public;

(b) ordonner à un ministère du gouvernement du Nunavut ou à un organisme public de mettre en œuvre une terminologie, des expressions, une orthographe ou une autre langue ou un usage normalisés de l'inuktut que l'Inuit Uqausinginnik Taiguusiliuqtiit ou le ministère de la Culture et du Patrimoine a recommandé; et

(c) entreprendre ou superviser d'autres projets conformes aux tâches relevant de l'Inuit Uqausinginnik Taiguusiliuqtiit ou du ministère de la Culture et du Patrimoine en vertu de la présente partie que le ministre ou le Conseil exécutif peut demander et ce, dans les délais fixés par le ministre ou

le Conseil exécutif.

17(1) Pour s'acquitter des fonctions que lui attribue la présente Loi, l'Inuit Uqausinginnik Taigusiliuqtiit peut :

- (a) constituer des comités composés en tout ou en partie de ses membres, selon les modalités que l'Inuit Uqausinginnik Taigusiliuqtiit estime appropriées;
- (b) procéder à des examens, des audiences ou des réunions et recevoir les observations ou les rapports que l'Inuit Uqausinginnik Taigusiliuqtiit estime appropriés;
- (c) préparer, examiner ou recommander des sondages ou des tests, faire des sondages ou faire passer des tests, pour évaluer la maîtrise de la langue inuit, en vue notamment d'une certification du niveau de compétence en langue inuite d'une personne à des fins de formation ou d'emploi;
- (d) collaborer avec une organisation, la commissaire aux langues et toute autre personne exerçant les pouvoirs ou fonctions que lui confère la présente Loi;
- (e) indexer ou publier de l'information sur toute question relevant de la compétence de l'Inuit Uqausinginnik Taigusiliuqtiit; et
- (f) conseiller le ministre, ou lui présenter des rapports ou des recommandations, de sa propre initiative, sur toute question relevant de la compétence de l'Inuit Uqausinginnik Taigusiliuqtiit.

17(1).1 Pour s'acquitter des fonctions que lui attribue la présente Loi, l'Inuit Uqausinginnik Taigusiliuqtiit peut :

- (a) constituer des comités composés en tout ou en partie de ses membres, selon les modalités et conditions que l'Inuit Uqausinginnik Taigusiliuqtiit estime appropriées; et
- (b) conseiller le ministre, ou lui présenter des rapports ou des recommandations, de sa propre initiative, sur toute question relevant de la compétence de l'Inuit Uqausinginnik Taigusiliuqtiit.

17(1).2 Afin d'exercer les fonctions qui leur incombent en vertu de la présente partie, l'Inuit Uqausinginnik Taigusiliuqtiit et le ministère de la Culture et du Patrimoine peuvent

- (a) procéder à des examens, des audiences ou des réunions et recevoir les observations ou les rapports que l'Inuit Uqausinginnik Taigusiliuqtiit et le ministère de la Culture et du Patrimoine estiment appropriés;
 - (b) préparer, examiner ou recommander des sondages ou des tests, faire des sondages ou faire passer des tests, pour évaluer la maîtrise de l'inuktut, en vue notamment d'une certification du niveau de compétence en inuktut d'un particulier à des fins de formation ou d'emploi;
 - (c) collaborer avec une organisation, la commissaire aux langues et toute autre personne exerçant les pouvoirs ou fonctions que lui confère la présente Loi; et
 - (d) indexer ou publier de l'information sur toute question relevant de la compétence de l'Inuit Uqausinginnik Taigusiliuqtiit ou du
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ministère de la Culture et du Patrimoine en vertu de la présente partie.

18. Dans l'exercice de ses pouvoirs et de ses fonctions, l'Inuit Uqausinginnik Taiguusiliuqtiit doit, en plus des autres facteurs que celui-ci peut juger appropriés, avoir à cœur et promouvoir :
- (a) les communications ou les offres de services efficaces en langue inuite;
- (b) l'amélioration progressive et l'excellence de l'enseignement, de l'utilisation, de la qualité et de la vitalité de la langue inuite à l'échelle individuelle ou communautaire;
- (c) le développement accéléré de la langue inuite, y compris l'élaboration de la nouvelle terminologie nécessaire à l'observation efficace de la présente Loi;
- (d) les communications efficaces avec et entre les usagers de différents dialectes ou orthographe; et
- (e) l'évaluation approfondie et le choix des recommandations, mesures ou approches les plus à même de contribuer efficacement à l'accomplissement des obligations de l'Inuit Uqausinginnik Taiguusiliuqtiit et à la réalisation des objectifs fixés par la Loi, sans risquer d'entraîner de quelconques effets défavorables sur des personnes ou des groupes.
- Dans l'exercice de leurs pouvoirs et de leurs fonctions en vertu de la présente partie, l'Inuit Uqausinginnik Taiguusiliuqtiit et le ministère de la Culture et du Patrimoine doivent, en plus des autres facteurs que ceux-ci peuvent juger appropriés, avoir à cœur et promouvoir :
- (a) les communications ou les offres de services efficaces en inuktut;
- (b) l'amélioration progressive et l'excellence de l'enseignement, de l'utilisation, de la qualité et de la vitalité de l'inuktut à l'échelle individuelle ou communautaire;
- (c) le développement accéléré de l'inuktut, y compris l'élaboration de la nouvelle terminologie nécessaire à l'observation efficace de la présente Loi;
- (d) les communications efficaces avec et entre les usagers d'un dialecte ou d'une orthographe inuktute; et
- (e) l'évaluation approfondie et le choix des recommandations, mesures ou approches les plus à même de contribuer efficacement à l'accomplissement des obligations de l'Inuit Uqausinginnik Taiguusiliuqtiit et du ministère de la Culture et du Patrimoine en vertu de la présente partie et à la réalisation des objectifs plus larges fixés par la Loi, sans risquer d'entraîner de quelconques effets défavorables sur des personnes ou des groupes.
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19. Dans l'exercice de ses pouvoirs et de ses fonctions, l'Inuit Uqausinginnik Taiguusiliuqtiit
- (a) peut consulter le public ou toute organisation ou groupe susceptible d'être touché par une recommandation ou une approche qu'il aura examinée d'une manière que celui-ci considère comme étant appropriée et juste; et
- (b) doit consulter, comme l'exigent l'article 32 de l'Accord sur le Nunavut et toute autre loi, toute organisation ou tout groupe d'Inuits, ou toute municipalité susceptible d'être concernée par une recommandation ou une approche envisagée par l'Inuit Uqausinginnik Taiguusiliuqtiit.
- Dans l'exercice de leurs pouvoirs et de leurs fonctions en vertu de la présente partie, l'Inuit Uqausinginnik Taiguusiliuqtiit et le ministère de la Culture et du Patrimoine :
- (a) peuvent consulter le public ou toute organisation ou groupe susceptible d'être touché par une recommandation ou une approche que l'Inuit Uqausinginnik Taiguusiliuqtiit ou le ministère de la Culture et du Patrimoine aura examinée d'une manière que ceux-ci considèrent comme étant appropriée et juste; et
- (b) doivent consulter, comme l'exigent l'article 32 de l'Accord sur le Nunavut et toute autre loi, toute organisation ou tout groupe d'Inuits, ou toute municipalité susceptible d'être concernée par une recommandation ou une approche envisagée par l'Inuit Uqausinginnik Taiguusiliuqtiit ou le ministère de la Culture et du Patrimoine.
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23. (1) Dans les neuf mois suivant la fin de chaque exercice, l'Inuit Uqausinginnik Taiguusiliuqtiit doit présenter au ministre un rapport annuel portant sur l'exécution de ses pouvoirs et fonctions prévus par la Loi, en y incluant les renseignements suivants :
- (a) ses activités au cours de l'exercice précédent;
- (a.1) les exemplaires ou les résumés, selon ce que l'Inuit Uqausinginnik Taiguusiliuqtiit juge approprié, des recommandations ou des rapports transmis ou des conseils donnés au ministre aux termes de l'alinéa 17(1)(f), le cas échéant;
- (b) les résultats obtenus;
- (c) une évaluation des forces ou des besoins de la langue inuite;
- (d) ses priorités et toute
- Dans les neuf mois suivant la fin de chaque exercice, l'Inuit Uqausinginnik Taiguusiliuqtiit doit présenter au ministre et à la commissaire aux langues un rapport annuel portant sur l'exécution de ses pouvoirs et fonctions prévus par la loi, en y incluant les renseignements suivants :
- [...]
- (2) Le ministère de la Culture et du Patrimoine fournit l'aide dont l'Inuit Uqausinginnik Taiguusiliuqtiit a besoin pour préparer son rapport annuel.
- (3) Le ministre veille au dépôt du rapport annuel de l'Inuit Uqausinginnik Taiguusiliuqtiit devant l'Assemblée législative dès que les circonstances le permettent.
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modification aux priorités, faite ou prévue, visant une réponse plus efficace aux besoins de la langue inuite;

(e) tout autre renseignement que le ministre peut exiger.

(2) Le ministre veille au dépôt du rapport annuel de l'Inuit Uqausinginnik Taiguusiliuqtiit devant l'Assemblée législative dès que les circonstances le permettent.

27.1 (1) Les principes généraux et les concepts ci-après de qaujimajatuqangit inuit s'appliquent à l'exercice des pouvoirs et à l'accomplissement des tâches de la commissaire aux langues, en application des articles 28 à 35 et de l'article 37 :

(a) *Inuuqatigiitsiarniq* (le respect d'autrui, les rapports avec autrui et le souci du bien-être d'autrui);

(b) *Tunnganarniq* (la promotion d'un bon état d'esprit en se montrant ouvert, accueillant et intégrateur);

(c) *Pijitsirniq* (le service à la famille ou à la collectivité, ou les deux, et la satisfaction de leurs besoins);

(d) *Aajiiqatigiinni* (la prise de décision par la discussion et le consensus);

(e) *Piliriqatigiinni* ou *Ikajuqatigiinni* (travailler ensemble pour une cause commune);

(f) *Qanuqtuurniq* (faire preuve d'innovation et d'ingéniosité).

Les principes généraux et les concepts ci-après de qaujimajatuqangit inuit s'appliquent à l'exercice des pouvoirs et à l'accomplissement des tâches de la commissaire aux langues, en application des articles 28 à 35 et de l'article 37 :

[...]

(g) *Pilimmaksarniq* ou *Pijariuqsarniq* (acquérir des compétences par la pratique, l'effort et l'action), et

(h) *Avatittinnik Kamatsiarniq* (respecter la terre, les animaux et l'environnement, et veiller à leur protection).

La Loi doit reconnaître les huit principes de qaujimajatuqangit inuit.

29. (1) Une organisation qui n'est pas une institution territoriale peut assurer la gestion de sa conformité à la présente Loi au moyen d'un plan d'action sur la langue inuite, qui doit comprendre ce qui suit :

Une organisation autre qu'une institution territoriale peut assurer la gestion de sa conformité à la présente Loi au moyen d'un plan d'action sur la langue inuktute, qui doit comprendre ce qui suit :

Les plans d'action linguistiques doivent être des mesures temporaires pour les organisations souhaitant une approche progressive en vue du respect intégral de la

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- (a) des mesures organisationnelles, des politiques et des pratiques proposées pour les communications avec le public ou pour la prestation de services, telles qu'exigées par la présente Loi;
- (b) un calendrier pour l'entrée en vigueur de ces mesures, de ces politiques et de ces pratiques;
- (c) une indication du nombre de personnes au sein de l'effectif de l'organisation, le cas échéant, qui parlent ou parleront couramment la langue inuite et qui sont ou seront en mesure de communiquer en langue inuite avec la clientèle ou d'offrir des services au public dans cette langue, tel que requis en vertu de la présente Loi; et
- (d) les moyens qu'entend utiliser l'organisation pour faire connaître son plan d'action sur la langue inuite et s'assurer que le public est informé de la disponibilité de ses communications et de ses services au public en langue inuite.

[...]

législation.

- (c) le nombre d'employés, le cas échéant, qui parlent ou parleront couramment l'inuktut et qui seront en mesure de communiquer avec le public ou de lui fournir des services en inuktut comme l'exige la présente Loi; et
- (d) un plan visant à faire connaître le plan d'action sur la langue inuktute et la possibilité de communiquer avec le public ou de lui fournir des services en inuktut.

(2) La commissaire aux langues peut fournir ou publier des lignes directrices concernant les informations complémentaires à inclure dans un plan d'action sur la langue inuite.

(2) La commissaire aux langues peut fournir ou publier des lignes directrices concernant les informations complémentaires à inclure dans un plan d'action sur la langue inuktute.

Ajouter la disposition suivante.

29(3) Un plan d'action sur la langue inuktute doit prévoir des améliorations progressives du respect de la Loi à des intervalles de 24 mois à compter de son approbation, ou à d'autres intervalles prescrits par la commissaire aux langues, afin que l'organisation se conforme à la présente Loi dans un délai de cinq ans ou moins.

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30. (1) Une organisation qui n'est pas une institution territoriale peut soumettre à la commissaire, aux fins d'approbation, un projet de plan de communications avec le public ou de prestation de services dans la langue inuite.
- Une organisation autre qu'une institution territoriale peut soumettre à la commissaire, aux fins d'approbation, un projet de plan de communications avec le public ou de prestation de services en inuktitut.
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Demande d'enquête

Plaintes

- 31(1) Une personne peut demander à la commissaire aux langues, verbalement ou d'une autre manière que celle-ci juge satisfaisante, de faire enquête sur des préoccupations liées à l'administration d'une organisation à laquelle la présente Loi s'applique, en ce qui concerne le non-respect

- (a) d'une disposition de la présente Loi ou de toute autre loi ou d'un règlement relatif à l'utilisation, à la promotion ou à la protection de la langue inuite; ou
(b) de l'esprit et l'intention de la présente Loi.

- Une personne peut déposer une plainte auprès de la commissaire aux langues, de vive voix ou par écrit, concernant le fait que, dans l'administration d'une organisation à laquelle s'applique la présente Loi,

- (a) une quelconque disposition d'une loi ou d'un règlement portant sur l'utilisation, la promotion ou la protection de l'inuktitut n'a pas été ou n'est pas reconnue, ou

- (b) l'esprit et l'intention de la présente Loi n'ont pas été ou ne sont pas respectés.

Le terme « plainte » est plus fort que « préoccupation » et sera plus significatif pour les plaignants.

L'expression « n'a pas été ou n'ont pas été respecté(s) et n'est pas ou ne sont pas respecté(s) » reflète le libellé de la *Loi sur les langues officielles* fédérale.

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- 31(3) De sa propre initiative, la commissaire aux langues peut ouvrir une enquête relative aux motifs de préoccupation visés au paragraphe (1).

- (3) La commissaire aux langues peut, de sa propre initiative, ouvrir une enquête si elle a des raisons de penser que, dans l'administration d'une organisation à laquelle s'applique la présente Loi,

- (a) une quelconque disposition d'une loi ou d'un règlement portant sur l'utilisation, la promotion ou la protection de l'inuktitut n'a pas été ou n'est pas reconnue, ou

- (b) l'esprit et l'intention de la présente Loi n'ont pas été ou ne sont pas respectés.

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32. La commissaire aux langues peut, à un moment quelconque avant ou pendant une enquête,

- (a) faire participer une

Déplacer vers l'article sur la résolution informelle.

organisation à la préparation ou à la modification volontaire d'un plan d'action sur la langue inuite; ou

(b) utiliser la médiation ainsi que d'autres moyens compatibles avec qaujimajatuqangit inuit pour tenter de régler les préoccupations identifiées dans une demande ou une enquête.

33(1) Il est interdit de faire preuve de discrimination envers une personne, notamment en la renvoyant, en la suspendant, en l'expulsant, en l'intimidant, en l'évinçant, en usant de coercition envers elle ou en lui imposant une peine pécuniaire ou autre, en raison du fait qu'elle a présenté une demande visant la tenue d'une enquête, ou qu'elle a témoigné ou collaboré relativement à une enquête ou au signalement d'une préoccupation à la commissaire aux langues.

Il est interdit à quiconque :

(a) de faire preuve de discrimination envers une personne, notamment en la renvoyant, en la suspendant, en l'expulsant, en l'intimidant, en la menaçant, en l'évinçant, en usant de coercition envers elle ou en lui imposant une peine pécuniaire ou autre, en raison du fait

(i) qu'elle a déposé une plainte auprès de la commissaire aux langues ou qu'elle a contribué à la déposition de la plainte, ou

(ii) qu'elle a témoigné ou collaboré relativement à une enquête ou au signalement d'une préoccupation à la commissaire aux langues, ou

(b) d'entraver l'action de la commissaire aux langues, ou de toute personne agissant en son nom ou sous son autorité, dans l'exercice de ses attributions conformément à la présente Loi.

Il existe un précédent à cet égard relativement au nouveau paragraphe (b) à l'article 62(2)(b) de la *Loi sur les langues officielles* fédérale. Cette mesure est nécessaire parce que certains fonctionnaires ne coopèrent pas lorsqu'ils font l'objet d'une enquête.

33(2) (2) Quiconque contrevient au paragraphe (1) est coupable d'une infraction et passible, sur déclaration de culpabilité par procédure sommaire :

(a) s'il s'agit d'un particulier, d'une amende maximale de 5 000 \$; et

(b) s'il s'agit d'une personne morale ou d'une autre personne morale ayant

Disposition à supprimer.

capacité juridique, d'une
amende
ne dépassant pas 25 000 \$.

ENQUÊTES

Évaluation des plaintes

- 33.1 (1) Sur réception d'une demande concernant l'administration d'une institution territoriale, la commissaire aux langues doit faire enquête conformément au présent article, aux articles 33.2 à 33.7 et 38 à 42.
- Sur réception d'une plainte relative à l'administration d'une organisation, la commissaire aux langues doit évaluer la plainte et déterminer si elle :
- (a) est faite à l'égard d'une organisation ayant des obligations linguistiques en vertu de la présente Loi; et
 - (b) est fondée sur les motifs énoncés à l'article 31(1).

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- 33.1 (2) La commissaire aux langues peut procéder à une enquête commune portant sur deux ou plusieurs demandes ou requêtes, si elle est convaincue qu'il est juste et raisonnable de le faire dans les circonstances.
- Déplacer à la fin de l'article Évaluation des plaintes.***

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- 33.2 (1) La commissaire aux langues peut refuser d'enquêter ou peut interrompre une enquête si, à son avis, l'une des situations suivantes existe :
- (a) la préoccupation visée touche principalement une ou plusieurs personnes autres que le requérant ou la partie qui demande une enquête, et la ou les personnes directement touchées ne souhaitent pas aller de l'avant;
 - (b) la totalité ou une partie de la préoccupation visée par la demande ou la requête peut être traitée et résolue, de manière adéquate et appropriée, en vertu d'une autre loi ou au moyen d'une autre procédure disponible;
 - (c) la demande ou la requête
- (1) La commissaire aux langues peut rejeter une plainte si, à la suite de l'évaluation, celle-ci détermine que :
- (a) la plainte touche principalement une ou plusieurs personnes autres que le plaignant, et la ou les personnes directement touchées ne souhaitent pas aller de l'avant;
 - (b) la totalité ou une partie de la plainte ou de la demande peut être traitée et résolue, de manière adéquate et appropriée, en vertu d'une autre loi ou au moyen d'une autre procédure disponible;
 - (c) la plainte ou la demande est frivole, vexatoire, n'est pas faite de bonne foi ou concerne une question insignifiante;
 - (d) le plaignant a retiré sa plainte, ou y a renoncé, ou
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est frivole, vexatoire, n'est pas faite de bonne foi ou concerne une question insignifiante;

(d) le requérant ou la partie qui demande une enquête a retiré la plainte ou y a renoncé, ou

(e) les préoccupations soulevées dans la requête ou la demande ont été résolues.

(e) la plainte a été réglée.

(2) Avant de prendre une décision en vertu du paragraphe (1), la commissaire aux langues prend en considération toutes les circonstances pertinentes, y compris la possibilité que la personne directement concernée, le demandeur ou la partie qui a demandé l'enquête soit réticente à poursuivre ou qu'une demande ou une requête a été retirée, abandonnée ou présentée comme ayant été résolue en raison d'un abus ou d'un déséquilibre de pouvoir.

(2) Avant de prendre une décision en vertu du paragraphe (1), la commissaire aux langues prend en considération toutes les circonstances pertinentes, y compris la possibilité que le plaignant ou toute autre personne directement concernée soit réticent à poursuivre ou qu'une plainte a été retirée, abandonnée ou présentée comme ayant été réglée en raison d'un abus ou d'un déséquilibre de pouvoir.

(3) Si la commissaire aux langues refuse d'enquêter ou interrompt une enquête en vertu du paragraphe (1), elle doit :

- (a) informer de cette décision le demandeur ou la partie qui a demandé l'enquête et les autres personnes concernées que la commissaire aux langues juge appropriées et ce, au moment et de la manière que celle-ci juge appropriées; et
- (b) fournir une confirmation écrite au demandeur ou à la partie qui a demandé l'enquête et aux autres personnes concernées qu'elle juge appropriées dans laquelle elle précise
 - (i) le fait qu'elle a refusé d'enquêter ou a mis fin à une enquête en vertu du paragraphe (1) et

(3) Si, à la suite de l'évaluation, la commissaire aux langues détermine que la plainte ne satisfait pas aux critères énoncés à l'article 31(1), elle doit rejeter la plainte.

(ii) la date à laquelle les renseignements exigés à l'alinéa (a) ont été fournis.

(4) Après avoir rejeté une plainte, la commissaire aux langues doit informer le plaignant de son refus par écrit et en préciser les raisons.

33.1

Auparavant, l'art. 33.1(2).

La commissaire aux langues peut procéder à une enquête commune portant sur deux ou plusieurs plaintes ou préoccupations, si elle est convaincue qu'il est juste et raisonnable de le faire dans les circonstances et que cela sert au mieux l'administration de la Loi.

Pour déterminer si cela est raisonnable dans les circonstances, la commissaire aux langues peut tenir compte, notamment :

(a) de l'importance des droits linguistiques en jeu;

(b) du caractère répété des violations des droits linguistiques;

(c) du défaut de mettre en œuvre les recommandations antérieures de la commissaire aux langues; et

(d) du défaut de l'organisation de se conformer à son plan d'action sur la langue inuktitute.

Les présentes modifications fourniront des directives quant au moment où il convient de mener une enquête conjointe.

Le mot préoccupation est utilisé ici pour indiquer une situation où la commissaire aux langues ouvre une enquête parce qu'elle craint que la Loi ou toute loi ou règlement relatif à la protection de l'inuktitut ne soit pas respecté ou que l'esprit et l'intention de la LPLI ne soient pas respectés.

Ouverture d'une enquête

33.3

(1) Si la commissaire aux langues décide d'ouvrir une enquête, elle doit :

(a) avant de la commencer,

(i) aviser le ministre, le responsable administratif de l'institution territoriale touchée et toute autre personne que la commissaire aux langues estime approprié d'aviser dans

Sur acceptation d'une plainte déposée en vertu du paragraphe 31(1), ou sur ouverture d'une enquête en vertu du paragraphe 31(3), la commissaire aux langues informe

(a) le responsable administratif de l'institution territoriale lorsque la plainte ou la préoccupation concerne une institution territoriale,

(b) l'organisation lorsque la plainte

Le regroupement d'enquêtes sous un même article, qu'elles concernent des institutions territoriales ou d'autres organisations, permet de simplifier le processus.

les circonstances; et

(ii) consulter le responsable administratif de l'institution territoriale touchée et toute autre personne que la commissaire aux langues estime approprié de consulter afin de tenter de régler les préoccupations soulevées ou pour toute autre raison; et

(b) avant de faire un rapport ou une recommandation susceptible de nuire à une personne ou à une institution territoriale, consulter cette personne ou cette institution territoriale.

ou la préoccupation concerne une organisation autre qu'une institution territoriale; et

(c) toute autre personne que la commissaire aux langues estime appropriée dans les circonstances.

33.3 (2) La commissaire aux langues n'est pas tenue de se réunir en audience et nul n'est autorisé à être entendu par la commissaire aux langues, sauf dans les cas prévus par la présente Loi.

Déplacer vers l'article sur l'enquête officielle.

Résolution non officielle

Auparavant, l'art. 32.

33.3.1 La commissaire aux langues peut, avant le début d'une enquête ou à un moment quelconque au cours d'une enquête, recommander ou utiliser un processus de résolution informelle, y compris

(a) inviter une organisation à préparer et à soumettre volontairement un plan d'action en langue inuktitut; ou

(b) recourir à la médiation, conformément à qaujimajatuqangit inuit pour régler une plainte déposée en vertu du paragraphe 31(1).

Le processus de résolution non officiel se déroule de manière confidentielle.

33.3.2 Avant de recommander ou d'utiliser un processus non officiel de

Il convient de préciser qu'il est possible de procéder de manière formelle ou informelle lorsque les circonstances indiquent que cela sera plus efficace pour résoudre une plainte ou pour amener une organisation à se conformer à la législation.

résolution des plaintes, la commissaire aux langues doit :

(a) consulter le plaignant, le cas échéant, et soit le responsable administratif de l'institution territoriale, soit l'organisation, selon le cas;

(b) obtenir les consentements et les engagements de non-divulgence de la part du plaignant et du responsable administratif de l'institution territoriale ou de l'organisation;

(c) déterminer les préoccupations pouvant être résolues au moyen d'un processus de résolution non officiel;

(d) désigner, s'il y a lieu, un facilitateur tiers pour mener à bien le processus de résolution non officiel.

33.3.3 La commissaire aux langues peut, en tout temps, décider de suspendre le processus de règlement non officiel ou d'y mettre fin et de commencer une enquête officielle si elle détermine, à sa seule discrétion que :

(a) les parties ne seront pas en mesure de régler la plainte au moyen d'un processus de résolution non officiel;

(b) le respect de la présente Loi ou de toute autre loi ou de tout autre règlement relatif au statut, à l'usage ou à la protection de l'inuktitut ne sera pas assuré par un processus de résolution non officiel; ou

(c) l'esprit et l'intention de la présente Loi ou de la *Loi sur les langues officielles* ne seront pas respectés par le truchement d'un processus de résolution non officiel.

33.3.4 La commissaire aux langues peut, dans le cadre du processus de résolution non officiel, établir la procédure qu'elle estime appropriée pour assurer la résolution de la plainte ou de la

préoccupation.

Enquête officielle

33.3.5 La commissaire aux langues peut, à un moment quelconque après avoir accepté une plainte, ou après avoir ouvert une enquête de sa propre initiative, commencer une enquête officielle.

Avant d'entamer l'enquête officielle, la commissaire aux langues informe le responsable administratif de l'institution territoriale ou de l'organisation de son intention de procéder à une enquête.

33.3.6 Les enquêtes menées par la commissaire aux langues en vertu de la présente Loi sont confidentielles.

Par exemple, la commissaire aux langues ne partagera pas les copies des notes d'entrevues avec des personnes extérieures au Bureau de la Commissaire aux langues (sauf dans le cas des conseillers, tels que les conseillers juridiques, qui sont liés par des obligations de confidentialité).

Marche à suivre

33.3.7 La commissaire aux langues peut déterminer la marche à suivre pour mener des enquêtes en vertu de la présente Loi.

Auparavant, l'art. 33.3(2).

33.3.8 Au cours d'une enquête, la commissaire aux langues n'est pas dans l'obligation de tenir une audience et nul n'est autorisé à être entendu par la commissaire aux langues. Toutefois, si, à un quelconque moment de l'enquête, la commissaire aux langues détermine qu'un rapport ou une recommandation peut porter préjudice à une personne ou

à une organisation, la commissaire doit donner à cette personne ou à cette organisation l'occasion de répondre aux allégations et ce, avant la fin de l'enquête.

Pouvoirs et méthode d'enquête

Pouvoirs d'enquête de la commissaire aux langues

33.4 Sous réserve des dispositions du présent article, la commissaire aux langues peut, au cours d'une enquête, demander aux personnes de lui fournir des informations et ce, de la manière qu'elle juge appropriée, et prendre une ou plusieurs des mesures suivantes sans être liée par les règles de la preuve ou de la procédure en matière civile :

(a) pénétrer dans des locaux occupés par une institution territoriale et les inspecter, à toute heure raisonnable;

(b) procéder, dans ces locaux, aux enquêtes que la commissaire aux langues juge appropriées, y compris en s'entretenant en privé avec toute personne sur une base volontaire;

(c) demander et examiner des renseignements, des documents et des pièces, faire ou obtenir des copies ou prendre des photos selon ce qui, à son avis, est relié aux préoccupations sous enquête;

(d) accepter ou refuser tout renseignement ou élément de preuve selon ce qu'elle estime être approprié, indépendamment de son admissibilité dans une instance civile.

(2) À la condition de donner un avis suffisant, la commissaire aux langues peut, au cours d'une enquête :

(a) assigner toute personne et

(1) Lorsqu'elle mène une enquête en vertu de la présente Loi, et sans être lié par les règles de preuve ou de procédure dans les affaires au civil, la commissaire aux langues a le pouvoir :

(a) de pénétrer dans les locaux occupés par une institution territoriale à toute heure raisonnable et de les inspecter;

(b) de demander des renseignements de vive voix ou par écrit à toute personne qui pourrait détenir des renseignements pertinents à l'enquête;

(c) de convoquer et contraindre à comparaître toute personne comme témoin et de la contraindre à témoigner verbalement ou par écrit sous serment ou affirmation solennelle;

(d) de contraindre toute personne à produire des dossiers, des documents ou des choses en sa possession ou sous son contrôle; et

(e) de faire prêter serment et de recevoir les déclarations solennelles prévus à l'alinéa (c).

Il est nécessaire de mettre à jour le libellé des pouvoirs de la commissaire aux langues afin qu'il soit clair. Le libellé proposé est conforme aux pouvoirs des commissaires d'autres administrations.

la contraindre à comparaître
comme témoin;

(b) faire prêter serment et
recevoir des déclarations
solennelles;

(c) contraindre toute personne
à déposer sous serment ou
déclaration solennelle,
notamment sous forme
d'affidavit, à la date, à l'heure et
au lieu qu'elle précise;

(d) contraindre toute personne
à produire, à la date, à l'heure
et au lieu qu'elle précise, les
pièces et documents en sa
possession ou sous son
contrôle qui, à son avis, sont
reliés aux préoccupations
faisant l'objet de l'enquête.

(3) Dans l'exercice des pouvoirs
visés aux paragraphes (1) et (2),
la commissaire aux langues a
les mêmes pouvoirs et
obligations que ceux qui sont
dévolus à un tribunal dans les
affaires civiles.

Auparavant, l'art. 33.4(d).

33.4(2) La commissaire aux langues peut
accepter ou exclure toute information ou
preuve qu'elle juge opportune, qu'elle
soit ou non admissible ou exclue dans
une affaire civile.

Défaut de comparaître lors de la
convocation

33.4(3) Il est interdit à toute personne :

(a) de ne pas se présenter, sans
excuse valable, à la convocation prévue
à l'alinéa 33.4(c),

(b) de ne pas produire un dossier,
un document ou un objet lorsque cette
personne est sommée, conformément
à l'article 33.4(d), de produire le
dossier, le document ou l'objet en sa
possession,

(c) de refuser d'être assermentée ou

de faire une déclaration solennelle, ou
(d) de refuser de répondre à toute
question posée ou demande faite par
la commissaire aux langues;

Pouvoirs de la commissaire aux langues si la plainte est fondée

Conclusion de l'enquête

Plainte fondée

37. (1) Si, après enquête sur l'administration d'une organisation qui n'est pas une institution territoriale, la commissaire aux langues considère que les inquiétudes soulevées par l'enquête sont fondées, celle-ci peut :

(a) recommander des mesures, des politiques et des pratiques spécifiques à mettre en œuvre par une organisation afin que celle-ci se conforme à la présente Loi;

(b) ordonner à une organisation d'informer la commissaire aux langues, dans un délai déterminé, des mesures prises ou envisagées pour corriger ses pratiques;

(c) si aucune mesure n'est prise dans le délai prévu à l'alinéa (b), utiliser les pouvoirs prévus aux paragraphes 36(2) et (3) pour sommer et faire comparaître une personne, et l'obliger à produire des documents, des objets ou des éléments de preuve;

(d) publier des informations sur une organisation, y compris les mesures recommandées en vertu de l'alinéa (a) ou les informations reçues en vertu des alinéas (b) ou (c); et

(e) s'adresser à la Cour de justice du Nunavut pour obtenir une réparation en vertu du paragraphe 39(1) et inclure dans la demande de la commissaire aux langues un affidavit contenant ses

(1) Si, après avoir mené une enquête sur une plainte ou une préoccupation, la commissaire aux langues estime que ladite plainte ou préoccupation est fondée, cette dernière peut :

(a) dans le cas d'une plainte ou d'une préoccupation concernant une organisation autre qu'une institution territoriale,

(i) recommander l'adoption de mesures, de politiques et de pratiques spécifiques,

(ii) ordonner à une organisation d'informer la commissaire aux langues, dans un délai déterminé, des mesures adoptées ou envisagées pour corriger ses pratiques;

(iii) publier des informations sur une organisation, y compris les mesures recommandées en vertu de l'alinéa (a) ou les informations reçues en vertu des alinéas (b) ~~ou (c)~~; et

(iv) si aucune mesure n'est adoptée dans le délai prévu à l'alinéa (a)(ii), demander à la Cour de justice du Nunavut d'accorder une réparation en vertu du paragraphe 40(1) et joindre à la demande de la commissaire aux langues un affidavit contenant les conclusions de cette dernière et les recommandations qu'elle juge appropriées, le cas échéant, ou

(b) dans le cas d'une plainte ou d'une préoccupation concernant une

L'enquête systémique de l'hôpital général de Qikiqtani. Pour des problèmes systémiques plus vastes, un an peut ne pas être suffisant, et une mise à jour annuelle d'un ministère ou d'une organisation peut être envisagée.

conclusions et toute recommandation que celle-ci juge appropriée, s'il y a lieu.

institution territoriale,

(i) soumettre un rapport au responsable administratif, et à toute autre personne que la commissaire aux langues juge appropriée dans les circonstances, dans lequel figure ses conclusions et ses recommandations,

(ii) transmettre le dossier à l'institution territoriale pour qu'elle l'examine ou prenne des mesures sur la base des recommandations dans un délai déterminé, et

(iii) si aucune mesure n'est prise que la commissaire aux langues considère comme adéquate ou appropriée dans le délai spécifié en vertu de l'alinéa (b)(ii), celle-ci peut :

(A) préparer et soumettre un rapport d'enquête au président de l'Assemblée législative, et

(B) s'adresser à la Cour de justice du Nunavut pour obtenir une réparation en vertu du paragraphe 40(1) et inclure dans sa demande un affidavit contenant ses conclusions et toute recommandation que celle-ci juge appropriée, s'il y a lieu.

(2) La commissaire aux langues doit, dans tous les cas :

(a) selon les échéances et les modalités qu'elle estime appropriées et conformément à l'article 38, informer le demandeur et les autres personnes concernées qu'elle estime appropriées de ses conclusions et des pouvoirs qu'elle a exercés en vertu du paragraphe (1); et

(b) confirmer l'information qui suit par écrit au demandeur et aux autres personnes concernées que la commissaire aux langues

(2) La commissaire aux langues doit aviser par écrit le plaignant de ses conclusions et des pouvoirs exercés en vertu du paragraphe (1) dans tous les cas où une plainte a été déposée en vertu du paragraphe 31(1).

considère comme appropriées :

- (i) le fait que le commissaire aux langues a terminé l'enquête; et
 - (ii) la date à laquelle les renseignements exigés à l'alinéa (a) ont été fournis.
-

Plainte non fondée

37(1).2 Si, à la suite d'une enquête, la commissaire aux langues détermine que la plainte ou la préoccupation n'est pas fondée, celle-ci en informe par écrit le plaignant, le cas échéant, ainsi que l'organisation ou le responsable administratif de l'institution territoriale, selon le cas, et peut informer toute autre personne selon ce qui lui semble approprié.

- | | | |
|-----|--|--|
| 40. | (1) La commissaire aux langues peut, selon le cas : | La commissaire aux langues peut, selon le cas : |
| | (a) présenter une demande de réparation devant la Cour de justice du Nunavut, dans le délai indiqué à l'alinéa 39(2)(a)(ii), mais seulement après avoir obtenu le consentement écrit du demandeur; | (a) présenter une demande de réparation devant la Cour de justice du Nunavut, dans le délai indiqué à l'alinéa 39(2)(a)(ii), <u>avec le consentement écrit du demandeur, le cas échéant;</u> |
| | (b) comparaître devant la Cour de justice du Nunavut au nom d'une personne qui a présenté une demande de réparation en application du paragraphe 39(1); ou | (b) [...] |
| | (c) avec l'autorisation de la Cour de justice du Nunavut, comparaître à titre de partie à une instance introduite en application du paragraphe 39(1). | (d) <u>exercer un recours auprès de la Cour de justice du Nunavut en vertu de l'article 33(1);</u> |
| | | (e) <u>exercer un recours en cas de non-respect d'une ordonnance de la commissaire aux langues en vertu du paragraphe 33.4.</u> |
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Auparavant, l'art. 3(5).

40.1(1) La commissaire aux langues, après avoir reçu une observation en vertu de l'article 29 ou une plainte en vertu de l'article 31(1), ou après avoir enquêté sur une préoccupation en vertu de l'article

Une exemption fondée sur une contrainte excessive doit être une mesure temporaire pour laisser aux organisations le temps de mettre en place les moyens de se conformer à leurs obligations de fournir

31(3), et la Cour de justice du Nunavut, des services en inuktit.
après avoir reçu une requête en vertu de
l'article 39, peuvent exempter un
organisme du secteur privé d'une
obligation qui serait autrement exigée en
vertu de la présente Loi et lui substituer
une exigence moins onéreuse en matière
de communication ou de services en
inuktit, si :

- (a) l'organisme du secteur privé est
constitué à des fins principalement
liées au patrimoine, ainsi qu'à des fins
d'expression, de valorisation ou de
promotion d'une communauté
linguistique ou culturelle non inuite; ou
- (b) ceux-ci ont la conviction que
l'organisme du secteur privé subirait
une contrainte excessive s'il se
conformait au présent article.

Aux fins de la présente disposition, on
entend par « contrainte excessive » une
contrainte démesurée déterminée en
évaluant les conséquences négatives
d'une obligation par rapport à des
facteurs tels que

- (a) la santé et la sécurité,
- (b) toute atteinte significative à des
objectifs, fonctions ou activités
importants d'un organisme du secteur
privé,
- (c) une incidence négative sur les
obligations contractuelles, et
- (d) la taille, l'efficacité ou la viabilité
d'un organisme du secteur privé.

40.1(2) L'exemption accordée en vertu de
l'alinéa 40.1(1)(b) ne peut dépasser
24 mois. L'exemption peut être
renouvelée si la commissaire aux langues
ou la Cour de justice du Nunavut décide
qu'un renouvellement est justifié en se
fondant sur de nouvelles preuves de
contrainte excessive, pourvu que le
renouvellement ne dépasse pas 24 mois.

OFFICE OF THE LANGUAGES COMMISSIONER
Recommendations since its inception

#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
1	2019-2020 / Department of Culture and Heritage	The Department of Culture and heritage should develop material informing employees and management of their language obligations. It must be clear that the government will support employees and management on this matter.	none
#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
2	2019-2020 / Territorial institutions	Territorial institutions should take appropriate measures to establish and maintain the operational policies necessary to implement subsections 12(7) of the OLA.	none
#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
3	2019-2020 / Department of Human Resources	The Department of Human Resources should create a policy related to hiring including consideration for the preferred hiring of persons with the ability to communicate in French and English as a second priority.	none
#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
4	2018-2019 / Territorial institutions	To comply with OLA, every territorial institution should assess whether its website is available in all official languages.	none

#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
5	2018-2019 / Territorial institutions	To comply with OLA, every territorial institution should develop procedures and tools to track changes to the website as a way of ensuring that changes are made in all the official languages.	none
#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
6	2018-2019 / Territorial institutions	To comply with OLA, every territorial institution should prioritize the translation of documents geared towards the public (such as forms, guidelines, and posters).	none
#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
7	2018-2019 / Territorial institutions	To comply with OLA, every territorial institution should assess the relevance of the content presented on the website, and remove or archive irrelevant documents.	none
#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
8	2018-2019 / Territorial institutions	To comply with OLA, every territorial institution should assess the feasibility of developing multilingual templates for recurring documents (such as statistical tables and reports).	none
#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
9	Recommendations Following survey 2017-2018 / GN	The Government of Nunavut should have a directive for communications with the public in all the official languages to provide clear expectations for public servants, including standards, procedures and resources.	none
#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP

#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
10	Recommendations Following survey 2017-2018 / GN	The Government of Nunavut should assess the email addresses they use to communicate with the public and make sure their website clearly reflects who to contact in case of inquiries.	none
#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
11	Recommendations Following survey - "Right to work" 2017-2018 / GN	The Government of Nunavut should make it mandatory for its employees to use Unicode fonts when using syllabics.	none
#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
12	2017-2018 / Department of Culture and Heritage + Department of Finance	The Department of Culture and Heritage, in collaboration with the Department of Finance, should develop material informing employees of their right to work in Inuktitut in territorial institutions, and informing management of its obligations. It must be clear that the government will support employees and management on this matter.	none
#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
13	2017-2018 / Department of Finance	The Department of Finance should review its recruitment policies to make sure it is clear that there is an active offer, and that people may apply with a resume in the Inuit language, be interviewed in Inuktitut and have Inuktitut as their preferred language of work.	none

#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
14	2017-2018 / Department of Finance	The Department of Finance should offer training to supervisors on their responsibilities about the right to work in the Inuit language and available resources.	none
#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
15	2017-2018 / Department of Executive and Intergovernmental Affairs	The Department of Executive and Intergovernmental Affairs, through the Public Service Training Division, should offer more training in Inuktitut and develop new flexible models of delivery such as online courses, immersion, etc.	none
#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
16	2017-2018 / Territorial institutions	Each territorial institution should take concrete measures in this matter and provide its employees with the tools and working conditions they need to carry out their duties in Inuktitut. They must also strive to maintain a work environment conducive to the effective use of Inuktitut.	none
#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
17	2017-2018 / Department of Culture and Heritage + IUT	The Department of Culture and Heritage, in collaboration with the IUT, should implement a database to gather terminology already used in the territorial institutions and develop specialized terminology.	none

#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
18	2017-2018/ Territorial institutions	<p>While the above recommendations in (the 2017-2018 OLC Annual Report) are being implemented, interim solutions should be put in place by territorial institutions to support employees, such as:</p> <ul style="list-style-type: none"> - Promoting existing resources for employees and supervisors - Encouraging the use of Inuktitut during meetings - Creating an online support network through a collaborative website - Fostering collaboration with employees in other regions for employees working in an office where English is prominent 	
#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
20	2015-2016	<p>This Annual Report contained a five-year review of recommendations since 2010. The last response from obligated bodies are listed on the far right as “Previous Follow-up”.</p> <p>*Note that the OLC conclusion after the five year review of our recommendations was:</p> <p>Some important milestones were achieved in the last five years such as the tabling of the Uqausivut Plan and the coming into force of the Official Languages Act. However, this five-year review shows that there is still a lot more work to do to ensure the proper implementation of the OLA and the ILPA. Providing services and communications in all the official languages is not only a matter of complying with the language acts; it is also essential to create an environment where all the official languages are equal and promoted. The Government of Nunavut must demonstrate leadership in terms of language</p>	

#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
		rights. This would send a strong message to all Nunavummiut that the official languages are important and need to be respected.	

#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
21	2015-2016	<p>RECOMMENDATIONS</p> <p>The following recommendations set out essential next steps that the Government of Nunavut could take towards strengthening early childhood Inuktitut acquisition.</p> <p>RECOMMENDATION 1 Our primary recommendation is to bring section 9 of the ILPA into force, with a comprehensive implementation plan that is developed with input from all stakeholders. This should include plans to:</p> <ul style="list-style-type: none"> a) Raise awareness of the importance of early childhood Inuktitut acquisition and of how families can best support bilingualism in their children b) Develop, distribute and publicize more Inuktitut early childhood learning materials and increase practical support and funding for local development of materials 117 NUNAVUT DEPARTMENT OF EDUCATION, 2013–2014 Annual Report, p. 7. c) Develop and promote an Inuktitut specific learning framework to strengthen the daily programming at early childhood development facilities and guide the development of new services d) Increase investment in the capacity of early childhood development practitioners and community organizations, such as by providing: 	

#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
		<p>i. Increased access to Inuit specific training and certification opportunities that support the objectives of section 9 and meet the practical needs of existing practitioners and facilities</p> <p>ii. Regular knowledge-sharing and networking opportunities, such as local, regional and territorial gatherings on specific aspects of Inuit early childhood development</p> <p>iii. Professional development and informational resources about early childhood Inuktut acquisition and promising practices</p> <p>iv. Practical support and increased resources for start-up of Inuktut programs and ongoing organizational development</p> <p>e) Conduct a comprehensive review of past and current early childhood development practitioner training and professional development programs to identify impacts, challenges, promising practices and consistency with the ILPA. OFFICE OF THE LANGUAGES COMMISSIONER ANNUAL REPORT 2015-2016</p> <p>f) Monitor and evaluate the impacts of investments in early childhood Inuktut acquisition</p> <p>g) Review the Child Day Care Act and associated regulations to ensure they are in compliance with the ILPA</p>	
#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
22	2015-2016	RECOMMENDATION 2 To support the implementation of section 9, we recommend the establishment and provision of core funding for a non-profit organization dedicated to supporting family- and community-led Inuit early childhood	

#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
		development efforts and nurturing a network of practitioners across Nunavut.	
#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
23	2015-2016	RECOMMENDATION 3 To increase knowledge about Inuit early childhood development, we recommend investments in pilot programs that would demonstrate Nunavut-specific promising practices and provide guiding examples in Inuit early childhood development, with an initial focus on language nests and complementary learning programs for young parents.	
#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
24	2015-2016	RECOMMENDATION 4 To reduce administrative costs and increase the stability of ECD services and employment opportunities, we recommend seeking options to increase, streamline, simplify and promote funding programs for Inuit early childhood development activities.	
#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
25	2014-2015 / Department of Health	The Department of Health should: <ul style="list-style-type: none"> - Develop a language plan and directives - Integrate language skills requirements in quality and safety standards - Identify the practical steps that could be taken to ensure continuous improvement 	2015-2016 AR: Response from the Department of Health - The Senior Management Committee is finalizing the review of its model of care, which will impinge on the design of the language plan that the Department

#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
			committed to developing. The Department will be in a position to take action on this recommendation once the review of the model of care is completed.
#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
26	2014-2015 / Department of Health	The Department of Health and the Department of Finance should review hiring policies that consider priority hiring to include those with the ability to communicate in French and English, after considering Lands Claims Agreement obligations.	No comments
#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
27	2014-2015 / Department of Health	The Department of Health should ensure that: <ul style="list-style-type: none"> - All their employees are aware of language rights and that language choice is understood as a meaningful practice - It is incorporated in day-to-day practice 	2015-2016 AR: Response from the Department of Health - The Department committed to covering the right to access services in the official languages with training modules delivered to Qikiqtani General Hospital (QGH) workers. The Department remains committed to achieving this.
#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
28	2014-2015 / Department of Health	The Department of Health should provide and promote active offer and enable it to be implemented systematically and effectively across primary care services, including escorts and medevac services.	2015-2016 AR: Response from the Department of Health - The Department will be in a position to take action to develop a language

#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
			plan once the review of the model of care is completed. The instigation of an active offer will be part of this plan.
#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
29	2014-2015 / Department of Health	The Department of Health should build and implement accountability measures within their senior management on language obligations.	2015-2016 AR: Response from the Department of Health - The Department will be in a position to take action to develop a language plan once the review of the model of care is completed. Accountabilities will be addressed.
#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
30	2014-2015 / Department of Health	The Department of Health should establish strategies that outline the methods used to eliminate language barriers, which would facilitate access to health care services and improve health care.	2015-2016 AR: Response from the Department of Health - The Department will be in a position to take action to develop a language plan once the review of the model of care is completed. Language barriers will be addressed.
#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
31	2014-2015 / Department of Health	The Department of Health should develop a clear goal on the importance of providing equality of primary health care services to all official languages groups.	2015-2016 AR: Response from the Department of Health - The Department of Health appreciates the importance of offering all official

#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
			language groups services of equal quality. The Department will be in a position to take action to develop a language plan once the review of the model of care is completed. This will address goals.
#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
32	2014-2015 / Department of Health	The Department of Health should establish standards of services regarding interpretation at QGH for all hours. Interpretation/translation services should be available to patients at all times.	2015-2016 AR: Response from the Department of Health - The Department has applied for funding from the Department of Culture and Heritage to develop a business case to this effect by considering the volume of interpretation services needed and different options for making interpretation services available 24/7. The Department of Health is awaiting a decision on this funding request.
#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
33	2014-2015 / Department of Health	The Department of Health should ensure that once a patient has chosen to communicate in an official language, this choice is followed through the chain of services, including escorts and medevac services.	2015-2016 AR: Response from the Department of Health - The Department will be in a position to take action to develop a language plan once the review of the model of care is completed. Continuity of

#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
			services using the clients preferred language will be considered. The Department of Health has applied for funding from the Department of Culture and Heritage for a position in the Office of Patient Relations that would take on the role of coordinating French services. The Department of Health is awaiting a decision on this funding request.
#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
34	2014-2015 / Department of Health	The Department of Health should address the need for bilingual (Inuktitut – English, French – English) workforce planning and for professional interpreter hiring.	2015-2016 AR: Response from the Department of Health - Training Nunavut Land Claims Agreement (NLCA) beneficiaries is a key step in developing a workforce that is capable of directly providing health services to Nunavummiut in Inuktitut. With this goal in mind, the Department offers financial assistance and return to service agreements to nursing students at the Nunavut Arctic College (NAC), hired three Midwifery Diploma graduates who are NLCA beneficiaries, and reserves a seat for Nunavut residents in McGill University's Medicine Program.

#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
			Recognizing that not all NLCA beneficiaries are fluent in Inuktitut and that training health professionals takes several years, the Department of Health has also put in place interpretation services. ...
#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
35	2014-2015 / Department of Health	The Department of Health and the Department of Finance should review hiring policies to comply with the language legislation and to emphasize the recruitment of skilled bilingual health professionals.	2015-2016 AR: Response from the Department of Health - The Government of Nunavut ensures that its job postings are available in all official languages. Applications from all language groups are welcomed.
#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
36	2014-2015 / Department of Health	The Department of Health and the Department of Finance should give interpreters a professional status to address pay equity issues to facilitate the recruitment and retention of interpreters.	2015-2016 AR: Response from the Department of Health - The Department of Health delivered on its commitment to submit the medical interpreter and clerk interpreter positions to job evaluations. The Department of Finance is responsible for human resources and concluded that, according to the Government of Nunavut guidelines, these positions are compensated at a level that is

#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
			appropriate for the responsibilities and training involved. Consequently, there have been no changes in the pay levels for these positions.
#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
37	2014-2015 / Department of Health	The Department of Health in collaboration with the IUT, should develop competency tools to evaluate the language proficiency of medical interpreters.	2015-2016 AR: Response from the Department of Health - Medical interpreters receive training from the Nunavut Arctic College. Successful completion requires that the participants pass evaluations and examinations.
#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
38	2014-2015 / Department of Health	The Department of Health should work with the Department of Finance, language training providers and the Nunavut Arctic College to train employees at QGH in order to meet language provision requirements in the primary care sector.	2015-2016 AR: Response from the Department of Health - The Department now enrolls its employees in medical terminology courses delivered by the Nunavut Arctic College. These modules are of professional calibre, and each of them is delivered on a full-time basis over the course of four weeks.

#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
39	2014-2015 / Department of Culture and Heritage - Minister of Languages	The OLC recommends that the Minister of Languages pass regulations and/or policies on expected language services and communications for all territorial institutions to other territorial institutions and their employees.	2015-2016 AR: The Department of Culture and Heritage told us that they drafted a set of directives on communications and services in the official languages. However, the document has yet to be finalized and approved. It is a priority that territorial institutions have clear guidelines to ensure that communications and services in official languages between two territorial institutions or between a territorial institution and its employees are consistent and meet the objectives of the language acts. We have received concerns that were not deemed admissible because there is no provision in regard to these issues.
#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
40	2014-2015 / Department of Education	The OLC recommends that there be a focus on strong cultural and linguistic identity to better prepare students for improved social and personal development.	2015-2016 AR: Response from the Department of Education [...] adapted or developed programs in Nunavut are assessed through a rigorous process, which includes criteria that must be met to determine whether or not this program or course will meet the

#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
			academic, linguistic, social and cultural needs of our students. Part of this process includes assurances that Elders were consulted before or during the program adaptation or development. In addition, DEAs receive funds from the Department specifically allocated for cultural activities, as well as \$1.6M under the Education Act for Elder employment.
#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
41	2014-2015 / Department of Education	The OLC recommends that there be a broad approach to education encompassing preschool, primary and secondary education, and teacher education.	2015-2016 AR: Response from the Department of Education - The Department of Education is committed to achieving objectives that will lead to visible progress for Nunavummiut, by providing quality education for students and increased training opportunities and support for educators.
#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
42	2014-2015 / Department of Education	The OLC recommends that action be taken now to make improvements in the delivery of education given the current explosion in our youth population within the territory to capitalize on this vast pool of energy and talent.	2015-2016 AR: Response from the Department of Education - The Department is currently developing a legislative proposal for amending the Education Act. These amendments

#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
			will be driven by the Department's continual analysis of the implementation and administrative challenges inherent in the 2008 legislation, as well as the 2015 report of the Special Committee, and the 2013 Office of the Auditor General (OAG) report.
#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
43	2014-2015 / Inuit Uqausinginnik Taiguusiliuqtiit	The OLC strongly urges the IUT to complete important work required to achieve a standard writing system for Inuktut.	2015-2016 AR: Response from the Inuit Uqausinginnik Taiguusiliuqtiit - The IUT has participated in the ITK task force on unifying the writing system and provided support for a community consultation held by ITK in Igloolik in January 2015, as well as taking part in the Language Summit held in August 2015. The IUT board endorsed the task force's recommendations in August 2015 and undertook to produce a final report by the end of the 2016–2017 fiscal year on the feasibility of implementing a unified writing system.

#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
44	2013-2014 / Department of Culture and Heritage – Minister of Languages	The OLC recommends that the Minister of Languages pass regulations on expected language services and communications for all municipalities according to their respective significant demand.	2015-2016 AR: We are pleased to see that the GN is planning to develop regulations to outline “significant demand” for municipalities. We have received concerns that were not deemed admissible because those regulations have yet to be developed.
#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
45	2013-2014 / Department of Culture and Heritage – Minister of Languages	The OLC recommends that the Minister of Languages and Executive Council bring into force sections 3-5 of the ILPA. (Recommendation was first made in 2011-2012)	2015-2016 AR: Our 2014–2015 annual report quotes the GN: “...the Uqausivut Plan committed to the coming into force of these provisions within three years of the adoption of the Uqausivut Plan, or in other words, no later than the end of 2015–2016. The government aims to have these provisions come into force April 1, 2016.” This has not been achieved. An important number of concerns received by our office are related to the private sector; they represent 65% of the inadmissible concerns we received in the last five years.

#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
46	2013-2014 / Department of Culture and Heritage – Minister of Languages + Department of Economic Development and Transportation + IUT	The OLC recommends that the Minister of Languages, in collaboration with departments such as Economic Development and Transportation and organizations such as the Inuit Uqausinginnik Taiguusiliuqtiit (IUT), work towards providing adequate and appropriate support for terminology development, training as well as software requirements.	2015-2016 AR: Response from the Inuit Uqausinginnik Taiguusiliuqtiit - IUT staff are collaborating with the federal Translation Bureau and the Nunavut Department of Culture and Heritage to launch a terminology database using the Termium platform (used by the federal Translation Bureau) which will be accessible to translators and to the public.
#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
47	2013-2014 / Department of Culture and Heritage – Minister of Languages	The OLC recommends that the Minister of Languages work with appropriate bodies towards establishing an accredited translation bureau for all the official languages.	2015-2016 AR: Response from the Department of Culture and Heritage - While the Act and pursuant regulations are the responsibility of the Minister of Languages, it will be incumbent upon the Inuit Uqausinginnik Taiguusiliuqtiit (IUT) to “develop and publish competency levels” in Inuktitut, including recommending or administering tests to certify an individual’s level of language skills. In collaboration with territorial and national partners, namely the Canadian Translators, Terminologists and Interpreters Council, the IUT will identify options

#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
			to reintroduce a certification mechanism for Nunavut translators and interpreters during the 2016–2017 fiscal year.
#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
48	2013-2014 / Department of Culture and Heritage – Minister of Languages + IUT	The OLC recommends that the Minister of Languages, in collaboration with IUT, raise awareness about the IUT’s role as a central institution to clarify dubious terminology by targeting the private sector.	2015-2016 AR: Response from the Inuit Uqausinginnik Taiguusiliuqtiit - The IUT has worked at increasing its public visibility through hosting or co-hosting major events such as the Interpreters/Translators Conference (February 2016) and the Inuit Language Recognition Awards (annually), and through media appearances associated with these events.
#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
49	2012-2013 / Department of Culture and Heritage – Minister of Languages	We recommend and strongly urge the Minister of Languages to prepare and submit the annual report, which is called for in the Inuit Language Protection Act, subsection 27(1) and (2).	2015-2016 AR : OLC Comments - The Minister last tabled a report on the <i>Inuit Language Protection Act</i> on June 12, 2014, for the years 2010–2011 and 2011–2012. The absence of reports for the following years makes it difficult for us to evaluate the progress made in implementing the language acts.

#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
50	2012-2013 / Department of Finance	Article 23 of the Nunavut Land Claims Agreement recognizes priority hiring of Inuit and Inuit-language speakers. We recommend that the Department of Finance create a policy related to hiring including consideration for the preferred hiring of persons with the ability to communicate in French and English as a second priority.	2015-2016 AR: OLC's comment - The Minister of Finance did not provide an answer to this recommendation. The lack of designated bilingual (French-English) positions is an important issue in regard to the implementation of the active offer, in accordance with the OLA. We would like to see some actions demonstrating that the GN is taking steps to improve this issue.
51	2012-2013 / Government of Nunavut	The OLC recommends that extra effort be made by the GN to protect and revitalize Inuinnaqtun.	2015-2016 AR: Response from the Department of Culture and Heritage - The Department awards about \$1.6 million annually in grants and contributions to community-based language initiatives. In the last five years, the Department awarded grants and contributions to several dozens of community-based language initiatives in the Kitikmeot region. These initiatives aimed at providing support to the revitalization of Inuinnaqtun and the

#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
			preservation of Nattilingmiutut. They used literacy, media and language training opportunities for youth. By doing so, they were able to build capacity to assess and address local language needs, priorities and plans.
#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
52	2012-2013 / Department of Culture and Heritage – Minister of Languages + Nunavut Arctic College	I recommend that the Minister of Languages direct his department, and work in collaboration with organizations such as the Nunavut Arctic College (NAC), to develop and deliver more affordable and accessible training in the Inuit language for private sector entities.	2015-2016 AR: Response from the Department of Culture and Heritage - The Department continues to work with its partners and has expressed the need for affordable and accessible language training programs for the private sector. The Department makes it a priority under the Uqausivut Plan to coordinate and promote leadership in the delivery of quality services in Inuktut to the general public with economic development organizations.
#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
53	2012-2013 / Department of Culture and Heritage – Minister of Languages + Nunavut Arctic College	We recommend that the Minister of Languages work with NAC to develop and deliver an Inuit language immersion program.	2015-2016 AR: Response from the Department of Culture and Heritage - The Department has been working with its partners to diversify the language training offering for adults

#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
			<p>who wish to acquire or upgrade their language skills. This includes language revitalization courses offered to government and non-government employees through the Department of the Executive and Intergovernmental Affairs and Pirurvik Centre, language training for municipal employees through the Municipal Training Organization, and language classes for all post-secondary programs delivered by Silatusarvik at its three main campuses.</p>
#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
54	2011-2012	<p>We recommend that a decision be made for section 3 of the ILPA to come into force within the next two years.</p> <p>(Recommendation was reiterated in 2013-2014)</p>	<p>2015-2016 AR: OLC comments - Our 2014–2015 annual report quotes the GN: "...the Uqausivut Plan committed to the coming into force of these provisions within three years of the adoption of the Uqausivut Plan, or in other words, no later than the end of 2015–2016. The government aims to have these provisions come into force April 1, 2016." This has not been achieved. An important number of concerns received by our office are related to the private sector; they</p>

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			represent 65% of the inadmissible concerns we received in the last five years.
#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
55	2011-2012 / Territorial institutions	We recommend that messages that are related to public safety must be released in all the official languages within 24 hours.	
#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
56	2011-2012 / Territorial institutions	We recommend that public service announcements and press releases must be issued simultaneously in all official languages; if there is a delay in translation to an official language, the missing language must be published within 48 hours.	
#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
57	2011-2012 / Territorial institutions	We recommend that voice messaging systems of head and central offices must be in all Nunavut's official languages.	
#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
58	2011-2012 / Department of Culture and Heritage + IUT	We recommend that upon graduating from the college translation program, translators should apply for certification to prove competency for professional work.	2015-2016 AR: Response from the Department of Culture and Heritage - While the Act and pursuant regulations are the responsibility of the Minister of Languages, it will be incumbent upon the Inuit Uqausinginnik Taigusiliuqtiit (IUT) to "develop and publish competency

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			levels” in Inuktitut, including recommending or administering tests to certify an individual’s level of language skills. In collaboration with territorial and national partners, namely the Canadian Translators, Terminologists and Interpreters Council, the IUT will identify options to reintroduce a certification mechanism for Nunavut translators and interpreters during the 2016–2017 fiscal year.
#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
59	2011-2012 / IUT	As per subsection 16(2) of the ILPA, competency levels or standards of Inuit language use or correctness should be put in a place by the Inuit Uqausinginnik Taiguusiliuqtiit (IUT) as soon as possible.	2015-2016 AR: Response from the Inuit Uqausinginnik Taiguusiliuqtiit - In February 2016, the IUT hosted a conference on Inuit language with interpreters/translators to discuss professional standards and governance for interpreters/translators (including the formation of a professional association) to ensure consistency and quality in Inuit language translations.

#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
60	2010-2011 / Department of Culture and Heritage	Funding is required for employee language training in the private sector.	2015-2016 AR: Response from the Department of Culture and Heritage - The Department continues to work with its partners and has expressed the need for affordable and accessible language training programs for the private sector. The Department makes it a priority under the Uqausivut Plan to coordinate and promote leadership in the delivery of quality services in Inuktitut to the general public with economic development organizations.
#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
61	2010-2011 / Nunavut Arctic College	We recommend that the Cabinet consider measures, including increased funding, that would strengthen the Nunavut Arctic College's ability to deliver both the Translator and Interpreter Program and the Nunavut Teacher Education Program.	2015-2016 AR: Response from the Nunavut Arctic College - The Nunavut Arctic College, with support and funding from the ILI [Inuit Language Implementation Fund] has engaged in a comprehensive review of the Interpreter/ Translator program. Staff at the College is still actively engaged in reviewing curriculum for an enhanced program meeting the needs of departments requiring translators and interpreters.

#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
62	2010-2011 / Department of Culture and Heritage	Funding needs to be available, possibly through grants, for the initial costs of reprinting and/or producing material.	2015-2016 AR: Response from the Department of Culture and Heritage - Funding is available through grants, contributions and other expenses in reprinting and producing materials as part of promoting, enhancing and revitalizing the Inuktitut language through books, cards and posters, amongst others. Since this recommendation was made by the Office of the Languages Commissioner, the Department of Culture and Heritage awarded approximately \$1.8 million to 58 publication projects. These included publications by the Nunavut Bilingual Education Society (NBES) such as Ilitaqsiniq and Ikajuqtigiit, amongst other applicants.
#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
63	2009-2010	This Annual Report contained a 10-year review of recommendations	

#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
64	2008-2009 / Government of Nunavut	2009-2010 AR - I recommend that the GN makes it a priority to create a strategy for increasing Inuit content exponentially for all age levels	2009-2010 AR: GN response – Under ILPA, the Minister of Languages has the responsibility to develop policies and programs that promote the increased production, distribution and access to Inuit language content using all kind of media (print, film, television, radio, digital audio or video, interactive or any other media), whichever has the greatest potential to promote the use or revitalization of the Inuit language. Increase support for Culture and Arts is also one of the top priorities of the GN under Tamapta. Etc.
#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
65	2008-2009 / Government of Nunavut	2009-2010 AR - I recommend the need for territorial institutions to make available to their employees tools such as Microsoft's Inuit Language interface at every workstation. I also suggest that the GN provide assistance to freelance translators to have access to these tools.	2009-2010 AR: GN response – The Inuit language interface pack of Microsoft Office is available to any employee upon request. The Inuit language interface pack is also freely available for download directly from Microsoft's website. Instructions to install the language interface pack are also available on Microsoft's, as well as Pirurvik Center's website.

#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
66	2008-2009 / Government of Nunavut + Department of Culture, Language, Elders and Youth	2009-2010 AR - I recommend the creation of a strategy for reducing the costs of producing, translating and publishing printed and electronic documents.	2009-2010 AR: GN response - The department of Culture, Language, Elders and Youth has acquired a Multilingual Translation Memory and Terminology Management System from Multicorpora through a tender process. The Multitrans system allows for greater control of the translation process, by capturing and organizing past translations into a single database, and by ensuring consistent language and terminology use in translation projects.
#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
67	2008-2009 / Government of Nunavut + IUT	2009-2010 AR - We recommend that the Government of Nunavut collect data on language use every two years.	2009-2010 AR - GNs response: The newly established IUT has the legislated mandate to undertake or supervise research, in collaboration with organizations from outside of Nunavut, including providing periodic assessments of the strength or needs of the Inuit language. The Senate of Canada has also recommended, in its report <i>Language Rights in Canada's North: Nunavut's New Official Languages Act</i> , that Statistics Canada

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			<p>should also monitor the use of aboriginal languages in Nunavut.</p> <p>Implementation of the Languages Commissioner's recommendation would require substantial financial and human resources. It would also require collaboration and partnerships with a number of stakeholders, including various GN departments and agencies, the Federal government, Inuit organizations, the Office of the Language Commissioner, and the involvement of language communities.</p>
#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
68	2007-2008	RECOMMENDATION FOCUSED ON CHANGES TO THE OLC BASED ON NEW MANDATE	
#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
69	2006-2007 / Government of Nunavut	I am recommending that the GN perform an evaluation of its Inuit language training program in order to identify any barriers to the program and find ways to improve attendance and completion levels.	

#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
70	2006-2007 / Legislative Assembly + Government of Nunavut	I strongly encourage the Legislative Assembly to contemplate my recommendations that the Nunavut Arctic College develop competency targets and implement policies that require proficiency in the Inuit language before graduation. I also recommend that in order to finance the extra resources needed to implement these changes, the GN increase its funding for Nunavut Arctic College.	
#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
71	2005-2006 / Sports Nunavut	2009-2010 AR - We recommend that Sport Nunavut add a language component to their awards program as an incentive to make an Inuit language the language of sport in Nunavut. This could involve rewarding participants in Sport Nunavut events for communicating with their teammates in the Inuit language, speaking to the press in the Inuit language, and speaking to officials and the public in the Inuit language as well.	2009-2010 AR – GN response Currently, all public sporting events are conducted in the local language of preference, either Inuktitut or English.
#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
72	2005-2006 / Government of Nunavut	I recommend that the GN share with private sector some of its talent through a work-release volunteer program in each community.	
#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
73	2004-2005 / Government of Nunavut	We strongly recommend that the GN continue to work toward developing the new made-in-Nunavut <i>Official Languages Act</i> and <i>Inuit Language Protection Act</i> .	DONE

#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
74	2003-2004 / Department of Health and Social Services	2009-2010 AR - I recommend that the Department of Health and Social Services take all the steps necessary to bring their communications practices into compliance with the <i>Official Languages Act</i> of Nunavut. They must take appropriate measures to ensure that Nunavummiut can communicate to them in person, in writing or by any other means in the Official Language of the citizen's choice. I further recommend that the department assign one of their Assistant Deputy Ministers to oversee the adherence of the department's communications to the Official Languages Act, thus ensuring that the department does not ignore its obligations under the Act in the future.	2009-2010 AR: OLC comments - This recommendation is not an easy one to report on. The HSS is a department that provides mostly essential services. Language services are critical and are more than simply the availability of telephone reception and website information. They include health patients having the ability to choose their language in services such as inpatient or outpatient care at nursing stations or hospitals, dealings with social services, and obtaining vital information. To report fully on the status of this recommendation would require a systemic investigation, which will need to occur at another time.
#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
75	2003-2004 / Cabinet	2009-2010 AR - I recommend that Cabinet direct each GN department to inventory all forms sent out to the public and ensure all are available in Inuktitut (and/or Inuinnaqtun when required), French and English. This is a requirement outlined in the Official Languages Services Guidelines written by Culture, Language, Elders and Youth. The GN should be prepared to accept forms completed by members of the public in any official languages.	2009-2010 AR: OLC comments - It is difficult to know whether an inventory was ever done on all public GN forms. Our office asked the Department of Executive and Intergovernmental Affairs whether they knew this tool place or not but never got a reply. On the GN website,

#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
			all forms are in English. We called each department and asked if they were available in other official languages. Results are in the 2009-2010. Conclusion: Our view is that the forms are in need of an information update and made available in all official languages.
#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
76	2003-2004 / Government of Nunavut + Department of Human Resources	2009-2010 AR - I would like to recommend that employees designated to serve the public in any official language be given the training necessary to properly discern what services are needed, and then direct members of the public to where they may be accessed.	2009-2010 AR: The OLC conducted a survey. Results are in the AR. No conclusions drawn.
#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
77	2003-2004 / Department of Human Resources	I recommend that funds and appropriate support be put in place within the Department of Human Resources to provide for one full-time indeterminate Inuktitut Languages Instructor.	
#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
78	2002-2003 / Government of Nunavut	2009-2010 AR - My recommendation is to require use of Pigiarniq and Uqammaq fonts in all GN documents (including training of users).	2009-2010 AR: OLC comments - It has been reported to us that this recommendation has been fully implemented.

#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
79	2002-2003 / Department of Culture, Language, Elders and Youth	2009-2010 AR - I recommend that at least on new position be created within this division of Culture, Language, Elders and Youth to proofread all translations produced by the GN for public release, including (or especially) those produced or contracted out by individual departments. The person in this position must be very literate in Inuktitut, and must be expert in the use of the standardized dual writing systems. In the case that the proofread material is too much to be addressed by the proofreader(s), Culture, Language, Elders and Youth should have a priority listing of the types of documents to be proofread starting with high-profile items like signage and ending with internal departmental working documents.	2009-2010 AR – GN response: As part of the Minister of Languages’ Comprehensive Implementation Plan, Culture, Language, Elders and Youth has identified the creation of Reviewer/Editor positions for Inuktitut, Inuinnaqtun and French as a priority. These positions would work closely with the IUT to ensure the standardized terminology, orthography and other Inuit language usage standards are consistently used in all government communications.
#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
80	2002-2003 / Government of Nunavut	2009-2010 AR - I would also like to re-state my wish to see the GN offer language enhancement training for Inuktitut speaking staff at various levels of ability. We recommend hiring a full time instructor to run beginner, intermediate and advanced Inuktitut courses simultaneously throughout the fall-spring seasons, with a planning and development period allocated for the summer. (first recommended in 2000-2001)	2009-2010 AR: OLC comments - In the GNs 2001-02 business plan, one of their priorities was an Inuktitut language training strategy. It seems this recommendation has been put into action. ... In 2007-08, HR’s business plan stated they will work with both the Department of Culture, Language, Elders and Youth and Nunavut Arctic College to expand and develop

#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
			curriculum and materials to deliver first language courses.
#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
81	2002-2003 / Department of Justice	2009-2010 AR - The Languages Commissioner is calling on the Department of Justice to develop a long-term recruitment, training and retaining strategy with the goal of ensuring that there are Inuktitut interpreters available for all of the Nunavut Court of Justice's proceedings within a reasonable timeframe.	2009-2010 AR: OLC comments - Department of Justice does not have a strategic long-term recruitment, training and retention plan for Inuktitut interpreters for Nunavut Court of Justice (NJC). However, NJC partners with Nunavut Artic College to assist in the Interpreter/translator course. We were informed by justice officials that an interpreter is always on hand when court is sitting.
#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
82	2002-2003 / Nunavut Court of Justice	2009-2010 AR - We recommend the Nunavut Court of Justice take a pro-active role in informing those involved in proceedings of their right to an interpreter in appropriate circumstances.	2009-2010 AR: OLC comments - According to court official, informing those appearing in court that they have the right to receive services in an official language is at the discretion of individual judges.

#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
83	2002-2003 / Nunavut Court of Justice and Nunavut Law Society	2009-2010 AR - Nunavut Court of Justice and the Nunavut Law Society to make it clear to judges and attorneys that informal interpreting by family members is an unacceptable practice.	2009-2010 AR: OLC comments - From our communication with court officials, it seems directives and/or rules in the NJC dealing with proposer interpretation services are non-existent. Again, this seems to be left at the discretion of the judge.
#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
84	2001-2002 / Government of Nunavut	2009-2010 AR - The GN takes immediate steps to ensure the signs it puts up inside and outside its offices in Cambridge Bay and Kugluktuk are written in Inuinnaqtun using roman orthography (qaluijaaaqpait).	2009-2010 AR: OLC comments - We have been advised this recommendation has not been implemented. Government posts and signs continue to be in syllabics in Inuinnaqtun speaking communities (Kugluktuk and Cambridge Bay) where the writing system is based on the roman orthography.
#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
85	2000-2001 / Cabinet	2009-2010 AR - In keeping with the goals of the Bathurst Mandate, we strongly urge Cabinet to strike a working group of senior officials to begin work on a comprehensive language strategy aimed at establishing Inuktitut as the working language of the GN. The working group should also consider ways to improve the delivery of services to the public in all of Nunavut's official languages.	2009-2010 AR: OLC comments - We questioned the lead department at Human Resources on their readiness to implement this section of the Act. Their reply was: "In collaboration with our stakeholders, the department is developing a comprehensive implementation plan

#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
			<p>to address the language of work requirements of the Inuit Language Protection Act. This is a major goal or objective for 201-2011 in our business plan.</p> <p>It seems unrealistic to expect full implementation when the department has delayed including this requirement in its business plan until the current fiscal year. The likely delay is a major concern, especially considering this office has been pushing GN for this since 2000-2001.</p>
#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
86	2000-2001 / Cabinet	2009-2010 AR - We recommend that Cabinet request all GN departments and the Legislative Assembly comply with the Official Languages Act by making their websites available in Inuktitut, Inuinnaqtun and French.	2009-2010 AR: OLC comments - The graphs demonstrate that official language use on GN websites require a fundamental change in management policy, particularly in view of the new language legislation.
#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
86	2000-2001 / Cabinet+ Department of Human Resources	2009-2010 AR - We recommend that Cabinet encourage the Department of Human Resources to develop a new language bonus system that would provide an incentive for all GN	2009-2010 AR: OLC comments - The bilingual bonus system is still in place within the public service of territorial government. A language incentive

#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
		employees to acquire or improve upon their Inuktitut language skills and to use Inuktitut in the workplace.	<p>program is not yet in place.</p> <p>Each year since 2003-04 HR's business plans contain a statement on either reviewing the bilingual bonus program or a proposal for language incentive programs. It has been nine years since the recommendation, and seven years since HR included in their business plan. The recommendation still has to be implemented.</p>
#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
87	2000-2001 / Cabinet + Department of Culture, Language, Elders and Youth	2009-2010 AR - We recommend that Cabinet encourage the Department of Culture, Language, Elders and Youth and Human Resources to devote more resources to language enhancement training for Inuktitut speaking employees.	<p>2009-2010 AR: OLC comments - In the GNs 2001-02 business plan, one of their priorities was an Inuktitut language training strategy.</p> <p>It seems this recommendation has been put into action. ...</p> <p>In 2007-08, HR's business plan stated they will work with both the Department of Culture, Language, Elders and Youth and Nunavut Arctic College to expand and develop curriculum and materials to deliver first language courses.</p>

#	YEAR / Made to	OLC RECOMMENDATION	Previous FOLLOW-UP
88	2000-2001 / Cabinet + Nunavut Arctic College	2009-2010 AR - The training of language professionals, including Inuktitut and Inuinnaqtun instructors, translators and interpreters, must become a much greater priority for the government. We recommend Cabinet consider measures, including increased funding, that would strengthen Nunavut Arctic College's ability to deliver both the Translator and Interpreter Program and the Nunavut Teacher Education Program.	2009-2010 AR: OLC comments - Training language professionals will take a good long term effort to overcome the challenges involved in protecting, and in some communities revitalizing, the Inuit language. We anticipate that the implementation plan for <i>Inuit Language Protection Act</i> will include the training of language professionals.



Submission on the *Review of the Official Languages Act and Inuit Language Protection Act*

July 2023

The Inuktitut Language is a vital part of Nunavut's economy that is intricately connected to the economic, social and cultural well-being of Inuit.

Nunavut's diverse economy is unique in a territory where the majority population of its residents is composed of 85% Inuit, who participate overwhelmingly in the foundational economy of harvesting in Nunavut, spanning across every region and every community. This economic base has sustained Inuit long before contact and will continue to thrive for future generations to come.

Harvesting contributes to food security, better health outcomes, and provides a source of important personal and commercial income for Inuit, and it is therefore critical that Inuit continue to learn and practise harvesting and survival skills to succeed in this economy. Language and culture being taught and acquired is therefore not only ideal, but necessary to maintain and foster this economy.

Inuit have adapted to include modern commercial income through turbot, shrimp and char fisheries, caribou and musk-ox meat production and other food sales, sealskin fur production and clothing design, outfitting and tourism, and carving and industrial arts, such as weaving and prints.

Nunavut's economy is also composed of other consistent base sectors and industries, including municipal governments, housing associations, the retail and hospitality sector, mining and exploration, airline and sealift transport, construction and trades, real estate and property management, Hunters and Trappers Associations, Inuit Organizations, Institutions of Public Government, emergency, search and rescue and crisis response, professional associations, unions and government services.

The government sector has existed in all 25 communities of Nunavut since communities were established by the government in the 1950s, with communities acquiring over time RCMP posts, schools, health centres, social services, income support, adult education centres, local housing authorities, municipal governments and services, electrical supply, airports and government building construction and maintenance. These communities are comprised overwhelmingly of Inuit, the majority of whom speak Inuktitut.

Upon the creation of Nunavut in 1999, government administration has grown, yielding more disposable income increasing the business sector of Nunavut, such as with petroleum sales, mining excavation and environmental reviews, medical and government travel services, telecommunications and computer technology, television, film, radio, graphics and other media, office supplies, banking and accounting, architectural and infrastructural design, construction and trades, real estate and property management, security services, interpreting and translations, consulting, insurance, group homes and boarding homes, pharmacies, dental and eyecare. The non-profit sector has also increased, through early childhood centres, legal aid services and restorative justice, sports and recreation, training providers and cultural centres.

Language is at the heart of Nunavut's economy. Without it, the objective of Inuit self-reliance, social and cultural-well-being and participation in economic opportunities cannot be achieved.

The demographical and economic landscape of Nunavut warrants the elevation of Inuit rights affirmed under the *Canadian Charter of Rights and Freedom*, including the *aboriginal right to language as protected under s.35*, to the fullest extent possible by the Legislative Assembly of Nunavut, to protect and strengthen Inuktitut. Protection of Inuktitut must be a pressing and substantial government objective

before its imminent erosion, and measures to limit the impact of English to lessen its predominance over Inuktitut in Nunavut.

Inuit knew, from difficult experiences, that they could no longer return to the past they once lived in. But they were determined to exercise self-determination in how they now shaped their future. Educational, employment and economic participation were key features of their political drive to ensure Inuit benefited from the implementation of the *Nunavut Agreement*. When the *Nunavut Agreement* was negotiated with federal government, there were hard-fought negotiations for the creation of the Government of Nunavut, and it was expected the new Government would fully reflect Inuit culture and maintain Inuktitut to enable Inuit to participate meaningfully in education, employment and economic opportunities. However, Inuit did not relinquish all Inuit rights under the Nunavut Agreement, and Inuit never intended for Articles 4, 23 and 32 to be exhaustive of all Inuit rights to be implemented in legislation passed by the new Government. The s. 35 Charter right to Inuit language was and always has been the priority of all Inuit, that was meant to be reflected within the *Official Languages Act* and the *Inuit Languages Protection Act*. This contextual history and understanding from Inuit perspectives must be taken into account in the implementation of legislation, policies, programs and services enacted or implemented by the Government of Nunavut.

This solemn exchange of rights and benefits based on these principles in the *Nunavut Agreement* was a significant political sacrifice for all Inuit in exchange for land and certainty for the Crown. Inuit intended for language legislation to facilitate their inherit right to Inuktitut, and oblige Government to protect, promote and revitalize Inuktitut. A liberal and purposive analysis must be undertaken to assess whether the *Official Languages Act* and the *Inuit Language Protection Act* has achieved their intended objectives.

1. Five-Year Review Sections

Nunavut Tunngavik Inc.'s ("NTI") submission in this important review process prescribed in s. 37. (a) of the *Official Languages Act ("OLA")*, and s. 47. (1) of the *Inuit Language Protection Act ("ILPA")* will not only touch up recommendations for legislative amendments to *OLA* and *ILPA*, as a quasi-constitutional legislation, to strengthen and elevate Inuktitut, but related recommendations to amend ratification legislation in the provision of language of instruction in the *Daycare Act*, the *Education Act* and the *Universities and Degree-Granting Institutions Act*, increased employment rights for employees working in Inuktitut under the *Public Service Act*, and the right to work in Inuktitut under the *Labour Standards Act*.

NTIs submission also includes required key changes and the development of new policies that the Government of Nunavut should seriously consider strengthening to elevate Inuktitut in early childhood education, K-12 education, Nunavut Arctic College, municipal governments, federal departments, private sector and in the media.

NTIs recommendations will also include that the Government of Nunavut consider funding increases from its' annual budget appropriations to truly reflect the value of Inuktitut.

It is our hope that the Legislative Assembly of Nunavut adopts NTIs recommendations in this submission and continues to pursue efforts to make substantial changes in language legislation, policies and programs and services to elevate Inuktitut. The Inuktitut language should not be considered as a financial burden by governments. It should be considered as an investment to further expand Nunavut's economy and improve the educational attainment and economic participation of Inuit.

2. NTIs Past Article 32 Participation

To ensure legislation reflected Inuit goals and objectives in the design and development of policies and the design of social and cultural programs and services pursuant to Article 32 of the *Nunavut Agreement*, NTI participated in the legislative development of Bill 6, *Official Languages Act*, Bill 7, *Inuit Language Protection Act* and Bill 21, *Education Act* prior to their passages by the Legislative Assembly of Nunavut in 2008.

Prior to their assent in June 2008 for *OLA*, and September 2008 for *ILPA* and the *Education Act*, NTI advocated for all of these bills to reflect the right to Inuktut. NTI also participated as a member of the Language Legislation Steering Committee established between the Government of Nunavut and NTI, whom provided joint drafting instructions to the Department of Justice.

NTIs submissions in April 2007 for Bills related to *OLA*, *ILPA* and in January 2008 for Bill 21, the *Education Act* included the following key recommendations;

a) *Official Languages Act*

- Inuktut have equal authority and prominence as other Official Languages, in bills, *Acts*, instruments, records and journals under the jurisdiction of the Legislative Assembly;
- Inuktut have equal authority and prominence as other Official Languages in decisions, orders or judgments under the jurisdiction of the judicial or quasi-judicial bodies;
- Inuktut have equal authority or prominence in communications with and services to the public, as well as in written instruments to the public;
- That government duties, obligations and responsibilities for the provision of Inuktut be clear, to ensure Government of Nunavut honours the use and application of Inuktut in the Legislative Assembly of Nunavut, in the administration of justice, in the public workforce and in the provision of government services to the public,
- That discretionary provisions be removed from legislation, that would restrict the equal prominence of Inuktut in the Legislative Assembly, in the administration of justice, and in the provision of services to the public.

b) *Inuit Language Protection Act*

- That legislation reflects the right to Inuktut language as affirmed by s. 35 of the *Charter of Rights and Freedoms*;
- That legislation prescribes the right to receive K-12 education in Inuktut, with a clear duty of government to provide education in Inuktut through phased implementation;
- That early childhood education and post-secondary education be delivered in Inuktut;
- That Inuktut be the working language of the territorial public service, restricting employment positions in the English language to essential services;
- That discretionary provisions be removed from legislation that would limit the exercise of the right to Inuktut in the public workforce,
- That legislation mandates the right to work in Inuktut in all employment sectors, including municipal governments and the private sector,
- That legislation mandates Inuktut as the language of media;

Because these recommendations were not adopted in the Legislative Assembly of Nunavut's passage of *OLA* and *ILPA* in 2008, the intended objective to affirm Inuktut has not been realized to the full extent, and that the effect of a half-measure of protection in legislation is significantly contributing to the rapidly declining rates of Inuktut use. These past omissions are causing the ineffective implementation of Inuit rights protected under the *Charter*.

3. NTIs Ongoing Article 32 Participation

NTI takes its fiduciary obligations to Inuit very seriously, to ensure s. 35 *Charter* rights, that includes both common law Indigenous rights to language and culture, and treaty rights in the *Nunavut Agreement*, are protected, honoured and implemented by governments.

NTIs Niriuttaarijat Priorities specifically state;

1. We will seek to work with the Governments of Canada and Nunavut to achieve substantial and measurable progress towards the full implementation of Article 23 of the Nunavut Agreement.
2. We will seek to make significant progress in strengthening Inuktut in all aspects of life in Nunavut, including Nunavut's education system, public service workplaces, and delivery of essential government programs and services.

In addition to advocacy, NTI has prioritized programs and services to strengthen Inuktut, from its own budget allocations and commitments from Nunavut Tunngavik Foundation, Makigiaqta Inuit Training Corporation, as well as from Inuit-Crown Partnership Committee prioritized federal funding sources, totalling \$38,186,309 million dollars;

- Nunavut Tunngavik Foundation

Inuktuuqta writing prize- \$300,000 annually for five awards and mentorship opportunities to Inuit who submitted Inuktut written works,

- Makigiaqta Inuit Training Corporation:

- Nunavut Independent Television Network (Uvagut TV) \$249,365
- Kitikmeot Heritage Society \$346,736
- Pirurvik Centre \$12,218,054
- Pathfinder Agreement - \$12.4 million dollars

- Inuit TV

NTI invested \$2,469,578, over three years, to strengthen Inuktut, Inuit culture and identity and access to information in Inuktut

- Inuit Crown Partnership Committee Prioritized Funding

Pathfinder Agreement - \$7,300,000.00

- Inuit Educators Gathering

- Inuit Educators Association Options Paper
- Inuktit Education Innovation Fund

Indigenous Languages Component- \$2,902,576

- Post-Secondary Education Course Modules in Inuktit
- Pirurvik Podcast Series
- Online Inuktit language program
- Inuktituuqta Language Summer Camps
- Communications Strategy on Inuktit Language Rights
- Engagement / Evaluation of Inuktit in Nunavut Schools
- Research and Policy Options for Inuktit Education
- Strategy for the International Decade on Indigenous Languages
- Inuktit Business Plan Development
- Inuktit Media

In 2020-21, NTI was also instrumental in having the Government of Canada commit \$46 million dollars to expand the Nunavut Teacher Education Program to twelve communities.

In this important review function of *OLA* and *ILPA*, NTI's submission will focus on all areas of Inuktit in early childhood, education, post-secondary education or colleges, language in the workplace and in the provision of services to the public.

4. Status of Inuktit in Early Childhood Education

The preamble of *ILPA* emphasizes that the effective teaching and transmission of Inuktit in early childhood is critical to combat language loss and assimilation, to improve Inuit educational achievement, and for the protection, promotion and revitalization of Inuktit.

However, s. 9. as it relates to the provision of early childhood in Inuktit does not recognize the right of Inuktit in early childhood, and does not adequately reflect the measures needed to ensure effective teaching and transmission of Inuktit in early childhood as envisioned in the preamble of *ILPA*.

That particular section, which is not yet in force, only obliges the Government of Nunavut **to promote** Inuktit development and learning in Inuktit, and provide early childhood education materials and programs in Inuktit, monitor the availability, use and outcomes of the materials and programs, and develop and implement the licensing standards, training, certification and professional development for child day care operators and staff under the *Child Day Care Act*, or other early childhood education providers.

By comparison, Quebec's *Charter* on Language affirms the fundamental right of French in health and social services in s. 2 of the *Charter*, the right to French language of instruction in education in s. 6 and s. 72 of the *Charter*, and mandates institutions and the Minister to provide that instruction so as to promote French *as a common language in order to be able to interact, and thrive within Québec society and participate in its development*, for the vitality and preservation of the French language.

Although English language of instruction is permitted, it is only permissible by regulation where there is a predominant Anglophone community. In other words, the French language is accorded higher

emphasis as the official language, but enables the right of English instruction specific to Anglophone communities.

In Nunavut, s. 17 of the *Education Act* also places obligations of District Education Authorities to promote fluency in the Inuit Language and knowledge of Inuit culture in early childhood education. However, District Education Authorities alone should not bear the responsibility to implement early childhood education in Inuktitut, especially if the District Education Authorities do not have substantive authority on education programs, curriculum, recruitment, hiring, certification and training of educators, nor jurisdiction over other early childhood centres not within their schools.

The delayed implementation of s. 9 of *ILPA*, which was already drafted as a passive requirement for the Government of Nunavut to **promote** Inuktitut in early childhood, and the lack of clear government accountability in ratifying early childhood legislation and implementation of policies has resulted in the declining use of Inuktitut in early childhood every year since the passage of *ILPA* in 2008.

The annual reports of the Department of Education indicate that the rates of Inuinnaqtun Language use has increased slightly, its' nominal effect has not revitalized the Inuinnaqtun Language to the extent it needs to thrive while Inuktitut Language use has declined 1.5% over a fifteen-year period, and Inuinnaqtun Language use has remained consistent over that same period.

Language Use in Early Childhood Facilities - 2009 – 2010

- Inuktitut – 66%
- Inuinnaqtun – 2%
- English – 28%
- French – 4%

Pg. 61, https://www.gov.nu.ca/sites/default/files/files/FINAL%20EDUC%20Annual%20Report%202009-2010_AllLanguages_LowRes.pdf

Primary Language Use in Early Childhood Facilities 2019 - 2020

- Inuktitut – 52.2%
- Inuinnaqtun – 2.2%
- English – 34.8%
- French – 10.8%

Pg. 45, https://gov.nu.ca/sites/default/files/gn_dept_of_ed_2019-20_annual_report_english.pdf

English is the predominant language use in early childhood, at 50% as reported in the 'regularly used other language'. This represents 618 children in available 1,237 early childhood spaces in 2019-2020 that were not learning Inuktitut, if 50% of the regular language used is predominantly English.

As Inuinnaqtun Language Use represents a smaller percentage use at 2.2%, English becomes the default primary language in the Kitikmeot communities, and likely represents a higher English language use approximately 97% of the time.

Given that language acquisition is critical in the developmental stage between the ages of 0 to eleven years old, and that Inuktitut is now at an endangered risk if a critical mass of children across Nunavut are not able to learn it, it is imperative that s. 9 of ILPA be revised in its draft form, to significantly strengthen and affirm the right to Inuktitut in early childhood, and that Inuktitut language of instruction is mandated 100% of the time where more than 50% of children are Inuit, to significantly reverse language loss and require the Minister to restrict English instruction to the non-Inuit population. This would also require legislative amendments for the Government of Nunavut to collect data on the number of Inuit children enrolled in every early childhood centre to restrict English where more than 50% is comprised of Inuit.

The *Child Day Care Act* should also be amended to affirm a child's right to receive Inuktitut Instruction and import the necessary obligation for Government of Nunavut to clearly provide Inuktitut language of instruction in all early childhood centres of Nunavut.

In addition to these recommendations, NTI also recommends that the Government of Nunavut create a stand-alone Inuktitut Education in Early Childhood Policy and allocate significant resources to fulfill its obligation to provide the right of Inuktitut across all early childhood centres in Nunavut.

The proposed new Policy should guarantee Inuktitut language incentive in significant amounts, to every Inuk early childhood worker of an early childhood centre to teach only Inuktitut 40 hours per week, 52 weeks per year, so long as language proficiency assessments are met, and language training is provided. The percentage of Inuit early childhood education workers has remained consistent around 75-82% between 2009 and 2020, which is already a valuable source of Inuktitut transmission.

An Early Childhood Secretariat should also be created specifically to support all early childhood centres and district education authorities to provide consistent Inuktitut instruction, including the development of Inuktitut curriculum and education programming, appropriate to each stage of learning, and standardized terminology that respects regional and community dialects. Although the Early Childhood Education Division provides support and funding to some extent, a separate Early Childhood Secretariat would provide a dedicated focus to protect, promote and revitalize Inuktitut.

As the Department of Education's funding allocation is a proposal-based system for DEAs to access Inuit Language and Culture Funding, only 7 out of 25 DEAs applied for funding for fiscal year 2018-2019, for a total of \$644,000. This proposal-based system creates an unequal distribution of resources and does not create a significant effect in increasing Inuktitut in all early childhood centres. The establishment of an Early Childhood Secretariat is necessary to remove the proposal-based system and enable all communities to receive block funding each year [pg. 22 and pg. 46 https://gov.nu.ca/sites/default/files/gn_dept_of_ed_2019-20_annual_report_english.pdf].

As early childhood centres also face administrative and operational challenges that make it difficult for the centres to implement Inuktitut, the Early Childhood Secretariat should also support all early childhood centres to maintain legal standing as non-profit organizations, administrative and operational training, and support to Inuit early childhood educators to undertake certificate and diploma programs.

The Nunavik Model is a prime example of how 97% of children in early childhood has sustained Inuktitut use, by having the Kativik Regional Government provide Secretariat support not only on language and educational programming, but with operations and maintenance support to enable early childhood education centres to focus on immersion in Inuktitut.

5. Education

Inuktitut education in K-12 has always been the priority of all Inuit since the Government of Canada implemented the Eskimo Education Policy from 1947 to 1967, that penalized Inuit for speaking Inuktitut in schools and residential hostels. This harmful legacy connected both the political drive to have Inuit reclaim their own lives and control of their affairs, and ensure Inuktitut would always be taught as a language of instruction in education.

The *Nunavut Agreement* negotiations, the creation of a Nunavut Territory and the right to education in Inuktitut always ran parallel throughout modern history;

- first amendments to the Government of the Northwest Territories *Education Ordinance* in 1977 that enabled Inuit parents to participate in local education authorities,
- the creation of the Inuit Cultural Institute in 1979 that standardized syllabics,
- the establishment of the Eastern Arctic Teacher Education Program in Frobisher Bay in 1979,
- the devolution of the Department of Personnel in 1980 from the Minister of DIAND to the GNWT, to enable educators to be paid directly by the GNWT,
- the introduction of Inuit games, youth, cultural conferences and Inuktitut television in the early 1980s,
- the creation of divisional boards in 1984 that provided substantive authority on curriculum, teaching resources, school calendars, hiring and directions to superintendents and educators, and control over their own finances,
- the construction of Nunavut Arctic College to Iqaluit in 1985,
- the proposal to Government of Canada to affirm the right to Inuktitut education in Article 32 in 1990;
- the ratification vote of 16-year-old youth to be able to participate in NTI elections in the early 90s;
- the introduction of Bill 1, *Education Act* in the Legislative Assembly of Nunavut after the creation of the Government of Nunavut in 1999;

As Inuit gained more control over education, curriculum, teacher training and the ability to direct their priorities to superintendent of schools, attendance rates, and secondary education enrollment increased across Nunavut. These periods of Inuit gaining control over governance and education were extremely exciting times, with significant strides in improving educational attainment of all Inuit because their language and culture was reflected throughout by their leaders.

But once divisional boards of education were dissolved in 2000, attendance rates began decreasing [https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fwww.gov.nu.ca%2Fsites%2Fdefault%2Ffiles%2Fnunavut_public_school_attendance_rate_2001-2002_to_2013-2014.xls&wdOrigin=BROWSELINK]

NTI has consistently advocated for Inuit to reclaim control over education, since the NTI board resolution was passed in 1998 to recommend to the Office of the Nunavut Implementation Commission to retain one divisional board of education upon the creation of the Government of Nunavut.

Instead, the Government of Nunavut repeated past mistakes by reducing the authority of the Coalition of Nunavut DEAs on the education program, inclusive education, limitations on the choice of bilingual models and school calendars, in the passage of the *Education Act* amendments in 2020.

The Government of Nunavut has not been able to increase Inuktitut education beyond grade 3 in the majority of schools since 1999, has not been able to develop Inuktitut language of instruction curriculum to grade 12, or increase the number of Inuit educators beyond 29% of the educator workforce. This is in stark contrast to the significant increases that the local education authorities and the divisional boards of education achieved in five-year intervals beginning in 1977, throughout the 1980s and 1990s.

The Department of Education has underutilized its departmental budget by \$108,673 million over the past five years from 2016-2021 [<https://www.gov.nu.ca/statistics-and-reports>], yet Nunavut Arctic College's Annual Budget for Early Childhood and Education has only been increased by 1% from the same five-year timeframe.

[pg. 22 Nunavut Arctic College 2016-2017 Annual Report; [https://assembly.nu.ca/sites/default/files/TD%20211-4\(3\)%20EN%202015-2016%20Annual%20Report%20for%20Nunavut%20Arctic%20College.pdf](https://assembly.nu.ca/sites/default/files/TD%20211-4(3)%20EN%202015-2016%20Annual%20Report%20for%20Nunavut%20Arctic%20College.pdf),

and pg. 44 Nunavut Arctic College 2020-2021 Annual Report https://static1.squarespace.com/static/5b1954d75cfd798b94327249/t/63d7d806a3aeb8216f38572c/1675089930183/AnnualReport+2022+ENG_v5-Signed.pdf]

The Government of Nunavut has not undertaken efforts to re-profile unexpended funds from the Department of Education's surplus of \$15 million to \$27 million dollars per year, towards the expansion of the Nunavut Teacher Education Program, nor towards employment benefits and rights to Inuit educators.

Although the Department of Education's Annual Report for 2015-2016 reported that there have been 515 graduates of the Nunavut Teacher Education Program, the Department of Education has not been able to increase the number of Inuit educators in the education workforce beyond 30% of the educator workforce, indicating only 201 of the 515 graduates employed in the professional category [pg. 8, Towards a Representative Public Workforce September 2022 https://www.gov.nu.ca/sites/default/files/trps_eng_q2_september_final.pdf].

There has been no effort to target an existing pool of over 1,900 Inuit educators in casual, relief or substitute status [pg. 24, 26, 28, Towards a Representative Public Workforce September 2022 https://www.gov.nu.ca/sites/default/files/trps_eng_q2_september_final.pdf] to become certified educators eligible to receive employment rights and benefits provided under the Nunavut Teacher Association Collective Agreement.

Many Inuit educators are unable to be considered eligible for employment rights and benefits the way non-Inuit educators in indeterminate and term positions are, such as security of employment, staff housing, promotion, performance appraisals and acting pay, vacation leave, sick leave, professional development and training, pension, medical benefits, or overtime pay for curriculum development.

The current rates for the Inuit Language Incentive for educators is lower at \$1,500 for student support assistants and Inuusiliriji community counsellors under the Nunavut Employers Union; [pg. 40 and 131, Nunavut Employees Union Collective Agreement; <file:///C:/Users/Owner/Downloads/government-nunavut-en-246.pdf>]

The amounts between \$1,500 to \$5,000 language incentive amounts have not significantly increased for Inuit educators under the Nunavut Teachers Association Collective Agreement in the past 24 years.

[pg. 52 and pg. 53 Nunavut Teachers Association Collective Agreement
https://gov.nu.ca/sites/default/files/nta_ca_expiring_june_30_2025_-_english.pdf]

The Government of the Northwest Territories provides \$6,129 language allowance for all educators, and provides collective bargaining coverage for all educators, including those with certificates and diplomas and DEA educators. [pg. 60, and pg. 4, NWT Teachers Collective Agreement
<https://nwtta.nt.ca/sites/default/files/2022-03/nwtta-gnwt-collective-agreement-2021-2023-english.pdf>]

In contrast, the definition of ‘teacher’ in pg. 4 of the Nunavut Teacher’s Association Collective Agreement only focuses on educators in indeterminate positions, and excludes student support assistants, Inuusiliriji community counsellors, Inuksiutiliriji cultural instructors and DEA educators. The Nunavut Teacher’s Association Collective Agreement specifies that casual staffing should be avoided, but does not appear to be enforced by the union.

Under the Staff Housing Policy, the Government of Nunavut can pay for \$30 million of subsidized staffing to non-Inuit educators, and provide relocation expenses between \$5,200K and up to \$35,000K to transport the personal effects of non-Inuit educators to move in and out of Nunavut to teach, *per trip*. [https://www.gov.nu.ca/sites/default/files/car_2020_2021_english.pdf]

This is because the Staff Housing Policy prioritizes new indeterminate and term appointments of teachers, and limits eligibility of applicants whom currently reside in their communities in Nunavut. [https://gov.nu.ca/sites/default/files/staff_housing_policy_0.pdf#:~:text=The%20%20Government%20%20of%20%20Nunavut%20,the%20delivery%20of%20programs%20and%20services%20to%20Nunavum%20miut.]

In 2021, the proportionate rate of staff housing allocated to non-Inuit educators was 84%; 481 out of 572 staff housing units apportioned to the Department of Education. [<https://assembly.nu.ca/sites/default/files/RTWQ-87-5-2-Lightstone-HR-Administration-of-GN-Staff-Housing-Policy-2021-EN.pdf>]

Nearly 50% of Inuit respondents to the Inuit Educators Survey indicated that lack of eligibility for staff housing was the primary reason they felt undervalued as educators.

The Department of Education has underutilized its annual appropriations for curriculum development by \$21.14 million dollars between 2010 and 2021, based on the Department of Education’s Annual Reports

[pg. 26, 2019-2020, pg. 30, 2018-2019, pg. 32 2017-2018, pg. 31, 2016-2017, pg. 33, 2015-2016, pg. 8, 2014-2015, pg. 19, 2013-2014, pg. 21, 2012-2013, pg. 4, 2012-2010, Department of Education Annual Reports, <https://www.gov.nu.ca/statistics-and-reports>].

In sum, legislation, policies, collective agreements, funding appropriations, and recruitment and employment practises combined place higher value on non-Inuit educators, and has the effect of suppressing Inuit educators in providing Inuktut instruction up to grade 12.

Inuit value education and post-secondary education, as it enables youth to be prepared for their well-being onto the future. But if education is not delivered under direct Inuit governance, both Inuit educators and students will feel pushed out for their inability to make key decisions related to curriculum, educator training, recruitment and employment and other key authorities in education.

The Government of Nunavut must give back substantive authority to the Coalition of Nunavut DEAs and the District Education Authorities; on education program, inclusive education, instructional hours, curriculum, teaching and learning resources, student achievement, assessments and curricular outcomes, educator certification, recruitment and employment, and directions to management, superintendents and principals to implement education.

Self-determination is the only way that Inuktitut language of instruction, and educational attainment will increase. For the sake of hundreds of Inuit students whom feel pushed out before achieving grade 12 every year by a predominant English language of instruction system, and whom are unable to pursue post-secondary education or employment and economic participation opportunities, it is critical now that the Government of Nunavut make the necessary changes for Inuit to take control over education.

The Department of Education will not be able to deliver Inuktitut language of instruction up to grade 12 by 2039, because it has not been able to do so since the divisional boards of education were dissolved in 2000.

The only reason the Government of Nunavut dissolved divisional boards of health and education in 2000 was to save \$3 million to \$5 million per year for costs related to board honouraria and board administration, which has had the incalculable effect of eroding Inuktitut in early childhood, K-12 education and Nunavut Arctic College.

On the other hand, the Ojibway and Mi'kmaq languages began increasing once Anishnabek and Mi'kmaq entered into self-government agreements on early childhood, K-12 education and post-secondary education.

[\[https://www12.statcan.gc.ca/census-recensement/2021/as-sa/98-200-X/2021012/98-200-x2021012-eng.cfm\]](https://www12.statcan.gc.ca/census-recensement/2021/as-sa/98-200-X/2021012/98-200-x2021012-eng.cfm)

6. Post-Secondary Institutions, Adult Education and Training

The draft provision in s. 10 of *ILPA* on Inuktitut learning in post-secondary educations, adult education and training only provides an obligation for the Government of Nunavut to develop Inuktitut acquisition and upgrading materials and programs, which is also not yet in force.

By comparison, the *Quebec Charter on French Language* guarantees the right to receive instruction in French, including in university level educational institutions, and explicitly limits instruction in other languages.

The *Universities and Degree-Granting Institutions Act* of Nunavut also does not incorporate the right of Inuktitut of Instruction in post-secondary and college institutions. These legislative omissions leaves out a fairly large number of Inuit who may wish to pursue certificate, diploma and degree programs in Inuktitut, and may restrict Inuit to complete or graduate from post-secondary or college programs if the programs are provided only in the English language.

There were only 32 Inuit employed as professionals for fiscal year 2020-2021 at Nunavut Arctic College, representing only 22% of all of the available Nunavut Arctic College instructor positions. Nunavut Arctic College should emphasize Inuktitut instruction, and target Inuit to recruit an additional 104 instructors, with indeterminate position offers.

Inuktitut language of instruction is particularly important and necessary if Nunavut Arctic College is the only post-secondary institution that provides educational opportunities to more than 1,200 Inuit in Nunavut in the following key programs;

- Nunavut Teacher Education Program
- Nursing
- Social Work
- Environmental Technology
- Computer Technology
- Early Childhood Education
- Trades and Apprenticeships
- Interpreter / Translator and Language Revitalization Programs
- Management and Office Administration
- Adult Basic Education, Pathway to Secondary School or Foundation Years

The Nunavut Inuit Labour Force Analysis of 2016 also revealed that 1,150 Inuit government employees were interested in language training [pg. 16, NILFA Report; https://www.canada.ca/content/dam/esdc-esdc/documents/corporate/reports/research/NUNAVUT_Inuit_Labour_Force-EN.pdf], but only 6% of Inuit government employees undertook language training [pg. 21, NILFA Report].

7. Territorial Institutions

a) Right to work in Inuktitut

The Office of the Language Commissioner increased its scoring of territorial institutions, for their compliance with the provision of Inuktitut services in its 2018-2019 Annual Report, but found the right to work in Inuktitut was not being respected;

[pg. 77, Office of the Language Commissioner's Annual Report 2018-2019
https://langcom.nu.ca/sites/langcom.nu.ca/files/OLC%20AnnualReport_18-19_Final%20IK-EN.pdf]

This is also reflected in the Nunavut Inuit Labour Force Analysis that reported Inuit could only communicate 33% of the time to their supervisors in Inuktitut, even though 83% could speak it with their co-workers, and 78% felt it was important to be able to use Inuktitut in the workplace [pg. 77, Nunavut Inuit Labour Force Analysis 2016 Report: https://www.canada.ca/content/dam/esdc-esdc/documents/corporate/reports/research/NUNAVUT_Inuit_Labour_Force-EN.pdf].

These figures indicate that many more non-Inuit are supervisors, with Inuit employed in lower level categories of employment. This was contrary to NTIs recommendations to restrict English for job competitions requiring essential positions.

b) Services to the Public

It is not clear whether the Language Commissioner's assessments of territorial institutions included the review of services to the public by oral and written means, by key departments providing substantial services to the public, such as;

- Health
- Family Services
- Justice and Court Services
- Education

However, the Office of the Languages Commissioner did conduct a systemic investigation into health services at the Qikiqtani General Hospital in 2015, and made significant 14 recommendations to ensure the Department of Health ensure that the Qikiqtani General Hospital improve the provision of language services.

[\[https://langcom.nu.ca/sites/langcom.nu.ca/files/QGH%20-%20Final%20Report%20EN.pdf\]](https://langcom.nu.ca/sites/langcom.nu.ca/files/QGH%20-%20Final%20Report%20EN.pdf)

It has been eight years since that systemic investigative report, but it is difficult to assess if the recommendations had been followed up on or complied with, or whether Inuktitut has been elevated in hospital services, primary health care and medical travel.

NTI recommends legislative amendments that would require the Office of the Language Commissioner to follow-up on past systemic investigations, and provide a review on whether the recommended actions to ensure Inuktitut services had been complied with, with such reports to be tabled in the Legislative Assembly of Nunavut.

8. Language in the Workplace in Municipal and Federal Government and Private Sector

Although s. 12(1) of *ILPA* guarantees the right of Inuktitut in the workplace for territorial institutions, it does not guarantee the right of Inuktitut in the workplace within municipal governments, federal departments or the private sector.

This means large sectors of Nunavut's economy where Inuit cannot exercise the right to Inuktitut in the workplace, such as Hamlets or the City of Iqaluit, federal departments, unions, the airlines and sealift transportation sector, the retail and hospitality industry, mining and exploration sector, the construction and trades industry, real estate and property management, training providers and the non-profit sector.

Based on the annual Nunavut labour force statistics, this represents 7,500 Nunavut Inuit who are not guaranteed the right to work in Inuktitut;

[\[https://www.gov.nu.ca/sites/default/files/labour_force_statsupdate_december_2022.pdf\]](https://www.gov.nu.ca/sites/default/files/labour_force_statsupdate_december_2022.pdf).

This figure is much higher than Nunavut Inuit who work within territorial institutions at 1,762 based on the Towards a Representative Public Service Workforce Statistics of December 2022;

[\[https://www.gov.nu.ca/sites/default/files/trps_eng_q3_december_final.pdf\]](https://www.gov.nu.ca/sites/default/files/trps_eng_q3_december_final.pdf).

If the right to work in Inuktitut is strengthened in legislation, it could yield significant opportunities to increase Inuit employment in these sectors, advance Inuit in higher level positions, and expand Inuktitut interpreting and translation services, in both oral and written means. Inuktitut services in interpretation, translation and the provision of Inuktitut curriculum and Inuktitut language training has yielded viable businesses in Nunavut, and large-scale employers could benefit from conducting business in Inuktitut.

9. Goods and Services Providers to Government

It is also difficult to assess, at this time, to what extent Government Contracted Service Providers are complying with s. 4(1) of *ILPA*, as Government of Nunavut's goods and services sector is diverse; policing, petroleum sales, airline and sealift transportation, architectural and infrastructural design and construction, real estate and property management, health and social services, telecommunications and computer technology, consulting, insurance, security services, office supplies and other sectors.

The requirement in s. 4(1) and s. 6(1) of *ILPA* is also constricted to the limited scope of listed services, such as communications offered to the public, signage, posters, commercial advertising, and the provision of client/customer/reception services, essential services and household, residential or hospitality services, and in the case of municipalities, to provide Inuktitut in meetings and proceedings or by-law enforcement in addition to services to the public.

Due to this limitation in scope, Inuit Language Plans as required in s. 29 and s. 30 of *ILPA* doesn't measure or monitor an employers' provision of Inuktitut in the workplace within federal departments, municipal governments, and the private sector organizations. The Inuit Language Plans only measure and monitor Inuktitut related to the specific requirements to provide listed services to the public.

This omission makes it difficult for Inuit to participate meaningfully in municipal governments, the federal service in Nunavut and the private sector economy of Nunavut, or build Inuit-owned businesses for Government Contracted Services. This is contrary to the objectives of the *Nunavut Agreement*, to provide Inuit with means of participation in economic opportunities, and encourage self-reliance, social and cultural well-being of Inuit.

The Minister of Language should conduct research and surveys to analyse the application of Inuktitut in Government Contracted Services, particularly in the areas of policing, airline travel, construction, health and social services, telecommunications and computer technology. This research should particularly review whether the lack of Inuktitut contributes to miscarriage of justice in policing, as well as the inability of Inuit to receive adequate social services, or health services related to occupational speech and hearing, dental, pharmaceutical or vision care in Inuktitut, or the provision of Inuktitut in boarding homes.

10. Municipal Governments

The Government of Nunavut supports Municipal Governments to comply with their *OLA* and *ILPA* requirements. However, it is not clear to what extent Municipal Governments are compliant as the Office of the Language Commissioner's annual reports does not appear to measure performance indicators of municipal governments. Inuit comprise 85% of the workforce in municipal governments, but the Executive Summary of the Nunavut Inuit Labour Force Survey only combined language use between all sectors of federal, territorial and municipal governments, and it is therefore difficult to measure how much Inuktitut is used or provided by the municipal government sector.

The Office of the Language Commissioner's funding appropriations should be increased to allow the Office to hire additional staff to conduct monitoring and compliance of municipal governments.

11. Federal Departments

The Office of the Language Commissioner has reported in its 2018-2019 annual report to the Government of Nunavut that federal departments operating in Nunavut are **adamant** that *ILPA* does not oblige them to provide Inuktitut services [file:///C:/Users/Owner/Desktop/ola/OLC%20AnnualReport_18-19_Final%20IK-EN.pdf].

The following federal departments operating in Nunavut do provide communications or services to the public, and it is imperative that they be mandated to comply with their obligations prescribed in s. 3. (1) and s. 29. (1) of *ILPA*;

- Canada Border Services Agency
- Canada Mortgage and Housing Corporation
- Canada Post
- Canada Revenue Agency
- Canadian Army
- Canadian Coast Guard
- Canadian Northern Economic Development Agency
- Correctional Service Canada
- Elections Canada
- Fisheries and Oceans
- Indigenous Services Canada/Crown-Indigenous Relations and Northern Affairs Canada
- Parks Canada
- Public Prosecution Service of Canada
- Public Service and Procurement Canada
- Service Canada
- Statistics Canada

These federal departments, and other departments, provide a significant portion of services to the public in Nunavut, related to the provision of customer/client/reception, essential and residential services.

The Government of Nunavut should strengthen *ILPA* to clarify the federal departments to provide communications and services in Inuktitut, and a legislated timeline to comply with *ILPA*.

Under the authority of s. 24. (1) *ILPA*, the Minister of Languages can exercise powers to co-ordinate, administer, and advocate for the full, efficient, and effective realization and exercise of the rights and privileges established under *ILPA*. The Minister of Languages, with the political support of the Legislative Assembly of Nunavut, should advocate for federal departments to comply with *ILPA*.

The Indigenous right to language affirmed in s. 35 of the *Charter of Rights and Freedoms* has equal weight of interpretation as French and English language rights in the *Charter*, and it appears that the federal government is limiting that interpretation, by refusing to acknowledge *ILPA*, while all other organizations required to comply are doing so.

The federal government's position is not only unfair to other organizations, but that interpretation does not adequately affirm s. 35 *Charter* rights and is contrary to the *Declaration of Rights of Indigenous Peoples*, and its' requirement to comply with Inuit Employment Plans.

12. Media

s. 24 (2) of *ILPA* references the Minister of Language having the authority to develop ***policies or programs to promote*** the development of content and methods or technologies for Inuktitut media distribution that have the greatest potential to promote the use or revitalization of Inuktitut, including print, film, television, radio, digital audio or video, interactive or any other media.

By comparison, the Inatsisartut Parliament of Greenland affirms the Kallaalit language as the official language, and outright owns and controls its' own public-funded television and radio network, called the Kalaallit Nunaata Radioa (KNR) to provide daily media programming in the Kalaallit language.

It produces 800 hours of television programming, and 2000 hours of radio programming per year, in the Kalaallit language [<https://nxtedition.com/public-broadcasting-in-greenland-powered-by-nxtedition>]. The annual budget for KNR was approximately \$14.1 million Canadian dollars for fiscal year 2020 [https://knr.gl/files/knr - aarsrapport_2020-da.pdf].

The right to Inuktitut in media should be strengthened beyond the Minister's requirement to develop policies and programs to promote Inuktitut.

The misconception 'Inuktitut starts from home' does not capture the true reality that Nunavut Inuit face daily, with the predominance of English in television, social media, music, early childhood, grades 4-12, in the workplace and the private sector.

Even if parents value and speak Inuktitut at home, their children are not able to acquire immersion in Inuktitut if English is the predominant language in television and media.

This is particularly worrisome for children between the ages of 0 – 6 years of age, whom are exposed to English television at home for multiple hours of the day.

The Nunavut population estimates for children between the ages of 0 – 6 years old for year 2021 was 5,717.

[https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fgov.nu.ca%2Fsites%2Fdefault%2Ffiles%2Fnunavut_population_estimates_by_sex_and_single_years_of_age_1998_to_2021_3_tables_dissemination_file.xls&wdOrigin=BROWSELINK].

If 1,237 children are in early childhood, this means only 78% of 5,717 children ***are not*** in early childhood centres, and more than 4,500 children in that age group are exposed to predominant English media at home, possibly on average 2-3 hours per day.

Although there is some Inuktitut television and radio programming in Nunavut, produced by CBC North, Inuit Broadcasting Corporation, Inuit TV and Uvagut TV, many children watch popular television shows aired on large network stations.

The Minister of Language should conduct research and surveys to measure the extent of English media being watched or listened to by young children between 0 – 11 years old, and to understand how much of English media is eroding Inuktitut in Nunavut.

This research and survey could help inform the Department of Culture and Heritage on how it could strengthen legislation to ensure media is mandated in Inuktitut, whether the Government of Nunavut should establish its own television and radio network through the establishment of its own territorially-owned television and radio network, and a feasibility study to consider an application to the Canadian Radio Television Commission to develop Inuktitut voice-over of all primary English children’s channel networks shown on television in Nunavut.

This feasibility study could review whether it could also potentially increase opportunities for Inuit to work as Inuktitut voice-over specialists across Nunavut, particularly in communities where Inuktitut is rapidly declining.

Parallel to those recommendations, the Legislative Assembly of Nunavut should allocate significantly more funding resources to the Department of Culture and Heritage, to provide grants and contributions for television and other media content in Inuktitut to counter the predominance of English television and other media content.

The Department of Culture and Heritage’s annual departmental allocation for fiscal year 2020-2021 was \$34.9 million dollars, representing only 1% of the Government of Nunavut’s overall annual budget of \$2.583 billion dollars [pg. 7, Government of Nunavut’s Public Accounts for fiscal year 2021

https://gov.nu.ca/sites/default/files/ChildDayPosters/2021_public_accounts_-_english_web_version.pdf].

Of that annual budget, \$12.71 million of the funds allocated was for compensation and benefits of Culture and Heritage staff, leaving only \$7.22 million [pg. 68, Government of Nunavut’s Public Accounts for fiscal year 2021] towards Inuktitut Grants and Contributions Program, supplemented by Government of Canada’s \$5.1 million dollars for Inuktitut Initiatives [pg. 7, Department of Culture and Heritage Annual Report 2020-2021 https://gov.nu.ca/sites/default/files/feeds/2020-2021_final_minister_of_languages_report_english.pdf].

13. Investigations, Penalties and Fines

The investigation authority of the Language Commissioner needs to be strengthened. For many Inuit, it’s quite intimidating to raise concerns and file formal requests for investigations.

The Office of the Language Commissioner should be able to conduct investigations of his or her own volition, or conduct random compliance checks in all obligated territorial institutions and organizations required to comply with legislation, not just based on applications or requests made from the public in s. 26. (1) of *OLA*, and s. 31 and s. 34 of *ILPA*.

The penalties and fines sections also need to be strengthened. As the Inuit Language Implementation Fund reported it collected only \$61 in penalties and fines in 2020-2021 [pg. 28, 2020-2021 Annual Report of the Minister of Language; https://assembly.nu.ca/sites/default/files/2023-03/2020-2021_Final%20Minister%20of%20Languages%20Report_English%20-%20compressed.pdf].

The only time *OLA* and *ILPA* references fines and penalties are as follows;

s. 27. (1) OLA and s. 33. (1) ILPA

*No person shall discharge, suspend, expel, intimidate, coerce, evict, impose a pecuniary or other penalty on or otherwise discriminate against a person because **that person applies for an investigation, gives evidence or assists in an investigation or the reporting of a concern** to the Languages Commissioner*

By comparison, the Quebec Government imposes fines of between \$700 to \$7,000 for natural persons (individuals), and \$3,000 to \$30,000 for legal persons (corporations) who do not comply with the required obligations in the Quebec *Charter on French Language*.

Although there are remedies sections for individuals in *ILPA*, it is likely extremely difficult for Inuit to file such claims in court.

The limited scope for compliance requirements means that many obligated entities in *OLA* and *ILPA* likely do not take Inuktitut seriously or do not significantly compel the implementation of the right to Inuktitut or the provision of Inuktitut to the public.

14. Conclusion

The continued predominance of English in Nunavut is making it extremely difficult to elevate Inuktitut to equal prominence in law, public administration, the workplace, in schools, in media, and the daily life of Inuit, a result of which NTI tried its best to avoid in its submissions to Bill 6 *OLA*, Bill 7, *ILPA* and Bill 21, *Education Act* in 2007/2008. Those recommendations are still relevant today.

The lack of equal status of Inuktitut, and obligations to protect, promote and revitalize Inuktitut in the implementation of legislation, policies and funding priorities, or the omissions thereof, and the lack of enforceable penalties and fines for non-compliance, has resulted in the following;

- 4,500 children between the ages of 0 – 6 years old are exposed to hours of English television per day,
- 600 children in early childhood not able to receive Inuktitut instruction,
- 7,400 students in grades 4-12 are not able to receive Inuktitut instruction,
- 1,000 students are not able to receive Inuktitut instruction at Nunavut Arctic College,
- 1,000 Inuit government employees (federal, territorial and municipal employees) who were interested in Inuktitut training could not pursue such training,
- 1,200 Inuit government employees (federal, territorial and municipal employees) could not communicate with their supervisors in Inuktitut,
- 7,500 Inuit are not able to exercise the right to Inuktitut in municipal and federal governments, and the private sector

In total, an approximate 23,200 Inuit in Nunavut are not able to learn Inuktitut, or exercise the right to use it. These estimations correlate with Statistics Canada's 2021 Census, which reported 70% knowledge of an Indigenous language in Nunavut, but only 53% of the total population of 36,858 reported an Indigenous language as the mother tongue, and only 41% of the population used an Indigenous language at home.

[\[https://www12.statcan.gc.ca/census-recensement/2021/dp-pd/prof/details/page.cfm?Lang=E&SearchText=Nunavut&DGUIDlist=2021A000262&GENDERlist=1,2,3&STATISTIClist=1,4&HEADERlist=0\]](https://www12.statcan.gc.ca/census-recensement/2021/dp-pd/prof/details/page.cfm?Lang=E&SearchText=Nunavut&DGUIDlist=2021A000262&GENDERlist=1,2,3&STATISTIClist=1,4&HEADERlist=0)

Although the annual reports of the Minister of Languages indicates that the Government of Nunavut has made progress in the implementation of Inuktitut in the Legislative Assembly of Nunavut, facilitating the right to work in Inuktitut in territorial institutions, and providing government services to the public and public signages in Inuktitut, the status of Inuktitut in other key areas indicates the need to significantly strengthen Inuktitut rights in legislation, policies and funding appropriations, to enhance the key objectives of *OLA* and *ILPA*.

15. Key Recommendations

In this submission of the *OLA* and *ILPA* review, NTI is making the following key recommendations;

4.1 Amend the following legislation to strengthen the right of Inuktitut;

a) Official Languages Act

- Recognize Inuktitut as equally authoritative in the passage and printing of *Acts* passed by the Legislative Assembly of Nunavut (s. 5 (1) *OLA*);
- Recognize Inuktitut as equally authoritative in the publishing and printing of records and journals of the Legislative Assembly of Nunavut (s. 4 (2) *OLA*);
- Mandate Inuktitut to be equally authoritative when *Acts* and *Regulations* are being published in the Nunavut Gazette (s. 7 (1) *OLA*);
- Mandate civil court and tribunal proceeding notifications and decisions be provided in Inuktitut (s. 9 (1) *OLA* and s. 5 (a) *ILPA*);
- Enable the Language Commissioner to conduct follow-up investigations or reviews to measure whether recommended actions have been substantially complied with (new section);
- Remove discretionary provisions where Inuktitut services may be applied (amendments);

b) Inuit Language Protection Act

- Strengthen legislation to have every Inuk child the right to receive Inuktitut Instruction in early childhood, and limit the application of English instruction to non-Inuit by regulation (revisions);
- Provide every Inuk employee of a private sector employer the right to work in Inuktitut (new section), and limit undue hardship for large-scale employers (amendment);
- Strengthen legislation to have every Inuk child the right to receive Inuktitut Instruction in K-12, and limit the application of English instruction to non-Inuit by regulation (amendments);
- Expand the scope of services to the broader definition of ‘commercial and business services’ to enable the exercise of the right to Inuktitut beyond the listed services of client/customer/reception/hospitality/essential/medical/residential/utilities (new definition and expanded scope of application and services);
- Strengthen legislation to provide the right to Inuktitut instruction in post-secondary institutions and colleges established in Nunavut (amendments);

- Strengthen legislation to specify that federal departments, agencies and institutions of the public to comply with *ILPA*, and require an implementation timeline for compliance (amendments);
- Remove discretionary provisions where right to Inuktitut in the workplace, and Inuktitut services may be provided (amendments);
- Strengthen monitoring and compliance provisions in *OLA* and *ILPA* to enable the Office of the Language Commissioner to conduct investigations of his or her own volition, not specifically tied to an applicant's filing of a concern in s. 26. (1), and s. 31 and s. 34 of *ILPA (amendments)*;
- Strengthen fines and penalties to ensure organizations comply with their obligations and duties, including enabling the Languages Commissioner to follow-up with investigations and findings to measure compliance in stages, and specific fines and penalties for non-compliance or repeat offenses (new sections).

c) Public Service Act

- Transfer the jurisdiction of Nunavut Employees Union providing collective bargaining units for student support assistants and Inuusiliriji community counsellors to the Nunavut Teachers Association, to be entitled to receive the higher bilingual bonus or language incentive amounts provided to teachers;
- Require bilingual bonus or language incentive to increase annually based on cost-of-living adjustments and inflation;
- Provide clarity that bilingual bonus or language incentives will be mandated for every government employment position that requires services to the public in Inuktitut, or an educator whose employment requires teaching K-12 and post-secondary education or college instruction in Inuktitut;
- Include Inuksiutiliriji cultural instructors and DEA educators to be entitled to receive employment rights and benefits in a collective bargaining unit under the Nunavut Teachers Association Collective Agreement, and eligible to receive bilingual bonus or language incentives where a DEA educator teaches in Inuktitut;
- Provide guarantees to Inuit who wish to undertake language training and education related to their employment in the territorial public service;
- Limit the use of casual and relief employment for Inuktitut educators, and employees who provide services in Inuktitut to the public

d) Daycare Act

- Guarantee the right of every Inuk child to receive Inuktitut instruction, and limit the application of English instruction to non-Inuit children by regulation;
- Mandate early childhood centres established in Nunavut to provide 100% Inuktitut instruction, and cultural education programming where the centre provides services to more than 50% of enrolled Inuit children;

- Provide the guaranteed benefit of bilingual bonus or language incentive to every Inuk early childhood worker who provides early childhood education in Inuktitut;
- Mandate the establishment of an Early Childhood Secretariat to provide support to early childhood education centres with Inuktitut instruction, cultural education programming and curriculum development, and support to early childhood centres on operations and training, and the provision of bilingual bonus or language incentives for Inuit early childhood educators;

e) Education Act

- Strengthen legislation to have every Inuk child the right to receive Inuktitut Instruction in K-12, and limit the application of English instruction to non-Inuit by regulation;
- Amend legislation to provide the Coalition of Nunavut DEAs and DEAs jurisdiction and authority over the education program, inclusive education, instructional hours, curriculum, teaching and learning resources, student achievement, assessments and curricular outcomes, educator certification, training, recruitment and employment, and directions to management, superintendents and principals to implement education;
- Require Inuktitut as a grade 12 graduation requirement;
- Measure the language use of every student enrolled in K-12, to provide annual data of the rate of Inuktitut use in all grades and subjects in K-12;
- Include a new section that enables Inuit educators with an Inuktitut Certificate or Diploma to be eligible and qualified to teach in early childhood and K-4;
- Include a new section that an Inuk employee who has previously worked and has gained substantial work experience as an early childhood educator, language specialist, student support assistant, an Inuusiliriji community counsellor, a DEA educator, casual, relief, substitute teacher can have his or her experience considered as credits towards a certificate or diploma in education, or qualifications to teach Inuktitut;

f) Universities and Degree-Granting Institutions Act

Provide the right to receive Inuktitut instruction in post-secondary institutions and colleges in Nunavut.

g) Labour Standards Act

- Provide Inuit employees in the private sector the right to work in Inuktitut;
- Provide protection to Inuit employees exercising the right to work in Inuktitut;

4.2 Develop or amend Policies to strengthen Inuktitut in the following areas;

a) Inuktitut Education in Early Childhood Policy

- The Government of Nunavut should create a stand-alone Inuktitut Education in Early Childhood Policy to implement Inuktitut instruction in all early childhood centres in Nunavut;
- The Policy should enable all early childhood centres to provide 100% Inuktitut instruction 40 hours per week, 52 weeks per year, and cultural education programming where the centre provides services to more than 50% of enrolled Inuit children;
- The Policy should also provide the guaranteed benefit of bilingual bonus or language incentive to every Inuk early childhood worker who provides early childhood education in Inuktitut;

- The Policy should also reference the establishment of an Early Childhood Secretariat to provide support to early childhood education centres with Inuktitut instruction, cultural education programming and curriculum development, and support to early childhood centres on operations and administration, and the provision of bilingual bonus or language incentives and training for Inuit early childhood educators;
- The Policy should also mandate the Early Childhood Secretariat to collect annual data on enrolled Inuit children to assess the level of Inuktitut instruction and cultural programming needed for all early childhood centres in Nunavut;

b) Inuit Language Policy

The Inuit Language Incentive Program should designate the Department of Human Resources to be responsible for reviewing employment positions that require provision of services in Inuktitut to the public.

The employment positions and active offers should have mandatory bilingual bonus or language incentive amounts built-in for positions requiring government services to the public, and remove the onus of an employee to apply for bilingual bonus or language incentive.

In particular, the following departments should be designated territorial institutions with obligations to provide Inuktitut services to the public, whether by oral or written means, and mandating bilingual bonus or language incentives built-in to the employment positions;

- Health
- Family Services
- Education
- Justice
- Community and Government Services
- Any other employment position in public service that requires services to the public in Inuktitut, including territorial institutions and agencies

The Policy should also increase the amount of bilingual bonus or language incentive, and require incremental increases annually for cost-of-living adjustments and inflation.

The Policy should also reflect the need for the Minister of Language to ensure municipal governments, federal departments and the private sector comply with their duties and obligations prescribed in *ILPA*.

c) Official Languages Policy

NTI could not find Government of Nunavut's Official Languages Policy on Culture and Heritage's Department website or in any of the Government of Nunavut departmental websites. It is not clear if it exists or was developed.

The Northwest Territories Official Languages Policy was a useful and practical tool to have Official Languages implemented within obligated territorial institutions, and a similar Official Languages Policy should be developed for the Government of Nunavut, outlining respective obligations and delivery of services in all Official Languages.

d) *Staff Housing Policy*

- The Policy objectives should be changed to reflect priority of employees who are required to provide Inuktitut instruction and services, and place emphasis on prioritizing Inuit employees in education, in the workplace and in the provision of services in Inuktitut.
- Inuit should be eligible for staff housing if their employment positions require Inuktitut instruction or services to the public in Inuktitut, even if they live in their home communities.

4.3 Increase financial appropriations to strengthen Inuktitut;

a) Early Childhood

- Increase funding allocations for the establishment of an Inuktitut Early Childhood Education Secretariat, to support curriculum development, Inuktitut language training, operations and administration support, and the provision of language incentives to all Inuit early childhood workers who provide Inuktitut instruction;
- Allocate additional funding for bilingual bonus or language incentives to be provided to every Inuk early childhood educator who provides Inuktitut instruction.

b) Education

- Increase the Department of Education's Annual Contribution towards the Nunavut Teacher Education Program, to provide certificate, diploma and degree programs in every community, related to educational opportunities for all educators, including teachers, student support assistants, language specialists, Inuusiliriji community counsellors, Inuksiutiliriji cultural instructors and DEA educators.
- Increase professional development and training funds for Inuit teachers, student support assistants, language specialists, Inuusiliriji community counsellors, Inuksiutiliriji cultural instructors and DEA educators, and Inuit educators on casual, relief or substitute status.
- Mandate the Nunavut Teachers Association to include employment rights and benefits to student support assistants, language specialists, Inuusiliriji community counsellors, Inuksiutiliriji cultural instructors and DEA educators, and provide overtime pay for Inuit educators who develop Inuktitut curriculum beyond normal working hours, and increase practicum placement mentorship for Inuit educators.
- Increase amounts for new Inuit employees to be included under the Nunavut Inductee Program with a mandate to recruit and hire Inuit teachers, student support assistants, language specialists, Inuusiliriji community counsellors, Inuksiutiliriji cultural instructors and DEA educators who provide Inuktitut Instruction, as well as provide support for further education, certification/qualification, practicum placement, mentoring, training and professional development within the education system.

c) Post-secondary Education or College

Increase funding allocations to recruit and hire Inuit Instructors to provide Inuktitut instruction to students at Nunavut Arctic College.

d) Inuktitut in the Workplace

- Increase amounts to the Department of Culture and Heritage to raise awareness of the right to Inuktitut as prescribed by legislation.
- Increase educational and professional and training funds provided to Inuit to undertake Inuktitut educational training and professional development programs.

e) Media

- The Government of Nunavut should consider establishing its own public-funded television and radio network, and limit English media in all forms of media.
- The Government of Nunavut should also increase funding allocations to the Inuktitut Implementation Fund, and Inuktitut Grants and Contributions, to provide more funding to entities providing Inuktitut in television, film, radio, print, multimedia, and social media platforms.

f) Minister of Languages

Increase funding for the Minister of Languages to conduct research and surveys related to Inuktitut language use in media, early childhood, K-12 education, post-secondary education and Nunavut Arctic College, in the workplace, in the provision of services to the public and Government Contracted Services, to analyse the extent needed to protect, promote and revitalize Inuktitut

g) Office of the Language Commissioner

Increase funding for the Office of the Language Commissioner to have additional staff advocate, advise and monitor all sectors to comply with legislation, to sufficiently measure performance indicators of compliance by all territorial institutions and agencies, municipalities, private sector, the media and federal departments, and conduct follow-up investigations.



Inuit Qausinginnik Taiguusiliuqtiit

Joe Savikataaq
Chair, Standing Committee on Legislation
Legislative Assembly of Nunavut
P.O. Box 1200
Iqaluit, NU, X0A 0H0

July 6, 2023

Dear Mr. Savikataaq,

Re: review of the *Inuit Language Protection Act*

Thank you for your letter dated February 16, 2023, regarding the review of the *Inuit Language Protection Act* and the independence of the Inuit Qausinginnik Taiguusiliuqtiit. In the letter you asked me whether the Inuit Qausinginnik Taiguusiliuqtiit has specific recommendations for amendments to any sections of the Act. In the letter you also asked for input regarding the status of the Inuit Qausinginnik Taiguusiliuqtiit.

As you may recall, in May 2023 I advised you that I wanted to discuss your letter with the members of the Inuit Qausinginnik Taiguusiliuqtiit. I did not feel that responding to your letter without having a discussion with the members of the Inuit Qausinginnik Taiguusiliuqtiit was something that I should do.

I wanted to advise you that on July 4 and 5, the Board of the Inuit Qausinginnik Taiguusiliuqtiit met in person in Iqaluit. Among other things, we discussed your February 16, 2023 letter.

In terms of recommendations for amendments to the *Inuit Language Protection Act*, we have reviewed the Act and we are content with it. We therefore do not have recommended changes. We do want to note that we feel strongly that the Inuit Language and the Inuit culture should be respected and that Inuit should be proud of their language and culture. Fortunately the principles of respect and pride of our culture and language lay at the foundation of the *Inuit Language Protection Act*.

As for the question regarding the independence of the Inuit Qausinginnik Taiguusiliuqtiit, I can advise you that the Board unanimously decided that administrative independence is necessary for its work. The board members discussed the challenges that the Inuit Qausinginnik Taiguusiliuqtiit is facing. We acknowledge that the Inuit Qausinginnik Taiguusiliuqtiit is facing a backlog, most notably the outstanding annual reports and language assessments. One of the main reasons for the backlog is the lack of staff, including an Executive Director. An additional factor was the Covid-19 pandemic. We do however believe that positive changes can be made to remedy the situation and we will be working hard on those changes.

During the meetings we identified the issues that must be solved so that we can be up and running again, which is something we aspire and want. With the assistance of the Department of Culture and Heritage, for which we are grateful, we want to immediately start filling positions at the office of the Inuit Uqausinginnik Taiguusiliuqtiit. We understood from Wendy Bens, who kindly did a presentation during our meetings, that first we will need to update the job descriptions for the positions at the Inuit Uqausinginnik Taiguusiliuqtiit.

Updating the job descriptions and subsequently posting them is one of our main priorities we identified. As you may be aware, we currently are getting the assistance of Daniel Cuerrier, who is functioning as our Executive Director. Working on staffing issues is one of his priorities and he will be working together with the Department of Culture and Heritage. The Inuit Uqausinginnik Taiguusiliuqtiit is also looking to appoint additional board members and will be actively working on this in the next couple of months.

As for the annual reports and the outstanding language assessments, work will start in the near future to clean up the backlog. Once the backlog is cleared up, the Inuit Uqausinginnik Taiguusiliuqtiit is looking forward to starting with a 'clean slate' and to work hard on its mandate. During the meetings the Inuit Uqausinginnik Taiguusiliuqtiit discussed the importance of involving youth and discussed concrete plans how to involve youth.

The Inuit Uqausinginnik Taiguusiliuqtiit also feels strongly about the importance of teaching young people respect for the Inuit Language and culture. Other priorities of the Inuit Uqausinginnik Taiguusiliuqtiit include ensuring that its database functions well, so that the terminology that the Inuit Uqausinginnik Taiguusiliuqtiit has been working on over the years can be stored and accessed. The website too will be updated.

To conclude, despite the challenges of the last years, we are very keen to remedy past issues and to have a fresh start. We realize that we will need to rely on outside help until we have a fully functioning and independent office. We strongly believe that we, Inuit Elders, have a lot to contribute and we want to contribute. We are the ones who have knowledge that not many others have and we want to use this knowledge to protect and to promote the Inuit Language. We want to work on increasing respect and pride of our language and culture and we ask you to please support us in our endeavours to become a fully independent office.

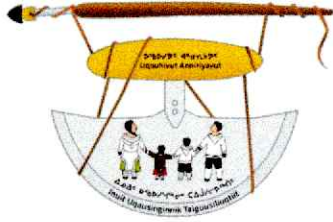
Thank you very much in advance and I would be happy to explain in more detail any of the above.

Sincerely,



Mary Thompson

Chair, Inuit Uqausinginnik Taiguusiliuqtiit



Inuit Uqausinginnik Taiguusiliuqtiit

Joe Savikataaq
Chair, Standing Committee on Legislation
Legislative Assembly of Nunavut
P.O. Box 1200
Iqaluit, NU, X0A 0H0

Dear Mr. Savikataaq,

Please find attached the Inuit Uqausinginnik Taiguusiliuqtiit's initial submission to the Standing Committee on Legislation with regard to the revision of the *Inuit Language Protection Act*.

As you can see in the submission, a meeting of the board of directors was recently organized to discuss, among other things, the urgent need to prepare a submission for the Committee on Legislation. The meeting could not take place before the target date of June 30, 2023. The issue of the IUT's independence was discussed during the Board meetings of July 4 and 5, 2023. During these meetings, the members expressed their deeply felt conviction that the IUT's mandate must be preserved and that no significant changes in PART 2 of the *Inuit Language Protection Act* are necessary.

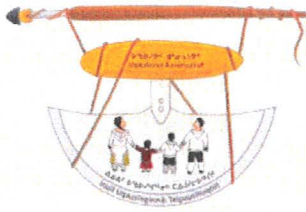
As you likely know, over the past two or three years, our organization's capacity has been impaired by a shortage of staff and the resignation of several board members. However, the IUT recently recruited an acting executive director who was hired on June 23, 2023 (the author of this letter) and a finance officer was also recently hired. We are still in the process of reviewing the IUT's structure, in particular as it relates to the issue of staffing, and we may suggest some minor amendments to the *Inuit Language Protection Act*. We are therefore asking you, as Chair of the Committee, for permission to provide you with an expanded submission at a later date, if after our further review that need exists. Permission to put additional information in our submission would provide time to our new staff and legal counsel to study PART 2 of the Act more closely and suggest changes to make our organization more efficient and in a better position to adequately fulfill its mandate, thus strengthening the use and vitality of Inuktitut in Nunavut.

I thank you in advance for your consideration.


Best regards,

Daniel Cuerrier
Acting director of IUT

c.c. Mary Thompson, Chair of IUT board of directors
Salomonie Pootoogook, Vice-Chair of IUT board of directors
Judith Lemstra, legal counsel



Inuit Uqausinginnik Taiguusiliuqtiit

Joe Savikataaq
Chair, Standing Committee on Legislation
Legislative Assembly of Nunavut
P.O. Box 1200
Iqaluit, NU, X0A 0H

August 25, 2023

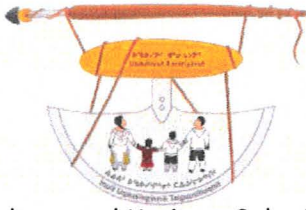
Dear Mr. Savikataaq,

Re: additional submission IUT regarding review of the *Inuit Language Protection Act*

We, members of the Board of Directors of the Inuit Uqausinginnik Taiguusiliuqtiit, want to extend our greatest thank you for allowing us to present you with a complementary submission to our document dated July 6, 2023.

In the spirit of *Piliriqatigiiniiq*, we contacted the Minister of Languages and asked her to view her department's submission to the Standing Committee on Legislation. She willingly agreed to share it with us, and we sincerely thank her for this.

After carefully reading through the Minister's submission, we focused our attention on Appendix A (here attached), since it is essentially what our own submission pertains to. The IUT agrees with the Minister's Recommendations #1, 2, and 4-8. Below we have provided additional commentary and suggestions on items 1 and 4, as well as explain our rationale for recommending against item 3.



Inuit Uqausinginnik Taiguusiliuqtiit

Culture and Heritage Submission – Appendix A – Recommended Amendments

Item # 1

Consider clarifying ILPA's application to the federal government:

In terms of this suggestion, regarding application to the federal government, we respectfully submit that historical context has demonstrated that the federal government has shown that it is generally poor at enforcing language legislation and the Official Languages Act, first adopted in 1969 is an example of that. Therefore, the suggestion for ILPA to only apply to federal departments, agencies, or institutions when an Act of Parliament provides for such application would render our territorial Act subservient to the whims of the federal government and will likely result in ILPA not applying, as in the past the federal government has argued that ILPA does not apply to it. It does therefore not seem likely that the federal government will explicitly provide for ILPA to apply. That will leave Inuit with having to rely on the *Indigenous Languages Act* for the provision of language services in the Inuit Language. This Act, however, does not contain strong language obligations applicable to the federal government the way that ILPA does. Further, recommendation #1 refers to clarifying federal duties. However, the effect of this recommendation is not so much clarity, but the likely reduction of federal language duties.

Item # 2

Consider removing section 13.1 of OLA and removing references to The Official Languages Promotion Fund throughout OLA:

The IUT supports this recommendation.

Item # 3

Consider having IUT staff absorbed into the Government of Nunavut, while maintaining the independence of the board with respect to decisions around Inuit language use and standardization:

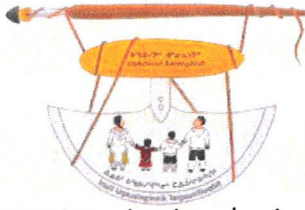
We respectfully disagree with this suggestion because we are significantly concerned that this could lead to the IUT becoming a “façade” organization dependent upon the public service, without the necessary flexibility to make significant decisions regarding its operations, nor really being able to establish its own priorities.

Item # 4

Alternatively, if not recommending #3:

i) Consider changing IUT's deputy head from the Chairperson to the Executive Director. ILPA 22(3):

The IUT agrees with this suggestion as this will relieve the Chair from operational duties and clearly separate the roles and duties of the Board of Directors and the staff (political and visionary vs. operational). We believe that this approach will foster *Ajjiqatigiinniq* and



Inuit Uqausinginnik Taiguusiliuqtiit

Qanuqtuurniq, since having a clear understanding of everyone's role leads to feeling more comfortable sharing and working together.

Also, such adoption of this suggestion will more closely mirror how some other public agencies are established in other Nunavut legislation. Should this suggestion not be followed, then we would like to propose providing the Chairperson with the power to delegate all/some of its powers under ILPA to the executive director.

Furthermore, for the sake of clarity, we also recommend that the role and duties of the executive director be set out in the new version of ILPA. This has been done in other legislation, such as in the *Education Act* for the director general of the Commission scolaire francophone and in the *Legal Services Act* for the executive director of the Nunavut Legal Services Board.

Items 5, 6, 7, 8

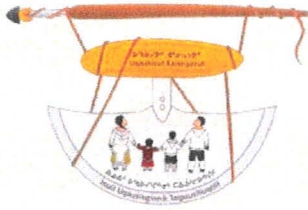
The IUT agrees with those suggestions. The adoption of these amendments will allow for streamlining of processes, bring clarity, and will allow the IUT to better concentrate on its fundamental mandate, which is the development, promotion, and enhancement of Inuktitut.

In closing, we further recommend that:

1. In the spirit of *Tunnganarniq and Pilimmaksarniq / Pijariuqsarniq*, a provision be added in ILPA where one or two non-voting youth members may be appointed to sit with the board and participate in its deliberations. The youth member is not to be an actual member of the IUT Board and is not to be counted for the purpose of determining a quorum or deciding a vote of the IUT Board. A youth member must be less than 18 years of age.
2. For the sake of flexibility and sound financial administration, a maximum of seven (7) IUT board members be included in the new ILPA. We also suggest that a quorum be stipulated in ILPA in accordance with the *Legislation Act*.

We very much appreciate your consideration of our suggestions above and, as we had stated in our previous submission, we are very keen to remedy past issues and to move forward embracing our fundamental mandate to make Inuktitut a rich and vibrant language resolutely turned toward the future.

Sincerely,



Inuit Uqausinginnik Taiguusiliuqtiit

Mary Thompson

Chair, Inuit Uqausinginnik Taiguusiliuqtiit

Mary Thompson

c. c. Honourable Pamela Hakongak Gross

Minister of Languages



Association des
francophones
du Nunavut

June, 30th 2023

BY E-MAIL

submissions@assembly.nu.ca

Mr. Joe Savikataaq, M.P.

Chair, Standing Committee on
Legislation
LEGISLATIVE ASSEMBLY OF NUNAVUT
P.O. Box 1200
Iqaluit, Nunavut X0A 0H0

Goump Djalogue

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President

ASSOCIATION DES FRANCOPHONES DU
NUNAVUT
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P.O. Box 880
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Subject: In reply to your letter of 16 February 2023

Mister Savikataaq,

Please find attached written submissions to the Standing Committee on Legislation regarding proposed amendments to Nunavut's *Official Languages Act* (OLA). These are the Association des francophones du Nunavut's (AFN) written submissions on behalf of the Franco-nunavummiut community.

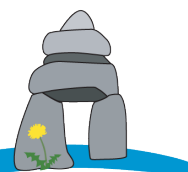
We are delighted that the AFN will continue to be consulted as the political voice of Nunavut's francophone residents, but also as a collective, a full member of the community.

This is the first review of the Nunavut OLA since its inception in 2008. Over the years of its application, we have identified positive points and others that absolutely require improvement in order to guarantee fairness and equality for languages.

Among the many comments and recommendations made, the AFN would like to draw your attention to three issues that have been priorities for several years and that now require the attention of the Legislative Assembly.

These elements are as follows:

- The creation of the legislative framework to allow for the signing of an AFN-Nunavut agreement for the establishment of a one-stop shop for French-language services to provide French-language services and communications on behalf of the Government of Nunavut,



- Systematic review and integration of language clauses in Canada-Nunavut agreements and Government of Nunavut government services,
- The adoption of regulations arising from the OLA to ensure better monitoring of its application.

These requests are important for the French-speaking community, doubly minority in Nunavut, whose language is under threat. We have also included recommendations for specific amendments to sections of the legislation. You will find all these elements in the appendix.

We remain available if you invite us to appear before the Standing Committee during televised hearings to be held in the autumn.

I'm sure you'll read the AFN's comments with great interest.

Sincerely,



Goump Djalogue
President
ASSOCIATION DES FRANCOPHONES DU NUNAVUT

Attached . The AFN' written submission





Association des
francophones
du Nunavut

Le 30 juin 2023

PAR COURRIEL

submissions@assembly.nu.ca

M. Joe Savikataaq, député

Président du Comité permanent
de la législation
ASSEMBLÉE LÉGISLATIVE DU NUNAVUT
C.P. 1200
Iqaluit (Nunavut) X0A 0H0

Goump Djalogue

presidence@afnunavut.ca

Président

ASSOCIATION DES FRANCOPHONES DU
NUNAVUT
981, promenade Nunavut
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Iqaluit (Nunavut) X0A 0H0

Objet : Réponse à votre lettre du 16 février 2023

Monsieur Savikataaq,

Veillez trouver en annexe les observations écrites présentées au Comité permanent de la législation relatives à des modifications proposées à la *Loi sur les langues officielles* (LLO) du Nunavut. Ce sont les observations écrites de l'Association des francophones du Nunavut (AFN) au nom de la communauté franco-nunavummiut.

Nous nous réjouissons de ce que l'AFN soit toujours consultée à titre de porte-parole politique des francophones du Nunavut, mais également comme collectif, membre à part entière de la communauté.

Depuis 2008, date de création de la LLO du Nunavut, cet exercice de révision est le premier. Nous avons au cours des années de son application, relevé des points positifs et d'autres qui nécessitaient absolument des améliorations afin de garantir une équité et égalité pour les langues.

Parmi plusieurs recommandations et commentaires émis, l'AFN souhaite porter à votre attention trois éléments qui demeurent ses priorités depuis plusieurs années et qui nécessitent aujourd'hui pour cette occasion que l'Assemblée législative s'y penche.



Ces éléments sont les suivants :

- La création du cadre législatif permettant la signature d'une entente AFN-Nunavut pour la mise en place d'un guichet unique pour les services en français permettant d'offrir des services et communications en français au nom du gouvernement du Nunavut,
- La révision et l'intégration systématiques de clauses linguistiques dans les ententes Canada-Nunavut et les services gouvernementaux du gouvernement du Nunavut,
- L'adoption de règlements découlant de la LLO pour assurer un meilleur suivi de son application.

Ces demandes sont importantes pour la communauté francophone, doublement minoritaire au Nunavut, dont la langue est menacée. Nous avons aussi inclus des recommandations concernant des modifications particulières à apporter à des articles de la législation. Vous retrouverez tous ces éléments en annexe.

Nous demeurons disponibles si vous nous invitez à comparaître devant le Comité permanent lors d'audiences télévisées qui se tiendront durant l'automne.

Je suis certain que vous allez prendre connaissance des commentaires de l'AFN avec grand intérêt.

Je vous prie d'agréer, Monsieur, l'expression de mes sentiments les meilleurs.



Goump Djalogue
Président
ASSOCIATION DES FRANCOPHONES DU NUNAVUT

p. j. Soumission de l'AFN





Association des
francophones
du Nunavut

RECOMMENDATIONS FROM THE ASSOCIATION DES FRANCOPHONES DU NUNAVUT TO THE CHAIR OF THE STANDING COMMITTEE ON LEGISLATION OF THE LEGISLATIVE ASSEMBLY OF NUNAVUT REGARDING THE UPCOMING REVIEW OF NUNAVUT'S LANGUAGE LEGISLATION

This written submission is in response to the letter of February 16, 2023 from the Chair of the Standing Committee on Legislation, the Honourable Joe Savikataaq, requesting written recommendations from the Association des francophones du Nunavut (AFN) regarding possible amendments to the *Official Languages Act* (OLA) and the *Inuit Language Protection Act*.

Section 37 of the *Official Languages Act* provides for a five-year review of the provisions for the implementation of the *Official Languages Act*, as well as other legislation, policies, guidelines, plans or directives that the Legislative Assembly or any of its committees may specify. Thus, the Association des francophones du Nunavut's comments concerning the administration, implementation, effectiveness of the provisions and achievement of the objectives of Nunavut's language legislation are part of this review process soliciting community consultation. This submission was the subject of consultations with the community through the territory's Francophone community organizations, which are the Association des francophones du Nunavut, Carrefour Nunavut, the Commission scolaire francophone du Nunavut, the CPE Les Petits Nanooks, the Théâtre Uiviit and the RÉSEFAN.

This process of reviewing the Nunavut OLA is an opportunity for the AFN to welcome the fact that a review of the Act is finally taking place after its adoption in 2008, and also to reiterate the great importance of this Act in the administration of community life and the preservation and promotion of languages in Nunavut.

Since its creation in 2008, Nunavut's Official Languages Act has enabled the Nunavut legislature to enact a number of rules aimed at recognising the existence and equal status of the territory's four languages, of which French is one, and to define the framework for their implementation and application. Over the years, the AFN has closely monitored the application of this law to the territory. It is pleased that the Act exists, and that the government is committed to complying with it to the best of its ability. However, it has identified several irregularities which, in the medium term, could undermine the position of French in Nunavut as one of the official languages.

Following the review of the OLA currently in force, the AFN, at the request of the Standing Committee on Languages of the Legislative Assembly of Nunavut, submitted comments as the political representative of Nunavut Francophones. Based on the current context and certain

needs, the AFN made some fairly interesting recommendations, while prioritizing three elements on which it cannot compromise. These are as follows:

- The creation of the legislative framework to allow the signing of an AFN-Nunavut agreement for the establishment of a single window for French-language services to provide services and communications in French on behalf of the Government of Nunavut,
- The systematic revision and integration of language clauses into the Government of Nunavut's Canada-Nunavut agreements on government services,
- The adoption of regulations arising from the OLA to ensure better monitoring of its application.

These requests are important for Nunavut's French-speaking community, which is in a double minority and whose language is under threat. We have also included recommendations for specific amendments to sections of the legislation. All of these are listed below.

The AFN submits its written comments in accordance with the existing plan of the *Official Languages Act*:

1. Comments on the preamble

The AFN supports the provisions of the preamble, which recognize that Inuktitut needs special support to revitalize it and ensure that it is better used in all spheres of life in Nunavut.

It would be useful if the preamble also recognised that the French language is doubly in the minority and needs to be revitalised and developed to ensure its survival. Clearly, it is the Inuit languages and French that need additional support and revitalisation. The English language is doing very well in Nunavut.

The preamble refers to the "francophone community" in paragraph b). It is suggested that the community be identified as the "franco-nunavummiut community". The name of the Francophone residents should be "les Franco-Nunavummiut" and not "les Franco-Nunavois". The AFN wanted this recognition in the preamble. The same applies to paragraph c), which refers to "both the Inuit community and the needs of the Francophone community of Nunavut". It should read "the franco-nunavummiut community". Moreover, paragraph c) recognizes that these two communities are in great need of the resources required to safeguard and strengthen their cultural expression and their collective life. AFN believes that the Government of Nunavut must consult with the AFN to provide a framework for action to achieve these goals. Such a framework is currently lacking.

The preamble recognizes that the *Official Languages Act* must have quasi-constitutional legal status. The AFN supports this principle, as the recognition of the three official



languages in Nunavut is an objective that must hover above all other laws of a general nature.

2. Definitions

The AFN supports the fact that the Act creates the position of Minister of Languages responsible for the promotion of official languages in Nunavut. This is an important political guarantee that must be maintained in the legislation. It confirms the importance of official languages in the Legislative Assembly of Nunavut. This primacy of the *Official Languages Act* is specifically recognised in section 2(2).

3. Legislative Assembly

Section 4 allows everyone to use one of the three official languages in the Legislative Assembly. The vast majority of MLAs are Inuktitut and English speakers. To ensure that all three official languages are regularly visible at the political level, the AFN believes that MLAs should use French when making presentations to the Legislative Assembly.

The AFN proposes that the Legislative Assembly be provided with French translation and simultaneous interpretation services on a permanent basis. This must be part of an implementation plan for the Legislative Assembly.

4. Laws

Article 5 stipulates that the laws must be in French and English and that a version in Inuktitut is possible.

The AFN supports this provision and asks that the laws be translated into each of Nunavut's three official languages.

5. Regulations

Section 6 provides for regulations to help implement the provisions of the Act. We note that no regulations have been adopted since 2008. Instead, the government uses policies, guidelines, plans and directives. The use of these documents rather than regulations makes the legislative framework less transparent and makes it more difficult to hold elected representatives accountable. It's true that policies and guidelines are easier to change quickly, but there is less consultation with the Francophone community and less transparency.

We therefore suggest that it would be preferable to make regulations to ensure the implementation of linguistic obligations. The AFN also suggests that the power to make regulations should extend to all provisions of the Act, not just sections 4, 5, 11 and 12.



6. **Nunavut Gazette**

Article 7 ensures that the *Gazette* is printed and published in English and French. There may be an Inuktitut translation.

The AFN supports this provision and requests that the *Gazette* be translated into each of Nunavut's official languages.

7. **Administration of justice**

Section 8 of the OLA allows any person before a judicial or quasi-judicial body to speak the official language of his or her choice, either English, French or Inuktitut. In civil litigation, they also have the right to an interpreter and the right to be advised that they may request the services of an interpreter. There may also be interpretation for the public when a case is in the public interest. When there is interpretation between French and English, the interpretation is simultaneous.

This is all well and good, however, the AFN recommends that the Nunavut OLA contain the same provisions as the federal OLA ensuring that, if a party advises that it will litigate in French, then the judicial body would have the obligation to provide a bilingual judge. In other words, the judicial or quasi-judicial body would be required to be institutionally bilingual in English and French. This does not mean that every judge or every employee of the judicial body must be bilingual. It is the judicial body that would have to be institutionally bilingual rather than individuals.

The AFN recognizes that Nunavut does not have a large number of bilingual judges. We must ensure that Nunavut appoints bilingual judges. These bilingual judges could be called upon to sit on bilingual civil cases. This new obligation would not be onerous because the *Criminal Code* already guarantees to have a bilingual judge and a bilingual prosecutor when there is a request from the accused for a trial in French. The same is true under *the Divorce Act*.

The wording could be similar to that of section 16 of the federal OLA, which reads as follows:

Every federal court, other than the Supreme Court of Canada, has the duty to ensure that

- *(a) if English is the language chosen by the parties for proceedings conducted before it in any particular case, every judge or other officer who hears those proceedings is able to understand English without the assistance of an interpreter;*
- *(b) if French is the language chosen by the parties for proceedings conducted before it in any particular case, every judge or other officer who hears those proceedings is able to understand French without the assistance of an interpreter; and*



- (c) if both English and French are the languages chosen by the parties for proceedings conducted before it in any particular case, every judge or other officer who hears those proceedings is able to understand both languages without the assistance of an interpreter.

If there is a court action against the Legislative Assembly or the Government of Nunavut, the government would also have to plead in French if the other party pleads in French. This would be similar to section 18 of the federal OLA, which reads as follows:

Where Her Majesty in right of Canada or a federal institution is a party to civil proceedings before a federal court,

- (a) Her Majesty or the institution concerned shall use, in any oral or written pleadings in the proceedings, the official language chosen by the other parties unless it is established by Her Majesty or the institution that reasonable notice of the language chosen has not been given; and
- (b) if the other parties fail to choose or agree on the official language to be used in those pleadings, Her Majesty or the institution concerned shall use such official language as is reasonable, having regard to the circumstances.

8. Decisions, orders, and judgments of a judicial or quasi-judicial body

Section 9 of the OLA allows any person to request and receive a printed or audio translation of the final version of a decision of a judicial or quasi-judicial body.

The AFN recommends that translation should not have to wait for a request from an individual. Final decisions of the courts help to better understand the law in the official languages, so every decision that raises an important point of law should automatically be published in English, French and Inuktitut. It would be important either to make a regulation to this effect or to develop a publication policy in consultation with the AFN.

9. Rules of Court

The AFN supports the fact that section 10 of the OLA allows judicial bodies to adopt the Court's rules to ensure respect for the official languages in judicial and quasi-judicial bodies.

10. Communication with the public and service delivery

10.1 Signs and deeds

The AFN supports the wording in section 11 of the OLA which ensures that signs in each territorial institution are in the three official languages and also prominently displayed. This is an important active offer that must be provided in all territorial institutions, not just the central office.



However, the AFN also stresses the importance of having positions designated bilingual or trilingual to ensure that the sign suggests that services and communications will be offered in each of the three languages.

The AFN also recommends the following order of display in the languages:

1. Inuktitut
2. French
3. English

10.2 Other communications with the public and service delivery

Article 12 provides that members of the public have the right to communicate with the head office or central administration of the government in the official language of their choice.

However, there are no regulations defining the headquarters or central administration for each ministry and each government entity. This may already be defined in policies or directives, but it is difficult to find these policies and directives. It would be preferable for these definitions to be contained in regulations and for the AFN to be consulted before such regulations are developed.

These regulations should designate bilingual or trilingual positions in each department and agency to ensure good frontline service in French.

According to AFN, the rate of assimilation is very high in Nunavut, so another mechanism must be found to ensure that all government services are offered in French, regardless of whether they come from a central office or a regional or local office, or depending on whether there is significant demand or the office's vocation.

Therefore, to support the government in offering government services in French, AFN proposes to establish a partnership agreement between Nunavut and AFN to set up a **one-stop service in French** to offer services and communications in French. French-language services are sorely lacking in public administrations and have been requested by Franco-Nunavummiut for over twenty years.

The Guichet Unique de Services en Français de l'AFN could support the government in translation, interpretation, advertising and information dissemination services... The government would still remain ultimately responsible and accountable for French-language services and communications. This would not relieve it of its legal obligation to offer services in French to its population.

The single-window agreement between AFN and Nunavut could be framed in a regulation to ensure its continuity. This regulation would recognize the AFN as the main interlocutor and political representative of the Franco-Nunavummiut community, and the partner of choice for the provision of active services in French.



The advantages of a one-stop shop would be to provide a central point for all French-language services and communications. Linguistic expertise would be centralized. The Francophone community would be more involved, and more aware of its needs. The single window would work in close collaboration with the people who occupy designated bilingual or trilingual positions in each department. The single window would ensure the stability and continuity of French-language services in Nunavut.

11. Other offices in high demand

Section 12(3) obliges the government to provide services and communications in French in regional or local offices only if there is significant demand, based on the proportion of the population served by the office or the volume of communications or services in French in the past. There may also be an obligation to provide services in French depending on the nature of the office, taking into account the importance of the services for the health, safety or protection of the public.

The AFN believes that it would be important to adopt a regulation defining what constitutes significant demand, taking into account the proportion of the population served and the volume of communications and services in the past. The purpose of an office that might require services in French must also be defined. There is a lack of transparency and consultation when these terms are defined in a simple policy by a government body rather than the Francophone community.

12. Services to promote the indigenous languages

AFN notes that section 12(5) of the OLA allows for regulations to be made where there is a particular concern, such as a high rate of assimilation. AFN supports this provision.

13. Municipal obligations to offer communications and services in French

Section 12(8) provides that if there is a significant demand for the use of French in a municipality, the municipality would have an obligation to ensure that the public has access to municipal communications and services in French. To do so, a by-law would have to be passed. To date, no by-law has been passed since 2008. For this reason, there is no obligation for a municipality to provide services and communications in French.

The AFN believes that the issue of municipal services in French could be resolved by using the one-stop shop. For example, the City of Iqaluit could sign an agreement with the one-stop shop to offer municipal services in French.



14. Annual report of the Languages Commissioner

Section 24 of the OLA requires an annual report from the Languages Commissioner. However, a reading of the annual reports leads to the conclusion that there is very little information in them. For example, the report for 2020-2021 does not provide any details on the number and type of applications and requests made under the OLA and the *Inuit Language Protection Act*, the status of applications or requests or their conclusion for applications or requests in progress during the previous fiscal year, or information on cases where recommendations made by the Languages Commissioner following an investigation were not followed.

The AFN is calling for the creation of a regulation under the OLA that will set out the content to be included in the Commissioner's annual report and that will present all of the Commissioner's work to ensure respect for official languages and, with regard to the complaints he receives, information on investigations, their nature, number and the results or follow-up carried out.

15. Secrets and disclosure of information

Section 25 deals with the secrecy and disclosure of information of the Commissioner of Official Languages and its non-binding nature.

Section 25.1 allows the Languages Commissioner to establish rules, procedures and forms. The AFN is requesting that a regulation set out the obligation of the Commissioner's office to make these rules, procedures and forms public.

16. Surveys

The AFN notes that under section 26, a person may ask the Commissioner to investigate concerns about the use of French by a territorial institution or municipality alleging a breach of the OLA.

The AFN also notes that the Commissioner, on his own initiative, may conduct an investigation if he believes that there has been a violation of the OLA. This is an important power in the AFN's view. The AFN supports this provision.

17. Refusal or interruption of investigation

Section 28 allows the Languages Commissioner to refuse to open an investigation or to terminate an investigation for a number of reasons. The AFN supports this provision.

18. Notice of consultation

The AFN notes section 29, which requires the Commissioner to file a notice with the Minister, territorial institution or municipality affected before initiating an investigation. The



Commissioner may also consult with the entity that is subject to an investigation request if it is possible to attempt to resolve the concerns raised.

The AFN agrees that the Act gives the Languages Commissioner the power to attempt to settle rather than to initiate a formal investigation. The AFN would support any amendment that would better define the powers to settle a complaint rather than take it to court. The AFN proposes that a regulation be developed in this regard.

Article 30 provides for the resolution of concerns without an enquiry. The Commissioner may use mediation and any other means consistent with Inuit principles. The AFN believes that the Commissioner's report should provide full information on the number of cases resolved through mediation or other means.

19. Investigative powers and procedures

The AFN supports the provisions of section 31 of the OLA. The Commissioner may enter and inspect premises occupied by a territorial or municipal institution and may interview employees and request to examine information and documents. This ensures that the Commissioner can obtain the information necessary for a proper investigation. The Commissioner can even compel a person to appear to testify under oath and to file an affidavit. He can compel a person to disclose documents (see section 31(2)).

20. Other powers

Section 31(3) also grants the Commissioner the same powers and duties as a court in civil matters with respect to entering premises, interviewing employees, ensuring the disclosure of relevant documents and compelling persons to appear before him or her to give evidence under oath. According to the AFN, these powers are important to ensure a rigorous investigation.

21. Post-investigation procedures

Article 32 obliges the Commissioner to submit a reasoned report following an investigation and to send it to the persons concerned. The Commissioner may make recommendations and may also ask the territorial institution or municipality to inform him or her, within a period set by the Commissioner, of the measures taken or planned to follow up on the Commissioner's recommendations and, if no measures have been taken or planned, the reasons for not following up on the Commissioner's recommendations. Also, as suggested by the new federal OLA, we believe that the Commissioner should have financial penalty powers. In the AFN's view, this would give the body in question an opportunity and an incentive to correct the shortcomings of the OLA.

If the territorial institution does not comply with the Commissioner's recommendations, the Commissioner may submit the report with the recommendations to the Speaker of the Legislative Assembly (see section 32.1). This approach puts political pressure on the



offending entity. Section 33 requires the Commissioner to keep the person who filed the complaint or requested an investigation informed (see section 33). The AFN supports this provision.

22. Action before the Nunavut Court of Justice

Section 35 allows a person who has requested an investigation by the Languages Commissioner to apply to the Nunavut Court of Justice for such remedy as the Commissioner considers appropriate and just in the circumstances. This can be done if the Commissioner has refused to initiate an investigation or has terminated an investigation. They may also file an ongoing application if more than six months have elapsed since the application was made and they have not received a finding. The AFN supports this provision, as it obliges the Commissioner to deal seriously with a request for an enquiry within six months.

According to the AFN, it is acceptable to impose time limits for filing an application with the Nunavut Court of Justice to enforce the OLA. Undue delays must be avoided. The AFN therefore supports this provision.

23. Request or appearance of the Languages Commissioner

Section 36 also allows the Languages Commissioner to apply to the Court of Justice for a remedy to ensure compliance with the OLA. The Commissioner may do so on his or her own initiative or with the consent of the applicant. The Commissioner may also appear in court on behalf of a person who has applied for a remedy. The Commissioner may also obtain leave of the Court to appear as a party in proceedings brought by an individual. The Commissioner may also apply for leave to intervene in proceedings with an individual.

In THE AFN's view, it is very important for the Commissioner to be able to apply to the Court for redress himself-. Too often, the laws leave the burden on the complainant. It is therefore interesting to see that in Nunavut, the Commissioner can do so.

On the other hand, the AFN recommends that a regulation be created to govern the complaints process received by the Commissioner and the use of his powers to determine the nature of the complaints, the follow-up and the conclusions.

24. Five-year review of the law

The AFN supports Section 37, which requires a five-year review of the OLA. There is a need to review the provisions and operation of the OLA as well as any other legislation, policies, guidelines, plans or directives that the Legislative Assembly or any of its committees may specify.

Unfortunately, the AFN has not been able to find all of these documents on the government website. Without obtaining all of these documents, it is difficult for the AFN to assess and



comment on the application and implementation of the OLA. It is also difficult to comment on the effectiveness of the provisions of the OLA in terms of whether the Act has achieved its objectives. Reading these documents may lead to further recommendations from the AFN.

Section 38 provides for the making of regulations and the duty to consult before making a regulation. According to the AFN's research, no regulations have been made in relation to the OLA. In the AFN's view, it would be important to make regulations to ensure better accountability, consultation and reporting. The AFN therefore proposes that Nunavut consider putting the information currently found in policies, guidelines, plans or directives into regulations.

Section 38 already provides for regulations to specify which territorial institutions and their offices are covered by the Act to deal with significant requests, to deal with active offers of service, to specify which municipalities are covered for the development of implementation plans, to govern disbursements from the language promotion fund, to govern the establishment and maintenance of a register of bodies under section 39. The AFN supports the need for regulations, but notes that no regulations have been made to date.

It should be noted that there is a mandatory consultation of the French-speaking community before adopting a regulation (see Article 38(3)c). This ensures greater transparency and accountability.

25. Consultation register

Section 39 requires the Minister to establish and maintain a register of persons and organizations to be consulted about the OLA. The section reads as follows

39. (1) The Minister shall establish and maintain, in accordance with the regulations, a register of persons or organizations to be consulted in relation to

(a) section 38; or

(b) consultation or collaborative work required for any other purpose by this Act

Unfortunately, the AFN notes that the Minister has never adopted a regulation to establish this register.

The AFN is requesting that the Association des francophones du Nunavut (AFN) be added to this register to ensure that the organization is consulted prior to the adoption of any regulation and also for the five-year consultation and the consultation for the making of any policy, guideline or implementation plan.

Section 39(2) ensures that the AFN will be consulted as soon as it appears on the register.



26. Additional proposals for legislators based on current issues.

The AFN believes that Nunavut should consider adopting a regulation to create a Francophone immigration policy. This would be a way to ensure the survival and revitalization of the Francophone community. Although immigration is primarily a federal responsibility, some provinces, including Quebec, have shared jurisdiction over immigration. The AFN is proposing that Nunavut adopt a Francophone immigration policy similar to the one put forward by the Fédération des communautés francophones et acadiennes. By 2030, 20% of immigration to Nunavut should be Francophone.

Another priority would be a regulation to guarantee language clauses in all agreements between Canada and Nunavut. This would ensure French-language services for all services offered in Nunavut. For example, if Canada transfers funds for early childhood programs, the language clause would ensure that part of the funds would go to the Franco-Nunavummiut community.

The AFN proposes that Nunavut give priority to the first-language Francophone education sector. This is a key sector for revitalizing and transmitting the Franco-Canadian language and culture in Nunavut. The AFN proposes that Nunavut support the development and funding of French-language education throughout life, from early childhood to adulthood and beyond. The AFN notes that the 2021 census establishes that there are 530¹ children eligible for instruction in the French minority official language in Nunavut. It is therefore urgent that Nunavut provide the necessary resources to the Francophone community and stakeholders working in education to reach these 530 students and ensure high-quality education.

The AFN also proposes that Nunavut give priority to the development and expansion of French-language daycare centres. This is where French-language education begins.

For the AFN, the French-language health sector is very important. We must ensure that there are designated bilingual or trilingual positions in the hospital and in a medical clinic in Iqaluit, as well as in other Nunavut communities where the need is expressed. French-speaking Nunavummiut who so wish must have access to a doctor who speaks French.

Finally, the AFN is proposing that Nunavut adopt a bylaw to establish a symbolic Franco-Nunavummiut Day and recognize the Franco-Nunavummiut flag. This would be a way to promote the Francophone community in Nunavut.

The AFN would like to thank you for requesting its proposals on amending the OLA. It is important for the AFN to study the application of the OLA, its implementation, the effectiveness of its provisions and the achievement of its objectives. In order to do this, it is important that the AFN has at its disposal all the policies, guidelines, implementation plans and directives that exist in relation to the OLA.

¹ Source: Statistics Canada



The AFN remains available to appear before the Standing Committee during the televised hearings to be held between now and the autumn.

Sincerely yours,



Goump Djalogue

● President of the Association des francophones du Nunavut

Attached: Letter to the Honourable Joe Savikataaq



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PROPOSITIONS ET RECOMMANDATIONS DE L'ASSOCIATION DES FRANCOPHONES DU NUNAVUT AU PRÉSIDENT DU COMITÉ PERMANENT DE LA LÉGISLATION DE L'ASSEMBLÉE LÉGISLATIVE DU NUNAVUT CONCERNANT L'EXAMEN PROCHAIN DE LA LÉGISLATION LINGUISTIQUE DU NUNAVUT

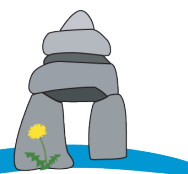
La présente soumission écrite est en réponse à la lettre du 16 février 2023 du président du Comité permanent de la législation, l'Honorable Joe Savikataaq, demandant les observations écrites de l'Association des francophones du Nunavut (AFN) au sujet de possibles modifications à la *Loi sur les langues officielles* (LLO) et à la *Loi sur la protection de la langue inuit*.

L'article 37 de la *Loi sur les langues officielles* prévoit un examen quinquennal des dispositions de l'application de la *Loi sur les langues officielles* ainsi que d'autres textes législatifs, les politiques, les lignes directrices, les plans ou les directives que l'Assemblée législative ou un de ses comités peut indiquer. Ainsi, les commentaires de l'Association des francophones du Nunavut concernant l'administration, la mise en œuvre, l'efficacité des dispositions et l'atteinte des objectifs de la législation linguistique du Nunavut, s'inscrivent dans ce processus de révision sollicitant la consultation de la communauté. Cette soumission a fait l'objet de consultations auprès de la communauté à travers les organismes communautaires francophones du territoire, que sont l'Association des francophones du Nunavut, Carrefour Nunavut, la Commission scolaire francophone du Nunavut, le CPE Les Petits Nanooks, le Théâtre Uiviit et le RÉSEFAN.

Ce processus de révision de la LLO du Nunavut est le lieu pour l'AFN de se réjouir de ce qu'une révision de la loi ait enfin lieu après son adoption en 2008 mais aussi de rappeler la grande importance de cette loi dans l'administration de la vie communautaire et la préservation et promotion des langues au Nunavut.

En effet, la Loi sur les langues officielles du Nunavut depuis sa création en 2008, permet au législateur du Nunavut d'édicter un certain nombre de règles visant à reconnaître l'existence et la place égale des quatre langues au territoire au rang desquelles figure le français, et de définir le cadre de mise en œuvre et d'application de celles-ci. Au cours des années, l'AFN a observé avec grande attention l'application de cette loi au territoire. Elle peut se réjouir de son existence et de la volonté du gouvernement d'en être en conformité au mieux de ses capacités, cependant elle relève un certain nombre d'irrégularités qui à moyen terme, risqueraient de fragiliser la place du français au Nunavut comme langue officielle parmi d'autres.

Par suite de la révision de la LLO actuellement en vigueur, l'AFN sur demande du comité permanent des langues de l'Assemblée législative du Nunavut, a émis des commentaires à titre de représentant politique des francophones du Nunavut. Selon le contexte actuel et au vu de



certaines besoins, l'AFN présente des recommandations assez intéressantes tout en priorisant absolument trois éléments, sur lesquels elle ne peut transiger. Ces éléments sont les suivants :

- La création du cadre législatif permettant la signature d'une entente AFN-Nunavut pour la mise en place d'un guichet unique pour les services en français permettant d'offrir des services et communications en français au nom du gouvernement du Nunavut,
- La révision et l'intégration systématiques de clauses linguistiques dans les ententes Canada-Nunavut sur les services et les services gouvernementaux du gouvernement du Nunavut,
- L'adoption de règlements découlant de la LLO pour assurer un meilleur suivi de son application.

Ces demandes sont importantes pour la communauté francophone, doublement minoritaire au Nunavut, dont la langue est menacée. Nous avons aussi inclus des recommandations concernant des modifications particulières à apporter à des articles de la législation. Tous ces éléments figurent ci-après.

L'AFN fait ses observations écrites en suivant le plan existant de la *Loi sur les langues officielles* :

1. Commentaires par rapport au préambule

L'AFN appuie les dispositions du préambule, qui reconnaissent que l'inuktitut a besoin d'un appui particulier pour la revitaliser et s'assurer qu'elle soit mieux utilisée dans toutes les sphères de la vie au Nunavut.

Il serait utile que le préambule reconnaisse aussi que la langue française est doublement minoritaire et est en besoin de revitalisation et d'épanouissement pour assurer sa survie. Il est évident que ce sont les langues inuit et le français qui ont besoin d'appui additionnel et de revitalisation. La langue anglaise se porte très bien au Nunavut.

Le préambule fait mention de la « communauté francophone » au paragraphe b). Il est suggéré que la communauté soit identifiée comme la communauté franco-nunavummiut. La dénomination de la communauté francophone devait être « les Franco-Nunavummiut » et non plus « les Franco-Nunavois ». L'AFN souhaite cette reconnaissance dans le préambule. Il en va de même au paragraphe c), où on fait mention de « tant à la communauté inuit qu'aux besoins de la communauté francophone du Nunavut ». On devrait plutôt dire « la communauté franco-nunavummiut ». D'ailleurs, le paragraphe c) reconnaît que ces deux communautés ont grandement besoin de ressources nécessaires à la sauvegarde et au renforcement de leur expression culturelle et de leur vie collective. L'AFN est d'avis que le gouvernement du Nunavut doit consulter l'AFN pour fournir un cadre d'action afin d'atteindre ces buts. Présentement, il manque un tel cadre d'action.



Le préambule reconnaît que la *Loi sur les langues officielles* doit jouir d'un statut légal quasi-constitutionnel. L'AFN appuie ce principe, car la reconnaissance des trois langues officielles au Nunavut est un objectif qui doit planer au-dessus de toutes les autres lois de nature générale.

2. Définitions

L'AFN appuie le fait que la loi crée le poste de ministre des Langues responsable de la promotion des langues officielles au Nunavut. Ceci est une garantie politique importante et qui doit être maintenue dans la loi. Cela confirme l'importance des langues officielles à l'Assemblée législative du Nunavut. Cette primauté de la *Loi sur les langues officielles* est reconnue spécifiquement à l'article 2(2).

3. Assemblée législative

L'article 4 permet à chacun d'utiliser une des trois langues officielles à l'Assemblée législative. La vaste majorité des députés sont des locuteurs de l'inuktitut et aussi de l'anglais. Afin que les trois langues officielles soient visibles régulièrement au niveau politique, il est de l'avis de l'AFN que les députés utilisent le français lorsqu'ils font des présentations à l'Assemblée législative.

Il est proposé par l'AFN que l'Assemblée législative soit dotée de services de traduction et d'interprétation simultanée en français de façon permanente. Cela doit faire partie d'un plan de mise en œuvre de l'Assemblée législative.

4. Lois

L'article 5 prévoit que les lois soient en français et en anglais et qu'une version en inuktitut soit possible.

L'AFN appuie cette disposition et demande que les lois bénéficient d'une traduction dans chacune des langues officielles du Nunavut.

5. Règlements

L'article 6 prévoit des règlements pour aider à faire la mise en œuvre des dispositions de la loi. Nous constatons que, depuis 2008, il n'y a pas eu de règlement d'adopté. Nous constatons que le gouvernement utilise plutôt des politiques, des lignes directrices, des plans et des directives. L'utilisation de ces documents plutôt que de règlements rend le cadre législatif moins transparent et rend plus difficile l'imputabilité des élus. Il est vrai que des politiques et des lignes directrices sont plus faciles à modifier rapidement, mais il y a moins de consultation de la communauté franco-e et moins de transparence.

Nous suggérons donc qu'il serait préférable de prendre des règlements pour assurer la mise en œuvre des obligations linguistiques. L'AFN suggère aussi que le pouvoir de



prendre des règlements devrait s'étendre à toutes les dispositions de la loi et non seulement aux articles 4, 5, 11 et 12.

6. **Gazette du Nunavut**

L'article 7 assure que la *Gazette* soit imprimée et publiée en français et en anglais. Il peut y avoir une traduction en inuktitut.

L'AFN appuie cette disposition et demande que la *Gazette* bénéficie d'une traduction dans chacune des langues officielles du Nunavut.

7. **Administration de la justice**

L'article 8 de la LLO permet à toute personne devant un organisme judiciaire ou quasi-judiciaire de parler la langue officielle de son choix, soit l'anglais, le français ou l'inuktitut. Dans un litige civil, elle a aussi le droit à un interprète et le droit d'être avisée qu'elle peut demander le service d'un interprète. Il peut aussi y avoir de l'interprétation pour le public lorsqu'une cause est d'intérêt public. Lorsqu'il y a une interprétation entre le français et l'anglais, l'interprétation est simultanée.

Tout ceci est fort bien, cependant, l'AFN recommande que la LLO du Nunavut contienne les mêmes dispositions que la LLO fédérale assurant que, si une partie avise qu'elle va plaider en français, alors l'organisme judiciaire aurait l'obligation de fournir un juge bilingue. En d'autres mots, l'organisme judiciaire ou quasi-judiciaire aurait l'obligation d'être institutionnellement bilingue en français et en anglais. Cela ne veut pas dire que chaque juge ou chaque employé de cet organisme judiciaire doit être bilingue. C'est l'organisme judiciaire qui aurait à être institutionnellement bilingue plutôt que des individus.

L'AFN reconnaît que le Nunavut n'a pas un grand nombre de juges bilingues. Il faudrait s'assurer que le Nunavut nomme des juges bilingues. Ces juges bilingues pourraient être appelés à venir siéger sur un dossier civil bilingue. Cette nouvelle obligation ne serait pas onéreuse parce que le *Code criminel* garantit déjà d'avoir un juge bilingue et un procureur bilingue lorsqu'il y a une demande de l'accusé pour un procès en français. Il en va de même en vertu de *la Loi sur le divorce*.

Le libellé pourrait être similaire à celui de l'article 16 de la LLO fédérale, qui est le suivant :

« Il incombe aux tribunaux fédéraux autres que la Cour suprême du Canada de veiller à ce que celui qui entend l'affaire :

- a) comprenne l'anglais sans l'aide d'un interprète lorsque les parties ont opté pour que l'affaire ait lieu en anglais;*
- b) comprenne le français sans l'aide d'un interprète lorsque les parties ont opté pour que l'affaire ait lieu en français;*



- c) *comprenne l'anglais et le français sans l'aide d'un interprète lorsque les parties ont opté pour que l'affaire ait lieu dans les deux langues. »*

S'il y a un recours judiciaire contre l'Assemblée législative ou le gouvernement du Nunavut, il faudrait aussi que le gouvernement plaide en français si l'autre partie plaide en français. Ceci serait similaire à l'article 18 de la LLO fédérale, qui dit ceci :

« Dans une affaire civile à laquelle elle est partie devant un organisme judiciaire, Sa Majesté du chef du Canada ou une institution du gouvernement du Nunavut utilise, pour les plaidoiries ou les actes de la procédure, la langue officielle choisie par les autres parties à moins qu'elle n'établisse le caractère abusif du délai de l'avis l'informant de ce choix. Faute de choix ou d'accord entre les autres parties, elle utilise la langue officielle la plus justifiée dans les circonstances. »

8. Décisions, ordonnances et jugement d'un organisme judiciaire ou quasi-judiciaire

L'article 9 de la LLO permet à toute personne de demander et de recevoir une traduction imprimée ou sonore de la version définitive d'une décision d'un organisme judiciaire ou quasi-judiciaire.

L'AFN recommande que la traduction ne doive pas attendre une demande d'une personne. Les décisions définitives des tribunaux aident à mieux comprendre le droit dans les langues officielles, donc chaque décision qui soulève un point de droit important devrait automatiquement être publiée en anglais, en français et en inuktitut. Il serait important de soit prendre un règlement à cet effet ou de développer une politique de publication avec la consultation de l'AFN.

9. Règles de la Cour

L'AFN appuie le fait que l'article 10 de la LLO permette aux organismes judiciaires d'adopter les règles de la Cour pour s'assurer du respect des langues officielles dans les organismes judiciaires et quasi-judiciaires.

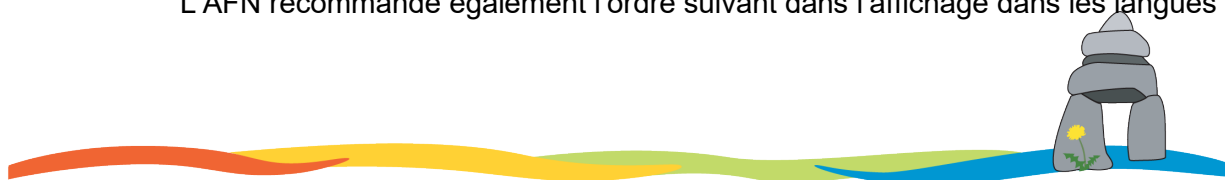
10. Communication avec le public et prestation des services

10.1 Enseignes, panneaux et actes

L'AFN appuie le libellé à l'article 11 de la LLO qui assure que les enseignes dans chaque institution territoriale soient dans les trois langues officielles et également en évidence. Ceci est une offre active importante qui doit être assurée dans toutes les institutions territoriales et non seulement le bureau central.

En revanche, l'AFN souligne aussi l'importance d'avoir des postes désignés bilingues ou trilingues pour assurer que l'enseigne laisse présager que les services et communications seront offerts dans chacune des trois langues, le soient effectivement.

L'AFN recommande également l'ordre suivant dans l'affichage dans les langues :



1. Inuktitut
2. Français
3. Anglais

10.2 Autres communications avec le public et prestation des services

L'article 12 prévoit que le public a le droit de communiquer avec le siège ou l'administration centrale du gouvernement dans la langue officielle de son choix.

Cependant, il n'y a pas de règlement qui définit le siège ou l'administration centrale pour chaque ministère et chaque entité gouvernementale. Cela est peut-être déjà défini dans des politiques ou directives, mais il est difficile de trouver ces politiques et directives. Il serait préférable que ces définitions soient contenues dans des règlements et que l'AFN soit consultée avant de développer de tels règlements.

Il faudrait que ce règlement désigne des postes bilingues ou trilingues dans chaque ministère et organisme pour s'assurer du bon service en français sur la première ligne.

Selon l'AFN, le taux d'assimilation est très élevé au Nunavut, donc, il faut trouver un autre mécanisme pour s'assurer que tous les services gouvernementaux soient offerts en français, peu importe s'ils proviennent d'un bureau central ou d'un bureau régional ou local, ou selon s'il y a une demande importante ou selon la vocation du bureau.

Ainsi, pour soutenir le gouvernement à offrir les services gouvernementaux en français, l'AFN propose d'établir une entente de partenariat entre le Nunavut et l'AFN pour la mise sur pied d'un **Guichet Unique de Services en Français** pour offrir des services et communications en français. En effet, les services en français font grandement défaut auprès des administrations publiques et ont fait l'objet de demandes des Franco-Nunavummiut depuis plus de vingt ans.

Ce Guichet Unique de Services en Français de l'AFN pourrait soutenir le gouvernement dans les services de traductions, d'interprétation, de publicité, et de diffusion de l'informations...Le gouvernement demeurerait toujours ultimement responsable et imputable pour les services et communications en français. Cela ne le désengagerait pas de son obligation légale d'offrir des services en français à sa population.

L'entente entre l'AFN et le Nunavut au sujet d'un guichet unique pourrait être encadrée dans un règlement afin de lui donner une pérennité. Ce règlement reconnaîtrait l'AFN comme l'interlocuteur et le représentant politique principal de la communauté franco-nunavummiut, et le partenaire de choix pour l'offre de services actifs en français.



Les avantages d'un guichet unique seraient d'assurer un point central pour obtenir tous les services et communications en français. L'expertise linguistique serait alors centralisée. Il y aurait une implication de la communauté francophone, qui connaîtrait mieux ses besoins. Le guichet unique fonctionnerait en étroite collaboration avec les personnes qui occupent des postes désignés bilingues ou trilingues dans chaque ministère. Le guichet unique assurerait une stabilité et une pérennité des services en français au Nunavut.

11. **Autres bureaux où la demande est importante**

L'article 12(3) oblige le gouvernement à fournir des services et communications en français dans des bureaux régionaux ou locaux seulement s'il y a une demande importante, selon la proportion de la population desservie par le bureau ou selon le volume de communication ou de service en français dans le passé. Il peut aussi y avoir une obligation de fournir des services en français selon la vocation du bureau, tenant compte de l'importance des services pour la santé, la sécurité ou la protection du public.

Il est de l'avis de l'AFN, qu'il serait important de prendre un règlement pour définir ce qu'est une demande importante tenant compte de la proportion de la population desservie et le volume de communications et de services dans le passé. Il faut aussi définir la vocation d'un bureau qui pourrait exiger des services en français. Il manque de transparence et de consultation lorsque ces termes sont définis dans une simple politique par une instance gouvernementale plutôt que la communauté francophone.

12. **Services susceptibles de promouvoir la langue autochtone**

L'AFN note que l'article 12(5) de la LLO permet de prendre un règlement en cas de préoccupation particulière, tel un haut taux d'assimilation. L'AFN soutient cette disposition.

13. **Obligations municipales d'offrir des communications et services en français**

L'article 12(8) prévoit que s'il y a une demande importante d'employer le français dans une municipalité, celle-ci aurait l'obligation d'assurer que le public ait des communications et services municipaux en français. Pour ce faire, il faudrait prendre un règlement. À date, il n'y a aucun règlement qui a été pris depuis 2008. Pour cette raison, il n'y a aucune obligation à une municipalité de fournir des services et communications en français.

Il est de l'avis de l'AFN que la question de services municipaux en français pourrait être réglée en utilisant le guichet unique. Par exemple, la ville d'Iqaluit pourrait signer une entente avec le guichet unique afin d'offrir des services municipaux en français.



14. **Rapport annuel du commissaire aux langues**

L'article 24 de la LLO requiert un rapport annuel du commissaire aux langues. Cependant, la lecture des rapports annuels mène à la conclusion qu'il y a très peu d'information dans ces rapports. Par exemple, celui de 2020-2021 ne fournit aucun détail sur le nombre et le type de demandes et de requêtes faites en vertu de la LLO et de la *Loi sur la protection de la langue inuit*, sur le statut des demandes ou des requêtes ou sur leur conclusion pour les demandes ou les requêtes en cours pendant l'exercice précédent ainsi que les renseignements sur les cas pour lesquelles des recommandations faites par le commissaire aux langues suivant une enquête n'ont pas été suivies.

L'AFN demande la création d'un règlement découlant de la LLO qui fera état du contenu à retrouver dans le rapport annuel du commissaire et qui présentera l'ensemble du travail du commissaire pour le respect des langues officielles, et pour ce qui est des plaintes qu'il recevrait, de l'information sur les enquêtes, leur nature, le nombre et les résultats ou suivis effectués.

15. **Secrets et divulgation de renseignements**

L'article 25 touche l'aspect secret et la divulgation de renseignements du commissaire aux langues officielles et de sa non-contrainctibilité.

L'article 25.1 permet au commissaire aux langues d'établir des règles, des procédures et des formules. L'AFN demande qu'un règlement encadre l'obligation pour le bureau du commissaire de rendre publiques ces règles, procédures et formules.

16. **Enquêtes**

L'AFN note qu'à l'article 26, une personne peut demander au commissaire d'enquêter sur des préoccupations relatives à l'utilisation du français par une institution territoriale ou une municipalité alléguant un manquement à la LLO.

L'AFN note aussi que le commissaire, à sa propre initiative, peut faire une enquête s'il croit qu'il y a eu une violation de la LLO. Ceci est un pouvoir important selon l'AFN. L'AFN appuie cette disposition.

17. **Refus ou interruption d'enquête**

L'article 28 permet au commissaire aux langues de refuser d'ouvrir une enquête ou de mettre fin à une enquête pour plusieurs facteurs. L'AFN appuie cette disposition.

18. **Avis de consultation**

L'AFN prend note de l'article 29, qui oblige le commissaire à déposer un avis au ministre, à l'institution territoriale ou à la municipalité touchée avant d'ouvrir une enquête. Il peut



aussi consulter l'entité qui est assujettie à une demande d'enquête s'il est possible de tenter de régler les préoccupations soulevées.

L'AFN est d'accord que la loi octroie au commissaire aux langues le pouvoir de tenter de régler plutôt que d'ouvrir une enquête formelle. L'AFN appuierait toute modification qui pourrait mieux définir les pouvoirs de régler une plainte plutôt que de la mener devant les tribunaux. L'AFN propose qu'un règlement soit développé à cet égard.

L'article 30 prévoit le règlement des préoccupations sans enquête. Le commissaire peut utiliser la médiation ainsi que tout autre moyen compatible avec les principes des Inuit. Il est de l'avis de l'AFN que le rapport du commissaire devrait donner toute l'information sur le nombre de cas qu'il a réglé par médiation ou par d'autres moyens.

19. Pouvoirs d'enquête et procédures

L'AFN appuie les dispositions à l'article 31 de la LLO. Le commissaire peut pénétrer dans des locaux occupés par une institution territoriale ou municipale pour les inspecter et peut interviewer des employés, demander à examiner des renseignements et des documents. Ceci assure que le commissaire peut obtenir l'information nécessaire pour une bonne enquête. Le commissaire peut même contraindre une personne à comparaître pour témoigner sous serment et à déposer un affidavit. Il peut contraindre une personne à divulguer des documents (voir article 31(2)).

20. Autres pouvoirs

L'article 31(3) accorde aussi au commissaire les mêmes pouvoirs et fonctions qu'un tribunal en matière civile par rapport à pénétrer dans des locaux, à interviewer des employés, à assurer la divulgation des documents pertinents et à obliger les personnes à comparaître devant lui ou elle pour donner de la preuve sous serment. Selon l'AFN, ces pouvoirs sont importants afin d'assurer une enquête rigoureuse.

21. Procédures après enquête

L'article 32 oblige le commissaire à transmettre un rapport motivé par suite d'une enquête et à l'envoyer aux personnes concernées. Le commissaire peut faire des recommandations et peut aussi demander à l'institution territoriale ou la municipalité de lui faire connaître, dans un délai qu'il fixe, les mesures prises ou envisagées pour donner suite à ses recommandations et, si aucune mesure n'a été prise ou envisagée, les raisons pour ne pas donner suite à ses recommandations. Aussi, tout comme le suggère la nouvelle LLO fédérale, nous estimons que le commissaire devrait avoir des pouvoirs de sanctions pécuniaires. Selon l'AFN, ceci donne une opportunité et une motivation à l'instance visée de corriger ces lacunes par rapport à la LLO.

Si l'institution territoriale ne respecte pas les recommandations du commissaire, ce dernier peut présenter le rapport avec les recommandations au président de l'Assemblée



législative (voir article 32.1). Cette façon d'avancer permet de mettre de la pression politique sur l'entité fautive. L'article 33 oblige le commissaire à tenir au courant la personne qui a déposé la plainte ou qui a demandé une enquête (voir article 33). L'AFN accorde son appui à cette disposition.

22. Recours devant la Cour de justice du Nunavut

L'article 35 permet à une personne qui a demandé une enquête auprès du commissaire aux langues de présenter une demande devant la Cour de justice du Nunavut en vue d'obtenir la réparation qu'il estime appropriée et juste eu égard aux circonstances. Cela peut se faire si le commissaire a refusé d'ouvrir une enquête ou a mis fin à une enquête. Il peut aussi déposer une requête en cours si plus de six mois se sont écoulés depuis la demande de la requête et qu'il n'a pas reçu de conclusion. L'AFN appuie cette disposition, car elle oblige le commissaire à traiter une demande d'enquête sérieusement dans un délai de six mois.

Selon l'AFN, il est acceptable d'imposer des délais pour le dépôt d'une requête à la Cour de justice du Nunavut pour faire respecter la LLO. Il faut éviter des délais indus. L'AFN appuie donc cette disposition.

23. Demande ou comparution du commissaire aux langues

L'article 36 permet aussi au commissaire aux langues de présenter une demande de réparation devant la Cour de justice pour faire respecter la LLO. Le commissaire peut faire le tout de sa propre initiative ou avec le consentement de l'auteur de la demande. Le commissaire peut aussi comparaître en cour au nom d'une personne qui a présenté une demande de réparation. Il peut également obtenir l'autorisation de la Cour pour comparaître à titre de partie à une instance introduite par un individu. Le commissaire peut aussi présenter une demande pour l'autoriser à intervenir dans une instance avec un individu.

Selon l'AFN, il est très important que le commissaire puisse présenter une demande de réparation à la Cour lui-même. Trop souvent, les lois laissent le fardeau sur le plaignant. Il est donc intéressant de voir qu'au Nunavut, le commissaire peut le faire.

En revanche, l'AFN recommande qu'un règlement soit créé pour encadrer le processus des plaintes reçues par le commissaire ainsi que l'utilisation de ses pouvoirs afin d'en connaître la nature, le suivi et les conclusions.

24. Examen quinquennal de la loi

L'AFN appuie l'article 37, qui oblige un examen quinquennal de la LLO. Il faut examiner les dispositions et l'application de la LLO ainsi que des autres textes législatifs, politiques, lignes directrices, plans ou directives que l'Assemblée législative ou un de ses comités peut indiquer.



Malheureusement, l'AFN n'a pas pu trouver tous ces documents sur le site web du gouvernement. Sans l'obtention de tous ces documents, il est difficile pour l'AFN d'évaluer et de commenter sur l'application et la mise en œuvre de la LLO. Il est aussi difficile de commenter l'efficacité des dispositions de la LLO à savoir si la loi a accompli ses objectifs. La lecture de ces documents pourrait conduire à la formulation d'autres recommandations de la part de l'AFN.

L'article 38 prévoit la prise de règlements et l'obligation de consulter avant de prendre un règlement. Selon les recherches de l'AFN, aucun règlement n'a été pris par rapport à la LLO. De l'avis de l'AFN, il serait important de prendre des règlements pour assurer une meilleure imputabilité, une meilleure consultation et une meilleure reddition de compte. L'AFN propose donc que le Nunavut considère de mettre l'information qui se trouve présentement dans des politiques, des lignes directrices, des plans ou des directives dans des règlements.

L'article 38 prévoit déjà des règlements pour préciser les institutions territoriales et leurs bureaux visés par la loi pour traiter des demandes importantes, pour traiter d'offres actives de services, pour préciser les municipalités visées pour l'élaboration des plans de mise en œuvre, pour régir les décaissements du fonds de promotion des langues, pour régir l'établissement et la tenue à jour d'un registre d'organismes aux termes de l'article 39. L'AFN appuie ce besoin de règlement, mais note qu'aucun règlement n'a été pris à ce jour.

Il est à noter qu'il y a une consultation obligatoire de la communauté francophone avant d'adopter un règlement (voir article 38(3)c). Ceci garantit une meilleure transparence et imputabilité.

25. Registre sur les consultations

L'article 39 prévoit que le ministre doit établir et tenir à jour un registre des personnes et organisations à consulter au sujet de la LLO. L'article dit ceci :

« 39(1) En conformité avec les règlements, le ministre établit et tient à jour un registre des personnes ou des organisations devant être consultées relativement :

- a) soit à l'article 38;
- b) soit à la consultation ou la collaboration exigée à toute autre fin par la présente loi. »

L'AFN constate malheureusement que le ministre n'a jamais adopté un règlement pour établir ce registre.

L'AFN demande que l'Association des francophones du Nunavut (AFN) soit ajouté à ce registre pour assurer que l'organisme soit consulté avant l'adoption de tout règlement et



aussi pour la consultation quinquennale et la consultation pour la prise de toute politique, ligne directrice ou plan de mise en œuvre.

L'article 39(2) assure que l'AFN sera consultée dès qu'elle se trouvera sur le registre.

26. Propositions additionnelles pour le législateur basées sur des enjeux actuels.

L'AFN est d'avis que le Nunavut devrait considérer prendre un règlement pour créer une politique en immigration francophone. Ceci serait une façon d'assurer la survie et la revitalisation de la communauté franco-nunavummiut. Même si l'immigration est de compétence surtout fédérale, il y a des provinces, dont le Québec, qui ont une compétence partagée en immigration. L'AFN propose que le Nunavut adopte une politique en immigration francophone similaire à celle avancée par la Fédération des communautés francophones et acadiennes. Il faudrait qu'avant 2030, 20 % de l'immigration au Nunavut soit francophone.

Une autre priorité serait un règlement pour garantir des clauses linguistiques dans toute entente entre le Canada et le Nunavut. Ceci serait pour s'assurer des services en français pour tous services offerts au Nunavut. À titre d'exemple, si le Canada transfère des fonds pour des programmes de petite enfance, la clause linguistique assurerait qu'une partie des fonds serait destinée à la communauté franco-nunavummiut.

L'AFN propose que le Nunavut priorise le secteur de l'éducation francophone, langue première. C'est un secteur clé pour revitaliser et transmettre la langue et la culture franco-canadiennes au Nunavut. L'AFN propose que le Nunavut appuie le développement et le financement de l'éducation en français tout au long de la vie, de la petite enfance à l'âge adulte et au-delà. L'AFN constate que le recensement de 2021 établit qu'il y a 530¹ enfants admissibles à l'instruction dans la langue officielle minoritaire francophone au Nunavut. Il est donc urgent que le Nunavut donne les ressources nécessaires à la communauté et aux acteurs francophones œuvrant en éducation pour rejoindre les 530 élèves et assurer une éducation de haute qualité.

L'AFN propose aussi que le Nunavut priorise le développement et l'agrandissement de garderies francophones. C'est à ce niveau que commence l'éducation en français.

Pour l'AFN, le secteur de la santé en français est très important. Il faut s'assurer d'avoir des postes désignés bilingues ou trilingues à l'hôpital et dans une clinique médicale à Iqaluit, de même que dans les autres communautés du Nunavut où le besoin serait exprimé. Les Nunavummiut francophones qui le désirent doivent pouvoir accéder à un médecin qui parle le français.

¹ Source : Statistique Canada



L'AFN propose enfin que le Nunavut adopte un règlement pour adopter une journée symbolique des Franco-Nunavummiut et reconnaître le drapeau franco-nunavummiut. Ceci serait une façon de faire la promotion de la communauté francophone au Nunavut.

L'AFN vous remercie d'avoir sollicité ses propositions relativement à la modification de la LLO. Il est important pour l'AFN d'étudier l'application de la LLO, sa mise en œuvre, l'efficacité de ses dispositions et l'accomplissement de ses objectifs. Pour ce faire, il est important que l'AFN ait à sa disposition toutes les politiques, lignes directrices, plans de mise en œuvre et directives qui existent par rapport à la LLO.

L'AFN demeure disponible pour comparaître devant le comité permanent lors des audiences télévisées qui auront lieu d'ici l'automne.

En vous adressant, nos salutations les plus distinguées,



Goump Djalogue

● Président de l'Association des francophones du Nunavut

p. j. Lettre à l'Honorable Joe Savikataaq

