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Nunavunmi Parnaiyiit
Nunavut Planning Commission
Commission d'Aménagement du Nunavut

Nunavut Planning Commission Internal Procedure

Information Management

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PURPOSE

The purpose of this procedure is to ensure Information integrity by establishing how the Nunavut Planning Commission (referred to herein as either the NPC or the Commission) will maintain, request, and use Information received from any Planning Partner.

AUTHORITY

This procedure is made to help guide members and employees of the Nunavut Planning Commission (the Commission) in satisfying their legal duties under sections 204 and 225 of the Nunavut Planning & Project Assessment Act (NUPPAA), as may be amended from time to time, reproduced below for ease of reference only:

“204. Limitation

(1) Despite any other provision of this Act, a member or employee of the Commission or the Board... may only disclose, in the exercise of their powers and the performance of their duties and functions under this Act, a document, part of a document or information, including by placing it in a public registry, if

[...]

(b) its disclosure

(i) would have been made in accordance with the Access to Information Act if a request had been made in respect of that document under that Act at the time the document came under their control under this Act, including any document that would be disclosed in the public interest under subsection 20(6) of the Access to Information Act,

[...]

(iii) would not contravene an agreement that a document, part of a document or information, provided to a person or body exercising powers or performing duties or functions under this Act, is confidential and must be treated accordingly.

Application of certain provisions

(2) Sections 27, 28 and 44 of the Access to Information Act apply in respect of any information described in subsection 27(1) of that Act that a person referred to in subsection (1) intends to

disclose, with any modifications that the circumstances require, including the following: (a) the information is deemed to be a record that the head of a government institution intends to disclose; and

225. Disclosure made in good faith

No action lies against the Crown, the Commission, the Board, members or employees of the Commission or the Board or members of a federal environmental assessment panel or joint panel for the disclosure in good faith of any document, any part of a document or information under this Act, including by making it available in the public registries, or for any consequences that flow from that disclosure or for the failure to give any notice required under section 27 or 28 of the Access to Information Act if reasonable care is taken to give the required notice.”

APPLICATION

This procedure applies to all members and employees of the Commission.

This procedure does not apply to any records, documents, or other materials expressly exempted from the definition of “Information” herein.

DEFINITIONS

Unless the context requires otherwise, words and phrases in this procedure have the same meaning as in the *Agreement between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in right of Canada* (the Agreement) and the *Nunavut Planning and Project Assessment Act* (NUPPAA). If there is any inconsistency between the Agreement and NUPPAA, the meanings of words and phrases in the Agreement apply.

In this procedure:

Derived Product means any map, chart, graph, picture, diagram, or other digital or written document of any kind created by the Commission, which incorporates the Information in whole or in part.

Information means any written or recorded oral comments, data or metadata, analysis, charts, graphs, or pictures, in hardcopy or digital format. It does not include:

- individual interview records produced as part of the Commission’s Use and Occupancy Mapping project or any similar projects that the Commission may conduct in the future; or
- information submitted to the Commission as part of a project proposal.

Modification means any enhancement, update, summary, or alteration of any kind of the Information, in any medium.

Planning Partner means an individual, group or organization, either public or private, interested in participating in the land use planning process and includes: both Inuit and Non-Inuit residents; not for profit community and Inuit organizations; municipalities; the business community; industry; environmental non-government organizations; Designated Inuit Organizations; territorial and federal government department and agencies; the Nunavut Impact Review Board (the NIRB); the Nunavut Water Board (the NWB); the Nunavut Wildlife Management Board (the NWMB); any other community, regional, territorial or national organization with an interest in the social, cultural, economic and environmental impacts and benefits associated with land use in Nunavut.

Spatial Data, also known as geospatial data, means information that can be represented by numerical values in a geographic coordinate system.

Third Party in relation to requests for Information means any person, entity or other organization who is not the original Planning Partner that provided the Information being requested.

PROCEDURE

1 Maintenance of Information

- 1.1 The Commission shall ensure that all Information provided to the Commission by any Planning Partner is stored and maintained using methods designed to safeguard the integrity of the Information.
- 1.2 Information provided to the Commission will be considered public, subject to federal or territorial law or a confidentiality agreement. For clarity, the Commission will, whenever possible, respect requests or requirements for privacy, or confidentiality of information, or source of information.
- 1.3 The Commission does not consider third party requests for the Information of Planning Partners and will refer any Information requests for Spatial Data to the original Planning Partner Information provider.
- 1.4 The Commission shall maintain a record of:
 - 1.4.1 Information requests made by the Commission to a Planning Partner;

- 1.4.2 External Information requests made to the Commission by a third party referred to the original Planning Partner; and
- 1.4.3 Information received by the Commission from a Planning Partner.

2 Requests for Information by the Commission

- 2.1 When requesting Information from a Planning Partner, the Commission shall specify:
 - 2.1.1 The type and quantity of Information requested;
 - 2.1.2 The format in which the Information is to be supplied to the Commission; and
 - 2.1.3 The use to which the Commission intends to put the Information.
- 2.2 Where appropriate, the Commission shall also request that Information providers:
 - 2.2.1 Describe preferred or required constraints on distribution of information including whether all or any part of a document is to be treated as confidential,
 - 2.2.2 Any limitations on the quality or source of Information; and
 - 2.2.3 Supply complete datasets in a format that is consistent with the application and use of the Information.

3 Provision and Use of Information

- 3.1 The provision of Information by a Planning Partner is non-exclusive and does not convey any ownership of the Information to the Commission.
- 3.2 If the Commission modifies Information, the Modification shall be noted within the document in which the Modification appears. Any Modification shall not have the effect of changing the meaning of the Information.
- 3.3 Where practicable and subject to confidentiality agreements, any Derived Product produced by the Commission shall include an attribution in the form of footnotes, endnotes, metadata, or bibliographical reference. The attribution shall provide details such as the name of the original author, the original date of publication, and, where relevant, the name of the publication in which the Information originally appeared.