

**NORTHWEST
TERRITORIES**

**CONFLICT OF
INTEREST COMMISSIONER**

Gerald L. Gerrand, Q.C.

**ANNUAL REPORT
2008**

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OF
THE CONFLICT OF INTEREST COMMISSIONER
FOR THE NORTHWEST TERRITORIES

Introduction

The statutory requirements respecting conflict of interest are set forth in Part 3 of the *Legislative Assembly and Executive Council Act*, S.N.W.T. 1999, c.22 (“the Act”).

Part 3 of the Act sets out the definitions of conflict of interest, the obligations of persons elected to the Legislative Assembly with regard to conflict of interest, prohibitions and guidelines regarding contracts and financial interests of Members, restrictions respecting gifts and benefits that may be extended to and accepted by Members and the disclosure requirements of Members.

This annual report is prepared and submitted to the Speaker pursuant to Section 99 of the Act.

Private Disclosure Statements

One of the annual obligations of each Member elected to the Legislative Assembly is to prepare and file with me, as Conflict of Interest Commissioner, an extensive written disclosure of his or her financial and property affairs. A similar requirement appears in every conflict of interest statute of the other Canadian provinces and territories, as well as the Senate and House of Commons of Canada. Therefore, there are no disclosure obligations that must be observed by Members of the Assembly of the Northwest Territories that are not similar to disclosure requirements of every other elected provincial, territorial or federal legislator of Canada.

The Act provides that the completed disclosure statement of the Member of the Assembly must be filed with me within 60 days following the first session of the Legislature after each territorial election and in subsequent years the requirement is to file on the annual anniversary of that date.

In early January 2008, I was obliged to formally advise the Honourable Paul DeLorey, Speaker of the Legislative Assembly, that Jackie Jacobson, MLA, Nunakput, and Robert C. McLeod, MLA, Inuvik Twin Lakes, had failed to file with me their disclosure statements within the time stipulated by the Act. My obligation to so inform the Speaker is set forth in Section 99 of the Act.

The two Members in question shortly following my formal report to the Speaker, duly filed their disclosure statements with me.

Supplemental Disclosure Statements were filed with me in the year 2008 as required by subsection 89(3) of the Act.

The contents of the disclosure statements and supplemental disclosure statements filed with me are confidential and are intended only for my purposes as Conflict of Interest Commissioner.

As mandated by the Act, each of the Members of the Legislature consulted with me regarding the contents of their disclosure statements and their obligations under the Act. These meetings took place in my office at the Legislative Building in Yellowknife over a three-day period in the middle of January, 2008.

Public Disclosure

The Act requires me to annually prepare a Public Disclosure Statement containing certain of the information supplied to me by a Member under his or her disclosure obligations and to prepare a Register containing the Public Disclosure Statement and any supplemental Public Disclosure Statements that should be produced.

For many years the practise has been followed of maintaining the Register of Public Disclosure Statements at the Legislative Library at the Legislative Assembly in Yellowknife. This practise has continued annually and in the year 2008, a Public Disclosure Statement for each Member was prepared and filed with the Director of Legislative Library and Information Services at the Legislative Building. The documentation so filed is available for review during business hours by members of the public.

Members' Obligations Under the Act

Each Member of the Assembly is obliged to observe several statutory requirements set out in the Act which are designed to prevent the Member from being in a position of conflict of interest. The general theme of these statutory provisions is to prevent a Member of the Assembly from advancing his or her personal interests in carrying out his or her responsibilities as an elected Member of the Assembly.

Members consulted with me in 2008 to seek my advice in confidence on several matters, including my views respecting the Member's obligations under the Act. No Member, to my knowledge, breached any of the provisions of the Act in 2008, except missed filing dates previously described in this report. I am satisfied that all Members sincerely wish to observe the requirements of the Act and try to govern their activities accordingly.

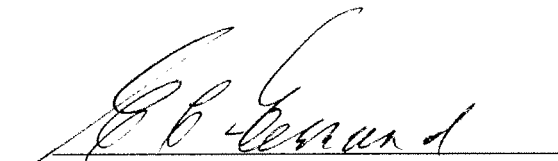
Annual Meeting of CCOIN

In September of 2008, I attended the annual meeting of the Conflict of Interest Commissioners of Canada convened in Quebec City, Quebec. This gathering of Ethics Counsellors and Conflict of Interest Commissioners from the various provincial, territorial and federal jurisdictions provided a useful opportunity to discuss matters of mutual interest and learn of the manner in which problems common to most jurisdictions in the area of conflict of interest are avoided and if not avoided, dealt with in accordance with the appropriate legislation. It is helpful to engage in the interchange of ideas with other colleagues, who are all devoted to the advancement of integrity in government.

Several persons in Yellowknife have provided their assistance to me in the carrying out of my responsibilities under the Act. Arrangements for air transportation and hotel reservations have been attended to by Phoebe Esau and Donna Friesen. Verna Currimbhoy has cheerfully assisted me in carrying out required secretarial tasks. I thank each of these ladies for their assistance.

All of which is respectfully submitted.

Dated this 21st day of September, 2009.


Gerald L. Gerrand, Q.C.
Conflict of Interest Commissioner