


Northwest
Territories Legislative Assembly
Conflict of Interest ~~Commission~~

Annual report

December 19, 2000

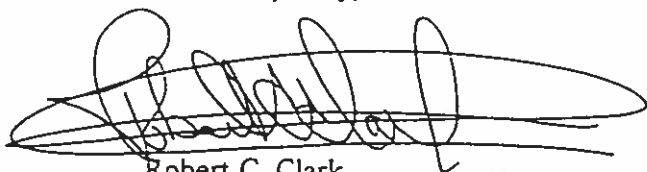
Hon. Anthony Whitford
Speaker of the Legislative Assembly
Legislative Assembly Building
Yellowknife, Northwest Territories
X1A 2L9

Dear Mr. Speaker:

I am pleased to provide an annual report to the Legislative Assembly of the Northwest Territories on the operations of the Office of the Conflict of Interest Commissioner during my term as Acting Commissioner.

This report is prepared pursuant to section 99(1) of the *Legislative Assembly and Executive Council Act*.

Yours very truly,



Robert C. Clark
Acting Conflict of Interest Commissioner
April 1999 - June 2000



2000-2001

ANNUAL REPORT

APRIL 1999 -- JUNE 2000

**Office of the
Conflict of Interest Commissioner
for the
Northwest Territories**

APPOINTMENT

In April 1999, the Management and Services Board of the Legislative Assembly of the Northwest Territories passed a resolution appointing me as Acting Conflict of Interest Commissioner. I discussed this position with the Chair of the Alberta Legislative Assembly's Standing Committee on Legislative Offices. It was agreed that I could assume these additional responsibilities without salary from the Northwest Territories. I took the oath of office on April 7, 1999. The Legislative Assembly of the Northwest Territories did pay all expenses relating to my travel to and from Yellowknife and accommodations and meals while in Yellowknife.

I was honoured with the opportunity to take on this role.

While the "acting" role was longer than originally anticipated, I very much enjoyed the experience and the opportunity to spend time in Yellowknife. I also wish to acknowledge the excellent cooperation from Members during my tenure.

ADVICE

One of the most important roles a Conflict of Interest Commissioner performs is the provision of advice to Members on potential conflicts of interest prior to the Member taking a particular action. Several Members (from the past and current Legislature) contacted me over the year and requested advice regarding their personal situations. As specific advice is confidential under the legislation, I will only comment that I found the Members to be conscientious in their efforts to avoid conflicts and that those Members who sought advice, to the best of my knowledge, have accepted and followed the advice.

INVESTIGATIONS

During my term as Acting Conflict of Interest Commissioner, I conducted one investigation under the Act. The investigation was requested by Don Morin, former Member for Te Nedhu, and dealt with a legal defence fund created for Jane Groenewegen as a result of a public inquiry conducted by the previous Conflict of Interest Commissioner, Anne Crawford.

I reported to the Legislative Assembly that the funds collected on behalf of Ms Groenewegen had been disclosed in accordance with the previous Commissioner's instructions and timelines. I also noted that a final accounting had not taken place and that further reporting would be required.

Under the amendments to the Act, the Commissioner is now able to conduct a preliminary investigation and recommend that no public inquiry is necessary. I did so in this case.

My report was presented to the Legislative Assembly on September 7, 1999, and no public inquiry was called.

DISCLOSURE STATEMENTS

I wish to thank David Hamilton, Clerk of the Legislative Assembly, and his staff for their support and efforts in preparing disclosure statements and supporting guidelines for both Members and those public servants required to file disclosure statements.

Arrangements were made for Members to meet with me and my counsel, Frank Work, Q.C., in Yellowknife to review the disclosure statements. Those meetings took place on February 23 and 24, 2000.

Draft public disclosure statements for Members were prepared by my office in Alberta and draft documents were provided to Members when I was in Yellowknife on June 21 and 22 to hold disclosure meetings with the designated public servants. Electronic versions of the draft statements were provided to the new Conflict of Interest Commissioner for completion.

I also met with the majority of the deputy ministers who are now required to file disclosure statements. I believe that process is off to a very good start.

Section 99(1) of the legislation requires that I report any extensions granted to Members with respect to filing disclosure statements. One such extension was given. One additional week was given to Jane Groenewegen after I met with the Member and her representative. The Member filed her forms within the extended time period.

CONCLUSION

I am grateful for the opportunity to have been Acting Conflict of Interest Commissioner for the Northwest Territories. While the legislation and disclosure processes in the Northwest Territories and Alberta vary in many ways, I was pleased to find that Members in the two jurisdictions are diligent and conscientious in their efforts to meet their legislative obligations regarding conflict of interest.

I wish to thank David Hamilton, Clerk of the Legislative Assembly, and his staff for the support and assistance they provided to me. I also wish to thank Frank Work and Karen South from my Alberta office for their services. Additionally, I am grateful to the Legislative Assembly of Alberta for supporting me in this opportunity.

I wish the Legislative Assembly, its Members, and your new Conflict of Interest Commissioner the very best.