

6217\CD\LJ\DW\DRAFT #06\MAY 16, 2024\REGS2024

PUBLIC INQUIRIES ACT

LOI SUR LES ENQUÊTES PUBLIQUES

**INQUIRY ESTABLISHMENT ORDER
(2023 WILDFIRE SEASON
PREPAREDNESS AND RESPONSE)**

Whereas the Northwest Territories experienced a historic and unprecedented wildfire season in 2023 that displaced two-thirds of the territorial population through emergency evacuations, and destroyed infrastructure and private property in certain northern communities;

And whereas local authorities and the GNWT responded to the events of the 2023 wildfire season under the *Emergency Management Act*;

And whereas the Government of Canada, in response to a request for federal assistance from the GNWT, responded to the events of the 2023 wildfire season under the *Emergency Management Act* (Canada);

And whereas Indigenous and municipal governments have called for greater inclusion in emergency management operations and greater transparency in respect of decision-making by the GNWT in response to the events of the 2023 wildfire season;

And whereas the GNWT is conducting internal reviews of its wildfire operations and emergency response activities in respect of the 2023 wildfire season;

And whereas in addition to those internal reviews, the Commissioner considers it necessary and in the public interest that a public inquiry be made into certain matters in respect of the 2023 wildfire season, including on the basis that all levels of government responded to the events of the season;

And whereas the Commissioner considers it necessary and in the public interest that a public inquiry include a review and critical analysis of the emergency preparedness and emergency response activities of local authorities and the GNWT in respect of the 2023 wildfire season;

The Commissioner, on the recommendation of the Executive Council, under sections 2, 3 and 12 of the *Public Inquiries Act* and every enabling power, orders as follows:

Definitions

1. In this order,

"Board" means the Board established under section 2;

"GNWT" means the Government of the Northwest Territories;

"local authority" means a local authority as defined in section 1 of the *Emergency Management Act*.

Establishment and Composition of the Board

2. A Board, consisting of three members appointed under section 3, is established to inquire into the matters set out in section 4 and to report on those matters to the Commissioner.

3. The following persons are appointed as members of the Board, commencing the date this order comes into force and continuing to June 30, 2025:

- (a) [...], having been recommended for appointment by the Executive Council;
- (b) [...], having been recommended for appointment by the Standing Committee on Accountability and Oversight;
- (c) [...], having been recommended for appointment by the Council of Leaders.

Mandate of the Board

4. The Board shall inquire into and report on the following matters in respect of the 2023 wildfire season:

- (a) the adequacy of the emergency preparedness of local authorities for the events of the season under the *Emergency Management Act*, including the adequacy of any relevant local emergency plans developed under that Act;
- (b) the adequacy of the emergency preparedness of the GNWT for the events of the season under the *Emergency Management Act*, including the adequacy of any relevant territorial emergency plans developed under that Act;
- (c) the effectiveness of emergency response activities carried out by local authorities, including the adequacy of coordination of those activities with

- (i) emergency response activities of the GNWT, and
- (ii) through the GNWT, emergency response activities of the Government of Canada;
- (d) the effectiveness of emergency response activities carried out by the GNWT, including the adequacy of coordination of those activities with emergency response activities of local authorities and the Government of Canada;
- (e) the transparency of decision-making by the GNWT in carrying out emergency response activities;
- (f) the adequacy of communication of information by the GNWT to the public during the season, including the provision of essential information in a timely and accurate manner.

Standing to Participate

5. The Board shall grant a person standing to participate in the inquiry in accordance with the Act if the person satisfies the Board that the person has a substantial and direct interest in the subject-matter of the inquiry.

Protection of Confidential Information

6. The Board may impose conditions on the disclosure of information at the inquiry to protect the confidentiality of that information where the Board is of the opinion that limiting disclosure of the information, in the interest of any person affected or in the public interest, outweighs the desirability of adhering to the principle that information at an inquiry be available to the public.

Findings and Report

7. (1) The Board shall
- (a) prepare a written report containing its findings and any recommendations with respect to the matters set out in section 4; and
 - (b) submit the report to the Commissioner no later than June 30, 2025.
- (2) The report prepared under subsection (1) must include
- (a) an executive summary;
 - (b) an outline of the inquiry process;
 - (c) the Board's findings of fact;
 - (d) what the Board learned from the inquiry; and

- (e) any recommendations the Board considers advisable and in the public interest to assist any government specified in the report in improving, for future wildfire emergencies,
 - (i) its emergency preparedness, and
 - (ii) its ability to respond effectively.

Amendment

8. The Executive Council may, on its own initiative or on the request of the Board, recommend to the Commissioner that any provision of this order be amended as the Executive Council considers necessary for the proper conduct of the inquiry.

Dated , 2024.

Fait le 2024.

Gerald W. Kisoun
Commissioner of the Northwest Territories
Commissaire des Territoires du Nord-Ouest

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