



## COMMUNITY AND GOVERNMENT SERVICES

### COMMUNITY EMPOWERMENT CONTRIBUTIONS POLICY

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#### PREAMBLE

The Government of Nunavut (GN), under the authority of the *Financial Administration Act*, may delegate to a municipal corporation the authority and responsibility for the administration and delivery of a GN service or program.

#### PRINCIPLES

This policy is based on the following principles:

- The GN should recognize and address communities' needs for greater autonomy, self-reliance and local involvement.
- The degree of community autonomy will vary according to a community's capacity.
- The GN shall make every effort to provide adequate assistance and technical support to communities, which are delegated the administration and delivery of programs and services.
- Community support for the delegation of GN programs and services must be demonstrated.
- CGS shall act as the single funding agency under this policy.

#### SCOPE

This policy applies to all municipal corporations.

#### DEFINITIONS

##### Community Empowerment Contribution

A contribution to a municipal corporation in accordance with a Community Empowerment Memorandum of Understanding (CEMOU) or a Community Transfer Agreement (CTA).

##### Community Empowerment Memorandum of Understanding (CEMOU)

An agreement providing for the delegation of administration and delivery of specific GN programs and services to a municipal corporation, as detailed in Appendix A.

### Community Transfer Agreement (CTA)

An agreement providing for the transfer of the GN liaison officer's position to a municipal corporation, as detailed in Appendix A.

### Contribution

A conditional transfer payment made to a municipal corporation for which the GN will not receive any goods or services. Contribution payments are conditional on performance or achievement and are subject to audit and other reporting.

### Deputy Head

The Deputy Minister of other departments or such person as may be appointed as Deputy Head (designate).

### Involved Department(s)

A department that has transferred or is in the process of transferring to a municipal corporation the authority to administer and deliver a program or a service.

### Municipal Corporation

A community governing body incorporated under the *Cities, Towns and Villages Act*, or the *Hamlets Act*.

### Program and Service

Any GN program or service, including the maintenance program of GN owned and leased buildings, works, vehicles and equipment, and ownership of assets related to the maintenance program.

## **ROLES AND RESPONSIBILITIES**

### 1. Financial Management Board (FMB)

The FMB shall approve interdepartmental budget transfers in support of an agreement under this policy.

### 2. Minister

The Minister of CGS:

- (a) is accountable to Cabinet for the implementation of this policy;
- (b) signs amendments to existing CEMOUs, and any new CEMOUs; and
- (c) is the sole signatory of amendments to existing CTAs, and any new CTAs.

### 3. Minister(s) of involved department(s)

The Minister(s) of involved department(s) signs amendments to existing CEMOUs and any new CEMOUs.

#### 4. Deputy Minister

The Deputy Minister of CGS:

- (a) is responsible for the administration of all provisions pursuant to this policy;
- (b) shall, for CTA, evaluate the proposal submitted by a municipal corporation and make a recommendation to the Minister of CGS;
- (c) shall, for CEMOU, collaborate with Deputy Head(s) of involved department(s) in the evaluation of a municipal corporation's capacity to administer and deliver a program or a service;
- (d) shall for CEMOU, in cooperation with Deputy Head(s) of involved department(s) and municipal corporations, undertake an annual review to discuss objectives, problems, program and services delivery changes, priorities and budget (including impact of inflation, population growth, etc.); and
- (e) shall ensure an annual monitoring and evaluation of program contributions under CEMOU and CTA.

#### 5. Deputy Heads

Deputy Heads (or designates) shall inform the Deputy Minister of CGS (or designates) of:

- (a) proposed amendments to existing agreements signed between their departments and municipal corporations; and
- (b) negotiations initiatives with a municipal corporation.

### **PROVISIONS**

#### 1. Eligibility

- (a) All municipal corporations are eligible for contributions under this policy.
- (b) No CEMOU or CTA may be approved unless:
  - (i) it has the documented support of the municipal corporation in the form of records of a meeting, motions, resolutions or other appropriate documents; and
  - (ii) the municipal corporation has demonstrated a significant level of commitment and its ability to take the functions over on a permanent basis.

2. Supporting data

The municipal corporation wishing to be delegated the administration and delivery of a GN service or program shall submit to the Deputy Minister of CGS and Deputy Head(s) of involved department(s) a written proposal that shall contain, at a minimum:

- (a) evidence of community support and commitment;
- (b) detailed objectives and level of authority sought;
- (c) a description of how the work will be carried out, staff qualifications and how the community as a whole will be involved; and
- (d) a budget including details of all direct and indirect costs (salaries, wages, travel, office space, etc.) and costs drivers (for example: inflation, population growth, etc.).

3. Contributions

- (a) Contribution amounts will be arrived at through discussions between the municipal corporation, CGS and the involved department(s).
- (b) Contributions shall be paid in accordance with the terms and conditions of the CEMOU or CTA.

4. Method of Payment

Notwithstanding the provisions of existing CEMOUs and CTAs, municipal corporations shall be provided quarterly advances, conditional upon demonstrating in a timely manner that they are maintaining a sound financial position. Failing to do so, they shall receive monthly advances.

## **FINANCIAL RESOURCES**

Financial resources required under this policy are conditional on approval by the Legislative Assembly, and the availability of funds in the appropriate budget.

## **PREROGATIVE OF CABINET**

Nothing in this policy shall in any way be construed to limit the prerogative of Cabinet to make decisions or take action respecting community empowerment contributions outside the provisions of this policy.

## **SUNSET CLAUSE**

This policy shall be in effect from the date of the signature until June 30, 2013.

## **APPENDIX A**

### **Community Empowerment Memorandum of Understanding (CEMOU)**

#### Purpose

A CEMOU agreement provides for the delegation of authority to a municipal corporation for the administration and delivery of specified GN programs and services. A CEMOU may be limited to the "maintenance programs" of GN owned and leased, buildings, "works", vehicles and equipment, and/or ownership of assets related to these said maintenance programs. A CEMOU may also encompass other programs and services in areas, such as social services, housing and economic development.

### **Community Transfer Agreement (CTA)**

#### Purpose

A CTA agreement provides for the transfer of responsibilities, funding and resources (for example assets) to a municipal corporation for the GN liaison officer's functions, which are more fully described in each agreement but may include tasks such as:

- providing general information on GN programs to the public;
- receiving, safeguarding and issuing all motor vehicle permits, plates and licences;
- recording births, deaths, burials and marriages;
- assisting in the preparation of public trustees office forms and in occasional investigations into assets belonging to deceased individuals;
- assisting in lottery licensing;
- receiving and reviewing sealift shipping manifests, advising consignees of shipping information, monitoring, observing and receiving all GN sealift cargo, initiating GN coverage shortage or damage reports, ensuring local cartage contractor complies with service contract requirements;
- providing orientation to the community for new GN employees where necessary;
- assisting with the coordination of hiring GN staff when required;
- maintaining a pool staff vehicle for the use of GN employees;
- providing assistance to the GN when requested for the planning and the delivery of a protocol function; and
- responding to requests for assistance and information related to issues such as: Canada Pension Plan, Family Allowance, Unemployment Insurance, Worker's Compensation, Old Pensions, Survivor and Orphan benefits.