

Chapter 4

AN ACT TO AMEND THE ACCESS TO INFORMATION AND PROTECTION OF PRIVACY ACT

(Assented to March 16, 2021)

The Commissioner of Nunavut, by and with the advice and consent of the Legislative Assembly, enacts as follows:

1. This Act amends the *Access to Information and Protection of Privacy Act*.

2. The following is added after subsection 61(5):

(6) Despite subsection (5), the Information and Privacy Commissioner is deemed to be a member of the public service for the purposes of superannuation.

3. The following is added after section 64:

Staff

64.1 (1) Despite the *Public Service Act*, the Information and Privacy Commissioner may appoint, following a competition, such staff as are necessary for the proper conduct of his or her duties.

Exception

(2) Despite subsection (1), the Information and Privacy Commissioner may appoint staff without competition, with the approval of the Management and Services Board.

Public Service Act

(3) Staff appointed under this section are members of the public service as defined in the *Public Service Act*.

Status of Information and Privacy Commissioner

(4) With respect to the persons appointed under this section, the Information and Privacy Commissioner is the chief executive officer for the purposes of the *Public Service Act*.

Consequential amendments

Public Service Act

4. Schedule A of the *Public Service Act* is amended by replacing the period at the end of paragraph (p) with a semicolon and adding the following after paragraph (p):

(q) the staff referred to in section 64.1 of the *Access to Information and Protection of Privacy Act*.

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