

Chapter 7

POST-SECONDARY STUDENT SUPPORT ACT

(Assented to March 11, 2025)

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POST-SECONDARY STUDENT SUPPORT ACT

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

Definitions

1. In this Act,

"additional funding agreement" means an agreement made under subsection 15(1)(b); (*accord de financement supplémentaire*)

"Appeal Board" means the Post-secondary Student Support Appeal Board established under section 17; (*commission d'appel*)

"approved program of studies" means a

- (a) a program of studies as defined under the *Canada Student Financial Assistance Act* (Canada), or
- (b) a program of studies that is approved in accordance with the regulations that
 - (i) leads to
 - (A) a diploma or degree, or
 - (B) a certificate that meets the requirements of the regulations,
 - (ii) is intended for learners beyond secondary school, and
 - (iii) includes at least 60% of the program content at the university or college level, including content of a technical or vocational nature; (*programme d'études approuvé*)

"department" means the department that is responsible for the administration of this Act; (*ministère*)

"Deputy Minister" means the Deputy Minister of the department; (*sous-ministre*)

"designated educational institution" means

- (a) a designated educational institution as defined in the *Canada Student Financial Assistance Act* (Canada), or
- (b) an educational institution that
 - (i) provides post-secondary education, and
 - (ii) is designated in accordance with the regulations; (*établissement d'enseignement agréé*)

"Director" means the Director of Post-secondary Student Support appointed under section 21; (*directeur*)

"eligible", means

- (a) with respect to post-secondary student support funded other than through an additional funding agreement, eligible under this Act and the regulations, or
- (b) with respect to post-secondary student support funded through an additional funding agreement, eligible under the agreement; (*admissible*)

"Forum" means the Post-secondary Education Forum established under section 19; (*Forum*)

"Loan Fund" means the Student Loan Fund continued under section 10; (*Fonds des prêts*)

"post-secondary education" means education at a university or college level, including education of a technical or vocational nature; (*enseignement postsecondaire*)

"post-secondary student support" means the supports set out in sections 3 and 4; (*soutien aux étudiants postsecondaires*)

"Review Panel" means the Review Panel established under section 16; (*comité d'examen*)

"senior manager" has the same meaning as in the *Public Service Act*; (*cadre supérieur*)

"student support officer" means a student support officer appointed under section 22. (*agent en soutien aux étudiants*)

Purposes

2. The purposes of this Act and the regulations are to

- (a) acknowledge that Inuit perspectives, Inuit societal values and Inuit traditional knowledge
 - (i) create a foundation for Nunavut's post-secondary student support sector, and
 - (ii) provide guidance and set expectations for the delivery of post-secondary student support;
- (b) contribute to the achievement of the objectives of Articles 23 and 24 of the Nunavut Agreement, including through enhanced supports for Nunavut Inuit post-secondary students;
- (c) contribute to labour market and civil society capacity building;
- (d) provide Nunavut's post-secondary students with a coordinated system of benefits and supports through collaborative partnerships with key stakeholders;
- (e) support Nunavut post-secondary students through
 - (i) core supports in the form of robust financial assistance, and
 - (ii) non-financial wrap-around supports which are critical to ensuring student success; and
- (f) promote equity through additional supports for
 - (i) Nunavut Inuit post-secondary students,
 - (ii) individuals with disabilities, and

- (iii) other individuals with a right to accommodation under the *Human Rights Act*.

Post-secondary Student Support

Forms of support

3. In accordance with this Act and the regulations, post-secondary student support may be provided in the form of

- (a) grants;
- (b) interest-free loans;
- (c) program completion incentives; and
- (d) non-financial wrap-around supports.

Types of support

4. (1) In accordance with this Act and the regulations, the following three types of post-secondary student support must be made available:

- (a) primary universal benefits, which must include
 - (i) basic travel benefits prescribed in the regulations provided as grants to all eligible individuals,
 - (ii) supports provided as grants specifically to
 - (A) all eligible individuals with disabilities, and
 - (B) all other eligible individuals with a right to accommodation under the *Human Rights Act*, and
 - (iii) non-financial wrap-around supports provided to all eligible individuals;
- (b) secondary universal benefits, which must be provided as grants to eligible Nunavut Inuit and as loans to all other eligible individuals and include amounts for
 - (i) tuition costs and mandatory fees,
 - (ii) books and equipment required for courses, and
 - (iii) living allowances;
- (c) Nunavut Inuit study benefits, which must be provided as grants and program completion incentives to eligible Nunavut Inuit.

Additional types of support

(2) Additional types of support may be made available under an additional funding agreement.

Eligibility for support

5. (1) Subject to the regulations respecting termination or reduction of post-secondary student support, an individual is eligible for post-secondary student support if

- (a) they are accepted for registration by a designated educational institution in an approved program of studies; and
- (b) they have been ordinarily resident in Nunavut for a continuous period of at least one year immediately before being accepted for registration by the designated educational institution in the approved program of studies.

Eligibility for specific supports

(2) In addition to the eligibility criteria under subsection (1), the following eligibility criteria apply to post-secondary student support:

- (a) only Nunavut Inuit are eligible for
 - (i) secondary universal benefits provided as grants, and
 - (ii) Nunavut Inuit study benefits;
- (b) only individuals who meet the eligibility criteria prescribed by regulation are eligible for primary universal benefits for
 - (i) individuals with disabilities, and
 - (ii) other individuals with a right to accommodation under the *Human Rights Act*;
- (c) only individuals who meet the eligibility criteria prescribed by regulation for a category of post-secondary student support are eligible for that category of post-secondary student support.

Continuing residence – receiving services outside Nunavut

(3) For the purpose of paragraph (1)(b), an individual who has left Nunavut to receive services funded by the Government of Nunavut, a public agency, the Government of Canada or one of its agencies is deemed to continue being ordinarily resident in Nunavut while receiving those services and that funding,

- (a) including, for greater certainty, receiving post-secondary education funded by post-secondary student support; but
- (b) excluding services prescribed by regulation.

Continuing residence – studies outside Nunavut

(4) For the purpose of paragraph (1)(b), an individual who has left Nunavut to attend school or an educational institution is deemed to continue being ordinarily resident in Nunavut while attending the school or educational institution if

- (a) in the case of a minor, one of the following is ordinarily resident in Nunavut:
 - (i) an individual who has lawful custody of the minor,
 - (ii) an individual who has decision-making responsibility with respect to the education of the minor under a parenting order made under the *Divorce Act* (Canada);
- (b) in the case of an adult who left Nunavut as a minor, they were eligible for post-secondary student support immediately before reaching 19 years of age; or
- (c) in the case of an adult who left Nunavut as an adult, they were eligible for post-secondary student support immediately before leaving Nunavut.

Shifting purpose

(5) If an individual left Nunavut

- (a) in accordance with subsection (3), but remains outside Nunavut for the purpose of attending school or an educational institution, they are deemed

- to continue being ordinarily resident in accordance with subsection (4) as if they had left Nunavut for that purpose; and
- (b) in accordance with subsection (4), but remains outside Nunavut for the purpose of receiving services funded by the Government of Nunavut, a public agency, the Government of Canada or one of its agencies, they are deemed to continue being ordinarily resident in accordance with subsection (3) as if they had left Nunavut for that purpose.

Exceptions

- (6) Subsections (3) to (5) do not apply if the individual who left Nunavut
 - (a) for greater certainty, was not ordinarily resident in Nunavut prior to leaving Nunavut; or
 - (b) is qualified to receive post-secondary financial assistance that is reserved for residents under the laws of a province or other territory.

Application

- 6. (1) An application for post-secondary student support must be made to a student support officer in accordance with the regulations.

Eligibility determination

- (2) Subject to subsection (3), as soon as practicable after receiving a completed application in accordance with the regulations, a student support officer must determine
 - (a) whether an applicant is eligible for post-secondary student support; and
 - (b) if the applicant is eligible, determine the types, amounts and terms of the post-secondary student support that the applicant is eligible for.

Additional information or documents

- (3) The student support officer may request an applicant to provide additional information or documents that they consider necessary to determine that the applicant meets eligibility criteria under this Act and the regulations, and may refuse the application if the additional information or documents are not provided.

Notice

- (4) A student support officer must, as soon as practicable after making a determination under subsection (2), send a notice to the applicant setting out that
 - (a) post-secondary student support is to be provided to the applicant, and
 - (i) the types, amounts and terms of the support, and
 - (ii) if applicable, the application for post-secondary student support has been refused in part and the reason for refusal; or
 - (b) the application for post-secondary student support has been refused and the reason for refusal.

Providing support

- (5) Following a determination of eligibility under subsection (2), a student support officer must, in accordance with the regulations or an additional funding agreement, provide the

applicant with the types and amounts of post-secondary student support that the applicant is eligible for.

Review and appeal of decision

Application for review

7. (1) An applicant may, in accordance with regulations, request the Review Panel to review a decision of a student support officer under section 6 on the grounds that
- (a) the applicant has been refused post-secondary student support that the applicant is eligible for; or
 - (b) the amounts or terms of the post-secondary student support that are to be provided, or have already been provided, do not conform with this Act, the regulations or an additional funding agreement.

Reasons and remedy sought

(2) An application for review under subsection (1) must set out clearly the reasons for the request and the remedy sought.

Decision following review

(3) Within 30 days after an application for review is made under subsection (1), the Review Panel must confirm or vary the decision of the student support officer under section 6.

Notice of decision

(4) The Review Panel must forward copies of its decision under subsection (3) to the applicant, the student support officer and the Director.

Providing support

(5) Following a decision under subsection (3), a student support officer must, in accordance with the regulations or an additional funding agreement, provide the applicant with post-secondary student support in accordance with the decision.

Appeal

8. (1) An applicant may, in accordance with the regulations, appeal a decision of the Review Panel under section 7 to the Appeal Board on the grounds that
- (a) the applicant has been refused post-secondary student support that the applicant is eligible for; or
 - (b) the amounts or terms of the post-secondary student support that are to be provided, or have already been provided, do not conform with this Act, the regulations or an additional funding agreement.

Reasons and remedy sought

- (2) An appeal under subsection (1) must
- (a) be sent to the chairperson of the Appeal Board; and
 - (b) set out clearly the reasons for the request and the remedy sought.

Power to gather information

(3) The Appeal Board may, in its proceedings, require an applicant, the student support officer, the members of the Review Panel and the Director to provide such documents and other information as are necessary to determine the eligibility of the applicant.

Hearings in writing

(4) The Appeal Board must hold its hearings in writing.

Natural justice

(5) For greater certainty, an Appeal Board must conduct an appeal in accordance with the rules of natural justice.

Rules of evidence

(6) An appeal before the Appeal Board is not subject to the rules of evidence applicable to judicial proceedings.

Decision following review

(7) Within 30 days after an appeal being made under subsection (1), the Appeal Board must confirm or vary the decision of the Review Panel under section 7.

Notice of decision

(8) The chairperson of the Appeal Board must forward copies of its decision under subsection (3) to the applicant, the student support officer and the Director.

Publication of decision

(9) Subject to subsection (10), the chairperson of the Appeal Board must ensure that the decision and the reasons for it are posted on an Internet website maintained by or for the Appeal Board.

Redaction

(10) Decisions and reasons posted under subsection (9) must be edited or redacted in a manner such that the applicant, their home community and their designated educational institution are not identified or identifiable.

Providing support

(11) Following a decision under subsection (6), a student support officer must, in accordance with the regulations or an additional funding agreement, provide the applicant with post-secondary student support in accordance with the decision.

Prioritization

9. The Review Panel and the Appeal Board must, to the extent that is reasonably possible, prioritize the hearing of appeals whose outcome could reasonably be expected to have a significant impact on the ability of the applicant to commence or continue their post-secondary studies in a timely manner.

Funding

Loan Fund

10. (1) The special account called the Student Loan Fund is continued in the Consolidated Revenue Fund.

Amounts credited to Loan Fund

(2) The following must be credited to the Loan Fund:

- (a) all repayments of loans made under this Act;
- (b) the amount of all loans remitted or forgiven under this Act;
- (c) the amounts of all loans made under this Act that are remitted, forgiven or written off under another Act.

Loans

11. (1) Subject to subsection (2), a student support officer

- (a) may make loans in accordance with this Act and the regulations for the purpose of providing post-secondary student support to eligible individuals; and
- (b) may advance out of the Loan Fund the amounts that are required for the purpose of making those loans.

Prohibition

(2) A student support officer must not make a loan in accordance with this Act and the regulations that would cause the aggregate of the amounts outstanding in respect of all loans made under this Act to exceed \$22,000,000.

Remission

(3) Despite the *Financial Administration Act*, loans made under this Act are remissible in accordance with the regulations for individuals that

- (a) are ordinarily resident in Nunavut at the time of remission; or
- (b) are not resident in Nunavut at the time of remission due to circumstances prescribed by regulation.

Forgiveness

(4) Despite the *Financial Administration Act*, the Minister may, in accordance with the regulations, forgive all or part of the outstanding amounts on loans provided to groups prescribed by regulation.

Repayment of loans

(5) An individual who has received a loan under this Act must repay it in accordance with the regulations, unless it has been remitted or forgiven.

Appropriations

12. Except for the amounts of loans made under this Act, the amounts and costs of all post-secondary student support, including the provisions for loans to be remitted, forgiven or written off, must be made out of funds

- (a) appropriated for that purpose; or
- (b) in the case of post-secondary support under an additional funding agreement, provided to the Government of Nunavut by the Government of Canada, one of its agencies or another entity under the agreement.

Overpayments

13. If an individual receives financial post-secondary student support in excess of what they are eligible for under this Act and the regulations, the overpayment becomes a debt due to the Government of Nunavut that is payable in accordance with the regulations.

No interest for late payments

14. Despite section 17 of the *Financial Administration Act*, no interest is payable for late payment made in connection with a loan made under this Act or a debt referred to in section 13.

Agreements

Authority to enter into agreements

15. (1) The Minister may enter into an agreement with the Government of Canada, one of its agencies or another entity under which the Government of Canada, the agency or the other entity provides financing to fund

- (a) post-secondary student support under this Act and the regulations; or
- (b) additional post-secondary student support for
 - (i) all individuals that are otherwise eligible for post-secondary student support under this Act and the regulations,
 - (ii) a category of individuals that are otherwise eligible for post-secondary student support under this Act and the regulations, or
 - (iii) Nunavut Inuit residing in Nunavut or outside Nunavut who do not meet the residency requirement in paragraph 5(1)(b).

Contents of agreement

- (2) An additional funding agreement must include provisions for
- (a) the amount of additional funding being provided to the Government of Nunavut by the Government of Canada, one of its agencies or the other entity;
 - (b) the eligibility criteria for the additional funding;
 - (c) the amount of funding available for each eligible individual; and
 - (d) any matters prescribed by regulation.

Limits on Government of Nunavut funding

(3) All funding under an additional funding agreement that is to be provided to individuals referred to in subparagraph (1)(b)(iii) must be paid out of funds provided to the Government of Nunavut by the Government of Canada, one of its agencies or another entity in Nunavut and not out of appropriated funds.

Disclosure of personal information

(4) An agreement under this section

- (a) must not provide for disclosure of an individual's personal information, as defined in the *Access to Information and Protection of Privacy Act*, with an entity other than the Government of Nunavut, the Government of Canada or one of its agencies without the consent of the individual;
- (b) must not include consent to disclose personal information in the eligibility criteria for funding under the agreement; but
- (c) may provide for the disclosure of aggregate information that relates only to groups of individuals in the form of statistical information or aggregated, general or anonymous data.

Publication of additional funding agreements

(5) The Minister must publish the full text of additional funding agreements in accordance with the regulations.

Establishment of Review Panel and Appeal Board

Review panel

16. A Review Panel is established, composed of three senior managers of the department designated by the Deputy Minister.

Appeal Board

17. (1) A Post-secondary Student Support Appeal Board is established.

Composition

(2) The Appeal Board is composed of the following members appointed by the Commissioner in Executive Council for a term of three years:

- (a) one resident of Nunavut;
- (b) one resident of the Kitikmeot region;
- (c) one resident of the Kivalliq region;
- (d) one resident of the Qikiqtani region;
- (e) one resident of Nunavut who is not an employee of the department.

Chairperson

(3) The Commissioner in Executive Council, on the recommendation of the Appeal Board, must appoint one of the members of the Appeal Board as chairperson of the Appeal Board.

Nominations

(4) Prior to the Commissioner in Executive Council making an appointment under paragraph (2)(a), (b), (c), or (d), the Minister must solicit nominations from the following nominating entities:

- (a) for the appointment under paragraph (2)(a), Nunavut Tunngavik Incorporated;
- (b) for the appointment under paragraph (2)(b), Kitikmeot Inuit Association;

- (c) for the appointment under paragraph (2)(c), Kivalliq Inuit Association;
- (d) for the appointment under paragraph (2)(d), Qikiqtani Inuit Association.

Appointment following nominations

(5) When the Minister receives a nomination solicited under subsection (4) within 60 days after soliciting the nomination, the Commissioner in Executive Council may only appoint the nominated individual, but may revoke the appointment of that individual for cause without the recommendation of the nominating entity.

Refusal by Commissioner in Executive Council

(6) The Commissioner in Executive Council may only refuse or fail to appoint an individual nominated under subsection (4) if

- (a) the Commissioner in Executive Council does so on reasonable grounds; and
- (b) the Commissioner in Executive Council provides written reasons for doing so to the nominating entity within 15 working days of the decision to refuse the appointment.

Temporary members

(7) If a position listed in paragraph (2)(a), (b), (c), or (d) is vacant and the Minister has solicited a nomination for that position under subsection (4), the Minister may, without a nomination, appoint an individual described in that paragraph as a temporary member of the Board.

Term – temporary appointees

(8) The term of office of an individual appointed under subsection (7) ends on the earlier of

- (a) an individual being appointed following the nomination solicited under subsection (4); or
- (b) 60 days after an individual is nominated for that position by the nominating entity.

Functions – temporary appointees

(9) For greater certainty, a temporary member appointed under subsection (7) has the same functions as any other member of the Appeal Board.

Solicitation of nominations on expiry

(10) The Minister must solicit a new nomination under subsection (4) no less than three months before the expiry of an appointment under paragraph (2)(a), (b), (c), or (d).

Expenses and honoraria

(11) The members of the Appeal Board must be paid honoraria and reimbursed for their expenses in accordance with directives issued under section 5 of the *Financial Administration Act*.

Confidentiality

18. A member of the Review Panel or the Appeal Board must not use or disclose, for a purpose other than the purpose for which the information was received, any information that comes to their knowledge in the performance of their functions under this Act.

Post-secondary Education Forum

Establishment

19. (1) The Post-secondary Education Forum is established.

Composition

- (2) The Forum is composed of the following members:
- (a) the Government of Nunavut;
 - (b) Nunavut Tunngavik Incorporated;
 - (c) Kitikmeot Inuit Association;
 - (d) Kivalliq Inuit Association;
 - (e) Qikiqtani Inuit Association.

Power to designate replacement member

(3) Each member listed in paragraphs (2)(b) to (e) may authorize another entity to replace them as member on the Forum, and that entity has all the functions of a member on the Forum, except the power to authorize another entity under this subsection.

Representation – Government of Nunavut

(4) The Government of Nunavut is represented on the Forum by the Director who is also the chairperson of the Forum.

Representation – others

(5) Each member other than the Government of Nunavut may appoint a representative to the Forum.

Member observers

(6) A representative may invite other employees of the member that they represent to attend meetings of the Forum, but the employees do not have the right to vote at the meetings.

Expenses and honoraria

(7) Unless otherwise agreed by the members, the expenses and honoraria, if any, of representatives on the Forum and the employees they invite to attend meeting of the Forum are the responsibility of the member they represent.

Other observers

(8) The Forum may invite other individuals to attend meetings of the Forum, but those individuals do not have the right to vote at the meetings.

Functions

- 20.** (1) The functions of the Forum are to
- (a) collaborate and exchange information about the post-secondary student support sector through open discussion, reflection and learning;
 - (b) receive and hear submissions and suggestions from individuals and groups concerning
 - (i) the incorporation of Inuit perspectives, Inuit societal values and Inuit traditional knowledge in the Nunavut's post-secondary student support sector, and
 - (ii) other improvements to Nunavut's post-secondary student support sector;
 - (c) provide advice and make recommendations to each of the members respecting their post-secondary student support programs and policies and Nunavut's post-secondary student support sector in general; and
 - (d) perform other functions prescribed by regulation.

Consensus

(2) The chairperson must use reasonable efforts to have the Forum reach a consensus of its members prior to making any decisions, but if the Forum is unable to reach a decision by consensus, the Forum may make a decision by majority vote of its members.

Meetings

(3) The Forum must conduct its meetings in person or by any technological means that allows for simultaneous voice communication.

Personal information

(4) The personal information, as defined in the *Access to Information and Protection of Privacy Act*, of an individual must not be shared with the Forum without consent of the individual.

Confidentiality

(5) If a member shares information with the Forum on a confidential basis, the members of the Forum must maintain the confidentiality of the information.

Administration

Director

21. (1) The Minister must appoint a senior manager of the department as the Director of Post-secondary Student Support.

Exercising functions of student support officers

(2) The Director may exercise the functions of a student support officer under this Act.

Student support officers

22. The Director must appoint the student support officers that are necessary for the purposes of this Act.

Immunity

23. The Director, a student support officer, a member of a Review Panel or the Appeal Board or any other person or body is not liable for any loss or damage suffered by reason of anything done or not done by them in good faith in carrying out their functions under this Act.

Forms

24. The Director may approve forms for the purposes of this Act.

Information

25. The Deputy Minister must ensure that plain language information about post-secondary student support, including eligibility and application processes, is made available to the public in accordance with the regulations.

Annual report

26. (1) The Minister must prepare an annual report on the administration of this Act and the regulations and the operation of the Loan Fund within six months after the end of each fiscal year.

Tabling

(2) The Minister must table the annual report in the Legislative Assembly during the first sitting of the Assembly after the report is prepared that provides a reasonable opportunity for tabling the report.

Information-sharing Agreements

Information-sharing agreements

27. (1) The Minister may, on behalf of the Government of Nunavut, enter into agreements for the collection, use, disclosure and exchange of personal information with the following:

- (a) the Government of Canada or any of its agencies;
- (b) the government of a province or other territory or any of its agencies.

Limit

(2) An agreement may only be entered into under subsection (1) for the purposes of administering or enforcing of a law of Canada, a province or another territory that provides for post-secondary student support.

Content of agreement

(3) An agreement entered into under subsection (1) must

- (a) specify only those purposes under subsection (2) which are necessary for the purposes of the agreement;
- (b) provide that information collected, used, disclosed or exchanged under the agreement may not be further used or disclosed for any purpose other than one specified in the agreement, unless applicable legislation requires such use or disclosure;

- (c) if the *Archives Act* or law of Canada, a province or another territory does not provide for the retention and destruction of information collected, used, disclosed or exchanged under the agreement, provide for retention and destruction schedules for the information;
- (d) provide that personal information collected, used, disclosed or exchanged under the agreement is confidential; and
- (e) establish mechanisms for maintaining the confidentiality and security of information collected, used, disclosed or exchanged under the agreement.

Regulations

Regulations

28. The Minister may make regulations

- (a) respecting the approval of programs of studies for the purposes of paragraph (b) of the definition of "approved program of studies";
- (b) respecting the requirements for certificates for the purposes of the definition of "approved program of studies";
- (c) respecting the designation of educational institutions for the purposes of paragraph (b) of the definition of "designated educational institute";
- (d) respecting basic travel benefits that are provided as grants to all eligible individuals;
- (e) prescribing services or classes of services that are excluded under paragraph 5(2)(b);
- (f) prescribing the applications for post-secondary student support, including their contents;
- (g) respecting the procedures for processing applications for post-secondary student support;
- (h) prescribing the terms on which post-secondary student support is provided;
- (i) prescribing categories of post-secondary student support within any form or type of post-secondary student support;
- (j) respecting the amount of financial assistance for every category, form or type of post-secondary student support, other than non-financial wrap-around supports;
- (j.1) respecting the scope of every category of non-financial wrap-around supports;
- (k) prescribing the eligibility criteria for any category of post-secondary student support;
- (l) prescribing the duration of post-secondary student support and varying the duration depending on eligibility criteria or the category of post-secondary student support;
- (m) restricting the time within which post-secondary student support may be applied for or taken up;
- (n) providing for the termination or reduction of an individual's post-secondary student support, including the process to be followed prior to termination or reduction of the support;

- (o) prescribing the manner and time of providing post-secondary student support;
- (p) respecting communications with designated educational institutions with respect to post-secondary student support;
- (q) providing for the manner of proof of registration at a designated educational institution;
- (r) respecting proceedings in reviews or appeals under this Act, including the manner of requesting a review or appealing;
- (s) prescribing the maximum aggregate amounts of loans made under this Act that may be outstanding to any one individual;
- (t) respecting the terms of repayment of loans;
- (u) prescribing the manner in which loans are remitted under subsection 11(3);
- (v) respecting the circumstances in which an individual's loans are remitted despite the individual not being ordinarily resident in Nunavut;
- (w) prescribing the manner of forgiving loans under subsection 11(4);
- (x) prescribing the groups whose loans may be forgiven under subsection 11(4);
- (y) respecting the repayment of overpayments under section 13, including when the debt become payable;
- (z) prescribing the contents of additional funding agreements;
- (aa) respecting the publication of additional funding agreements;
- (ab) prescribing additional functions of the Forum;
- (ac) the manner of making information available to the public under section 25; and
- (ad) respecting forms to be used under this Act.

Transitional

Repayment and remission of loans

29. (1) Subject to regulations made under subsection (2), loans made under the *Student Financial Assistance Act* prior to its repeal by this Act must be repaid and remitted in accordance with that Act and its regulations as they read immediately prior to their repeal, but may be forgiven in accordance with subsection 11(4) of this Act.

Mixed loans

(2) The Minister may make regulations respecting the repayment and remission of loans by individuals who have loans outstanding under both this Act and the *Student Financial Assistance Act*.

Loan Fund

(3) The following must be credited to the Loan Fund:

- (a) all repayments of loans made in accordance with this section;
- (b) the amount of all loans remitted in accordance with this section;
- (c) the amounts of all loans made under the *Student Financial Assistance Act* that are written off under the *Financial Administration Act*.

Appropriations

(4) The amounts of loans made under the *Student Financial Assistance Act* to be remitted, forgiven or written off must be made out of funds appropriated for that purpose.

Repeal

30. The *Student Financial Assistance Act* and the regulations made under it are repealed.

Coming into force

31. (1) Subject to subsection (2), this Act comes into force on a day to be fixed by order of the Commissioner in Executive Council.

(2) The following provisions must not come into force before initial regulations under paragraph 28(j.1) have been made:

- (a) subparagraph 2(e)(ii);**
- (b) paragraph 3(d);**
- (c) subparagraph 4(1)(a)(iii).**