



GRANTS & CONTRIBUTIONS POLICY

PREAMBLE

The Nunavut Department of Justice wishes to assist individuals, community-based organizations and educational institutions that direct their efforts to the enhancement of the administration of justice, provision of justice services, and an improved understanding of the justice system in Nunavut.

PRINCIPLES

This Policy is based on the following principles:

1. The Department is committed to Inuit Qaujimajatuqangit concepts of Pijitsirniq (to serve), Angiqatigiiniq (arriving at a decision through discussion), and Piliriqatigiinniq (working together).
2. Enhanced public awareness and understanding of the administration of justice results in better access to justice within the jurisdiction of the Government of Nunavut.
3. Enhanced participation by individuals and community-based organizations in the administration of justice improves the effectiveness of the justice system.
4. The Department will work collaboratively with Designated Inuit Organizations as described in Article 32 of the Nunavut Land Claims Agreement.
5. The Department is committed to the training, development and retention of qualified Nunavummiut who aspire to be professionally employed in the justice system.
6. The Department is committed to supporting community-based and land-based alternatives to the formal justice system where appropriate.

APPLICATION

This Policy applies to individuals, community-based organizations, and/or educational institutions that direct their efforts to enhancing administration of justice services, and improving public understanding of the justice system in Nunavut. It also establishes the terms for which the Department will provide funding to eligible programs. Specific program details are provided in the appending **Schedule A**, which includes:

- Schedule A-1: Community Justice Initiatives
- Schedule A-2: Legal Aid Clinics
- Schedule A-3: Post-Secondary Programs
- Schedule A-4: Open Custody – On-the-Land Camps/Alternative Homes
- Schedule A-5: Crime Prevention and Public Safety Initiatives

Schedule A shall be incorporated into and form part and parcel of this Policy statement.

DEFINITIONS

“Non-Profit Organizations” means regional or territory-wide organizations that are registered under the Societies Act (Nunavut) as non-profit in nature, or other non-profit local or territorial associations recognized by the Department.

“Grant” means a transfer payment made to a recipient, for which the Government will not receive any goods or services. A grant is a payment without a financial accountability requirement.

“Contribution” means a conditional transfer payment made to a recipient for whom the Government will not receive any goods or services. Contribution payments are conditional upon performance or achievement and are subject to audit or other reporting requirements.

“Audited Financial Statement” means a financial statement that includes an independent auditors report attesting to the financial statement’s fairness of presentation in accordance with generally accepted accounting principles.

“Interim Financial Statement” means a financial statement that is required to be submitted by the recipient of a contribution agreement, as required by the Department of Justice.

“Educational Institutions” means any Nunavut-based entity that delivers education, training, Inuit cultural or linguistic instruction, or land-based programming in Nunavut with the objective of promoting crime prevention and enhancing public awareness and understanding of Justice issues.

PROVISIONS

Authority and Accountability

1. All provisions contained in the *Financial Administration Act* and the Government of Nunavut’s Financial Administration Manual shall apply to the financial administration of all grants and contributions issued by the Department.
2. The Legislative Assembly approves the grants and contributions budget of the Department of Justice on a fiscal year basis.
3. This Policy is issued under the authority of the Executive Council with the authority to make exceptions and approve revisions to the Policy.
4. The Minister of Justice is accountable to the Executive Council for the implementation of this Policy.

5. The Deputy Minister of Justice is accountable to the Minister for the implementation of this Policy.

Eligibility

Eligibility is restricted to individuals, regional or territory-wide organizations that are registered under the *Societies Act* (Nunavut), educational institutions or other local or territorial associations recognized by the Department.

FINANCIAL and REPORTING CONDITIONS

1. Prior to issuing payment, the recipient(s) of a contribution shall sign a Conditional Contribution Agreement, which contains but is not limited to the maximum amount that will be contributed, goals and objectives for the proposal, guidelines for allowable expenditures, and reporting and accounting requirements.
2. Contributions exceeding \$25,000 annually, or any lower amount determined by the Department and described in Schedule A, must be paid in installments, based on the working capital requirements of the recipient's proposal, and the terms of the Conditional Contribution Agreement.
3. The recipient(s) of a contribution must provide an accounting of expenditures within 60 days of the completion of the contract, or the end of the GN's fiscal year. In addition, interim financial statements may also be required.
4. The recipients of a contribution in excess of \$25,000 will be required to submit an Audited Financial Statement within 60 days of the end of the GN's fiscal year, or by any date indicated in Schedule A.
5. If full financial accounting or reporting requirements are not submitted, the recipient will not be considered for further funding until the required financial statement indicating the contribution was expended according to their proposal is received, or the amount unaccounted for is repaid.
6. Eligibility for funding under this Policy does not guarantee subsequent approval for funding of any kind.
7. Funding amounts received may be less than the amount requested or outlined in Schedule A.
8. Funding will be provided only to the limit and availability of funding allocated to this Policy.
9. Information gained through the execution of this Policy and related programs will be treated in accordance with Nunavut's *Access to Information and Protection of Privacy Act*.
10. Detailed conditions contained in the Schedule A appended to this Policy statement shall apply.

PREROGATIVE OF EXECUTIVE COUNCIL

Nothing in this Policy shall in any way be construed to limit the prerogative of the Executive Council to make decisions or take action respecting the provisions of this Policy.

SUNSET CLAUSE

This Policy will be effective from the date of signature until May 2023.

SCHEDULE A

CONTRIBUTIONS OPERATIONS AND MAINTENCE

- Schedule A –1: Community Justice Initiatives
- Schedule A – 2: Legal Aid Clinics
- Schedule A – 3: Post-Secondary Programs
- Schedule A – 4: Open Custody – On-the-Land Camps/ Alternative Homes
- Schedule A – 5: Crime Prevention and Public Safety Initiatives

SCHEDULE A – 1: COMMUNITY JUSTICE INITIATIVES

Purpose

The Department of Justice wishes to provide contributions to assist community justice programs that promote and encourage the participation of communities in the justice system, and the development and implementation of community-based alternatives to the formal justice system. Proposed programs must have goals and objectives related to the development and implementation of culturally relevant community-based justice initiatives, and programs should contribute to the improvement or reform of the justice system.

In addition to the general initiatives funded under this schedule, specific funding may be made available to the following programs:

1. Spousal Support Program
2. Victim Services Program

Eligibility

The contribution funding is available to individuals, non-profit organizations, and community-based or regional organizations based in Nunavut, or to national organizations undertaking programs in and for Nunavut.

Under the Spousal Support Program, individuals, non-profit organizations, and community-based or regional organizations must provide counselling and healing for persons who are involved in the court process on spousal abuse charges and have demonstrated that their spouses want them to stay in the community and in the family in a healthier non-abusive way.

Under the Victim Services Program, individuals, non-profit organizations, and community-based or regional organizations must provide support for victims of reported and unreported crimes who have been identified and referred to the program by a Community Justice Outreach Worker or Community Justice Committee.

Review

The Director and other Senior Managers of Corrections and Community Justice review all proposals.

Supporting Data

A completed application or proposal is submitted to the Department, which includes a description of the project, an outline of the proposed objectives, and the proposed budget (including revenues and expenditures).

Accountability

The recipient will be required to submit interim and final reports, which reports include but not limited to financial statements. The Department requires a year end audited financial statement.

Amount

Funding levels depend on the nature of the program and funding available from other sources.

Payment

Payments will be made by installment and are contingent upon receipt of an interim financial report.

Term

The contributions are ongoing, with a reporting period from April 1st to March 31st of each fiscal year.

SCHEDULE A – 2: LEGAL AID CLINICS

Purpose

The Department of Justice issues contributions to assist with operating expenditures associated with the following access to justice services provided by Nunavut Legal Aid Clinics: Public Legal Education, Legal and Courtworker Services.

The program promotes equality before the law for people who need assistance to understand the nature and implication of legal matters, court procedures, legal terminology, or their rights under the law. A full range of services is provided, including representation of persons appearing before the criminal courts and assistance with civil law matters. The program falls under the auspices of the Legal Services Board.

Eligibility

The contribution funding is available to organizations approved by the Legal Services Board, such as Societies registered in Nunavut who provide legal services programs to residents of Nunavut.

Review

The eligible organizations must submit an annual budget to the Legal Services Board and the Department of Justice for review. Once the Legal Services Board and the Department of Justice approve the budgets, changes are submitted to the Financial Management Board for consideration and approval, prior to incorporation into the Main Estimates.

Supporting Data

The Department will review the proposed budgets and the Audited Financial Statements from the previous fiscal year submitted by the eligible organizations.

Accountability

The recipients of contribution funding must submit quarterly financial reports, including a year-end financial statement by April 30th. In addition, an Audited Financial Statement must be submitted by June 30th of each fiscal year.

Amount

Funding levels are negotiated on an annual basis, based on the budget submitted to the Legal Services Board, and the Audited Financial Statement from the previous fiscal year.

Payment

Monthly advances are provided, based on the budgets and cash flow requirements of the recipients.

Term

The contributions are ongoing, with a reporting period from April 1st to March 31st of each fiscal year.

SCHEDULE A – 3: POST-SECONDARY PROGRAMS

Purpose

The Department of Justice wishes to provide contributions to Nunavut Arctic College, or other non-profit organizations, or educational institutions that provide and support legal education, training and professional development in a post-secondary institution. Examples of the funding proposal that may be eligible for contribution funding under this Policy include post secondary training programs related to legal interpreting and paralegal training.

Eligibility

The contribution funding is available to Nunavut Arctic College or other non-profit organizations or educational institutions.

Review

The Department's annual contribution budget is based on funding proposals received, and other funding contributors, such as other Government of Nunavut departments, Justice Canada and various Inuit organizations.

Supporting Data

The Department will review budget proposals submitted by eligible organizations. It will determine a course of action based on the expenditure and revenue projections outlined in the proposals, and support provided by other Government of Nunavut Departments and other funding contributors.

Accountability

The recipient will be required to submit interim and final reports, including Audited Financial Statements.

Amount

The amount of contribution funding will be based on budget proposal submitted and other revenues provided by Government of Nunavut Departments and funding contributors.

Payment

Payments will be made depending on the program scope and funding needs of the recipient. Payments are also contingent upon receipt of financial reports.

Term

Funding will be reviewed based on anticipated costs in each proposal. The reporting period is from April 1st to March 31st of each fiscal year.

SCHEDULE A – 4: OPEN CUSTODY – ON-THE-LAND CAMPS/ALTERNATIVE HOMES

Purpose

The Department of Justice wishes to provide contributions to assist Open Custody contractors who provide a residential program for offenders through on-the-land camps or alternative homes. The offenders who participate in this program have received a disposition of open custody, and would benefit from the on-the-land camps or alternative homes. The contribution funding may allow the contractors to purchase equipment necessary for program delivery.

Eligibility

In general, no application will be approved for funding unless it clearly meets the following criteria:

- The contractor's program or proposal is supported by the Director of Corrections or designate.
- The contractor will obtain all licenses, permits and insurance necessary for the conduct of the program, and comply with all applicable Nunavut's *Acts* and *Regulations*.

Review

The Director of Corrections for the Department of Justice will review all proposals for contribution funding, and approve or deny the proposals based on program requirements and their individual merit.

Supporting Data

Supporting data must include a program plan, which includes but is not limited to goals and objectives, and a detailed budget describing the equipment required, including but not limited to all associated purchase and delivery costs.

Audit Requirement

The contractor must submit a detailed report of expenditures within 30 days of receipt of the goods purchased. An Audited Financial Statement is not required.

Amount

The funding level depends on the size of the on-the-land-camp or alternative home operations, the level of contribution funding available, and funding available from other sources.

Payment

Payment may be a lump sum advance, based on quotes provided by suppliers. Any surplus over actual expenditures will be returned to the Department.

Term

The contributions are one-time only, with a reporting period from April 1st to March 31st of each fiscal year.

SCHEDULE A – 5: CRIME PREVENTION AND PUBLIC SAFETY INITIATIVES

Purpose

The Department of Justice wishes to provide contributions to assist Educational Institutions who provide Justice relevant education, training, Inuit cultural or linguistic instruction, or land-based programming that enhances and promotes Crime Prevention and Public Safety Initiatives.

Eligibility

In general, no application will be approved for funding unless it clearly meets the following criteria:

- Funding for the program or proposal has been secured for the program or proposal via an agreement signed by the Deputy Minister of Justice or designate.

Review

The Deputy Minister for the Department of Justice will review all proposals for contribution funding, and approve or deny the proposals based on program requirements and their individual merit.

Supporting Data

Supporting data must include a program plan, which includes but not limited to goals and objectives, and a detailed budget including provisions for financial reporting and audits if necessary.

Accounting and Audits

Recipients must comply with Canadian Generally Accepted Accounting Principles and all applicable Federal and Territorial legislation, regulations, and policies in addition to the provisions of the agreement. Recipients must submit to and assist in auditing, inspections, or other reviews by the GN as needed.

Amount

The funding level depends on the level of contribution funding available via an existing agreement signed by the Deputy Minister of Justice or designate.

Payment

Payments will be made depending on the program scope and any established funding timeline included in the contribution agreement signed by the Deputy Minister of Justice or designate, and are contingent on receipt of interim and final financial reports as described in the agreement.

Term

The contributions may include ongoing commitments commensurate with the financial provisions of the existing contribution agreement signed by the Deputy Minister of Justice or designate, with a reporting period from April 1st to March 31st of each fiscal year.