

Newfoundland and Labrador Regulation 2021**NEWFOUNDLAND AND LABRADOR
REGULATION 1/21**

Inquiry Respecting Ground Search and Rescue for Lost and Missing Persons Order
under the
Public Inquiries Act, 2006
(O.C. 2021-004)

(Filed January 14, 2021)

Under the authority of section 16 of the Public Inquiries Act, 2006, the Lieutenant-Governor in Council makes the following Order.

Dated at St. John's, January 14, 2021.

Gary Norris
Clerk of the Executive Council

ORDER*Analysis*

1. Short title
2. Definitions
3. Inquiry establishes
4. Conduct of inquiry
5. Minister responsible
6. Rules of procedure
7. Testimony and evidence
8. Funding
9. Final report

SHORT TITLE

1. This Order may be cited as the *Inquiry Respecting Ground Search and Rescue for Lost and Missing Persons Order*.

DEFINITIONS

2. In this Order
 - a. "Act" means the *Public Inquiries Act, 2006*;
 - b. "commissioner" means the person appointed under section 3 to conduct the inquiry;
 - c. "department" means the department presided over by the minister; and

- d. “minister” means the minister appointed under the *Executive Council Act* to administer this Act.

INQUIRY ESTABLISHED

3. There is established an inquiry respecting ground search and rescue for lost and missing persons in the province and retired Provincial Court judge, Mr. James Igloliorte, is appointed to conduct the inquiry.

CONDUCT OF INQUIRY

4.
 1. The mechanisms by which the inquiry shall be conducted may include
 - a. informal hearings;
 - b. research studies;
 - c. interviews and surveys; and
 - d. written submissions.
 2. The commissioner shall take into account in conducting the inquiry that the inquiry process is, to the extent possible, intended to
 - a. be trauma-informed and respect the persons, families and communities concerned;
 - b. be culturally appropriate; and
 - c. consider the risks of traditional activities engaged by Indigenous people on the land.

MINISTER RESPONSIBLE

5. The minister shall be the minister responsible for the inquiry.

RULES OF PROCEDURE

6. The commissioner may prepare and publish rules of procedure for the inquiry that are not inconsistent with the Act or this Order.

TESTIMONY AND EVIDENCE

7. The commissioner shall have the power to compel the production of testimony and evidence.

FUNDING

8.
 1. The minister may provide funding to assist individuals and entities who wish to participate in the inquiry.

2. An individual or entity who requests funding referred to in subsection (1) shall prepare and submit to the department a budget that estimates and itemizes the costs of participating in the inquiry.

FINAL REPORT

9.
 1. The commissioner shall prepare a final report which shall
 - a. review the organization and operation of ground search and rescue in the province including air support for ground search and rescue; and
 - b. make recommendations that the commissioner considers necessary and advisable related to ground search and rescue in the province.
 2. In preparing the final report the commissioner may consider
 - a. information gathered during the informal hearings;
 - b. written and oral submissions;
 - c. research conducted by the commissioner and persons retained by the commissioner; and
 - d. other information the commissioner considers necessary.
 3. The final report shall not
 - a. express any conclusions or recommendations regarding the civil or criminal responsibility of any person or organization; or
 - b. make a finding of misconduct against a person or organization.
 4. The final report shall be submitted to the minister on or before June 30, 2021.