



## KITIKMEOT QUALIFIED BUSINESS REGISTRY POLICY

---

### 1. POLICY STATEMENT

The Kitikmeot Inuit Association (KIA) has established a Kitikmeot Qualified Business Registry (KQBR) to:

- a) enhance access to contracting opportunities for Kitikmeot Qualified Businesses (as such term is defined under paragraph 5 of this Policy) in order to increase the number of viable Kitikmeot-Inuit businesses situated and operating in the Kitikmeot Region;
- b) promote the IIBA Inuit Content Components and the Kitikmeot Business Engagement Objective (as such terms are defined under paragraph 5 of this Policy); and
- c) support fulfillment of the KIA's responsibilities as the Nunavut Tunngavik Incorporated (NTI) designate under the Nunavut Agreement (Article 39.1.3) for implementation of Inuit Owned Land (IOL) IIBA's to deliver associated benefits to Inuit of the Kitikmeot Region.

### 2. PURPOSE

The purpose of this internal KIA Policy is to implement the Kitikmeot Qualified Business Registry (KQBR) in alignment with KIA IIBA goals and as required by Article 26 KIA IIBAs (e. g. Schedule F of the Hope Bay Belt Project IIBA and by Schedule 10.1 of the Back River Project IIBA); set out the requirements for becoming enrolled on the registry; provide an appeal mechanism; and provide procedures for ongoing updates to the registry and to the Policy by KIA.

### 3. SCOPE

This Policy applies to the KIA Board, Executive Director and staff.

### 4. PRINCIPLES

In implementing this Policy, KIA will be guided by the following principles:

- a) **Even-Handedness** - All Kitikmeot Qualified Businesses applying to list or renew information on the registry will be treated in an impartial and equitable manner, in accordance with this Policy.
- b) **Transparency** – The KQBR will be a public document.

## 5. DEFINITIONS

- a) **Inuit** – has the meaning set out under Article 1 Section 1.1.1 and under Article 35 of the Nunavut Agreement.
- b) **Inuit Content Components**
  - has the meaning set out in Appendix B of the Hope Bay Belt Project IIBA and the Back River Project IIBA. The following indicators are used by the KIA to assess the level of Inuit participation in a Kitikmeot Qualified Business.
  - 1. **Head Office in the Kitikmeot Region.** This component means having a physical location of the head office of the business located in a Kitikmeot community. (Hope Bay Belt Project IIBA)
  - 2. **Degree of Inuit Economic Interest** shall mean the degree to which one or more Inuit have a right to receive, or participate in, any payments arising from the business activities, of an entity.
  - 3. **Degree of Inuit Control** means the degree to which Inuit have the right, through an equity interest in an entity to directly or indirectly, direct the management and operations of such entity.
  - 4. **Inuit Employment History** means history of Inuit employment over the three-year period immediately prior to the assessment carried out to determine Inuit content.
  - 5. **Inuit Employment Target Plan** means a plan to meet the annual Inuit employment targets set by the IIBA Implementation Committee.
  - 6. **Proportion of Senior Management that is Inuit** means the proportion of the senior management of an entity that are Inuit.
- c) **Inuit Enrolment List** - the list of individual Inuit maintained by Nunavut Tunngavik Incorporated under Article 35 of the Nunavut Agreement.
- d) **Inuit Firm** – has the meaning set out under Article 24.1.1 of the Nunavut Agreement. It means an entity which complies with the legal requirements to carry on business in the Nunavut Settlement Area, and which is:
  - 1. a limited company with at least 51% of the company's voting shares beneficially owned by Inuit, or
  - 2. a cooperative controlled by Inuit, or
  - 3. an Inuk sole proprietorship or partnership; and also
  - 4. able to present evidence of inclusion on the Inuit Firms Registry.
- e) **Inuit Firms Registry** means the list of Inuit Firms that is maintained by Nunavut Tunngavik Incorporated in accordance with Article 24.7.1 of the Nunavut Agreement.

- f) **Kitikmeot Business Engagement Objective** – has the meaning set out in KIA Article 26 IIBAs (e. g. Schedule “F” of the Hope Bay Belt Project IIBA and in Schedule 10.1 Article 1 of the Back River Project IIBA: “AEM/Sabina will work with KIA to promote and maximize opportunities for the employment of Inuit and the engagement of Kitikmeot Qualified Businesses in the development and operation of the Hope Bay Belt Project/the Back River Project”.
- g) **Kitikmeot Qualified Business**
- means a business that:
    1. is an Inuit Firm where the Inuk Majority Owner who is listed on the NTI Inuit Enrollment List originates from one of the communities in the Kitikmeot Region (i.e., from Bathurst Inlet, Bay Chimo, Cambridge Bay, Gjoa Haven, Kugaaruk, Kugluktuk, or Taloyoak) and beneficially owns at least 51% of the company's voting shares; and
    2. has a head office in the Kitikmeot Region,
- or is a business in which KIA has a direct or indirect interest.

## 6. PROVISIONS

### a) *Registry Enrollment*

1. Annually, the KIA will advertise a call for applications to the KQBR, both in the Kitikmeot communities and online.
2. Applications will consist of a completed Application Form (Appendix A) and the supplementary documents as listed in the Checklist of Required Documents (Appendix B), as well as the Consent Form (Appendix C), the Inuit Employment and Training History (Appendix D) and the Business and Contracting Record (Appendix E).
3. Following evaluation of the applications, with the IIBA Manager completing the Company Summary (Appendix F) and the CEDO Committee completing the Company Evaluation Form (Appendix G), the KIA will notify applicants of whether their applications have been approved or declined, or if further information is required.
4. Approved applicants will be provided with a KQBR Certificate by email. The companies will be listed on the KQBR for a period of up to one year.
5. To maintain a listing on the KQBR, an application must be submitted each year.
6. For companies renewing their registration, additional information may be requested including reporting on the delivery of Inuit Content Components and other factors identified by the KIA.

**b) Application Eligibility**

Applications are eligible for evaluation based on the following.

1. Submission of the application form by the deadline.
2. Completeness of the application form and of the required supporting documents.
3. Provision of information requested by the KIA concerning Inuit Content Components and other factors as KIA may determine are consistent with the Kitikmeot Business Engagement Objective (please see Definitions section of this Policy, and the schedule on business and contracting in the relevant IIBA.)

**c) Administration and Monitoring**

The IIBA Manager will:

- inform applicants of CEDO Committee decisions;
- maintain a record of CEDO Committee decisions;
- assemble and maintain the information contained in the Kitikmeot Qualified Business Registry; and
- distribute the KQBR to the Proponents regularly as required under the relevant IIBAs.

## 7. RESPONSIBILITIES OF KITIKMEOT QUALIFIED BUSINESSES APPLYING TO THE KQBR

Kitikmeot Qualified Businesses applying to be enrolled on the KQBR will submit their completed applications by the deadline.

Kitikmeot Qualified Businesses enrolling on the KQBR will provide details about each of the Inuit Content Components as it relates to that Kitikmeot Qualified Business and its operations as well as any additional actions taken that may promote the Kitikmeot Business Engagement Objective. This information will be documented and included with the companies' annual renewal application form for the KQBR.

Kitikmeot Qualified Businesses registered on the KQBR will be required to provide updated information within thirty (30) days of changes to information in their KQBR application documents, including changes to company ownership structure, otherwise the company is subject to immediate removal from the registry.

## 8. AUTHORITY AND ACCOUNTABILITY

### a) **The KIA Board**

This Policy is issued under the authority of the KIA Board. The KIA Board will review the provisions of this Policy and receive implementation updates from the IIBA Manager (or their designate) from time to time and make revisions as appropriate.

### b) **The KIA CEDO Committee**

The CEDO Committee is a sub-committee of the KIA Board that meets to review and approve proposals associated with economic development programs. With regards to the KQBR, the CEDO Committee is responsible for the following:

- Reviewing, approving/declining all KQBR applications annually;
- Reviewing, approving KQBR Policy revisions, presenting to the KIA Board;
- Meeting in a timely manner to discuss KQBR matters, including attending meetings focused solely on KQBR matters.

### c) **The Executive Director**

The Executive Director is accountable to the KIA Board for the implementation of this Policy.

### d) **The IIBA Manager**

The IIBA Manager (or their designate) is responsible for management of:

- front-end KQBR applicant assistance and advisory services;
- assessment of KQBR applications prior to being submitted to the CEDO Committee for review;
- preparation of regular reports for the CEDO Committee on KQBR approvals;
- Initiation and setting of KQBR meeting dates for the CEDO Committee and other KIA personnel; preparation of agendas and minutes; planning future meetings; determination of whether KQBR-related meetings are held in-person or remotely based on meeting agenda, timing, and budget needs;
- Identification of opportunities to increase the Inuit Content Components in procurement within the IIBA Project areas;
- Initiation, design and implementation of the KQBR Policy revision process in communication with the KIA Board and Executive Director; monitoring, researching, compiling, analyzing, revising, and monitoring effectiveness;
- Reporting to the KIA Board about implementation and results of the IIBAs.

## 9. APPEALS

Where an applicant has been denied enrollment on the KQBR, the applicant may appeal such decision to the KIA where:

- a) new information which materially affects the applicant's eligibility becomes known to the applicant between the date the completed and signed application is forwarded to KIA and the date of the review the application; or
- b) the applicant has cause to believe that the provisions of this Policy and attached Schedules were not fairly and adequately applied;

then the applicant may appeal to both the Chairperson of the CEDO Committee and President of KIA, whose joint decision is final. Appeals must be in writing and received by KIA no later than thirty days following the date that the applicant has received notification of the CEDO Committee's decision. Reasons other than (a) or (b) above will not be considered grounds for appeal.

## 10. PREROGATIVE OF KIA BOARD

Nothing in this Policy shall in any way be construed to limit the right of the KIA Board to make decisions or take action respecting the KQBR or KIA Article 26 IIBAs (e. g. the KIA-AEM IIBA for Hope Bay or the KIA-Sabina IIBA for Back River), or the use of funds earmarked for business development, outside the provisions of this Policy.

## KQBR APPENDICES

The KQBR Appendices are standardized tools to be used to implement the KQBR Policy. The KQBR Appendices may be amended from time to time to improve their effectiveness in implementing the KQBR Policy to reach KIA IIBA goals.

For external use by the applicant companies – Appendices A to E

For internal use by the KIA – The KQBR Policy, Appendix F and Appendix G

<b>Appendix A:</b>	<b>KQBR Application Form</b>
<b>Appendix B:</b>	<b>Checklist of Required Documents</b>
<b>Appendix C:</b>	<b>Consent Form</b>
<b>Appendix D:</b>	<b>Inuit Employment and Training History</b>
<b>Appendix E:</b>	<b>Business and Contracting Record</b>
<b>Appendix F:</b>	<b>Company Summary (internal use)</b>
<b>Appendix G:</b>	<b>Company Evaluation (internal use)</b>