

INUNGNUT PILARUTIT APIQHUIYIRALAAT

PITUTIGIPLUGU TAMNA Tuhaqhityut piyaunia malikhugu Ilanga 4 tapkunani Nunavut *Inungnut Pilarutit Piquyat* hanganilu tapkuat Nunavut Inungnut Pilarutit Apiqhuiyiralaat

TAPKUNANGA:

Peter Petaulassie

Tukhiaraqtuq

-tamnal-

Hamlanga Kingait

Kiuyuq

IHUMALIURUT

Apiqhuiyuq: Bonnie Almon

Naalaktauyuq talvani: Iqaluit

Ihumaliurut Ublua: Aipuru 16, 2012

Titiqat Nappaa: 06-11

Naunaipkuhiqta tamnaunia: Petaulassie akiraqtuqhugu Hamlatkut Kingait, 2012
NHRT 2

HATQIQVIUYUT TALVANGA

Peter Petaulassie, Tukhiraqtuq:

Mark Mossey, Maligaqnut Hapunniaqti

Hamlatkut Kingait, Kiuyuq:

Sylvie Molgat, Maligaqnut Hapunniaqti

UNNIQTUT

[1] Una Tuhaqhityut tuniyauyuq taphumanga Peter Petaulassie (“tamna tukhiraqtuq”) piniraqta ihuinaqtauniq tapkunanga Tamna Hamlatkut Kingait (“tamna kiuyuq”) talvani Januari 11, 2007 malikhugu tamna Nunavut *Inungnut Pilarutit Piquyat* (“tamna *Piquyat*”). Mr. Petaulassie piniraqtai akhuqtitauyuq ihuinaqtauniqmik piplugu humingaqnia, ilitquhiriya, humingaqhiania ilagitlu qanuritunit atuqtitlugu havaq uktuqatauniriya tapkununga Hamlatkut Kingait talvani Mai, 2005.

[2] Talvani Ilanga IV ihumaliurut ubluliqhimayuq Aipuru 29, 2009 naunaiqtauyuq tamna Mr. Petaulassie pityutigilraqta ihuaqhihimaittuq maligaqnut humingaqnia, ilitquhiriya uvaliniit humingaqhiania. Kihimik, piqartuq tuhagakhanik piyunik, naamagiyaukpat naalakvikmi, ikayuqhiutilat nalvauni ihuinaqtauniq piplugu ilagit qanuritnit malikhugu tamna *Piquyat*. Taimaittumik, tamna ihumaliurut uqartuq tamna Tuhaqhityut naalakvikmuktitauniaq pityutanut naliaknik Mr. Petaulassie aturiakha ihuinaqtauniq havakviani piplugu ilagit qanuritnit.

[3] Atuqtitlugit qaphit tatqiqhiutit titiqat akungani tapkuat Nunavut Inungnut Pilarutit Apiqhuyiralaat aapisia tamatkikniklu piqatauyut, talvanilu Naalakvik-Hivuani katimaquarniq talvani Juni 2010, naunaiqtauyuq tamna Mr. Petaulassie pityutitliknut turaqhugu taphuma pinirqta ihuinaqtauniq. Tapkuat taiyat titiqat (tapkuat turangayut havaq uktutaunia pityuta) angiyumik ilagiyat naunaipkutaq tahapkunani pityuhiqni. Tapkuat titiqat unniqtauhimaittuq taphumanga kiuyuq kinguagut tukhigauqattaqnut. Qaphit pinahuaqattaqni piyauyut ihuaqhautinut pityuhiq tamatkiknut piqatauyut atuttiangittumik, piplugu kiuyuq pitaqhimaittuq piyaliknik titiqat kayuhiyanga. Tamna Tuhaqhut Naalakvik-Hivuani katimaquarniq atugakhaliaq taphumunga Saptaiqa 09, 2011 tuyutauyuq piyauplunilu tamatkiknit piqatauyut talvani Juni 21, 2011. Piittuq tukhirautilit piyauni uumani pivigiyani atugakhaliutqikniant una Naalakvik-Hivuani.

[4] Talvani Saptaiqa 09, 2011 tuklia Naalakvik-Hivuani katimaquarniq atuqtauyuq. Tamna tukhiraqtup maligaqnut hapunniaqtia ilauyuq. Hatqiqtuqangittuq kivgaqtuqhugu tamna kiuyuq, pingittuqluniit tamna kiuyuq tuhaqhutni tapkuat Apiqhuyiralaat tuhaqhutnik ilaulaittamingnik.

Kinguagut avatit minitsit kinguvaqnia utaqiplutik taphuminga kiuyuuq, tamna Naalakvik-Hivuani pigiartuuq, malikhugit tapkuat Maligaq 38 tapkunani Apiqhuiyiralaatkut Maligait Pityuhiqnut.

[5] Talvani Naalakvik-Hivuani Katimaqyuarniq tuhaqhityut pityut kinguagut tamna Naalakvik-Hivuani, tamna kiuyuuq pivikhaqaqtitauyuuq tikitlugu Aktuupa 06, 2011 to disunniriangi tamaita turangayut titiqat. Tamnaluttauuq, tamna kiuyuuq unniqtauyuuq naliak piniaqhimaya qaitquni kitutliqak tautuktit (uqautilugitlu kinauniariangit) pivikhaqaqtitnilu tapkuat Apiqhuiyiralaat ublukha atauhiqmun-ubluq naalakvik. Taman kiuyuuq nautiqtuquyauyuuq piqataungitnianut tahapkunani pityuhiqni unniutiyauplunilu malingitpagittahapkuat pityuhit tiliuqni, tapkuat Apiqhuiyiralaat ihuaqhilaqtat ubluq naalakvikmun tuhaqhitingitkaluaqlutik kiuyumun (Maligaq 23 tapkunani Apiqhuiyiralaat Maligait Pityuhiqnut). Tamna tuhaqhityut unniqtuikmiyuq tapkuat Apiqhuiyiralaat pilaqtat, naunaiqagit ihuinaqtauniq kinguagut naalakvik, piyaqaqtitnia kiuyuuq akiliqhiniq taphuma tukhiqtup utiqviuninik. Pigaluaqtitlugu uingaittumik tiliuqni tapkuat Apiqhuiyiralaat, tamna kiuyuuq uqautyngittuuq tapkuninga Apiqhuiyiralaat naliaknut piqatauniariangi talvani naalakvikmi, uqautyngi naliaknut qaitquiniariangi tautuktinik kinauniariangilu tapkuat tautuktit, piqaqtitiyangi kitunikliqak titiqat uvaluniit piqaqtitni ublut talvanilariangi naalakvikmun.

[6] Pigaluaqtitlugit tapkuat Apiqhuiyiralaat piyaqangittut pipkaqni kiuyuuq tuhaqhitnia naalakvikmik, tamna Tuhaqhit Naalakvikmik tuyutauyuuq taphumunga kiuyuuqmun. Tamna kiuyuuq pitartuuq taphuminga Tuhaqhit kihimik tuhaqhingitai tapkuat Apiqhuiyiralaat uqautyngi piqatauyumaniqmingnik naalakvikmi, pilaittut uvaluniit pitarumayut hapunniaqtimik. Kihimik, kihimik atauhinnaq ubluq hivuani tamna atugakhaliaq naalakvik, tamna kiuyuuq tuhaqhitai tapkuat Apiqhuiyiralaat tukhiqninut nutqangallaquplugit. Tamna kiuyuuq uqautiya tapkuat pitariangi hapunniaqtimik kihimik tamna hapunniaqti pilaitmat talvani ubluani naalakvik.

[7] Malikhugu tamna qanuritnia, tamna tukhiqnia nutqangatlaknirmik angiqtaungittuuq. Tapkuat Apiqhuiyiralaat naunaiqtat pilarniqtik ihumamirniq tuniyanga uvaluniit qipiluknia nutqangallakniq naamaktumik pityutiqaqlutik. Atuliqhungutitlugu nutqangallakniq tukhiqnit (uumani pityut, tamna tukhirniq atauhiq havakvik ubluq hivuani naalakvik) kihimik naamagiyauniaq hutyutiqaqqiqatuni piyaunini. Tamna piqpiaq tamna kiuyuuq ihumaliurtuuq talvani atuliqhungutitlugu piqatauniq talvani naalakvik ublunilu qaphinnuani hivuani tamna

naalakvik pitarniq hapunniaqtimik tamnaluk piqataulaittuq talvani ubluani naalakvik naunaiqtaungittuq pityutiqaqpiaqni piyauniq. Tapkuat Apiqhuyiralaat naunaiqtat tamna kiuyuq pivikhaqaqpiartuq malikhaqniq tiliuqtautqikhaqniq tapkunanga Apiqhuyiralaat qinirniq maligaqnut hapunniaqtimik pinariqlugu pingittut.

[8] Tapkuat Apiqhuyiralaat naunaiqtat tamna kiuyuq pilaittuq kinguvaqtitni tahapkuat pityuhiit hulivalliq piplugit inmingni malikhangitni tapkuat tiliurutai tapkuat Apiqhuyiralaat qinirniqlu maligaqnut hapunniaqtimik hivuani; takulugu naunaipkutaq *CUPE, Nunalikni Katimayit 30 akiraqtuqhugu WMI Iqakut Aulanit Kanata Nanminilgit* (1996), 34 Aulatyutit L.R. (2d) 172 (Alta C.A.) taiguaqni 9, 10. Pipkaqni nuqangatlakni tahapkunani piplugit qanutitnit pilat tamatkikni naamangittuq taphumunga tukhiraqtuq ahiagutlu piyauyumayuq pipkaqni inungnut pilarutit ihuigiyauni tuhaqtauyut piyarakittumik piplugu pittailinilu pittiangitni tapkununga Apiqhuyiralaat pityuhit.

[9] Taimaittumik, tamna naalakniq kayuhiyuq atugakhaliangagut talvani Tisaipa 05, 2011 talvani Iqaluit, Nunavut. Tamna tukhiraqtuq taphumalu maligaqnut hapunniaqtiq piqatauyut.

[10] Taphuma kiuyup maligaqnut hapunniaqtiq Ms. Sylvie Molgat piqataukmiyuqtauq hivayautikkut.

[11] Piqiaqniq tamna naalakvik, apiriyauyunga taphuma havanganik Ms. Molgat talvani naalakvikmi piplugu tamna kiuyup piqataungitniani ublumimun. Tuhaqtatka tuniyaayut tamatkiknit piqatauyut. Pipkaqtatkalu piqatauyut pivikhainik uqariangi naunairahuaqhugit angiqatigilariakhait pityutimun. Pipluguli, naalaqaqhugit tuniyaayut Maligaliuqtunga pipkaqniq Ms. Molgat pilarniqmik apiqhurianga tamaitnut uukturiangi tapkuat naunaipkutai taphuma tukhiraqtup, kihimik pipkangitara qanirutiqarianga talvani umiktiqniq tamna naalakvik.

[12] Talvanga tuhaqvigiyaatka naunaipkutai taphuma tukhiraqtup. Tamna tukhiraqtuq apiqhuqtauyuuq taphumanga Ms. Molgat. Tamna kiuyuq hatqitititigittuq kitunikliqak naunaipkutaqnik inmingnit.

PIQPIAT

[13] Taima uqaqtagut, tuhaqviyara naunaipkutaq ilanganit tautukti, Mr. Peter Petaulassie. Piptitlugu taphuma naunaipkuta uukturaqtauyuuq apiqhuqtaupluni, Mr. Peter Petaulassieup naunaipkuta alanguqtauyuuq naunaipkutaqnit kitunitliqak ahii tautuktit. Nuaniayaqhugu Mr. Petaulassieup naunaipkuta ihumagiyara tamna atuqtauvaktutuqaaq uukturaut atqutauyuuq inungnut pilarutit ahiilu pityutit talvanga ihumaliurut talvani British Columbia Apiqhuiyit Takutqikhaqtauninut talvani *Faryna akiraqtuqhugu Chorny*, [1952] 2 D.L.R. 354:

(...) Pilaqnity ilihimaniqnut, hakugiknit tautukniqmun, pipkainiq itqaumaniqlu, pilarniq unniqtuittiarniq hunanik takuyuuq tuhaqtuqlu, tapkuatluttauq ahii pityutit, atauttimutni pinguriangi hunat taiyauyut ukpirnaqnit....

Tamna ukpirnaqningi piyumayut tautuktit, piniqhamik pityutini ihuityutilgit naunaipkutat nakutqiktaulaittut kihimiutitlugu uuktutaini naliak taphuma inuup pitquhianut naliaknut tautuktip pihimania naunaittumik piqpianguyanga. Tamna uuktuta naamagialik piyauyuuq unipkariyani naunaiyarianga malikhaqninut pilaqnikhanut avatigiyainut tatyaaq atuqtut qanuritnit. Naittumik, tamna uuktutilluanga piqpiangunia unipkap taphuma tautuktip taimaittuni pityutini nalaumatyutiyaalgit piniaqurutauyunut pilaqnit aturuminaqniqnut tuhaumayumitlu inungmit ilitaqnalat naamagiangi talvani inaani tahapkunaniilu qanuritnini.... Hulittauq, tautuktiuyuuq uqalaq hunamik pinahugiqpiaqtaminik piqpianguyanga, kihimik pinahuaqnani ulamnilaq.

Naunaiqtara Mr. Petaulassie uqauhit nalimuqtut nakuatuqhutiklu pityuhi. Apiqhuqtaugaluaqhuni naunaipkutaqminut anginiqhanut pityutai huniumaittuq malikhaqni. Humi itqaumangitpa tuhagakhanik uvaluniit nalupyakpa uqallagiaminik. Ilaa itqaumangitkaluaqhunigit ilai unniqtuttiaqni, una arliknaittuq piplugit huliniit atuqtauyut avataani 6.5 ukiut hivuani. Ilaurinahuangittuq taphumalu naunaipkutai ihuaqhaqhimayut naamaktutlu piyauninut. Piplugu piqpiangunia naunaiqtara Mr. Petaulassie ukpirnaqtuuq tautukti piqpiatlu naunaipkutainut pipkaphukhimaittut kitunutliqak naunaipkutat uqautigitquyai kiuyumin, naamagiyara unniqtuqtai huliniit pityutinut uumani Tuhaqhityut.

[14] Peter Petaulassie uqaqtuuq inuuhimayaminik piruqhaqhunilu talvani Kingait ilagiyaniilu talvanihimayut nunaliuyumi kinguvariinut. Tamna puqtuniqhat ilihaqvia Kingaitni attiqhimayuuq taphuminga Mr. Petaulassieup ataattianganiik.

[15] Mr. Petaulassie uuktuqtuq havakhamik QUahaqviki MAniyauniq/Ulapqiviliriyi Kamayi tapkununga Hamlatkut Kingait kinguagut taphuma kiuyup hatqiqitni uuktugauyukhaq talvani mikhaaniluniit 12nga Aipuru, 2005. Mr. Petaulassie uqaqtuq kangiqhimayaminik piyaliknik taphumunga havanguyuq ilautitlugit ihuaqhihimani tamna quahaqviki, Zamboni hikuliriyut, haliktiuniqmun havanguyut kamaginilu inungnut atuqtut quahaqviki. Unniqtuqa havanguyuq tamnaunia 'ayuitniliktaqhimaitut' havanga.

[16] Pingahut inuit uuktuqtut taphumunga havakhamik kiuplugu tamna uuktut umikhimayuq talvani mikhaaniluniit Aipuru 30, 2005. Tapkuat pingahut uuktuqtut tapkuanguyut Peter Petaulassie, Mr. W.S. tamnalulu Mr. J.A.

[17] W.S. tamna aipariyata ningaunga taphuma Ms. C.C. Talvuna uuktutauniani, Ms. C.C. tamnauyuq kiuyup Hivuliqtia Ulapqiviliriyi. Mr. W.S. piyauhimayuq havakhaqtarniq taphumunga havakhamik.

[18] Tamna kiuyup havaktikhaqtarniq maligait pityuhitlu pityuhitlu, tapkuat piyauyut Naunaipkutaunit, uqaqtauyut talvani pingahuat taiguaq: "Tamaitnut pinahuaqni piyalgit atuqpiariangi nunalikni nunaliuyut ilauyut hivulliutyaqnit havaktikhaqtarniq pitquhit tamaitnut havakhat". Mr. Petaulassie uqartuq taima inuuhimagami, pirqhaqtuq ilihahimayuqlu talvani Kingait nunaqahunilu anginiqhamik inuuhiqmini, ihumagiyuq inminik nunalikni nunaliuyumi ilauyuq. Taphuma naunaipkuta tamna havakhaqtartuq uuktuqtuq nunaliulihahq talvani Kingait qaphinut tatqiqhiutinut.

[19] Mr. Petaulassie hatqiqitita ayiniqminut atuqhimanit unniqtut naunaipkutaunia takukhautitai ilihahqini havakhimaniqnilu atuqhimanit tamatiknut hivuani kinguanilu havakhaqtangitqaqhuni uuktutmut taphumunga Hamlatkut Kingait. Tapuma ayuitnit atuqhimanit, tamna Naunaipkutaliuqtauyuq, takukhautita uukturiamini taphumunga quahaqviki maniyauniq havakhaq pitaqhimayuq Puqtunilik 12 alilayurtaq talvanga Peter Pitseolak Puqtuniqhat Ilihaqviki malruklu Titiraqtak, ilanga Maligaqnut Uqaqtuniq aipalu Aapisimi Aulattiniq, talvanga Nunavut Ukiurtaqtuq Hilattuqhaivik. Pitaqhimayai allatqit havat ilautitlugu niuvavikmi titiraqti, Inuit Qaujimaqtuqangit Kamayi tamnalulu apiqhuyiyini havakti.

[20] Piittuq naunaipkutaqmik hamni ihumaalutikhaq ayuitninit tapkuat ahii uuktuqtut.

[21] Mr. Petaulassie uqauhiriya ukpiruhuknini ayuiniqarniq taphumunga Quahaqvik Maniyaunig havanguyug ihumaplunilu kiuttuaqtai apiqutit talvani apiqhuiyuni nakuuyumik havaktiupiaqtumiklu.

[22] Mr. Petaulassie uqartuq tapkuatqanuritnit uumunga tammainia havakhaq pilarniq qimaiyaqaliqnia nunaliuyumik havakhaqhiuqhuni. Unnirtuqta tapkuat aktuanit tammainiq uumunga havakhamik pilaqniq inminut.

QAUYIHAINIQ IHUMALIURUTLU

[23] Nakataani 9 talvani Piquyat uqaqtut:

9. (1) Kinaliqak piyaqangilaq, piplugu pittailitit pityutit ihuinarniqmun, (a) havaktikhaqtaruimangitniq uvaluniit kayuhiyumangitniq havaktitnia inuk uvaluniit kinaunia inuit; uvaluniit

(b) ihuinaqnia kinaliqak inuk uvaluniit kinaunia inuit piplugu havakhaq uvaluniit maligait uvaluniit qanuritni havakhaq, naliangugaluaqat tamna maligaq uvaluniit qanuritni piyariqhimania uvaluniit kinguagut tamna havakhaq.

Malikhugu s. 7(1) tapkunani Piquyat, ilagit qanuritnia pittailityuq pityut ihuinarniqmun.

[24] Pigaluaqatluniit tamna kiuyug pitquinia naunaipkutaqnik talvani naalakvikmi, tamna uuktuqtuq huli takupkaiyalik tapkuninga Apiqhuiyiralaat, ihuaqhaqhimayuni atulaqnit tapkuat ihuinaqnit atuqhimania. Talvani havaktikhaqtarniq pityuhiqmi, una piyalik takupkaqnia tamna:

(1) tamna ayuitnilik havakhamun (2) kihimik niruaqtaungittuq tamnalu (3) tamna inuk niruaqtauyug ayuiniqaqluarniqhaungittuq kihimik pihimaittuq ilitquhinik tamna uuktuqtuq uqaqta pityutaunia niruaqtaungitniqminut (naunaipkutariplugu allatqit ilagit qanuritnia); *Rivers akiraqtuqhugu Squamish Itqulrit Katimayit Katimayingi*, 1994 CanLII 1217 (CHRT) talvani makpiraq 42. Taimaittumik, naunairiaqaqtara tamna Mr. Petaulassie ayuitnilik taphumunga havakhamun, tamna Mr. W.S. ayuiniqatqiyaungittuq tamnalu ihumaliurut niruaqnianut Mr. W.S.

tamnaungittuq Mr. Petaulassie pihimayuuq turanganinut ilagit qanuritnia, naunaipkutariplugu taphuma piqatiginia tamna Hivuliqti Ulapqiviliriyi taphumunga kiuyumun.

[25] Naamagiyara Mr. Petaulassieup naunaipkuta, piplugit taphuma ihuityutiqaangitni uqauhit ayuiniqarniqminik taphumunga Quahaqvik Maniyauyuq havanga. Piplugit ilitquhi taphuma havanguyup tamnalu Mr. Petaulassieup ilihaqnia havakniqlu atuqhimania talvuna, naunaiqtara tamna ayuinilik havaqmun. Piplugu kiuyup piqataungitnia talvani naalakvikmi, Naunaipkutaittunga ihumalutini ayuitnini taphuma Mr. W.S. Piitniani kitutliqak naunaipkutat ahiguqninut, naamagiyara Mr. Petaulassieup pityuta tamna Mr. W.S. ayuiniqatqiyaungittuq.

[26] Hannaiqhimayunga naunaiqnia piplugu tapkuat piqpiq tamna Mr. Petaulassie piyuq iniihiqmini nunalikmi ilauyuq talvani Kingait tamnalu Mr. W.S. talvaningittuq nunaliuyumi hivituyumik (immaqak pikaphuqhugu tatqiqhiutinik), Mr. Petaulassie ayuiniqatqiyaq taphumangaunganit Mr. W.S. piniraqhugit tapkuat Hamlatkut maligai pipkaiyut pinahuatqiyaqni havaktikhamik “nunalikni nunaliuyuuq ilauyut.” Pigaluaqtitlugu naunaiqhingittunga tamna inuk ilaulihaq nunalikni pilaittanga nunalikni nunaliuyuuq ilauyuq, piplugu tapkuat naunaipkutat uumani pityutmi, Mr. Petaulassieup atatyuta nunaliuyumun uingaittuq pihimakharniqhaq taphumangaunganit Mr. W.S. Kihimik, Mr. W.S. tuniyauyuq taphumiunga havaqmik ilagiyauplunilu ilauyuq kinamun havaktumun tapkununga Hamlatkut talvuna.

[27] Tamna tukhiraqtup hapunniaqtia hatqiqtita pityutit tapkununga Apiqhuyiralaat tapkuat takukhautitai tapkuat ihuinaqtauniq piplugu ilagit qanurittuni ilautitlugit “ilagiyamingnik kihiat pinahuat” uvaluniit piyumaniqhat kinamik piplugu ilagigamityuk; naunaipkutariplugu *Fitzherbert akiraqtuqhugu Underhill*, 1990 CarswellNat 1367, 13 C.H.R.R. D/105, *Thomson akiraqtuqhugu Eurocan Qiyuit Alilayutlu Nanminilgit* (2002), 2002 BCHRT 32; *B. akiraqtuqhugu Ontario Inungnut Pilarutit Kamisan* (2000), 195 D.L.R. (4nga) 405, [2002] 3 S.C.R. 403, Szabo akiraqtuqhugu Atlas Havaktit Welland Credit Union, 1987, 9 C.H.R.R. D/4735; *Rivers akiraqtuqhugu Squamish Itqilrit Katimayit*, 1994 CanLII 1217 (CHRT). Angiqtatka tahapkuat pityutit takukhautitai ihumagiyaungitniq havakhamun piplugu kina tamna ilagiyauyuq piyauyumaniqhaunia piyaunianut pityutaulaq ihuinarniq piplugu ilagit qanuritnit.

[28] Uumani pityutmi, naunaiqtara tamna Mr. Petaulassie ayuitnilik taphumunga Quahaqvikmi Maniyauyuq havanganut tamnaluk Mr. W.S. ayuitqiyaungittuq taphumangaunganit Mr. Petaulassie kihimik tuniyauyuq taphumunga havaqmik. Tamna ilagini ilauyuq taphumunga Ulapqiviliriyi Hivuliqti, tamnali Mr. Petaulassie naunaittuq ilaungittuq. Piplugu tamna kiuyuq hatqititigittuq kitunikliqak naunaipkutaqnik, piittuq hunamik hamni qipiluknianik kitutliqak naunaipkutat tuniyai taphuma Mr. Petaulassie. Taimaittumik, naunaiqtara tamna Mr. Petaulassie pipkaqtitaungittuq ayyikkuhiutiplugu pilarniq uuktuqataunianut taphumunga havakhamun tapkunani Hamlatkut tamnaluk piyuq piplugu ilaruhiriyangitmat kinamun havaktumik talvani. Naunaiqtara una pityutauyuq ihuinariniqmik piplugu ilagit qanuritnia.

[29] Nainaqhugu, piqaqtuq naamaktumik naunaipkutaq tamna Mr. Petaulassie atuqhimaya ihuinaqtauniq havakhamun piplugu ilagit qanuritnia malikhugit tapkuat *Piquyat*.

IHUAQHAUT

[30] Malikhugu s. 34 tapkunani *Piquyat*, hakugikniliuyunga aturiaqaqquni akiliqtaupkaqnia utiqviunia Mr. Petaulassie tammaiyainut manikhauhikhat uvaluniit akiliqtutit piplugu ihuinaqtauniq. Tunihpikailaqtunga aaniaqtauniqmun harimahutitut, ikpiginit uvaluniit inminik-upiguhukniq piplugu tamna ihuinaqtauniq.

[31] Naunaiqhimagapku tamna Mr. Petaulassie atuqhimaya ihuinaqtauniq piplugu ilagit qanuritnit piplugu tamna havaq uuktutaunia, tuniyaunia tammaini manikhauhit naamaktuq. Pipkugu piyauni kititauni tammaiyayut manikhauhit, ilanga akhurnaqqniq piqpiarut tuhagakhaitnaptat taphumunga kiuyuq taphumunga manikhauhiq tamnaluk Ukiuqtaqtumi Inuuniqmun Ikayuhiaq uumunga havaq. Kihianik, tamna tukhirqtuq havariya Qaritauyakkut qinirniq hatqititalu tapkununga Apiqhuyiralaat tamna Hamlatkut Kingait titiqat taiguta Ukiumun tamnaluk Ikarnikkut Aktilat Akiliqtut – Kipuktauni Titiqat Atuliqni Tisaipa 31, 2004. Una titiraq talvanga Katitlugit Angirutit aulatyutai Hamlatkut havaktit. Titiqtai tapkuat Puqtunilik 1 manikhauhiaq taphumunga Quahaqvikmi Maniyauyuq tamnaunia \$32,960.00. Una aktilaq pilruqtuq naamaknia qanuritnianut akraqtutaungittuqlu.

[32] Tamna tukhiraqtuq apiringittuq tamaitnik manikhauhit taphumunga havaqmun, kihimikli taphumunga pingahuata ilaa uuma aktilanga atauhiqmun ukiuqmun. Pihimaya una kititauni ukuqtigautyuhini pityutmun maligaq hatqiqtitani. Tahapkunani pityutini tapkuat apiqhuyiralaat naunaiqtat hunat pilarahugini taphuma unniqluktup pitalaqniugaluit uukuqtumun, pipkagaukpat ayyikkuhiutinia pilaqni uuktutaunia havaqmun, tuniyaunia pusaunianut tamna manikhauhiq taphumunga havaqmun. Mr. Petaulassie uqaqtuq piqarianga pingahuyut uukuqtut, piyuq atauhiq-pingahuanit pilarniq pitarianga talvani uuktutiginia pihimaitpat ilagiyamingnik kihiat pinahuat pityutaukmat. Taimaittumik, apiriyuq atauhiq-pingahuanit atauhiqmun ukiup manikhauhia, uvaluniit \$10,876.89.

[33] Apiriyuqlu aviktaunianik ilayaunia tamna Ukiuqtaqtumi Inuuniqmun Ikayuhiaq. Mamianaugaluq, pihimaitnama taphumunga Ukiuqtaqtumi Ikayuhiaq taphumunga havanguyumun. Kihimik, ukpiriyara naamaktumik mikhautnia taphumunga Ukiuqtaqtumi Ikayuhiaq talvuna mikhauhimaniaq \$7,000.00. Atauhiq-Pingahua taphuma aktilaq tamnauyuq \$2,333.00.

[34] Inungnut atuqhimayut ihuinaqtauniqmik huli havalgit ihuaqhigiaqni huruqtitauniqtik. Una tukilik piyalgit atuqtakhat mikhigiaqni tammaiyaqtik, naunaipkutariplugu qinirniq ahianik havaqmik. Tamna piyaqaqnia taphuma kiuyup takukhautitnia tamna tukhiraqtuq pingittanga naamaktunik atuqtakhat ihuaqhigiaqnit.

[35] Mr. Petaulassie nalvaqtuq havakhamik auyakktut ilihaqtut havakti kingunihangagut qipiluktaulraqhuni taphumunga havakhamik tapkununga Hamlatkut. Mamianaugaluq, piqattiangittuq naunaipkutaqnik piplugu tapkuat unniqtuttiaqni taphuma havanguyup uvaluniit qanuqtut Mr. Petaulassie maniliurianga.

[36] Mr. Petaulassie uqaqmiyattaq aapani inuhuiqtuq talvani Julai taphumani ukiuqmi tamnal, havarinialu nanminiq amaamakminut, kikliqarutigiya qinirniq havakhamik hilataani Kingait. Tamnal utiqhuni iliharniqmun ikittunut tatqiqhiutinut talvanga Aktuupa tikitlugu Tisaipa 2005.

[37] Naunaiqtara tamna Mr. Petaulassie piyai ilai atuqtakhat ihuaqhigiaqni huruqtirutini tamnal iniminut qanuritniariyani piyut tapkuat qinirniq havakhamik ayuqnaqpiarutai. Tamnal

ilihariaqtuq puqtuhivaliriangi ilihaqnini. Pitariya ilai manikhauhit taphumani atauhiq ukiuq pivigiyani kinguagut qipiluktaulraqhuni havaqmun pilaqniq tapkununga Hamlatkut kihianik ilihimaittuq qanuq aktilanganik. Una aktilaq pilarniqhaq atuqnia ahivaiviuniq huruqtitautyuhit maniktat tammaininut aturiaqaqtitauyut tapkununag Hamlatkut.

[38] Hulittauq, hanmiyara ayuqartuq havarinia kititiniq qanuq aktigiyumik Mr. Petaulassie maniliurianga naunaipkutaqattiangittumik. Uqaqtuq havaktuq mikhaani malrukniq tatqiqhiutikniq. Uqangita taphuma havani ublup ilainanik. Talvuna, tamna mikiniqhaq manikhauhiq Nunavutmi tamnauyuq \$9.65 ikarniqmun. Piplugu una tamnalulu 37.5 ikarnit havakniq havaguhiqmi, mikhautatka maniliurtuq mikhaani \$2,895.00 tamna ahivaiviuyukhaq talvangatuniyauyuq tammainiq manikhanit.

[39] Mr. Petaulassie apiriyuq taphuminga \$10,000.00 aanirniqmun harimahutainut inminiklu pilarahuginiq piplugu tamna ihuinaqtauniq. Una qanurittunia tuniyauyuq atuqtauvaktuq tapkunani inungnut pilarutit pityutit tapkunani ihuinaqtauniq uvaluniit pittiangitauniq nalvauyut atuqtauni utiqviuninut tamna tukhiraqtuq tammainiqmun pilarutmik piyaungitniq ihuinaqtauniqmin. Una ilalik utiuqviuniq kannguhuktitauniq, aanirniq harimahutmik inminiklu pilarahuginiq, tamnalulu ikpiginiq aaniqtauniq pityutauyut ihuinaqtauniqmin. Mr. Petaulassie unniqtauyuuq aktuani inminut tammainiqmin pilarut havakniq tapkununga Hamlatkut huningitnialu nunalikmini. Uqaqtuq, naamagiyaralu, tamna aktuaniq ilitniqmik tapkuat ilagiyai ilauyuq piyauyumaniqhaukmat inminiunganit tahamanilaittunilu havaklunilu nanminiq nunagiyamini ikpigipkaqta “aaniarniq aqiaruminut” piyuqlu angiyumik aktuaniq inminut.

[40] Naamagiyara tamna tukhiraqtuq pilaqnia taphuminga \$20,314.89. Taimaittumik, aturiaqaqtitatka tapkuat kiuyuq tapkuat Hamlatkut Kingait akiliqnia tamna tukhiraqtuq Mr. Petaulassie \$20,314.89 qangiqtitnagit avatit qulitlu (30) ublut uuminga ubluanit ihumaliurut. Mr. Petaulassie havalik tunihiniq kitunikliqak piyalikniq aturialikniq ahivaiviunit. Hulivalliq aturiaqaqtitatka tapkuat kiuyuq akiliqnik ihumaliuqniahaqtitlugu piruqhautit uuminga aktilaq kititnik malikhugu nakataani 52-56 tapkunani Nunavut *Apiqhuiniqmun Piquyat*, S.N.W.T. 1998, c. 34, s.1.

Ublulirtuq talvani Ikaluktutiak uumani 16nga ublua Aipuru, 2012

Bonnie Almon

Bonnie Almon

Katimayi