



Resolution Duly Approved by the  
Métis Nation-Saskatchewan  
Provincial Métis Council on September 21, 2021  
**#210921-05**

### **Confidentiality Issues and the Provincial Métis Council**

**WHEREAS** the Provincial Métis Council (PMC), at its duly convened meeting on June 18, 2021, passed a resolution affirming the importance of having a model for governance that is grounded on the principles of solidarity and collective responsibility;

**WHEREAS** the elected members of the PMC form the Cabinet of the Métis Nation – Saskatchewan (MN-S) government and make decisions affecting the rights and interests of the MN-S and its citizens;

**WHEREAS** members of the PMC have access to proprietary, classified, confidential and privileged information, which if disclosed to third parties could harm the MN-S' rights and interests;

**WHEREAS** members of the PMC owe fiduciary duties of loyalty and good faith and are obligated to protect confidential information as part of those fiduciary duties; and

**WHEREAS** internal communications of the PMC were shared with an external third party on or about September 2, 2021;

#### **NOW THEREFORE BE IT RESOLVED THAT:**

1. The PMC, at this duly called meeting of September 21, 2021, desires to denounce and expressly prohibit the sharing and disclosure of MN-S' confidential information;
2. The disclosure of MN-S' confidential information constitutes a material breach of PMC members' oaths of office and fiduciary duties of loyalty, good faith and confidentiality;
3. Any member of the PMC who discloses confidential information is committing a seditious act and shall be held accountable to the fullest extent of the law. Disciplinary action may include but is not limited to, the loss of Ministerial responsibilities, removal from internal committees and the matter being brought before the Métis Nation Legislative Assembly (MNLA);
4. For the purposes of this resolution, "confidential information" means any information of a confidential nature which relates to the business and activities of the MN-S and its affiliates, including, without being limited to, the following:
  - a) information that is proprietary or sensitive in nature;
  - b) information that is identified, marked or communicated as "privileged" and/or "confidential";
  - c) information that is communicated for internal purposes;
  - d) documents, plans, and communications that are in draft form;
  - e) business and legal strategies, technical plans, personnel information, and related information;
  - f) information relating to and regarding clients, legal files, negotiations with third parties and/or customers and/or program beneficiaries of the MN-S and its affiliates; and
5. The PMC further directs that there be an internal investigation to determine the source of the unauthorized disclosure, that the logistics of the internal investigation be determined by the

MN-S' Human Resource Committee, and that recommendations based upon the investigation findings be presented to the PMC for its consideration and deliberation.

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**Dated this 21<sup>st</sup> day of September, 2021**

**Moved by:** Michelle LeClair, Vice President

**Seconded by:** Marg Friesen, Eastern Region 3

