Northwest Territories

The Northwest Territories lies north of the 60th parallel. It is bounded on the west by Yukon Territory. It has no northern territory. The administration of the Territory is carried through under the Northwest Territories Act. The legislative power is vested in a council of 15 elected members. It could make ordinances on subject enumerated in Section 13 of the Act. The executive power is exercised by a federally appointed commissioner. The judicial power is exercised by the territorial courts. The Territory is represented in the House of Commons of Canada by one member.

1 See Northwest Territories Act, R.S., C. 331, with subsequent amendments, Sec. 10. However, in order to give effect to the proposals of Mr. C. M. Drury, Special Government Representative for Constitutional Development of the Northwest Territories, that the size of the existing Legislative Council should be enlarged (see Notes for Remarks by Mr. C. M. Drury to the Northwest Territories Council, dated 20 October 1978, p. 17) a Bill on the subject is before Parliament for consideration. It provides that, "The Commissioner in Council may make ordinances to increase or decrease the number of the members of the Council. But the number of members shall not be fewer than fifteen or greater than twenty five." Northwest Territories (Amendment) Bill (C-28) 1978, Sec. 4

2 See the Northwest Territories Act, R. S., C.331, Sec. 3

3 Ibid., Part II

4 See British North America Act 1867 with subsequent amendments, Sec. 37
The change in the administrative set-up and the division of territory into more than one political units is currently being reviewed by a Special Representative appointed by the Government of Canada in 1977.5

Yukon Territory

The Territory of Yukon is bounded on the north of Beaufort Sea, on the east by Mackenzie District and Northwest Territories, on the south by British Columbia and Alaska and on the west by Alaska. It is being administered under the Yukon Act. The executive power has been conferred on a federally appointed Commissioner.6 In the exercise of his executive functions the Commissioner is also advised by an Executive Committee of 4 members.7 The legislative power has been conferred on a council of 12 members.8 It could make ordinances on subjects which are exclusively of local

5 See Terms of Reference: Special Government Representative for Constitutional development of the Northwest Territories (1977)

6 See Yukon Act (1952-53 C. 53) with subsequent amendments, Sec. 3

7 The provision in respect of Executive Committee has not been provided for in the Yukon Act. In order to train the elected councillors in the executive side this feature has been added with the approval of Minister for Indian and Northern Affairs, source: p. 10 of Documents supplied by the Department of Indian and Northern Affairs entitled, "Northern Development and Territorial Governments: An Overview", Territorial Affairs Division, Ottawa (1974)

8 See Yukon Act, op. cit., Sec. 9
nature. The administration of justice remains in the hands of a District court and county courts. The Territory returns one member in the House of Commons of Canada. In respect of the Constitutional development of Yukon Territory, the Government of Canada is considering to get the matter reviewed by a Special Representative, similar to the one appointed for Northwest Territories.

9 Ibid., Sec. 16
10 Ibid., Part II
11 Vide British North America Act, 1867 with subsequent amendments, Sec. 37
12 See pp. 19-20 of Documents supplied by the Department of Indian and Northern Affairs entitled, "Political Development of the Northwest Territories" (1977)