

**Subsection 11.—Yukon Territory and Northwest Territories\*****Yukon Territory**

The Yukon was established as a separate territory in 1898 to meet a need for local government created by the influx of miners during the gold rush period. The Yukon Territory Act provided for a Commissioner and a Council of not more than six, all appointed by the Governor in Council. The Commissioner in Council was given legislative powers comparable to those held by the Lieutenant-Governor and the Legislative Assembly of the Northwest Territories. By 1902, five elected councillors had been added and in 1908 a fully elected Council of ten members was introduced. A population decline following the end of the gold rush was accelerated by enlistment during World War I and in 1919 the Council was reduced to three elected members. This remained the level of government until after World War II when population and economic activity again showed an increase, beginning with the building of the Alaska Highway. In 1960, the Council was increased to seven elected members and provision was made for the appointment of an Advisory Committee on Finance.

**Basic Legislation.**—A principal feature of territorial government is its very close constitutional and working relationship with the Government of Canada. Although the provinces and the Federal Government each have jurisdiction and powers allocated by the British North America Act, the authority of the Territorial Government is allocated only by federal legislation. The Yukon Act prescribes the structure of the executive, legislative and judicial branches of the Territorial Government and the scope of their authority; all residual matters remain under federal control. The Territory has fully representative but not responsible government. The Act has been amended to give increased authority to the Territorial Government and it provides that the number of subjects on which the Territorial Council can legislate may be increased by the Governor in Council. The Yukon Act also provides for the designation of the seat of government; Whitehorse, the single large community in the Territory, was so designated in 1953.

The Government Organization Act, 1966, which describes the responsibilities of the Department of Indian Affairs and Northern Development for the development of Northern Canada, is the other piece of basic legislation under which the Territorial Government operates. The Minister is responsible for the management of the natural resources (except game) and for the development of the North generally. Although he shares authority with the Governor in Council for directing the Commissioner in his duties, he is the effective link between the Territorial and Federal Governments.

**The Executive.**—The executive side of the Territorial Government is headed by a Commissioner appointed by the Federal Government. He is directed to administer the Government of the Territory under instruction from the Governor in Council or the Minister of Indian Affairs and Northern Development. In practice, the Commissioner is much more responsive to the wishes of his elected Council than the Act implies and he cannot spend any territorial funds which have not been voted by Council. There is also a growing body of other territorial legislation (ordinances) which requires the Commissioner to obtain Council approval for specific actions; actually he never acts on any major issue without consulting Council.

Because the Commissioner does not sit with Council, there is no formal integration of the executive and legislative functions of government at Council sessions. The most recent development toward bridging this gap was the formation of an Advisory Committee on Finance, provided for by the 1960 amendment to the Yukon Act. The Committee consists of three Members of Council appointed by the Commissioner on the advice of Council, with whom the Commissioner is required to consult in the preparation of his

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