

3.3.2 Territorial governments

3.3.2.1 Yukon Territory

The constitution for the government of the Yukon Territory is based on two federal statutes: the Yukon Act (RSC 1970, c.Y-2) and the Government Organization Act (SC 1966, c.25). The Yukon Act provides for a Commissioner as head of government and for a legislative body called the Yukon Legislative Council. Under the Government Organization Act, the Minister of Indian Affairs and Northern Development is responsible (with the Governor in Council) for directing the Commissioner in the administration of the territory.

The executive level of the Yukon government consists of the Commissioner and Executive Committee. The Office of the Commissioner incorporates several functions: head of the territorial government and senior representative of the Department of Indian Affairs and Northern Development in the Yukon Territory. In addition, the Commissioner performs duties similar to those of a Lieutenant Governor in relation to the Legislature.

In administering the territorial government the Commissioner is assisted by the Executive Committee, which is modelled on a cabinet structure. The committee is composed of the Commissioner, as chairman, with two Assistant Commissioners and three Councillors as members. Each of the members is assigned portfolios by the chairman.

The territorial government forgoes its taxing authority on private and corporate incomes and collection of corporate taxes and succession duties in deference to annual federal-territorial financial agreements. Under these agreements the federal government contributes the funds necessary to cover the deficit arising from the forecast of revenues available to the territory and the forecast cost of services to be provided.

Administration. The territorial public service, comprising approximately 1,200 employees, is organized into 11 conventional administrative departments and a number of special service departments. Whitehorse is the administrative centre of the government. A few departments have necessary regional postings and territorial agents represent the government in outlying communities.

Health services and land are administered jointly by the territorial and federal governments. Health services are administered and operated by the Yukon Hospital Insurance/Health Care Insurance Services Department in conjunction with the Department of National Health and Welfare. The program will eventually be transferred to the territorial department.

Certain areas have been designated to the Commissioner for administration under the Territory's Lands Ordinance. The remaining land is under the jurisdiction of the Department of Indian Affairs and Northern Development.

In addition to these shared responsibilities, the federal government, through the Department of Indian Affairs and Northern Development, retains control of the natural resources of the Yukon, except game. Local administration is carried out by federal public servants.

Legislature. The Yukon Act delineates the jurisdiction of the Council. It is like those of provincial assemblies with two exceptions: matters touching on natural resources, except legislation concerning the preservation of game, are reserved to the federal government, and budgetary matters are reserved to the Commissioner. Council is called into session and prorogued by the Commissioner.

Legislative authority for the Yukon is vested in the Commissioner in Council. All bills must be approved by Council and be assented to by the Commissioner before becoming law. As in other jurisdictions, the Governor in Council may disallow any ordinance within one year. Ordinances are printed on a sessional basis and consolidated annually.

Amendments to the Yukon Act passed by Parliament in 1974 provided for an immediate expansion of the membership of Council from seven to 12 and for