

of Council. Another step to harmonize the executive and legislative functions of government was the formation in November 1970 of an Executive Committee consisting of the Commissioner as chairman and four members: the Assistant Commissioner (Executive) and Administrator of the Yukon Territory as vice-chairman, the Assistant Commissioner (Administrative) and two members of Council to be appointed by the Commissioner on the recommendation of the territorial Council. The two Council members on the Executive Committee are also members of the Advisory Committee on Finance, leaving the third member to be appointed by Council. As part of their administrative duties, one elected member is responsible for the Department of Education and the other for the Department of Health, Welfare and Rehabilitation.

Below the Commissioner's office, the territorial public service, comprising 1,200 persons including 260 teachers, is organized into 11 conventional administrative departments under the direction of the Commissioner; all are located in Whitehorse. In outlying communities territorial government administration is represented by a limited number of territorial agents concerned with the sale of liquor and licences. Health facilities are administered mainly by the federal Department of National Health and Welfare, an involvement stemming from its responsibility for Indians in the Yukon and from practical administrative considerations. The territorial government directs education, under the territorial Department of Education, engineering services and the administration of certain welfare programs.

Some administrative areas such as natural resources, which are the responsibility of the Department of Indian Affairs and Northern Development, are administered by federal public servants. The Commissioner, in addition to his constitutional role in territorial government, is also the Department's senior federal representative in the Territory. The Minister of Justice is the Attorney General of the Yukon Territory for purposes of the Criminal Code of Canada, with responsibility for the administration of criminal justice in the Territory but not for civil matters, or the constitution or organization of the courts. Law enforcement is provided by the Royal Canadian Mounted Police and the contract for its services is negotiated by the territorial government.

A detailed discussion of the territorial court system is presented in Chapter 2.

**The Legislature.** The Legislative Council consists of seven members elected for a term of four years. In general, all persons resident in the Territory for one year prior to the date of enumeration and 18 years of age are eligible to vote. Three of the members represent electoral districts located in or close to Whitehorse where about two thirds of the some 20,000 residents of the Territory live. As in many other matters, a federal agency, the Office of the Chief Electoral Officer, conducts the territorial elections as a free service to the Territory. Council normally meets in session twice each year. The first session commences in January and as a major part of its work votes on the main territorial estimates, prepared by the Commissioner and approved by Council's Advisory Committee on Finance and the Minister of Indian Affairs and Northern Development. The second session is usually called in November and special sessions can be held at any time. Main sessions last from one to two months and the debates are recorded verbatim and published under the title of *Votes and proceedings*.

The Commissioner calls Council into session and prorogues it; he sits with it only by invitation to explain or defend proposed expenditures, draft legislation or policy papers which he has placed before Council. All sessions are presided over by a Speaker who is appointed by Council from among its members for the duration of each Council but is given no specific responsibilities or authority under the Yukon Act. In practice, he conducts Council proceedings under Rules of Council which are an adaptation of Canadian parliamentary procedures. A Clerk of Council controls the administrative side of its proceedings.

The matters on which Council can legislate are not significantly fewer than those enjoyed by the provinces. The main exceptions concern natural resources. These are a responsibility of the federal government which has to provide the heavy investments in transportation and other facilities needed to bring them into production. Most major policy matters are first placed before Council in the form of a sessional paper prepared by the Commissioner, and the draft legislation is then presented at the next session in the form of a bill, although amendments to existing legislation may be processed concurrently with the sessional paper or without the assistance of this background information. Discussion is usually conducted with the Council resolved into Committee of the Whole, making it possible for the Commissioner, heads of