

Ministre des Affaires indiennes et
du Nord canadien, interlocuteur fédéral
auprès des Métis et des Indiens non inscrits et
ministre de l'Agence canadienne de développement
économique du Nord



Minister of Indian Affairs and
Northern Development, Federal Interlocutor
for Métis and Non-Status Indians and
Minister of the Canadian Northern Economic
Development Agency

Ottawa, Canada K1A 0H4

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The Honourable George Tuccaro
Commissioner
Government of the Northwest Territories
PO Box 1320
YELLOWKNIFE NT X1A 2L9

Dear Commissioner Tuccaro:

I would like to congratulate you on your appointment as the new Commissioner of the Northwest Territories, and take this opportunity to address the role of Commissioner for the Territories.

This letter provides guidance regarding the role of Commissioner, in particular regarding your relationship with the Council ("Legislative Assembly"), Executive Council and Premier of the Northwest Territories, in accordance with the principles of responsible government and executive accountability. The framework for this relationship with the Legislative Assembly, Executive Council and Premier is found in the applicable provisions of the *Northwest Territories Act* (Canada), as supplemented by the *Legislative Assembly and Executive Council Act* (NWT).

The Commissioner of the Northwest Territories is addressed primarily in sections 3 to 7 of the *Northwest Territories Act*. In particular, section 3 of the *Northwest Territories Act* states that the Commissioner will be the chief executive officer for the Territories and is appointed by the Governor in Council. Section 5 requires the Commissioner to administer the Territories in accordance with any written instructions from the Governor in Council or the Minister. This letter of instruction is issued pursuant to section 5 of the *Northwest Territories Act*.

Consistent with Canadian constitutional conventions, you will act by and with the advice of your Premier, Executive Council and Legislative Assembly in all those matters relating to territorial policy, legislation and administrative decisions that fall within the competence of your office. There are only a few instances where your Premier alone has the capacity to provide direction.

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More particularly, with respect to the making of appointments and regulations, the advice of the Legislative Assembly, Executive Council or the responsible Minister or other person or entity authorized to make the recommendation to you, must be followed.

The Legislative Assembly, as the instrument of representative government for the residents of the Northwest Territories, controls its agenda and timetable. Section 11 of the *Northwest Territories Act* gives you the responsibility to convene sessions of the Legislative Assembly. With respect to proroguing sessions of the Legislative Assembly, and convening its future sessions, you will accept the Legislative Assembly's advice.

It is appropriate that the Commissioner's role continue to evolve in a manner consistent with, and supportive of, responsible government in the Northwest Territories. As a general guide, and having due regard to the constitutional differences between provinces and territories, you will carry out your role as Commissioner in a manner similar in practice to that of a provincial Lieutenant Governor.

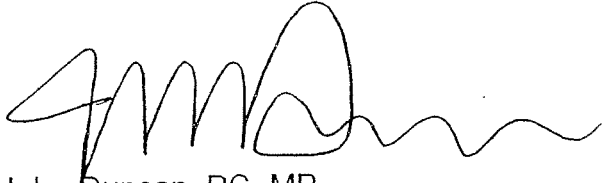
Overall, as Commissioner, you hold an important trust as the keeper of constitutional tradition, the embodiment of security for the people and institutions of the Northwest Territories within the Canadian federation, and the symbol of good government. At all times your role requires you to exercise tact and diplomacy. In very rare and exceptional circumstances you may be faced with a situation where it is necessary that you exercise independent discretion. In any such circumstances, you will act in a manner consistent with the principles and conventions of Canada's system of responsible government that have emerged relative to the offices of the Governor General and the provincial Lieutenant Governors. Similar to the conduct required of provincial Lieutenant Governors, it is imperative that you avoid involvement in and pronouncements upon contentious public issues.

The book, *Commissioners of the Territories*, also addresses the role of this distinguished office.

Please provide a copy of this letter to your Premier. I understand that, consistent with convention, these instructions are tabled in the Legislative Assembly to become part of the public record.

In closing, I wish to assure you of my trust, support and good wishes in fulfilling your important role on behalf of the people of the Northwest Territories.

Sincerely,

A handwritten signature in black ink, appearing to read 'John Duncan', with a large, stylized initial 'J' and a long, wavy tail.

John Duncan, PC, MP

