

Electoral Boundaries Commission 2021

TERMS OF REFERENCE

Pursuant to Section 2.1 of the *Electoral Boundaries Commission Act* (the Act), an Electoral Boundaries Commission must be established, by resolution of the Legislative Assembly, within two years after the day fixed for the return of the writs following a general election.

The previous Electoral Boundaries Commission was struck in 2013 and was tasked with providing three options for the consideration of the Legislative Assembly: 18, 19, and 21 electoral districts. The Assembly chose the 19-seat model.

1. PURPOSE

The Commission shall:

- 1) Review the area, boundaries, name and representation of the existing electoral districts and shall, on completion of that review, prepare a report containing recommendations respecting the area, boundaries, name and representation of the electoral districts proposed by the Commission.

2. GUIDELINES

Pursuant to section 9(k) of the *Act*, which enables the Legislative Assembly to establish guidelines or criteria that shall be taken into consideration by the Commission, the following guidelines are set down for the Commission:

- 1) The Commission shall review the existing electoral districts using the most recent and accurate census and other population data available.
- 2) In keeping with Canadian constitutional conventions, relative parity between electoral districts shall be sought, to the extent possible, except where special circumstances warrant exceptional deviation.
- 3) For greater certainty, relative parity means that the percentage variation between the number of persons in a riding and the average mean should be within plus or minus 25 per cent.
- 4) In addition to whatever recommendations the Commission may propose, the Commission shall recommend how the electoral boundaries should be drawn if the Legislative Assembly were to be comprised of a minimum of 19 members.

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- 5) The Commission shall prepare an interim report with proposed electoral district boundaries for review by the public and discussion at public hearings.
- 6) The Commission shall establish a website or other publically accessible mechanism(s), in addition to public hearings, to receive submissions on the existing and/or proposed boundaries.
- 7) All submissions to the Commission shall be considered public documents.
- 8) Simultaneous translation of official languages shall be available at public hearings where the use of an official language in a particular community or region is sizable enough to warrant the employ of translation services.
- 9) If the Commission is not in a position to accomplish its mandate within the existing budget allocated, it may return to the Legislative Assembly for additional funds.
- 10) The final report of the Commission, complete with recommendations, shall be submitted in English and French to the Speaker and Clerk of the Legislative Assembly no later than twelve months after the Commission is struck.

3. COMPOSITION

The Commission shall be composed of a chairperson and two other members appointed by the Commissioner on the recommendation of the Legislative Assembly. The Chairperson must be a judge or retired judge of the Supreme Court or the Court of Appeal.

4. CONSIDERATIONS

Pursuant to the Electoral Boundaries Commission Act, in preparing its report, the Commission shall take into consideration

- a) demographic factors, including the sparsity, density or rate of growth of the population of any area;
- b) census data and other information pertaining to population;

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- c) information in the register of electors maintained under the *Elections and Plebiscites Act*;
- d) geographic factors, including the accessibility, size of shape of any area;
- e) community boundaries and boundaries established under lands, resources and self-government agreements, including land claim and treaty land entitlement agreements;
- f) facilities for and patterns of transportation and communication within and between different areas;
- g) language, culture and any other special community or diversity of interests of the residents of any part of the Northwest Territories;
- h) special circumstances relating to any existing electoral districts;
- i) public input obtained under subsection 8(2);
- j) the minimum and maximum number of members of the Legislative Assembly authorized by the *Northwest Territories Act*;
- k) any guidelines or criteria proposed for the consideration of the Commission by resolution of the Legislative Assembly;
- l) any other similar and relevant factors that the Commission considers appropriate.

5. REPORT

The final report of the Commission, complete with recommendations, shall be submitted in English and French to the Speaker and the Clerk of the Legislative Assembly no later than twelve months after the Commission is struck.

6. FINANCE AND ADMINISTRATION

The Clerk of the Legislative Assembly in consultation with the Commission, shall identify a Secretary to the Commission. Pursuant to section 6 of the *Act*, the Commission may engage the services of any persons necessary to assist in the exercise of its powers and the performance of its duties under the *Act*.

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The Speaker, on the recommendations of the Board of Management, will approve funding for the Commission. The Commission will ensure expenditures do not exceed the allotted funds.

Budget and Expenditures: \$150,000

7. REMUNERATION

A member of the Commission, including the chairperson if he or she is a retired judge, is entitled to remuneration for his or her services at the rates determined by the Board of Management.

8. TERMINATION

A Commission dissolves 60 days after its report is laid before the Legislative Assembly.